THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 20 NUMBER 121

Washington, Wednesday, June 22, 1955

TITLE 6—AGRICULTURAL CREDIT

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

Subchapter B—Loans, Purchases, and Other Operations

[1955 C. C. C. Cotton Bulletin 1]

PART 427—COTTON

SUBPART—1955 COTTON LOAN PROGRAM

1955 COTTON BULLETIN

This bulletin contains the regulations specifying the instructions and requirements with respect to the 1955 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 1955, in accordance with this bulletin.

Sec.

AUTHORITY: §§ 427.601 to 427.632 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.

§ 427.601 *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 (referred to in this subpart as the "New Orleans office"), and Agricultural Stabilization and Conservation (referred to in this subpart as "ASC") State and county committees (referred to in this subpart as State committees and county committees, respectively). Forms will be distributed by the New Orleans office and will be available at county ASC offices (referred to in this subpart 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 offices do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements hereto.

§ 427.602 *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; Dona Ana, Eddy, 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 § 427.632.

(Continued on next page)

CONTENTS

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

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.

(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 1955 in Puerto Rico at the rates shown in § 427.632.

(c) *Time.* Loans shall be available from the date rates are announced through April 30, 1956. 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, 1956. 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, 1956, 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 agree-

ments with CCC, or by the New Orleans office. Disbursement of loans by approved lending agencies will be made not later than April 30, 1956, 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.

§ 427.603 *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.

§ 427.604 *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.

§ 427.605 *Eligible producer.* A producer will be entitled to a loan on eligible upland or extra long staple cotton produced by or for him in 1955 on a farm (as defined for purposes of cotton marketing quotas) for which a 1955 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 1955 planted acreage (as determined for purposes of cotton marketing quotas) of such kind of cotton on the farm does not exceed the 1955 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.

§ 427.606 *Eligible cotton.* Eligible cotton shall be upland cotton produced in the United States in 1955 or extra long staple cotton planted in 1955 and produced in areas designated under § 427.602, which meets the following requirements:

(a) Such cotton must be of a grade and staple length specified in § 427.632.

(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 extraneous matter such as grass, sand, oil, dust, whole seeds, parts of seeds, motes, stems, bark, etc.; 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 weigh not less than 300 nor more than 700 pounds, gross weight, and must be adequately packaged in new material manufactured for cotton bale covering, except used jute and sugar bagging will be acceptable if such bagging is clean and in sound condition. Heads of bales must be completely covered. New bagging used in the cotton Experimental Bale Cover Program will be acceptable, provided the bales covered with such bagging are tagged to identify them with such program.

§ 427.607 *Forms.* The following documents must be delivered by producers in connection with every loan except loans made pursuant to §§ 427.624 and 427.630.

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

(2) Warehouse receipts complying with the provisions of § 427.619.

(3) Producer's Letter of Transmittal (CCC Cotton Form B, referred to in this subpart 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, referred to in this subpart as "Form E").

(2) Cotton Chattel Mortgage (CCC Cotton Form F, referred to in this subpart as "Form F") and Cotton Mortgage Supplement (CCC Cotton Form FF, referred to in this subpart 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 § 427.622 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.

§ 427.608 *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, 1956, 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.

§ 427.609 *Weight and rate.* (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 § 427.632. Loan rates for extra long staple cotton are also shown in § 427.632. 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.

§ 427.610 *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 such kind of 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.

§ 427.611 *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.

§ 427.612 *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 schedules:

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.

§ 427.613 *Liens.* Eligible cotton must be free and clear of all liens except the warehouseman's lien for charges permitted under § 427.621 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).

§ 427.614 *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

[1] Schedule to be issued about August 15, 1955.

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.

§ 427.615 *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 1955 Smith-Doxey Program. 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, referred to in this subpart 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. If a sample has been drawn and submitted for a Form 1 or Form A3 classification, another sample may not be drawn and forwarded to a Board except for a review classification or a reclassification in lieu of review. If a Form 1 or Form A3 review classification or reclassification in lieu of review is obtained, the loan value of the cotton represented thereby will be based on such review classification or reclassification.

(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.

§ 427.616 *Interest rate.* Loans and charges on the cotton covered by the loans shall bear interest at the rate of 3½ percent per annum 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.

§ 427.617 *Maturity.* (a) Loans mature July 31, 1956, 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.

§ 427.618 *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.

§ 427.619 *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, 1955, which by their terms will expire prior to August 1, 1956, must bear an endorsement of the warehouseman extending the terms of the warehouse receipts for a period of one year from August 1, 1955. Block warehouse receipts will not be accepted except on cotton to be reconcentrated pursuant to § 427.623.

§ 427.620 *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.

§ 427.621 *Warehouse charges.* The Agreement of Warehouseman on each Form A must be executed by the warehouseman 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 § 427.630, the Warehouseman's Certificate and Agreement on the Certificate of Association and Agreement of Warehouseman (CCC Cotton Form G–1, referred to in this subpart 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 (notwithstanding the wording of such agreement on Forms A dated 3–4–54, the warehouseman may draw a sample for a reclassification in lieu of review) 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, or if the cotton is uncompressed and the warehouseman desires to collect his delivery charge for flat cotton in lieu of compression if it is destroyed by fire,

such charge must be covered by insurance) 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 warehousman 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, 1956, all charges on the cotton for storage and insurance (as required in § 427.619) 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 20 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, 1956, 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.

§ 427.622 *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 accordance with § 427.621 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 § 427.621 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.

§ 427.623 *Loans on cotton to be reconcentrated.* Loans on cotton to be reconcentrated will be available only on cotton stored at warehouses approved by the New Orleans office in areas where there is congestion and lack of storage space. The warehousemen will enter into Reconcentration Agreements (CCC Cotton Form 29, referred to in this subpart as "Reconcentration Agreements") with CCC. Warehouse receipts covering

cotton to be reconcentrated under a Reconcentration Agreement must be in a form acceptable to CCC and must provide for delivery of the cotton to the order of CCC. Block warehouse receipts covering cotton to be reconcentrated under a Reconcentration Agreement will be accepted. A producer who desires to obtain a loan in this manner should request the warehouseman to issue a warehouse receipt to him in the form specified above and must furnish written authorization to the warehouseman for the reconcentration of his cotton after which the warehouseman will ship the cotton. The Forms A and warehouse receipts covering cotton to be reconcentrated under a Reconcentration Agreement must show the reconcentration order number under which the cotton will be shipped. The producer will obtain a loan on these documents in the usual manner, and after receipt of the loan documents, CCC will surrender the warehouse receipts to the warehouseman.

§ 427.624 *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 (called "the advance loan" in this subpart) 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, referred to in this subpart 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, 1955, 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.

§ 427.625 *Loans on upland cotton prior to August 1, 1955.* Loans on upland cotton will be made available to producers in the area where such cotton is harvested prior to August 1, 1955. 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 § 427.632. Other provisions for loans prior to August 1, 1955, will be the same as provided for loans after that date, except that in the event that the base loan rate based on the August 1, 1955, parity price for upland cotton 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.

§ 427.626 *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 Lending Agency's Letter of Transmittal (CCC Cotton Form C, referred to in this subpart as "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.

§ 427.627 *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.

§ 427.628 *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 Statment–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.

§ 427.629 *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 § 427.631. 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 affected 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 instruction from the county office of the county in which the cotton is stored. Partial releases will be allowed.

§ 427.630 *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.

§ 427.631 *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.

§ 427.632 *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 1955-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														
	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.	Pts.
Good Middling	-220	-140	-65	45	90	155	215	260	315	440	645	845	1,080	1,300
Strict Middling	-235	-155	-75	30	80	145	200	245	300	415	625	820	1,060	1,275
Middling	-250	-180	-100	Base	45	105	160	200	250	350	535	720	950	1,155
St. Low Middling	-400	-325	-250	-150	-100	-55	-5	30	70	125	220	310	420	520
Low Middling	-605	-545	-475	-405	-360	-310	-270	-245	-225	-200	-175	-160	-150	-145
St. Good Ordinary	-780	-725	-660	-585	-545	-505	-480	-470	-465	-465	-465	-465	-465	-465
Good Ordinary	-950	-895	-840	-765	-725	-680	-660	-655	-655	-655	-655	-655	-655	-655
SPOTTED														
Good Middling	-380	-310	-235	-155	-105	-60	-15	10	35	90	135	175	205	235
Strict Middling	-405	-330	-260	-180	-125	-80	-40	-15	15	40	85	130	155	185
Middling	-600	-540	-470	-395	-330	-275	-230	-205	-170	-150	-130	-105	-80	-50
St. Low Middling	-775	-720	-655	-590	-540	-490	-465	-455	-455	-455	-455	-455	-455	-455
Low Middling	-960	-910	-855	-780	-740	-705	-680	-675	-675	-675	-675	-675	-675	-675
TINGED														
Good Middling	-730	-680	-620	-530	-490	-445	-420	-410	-385	-365	-330	-310	-285	-250
Strict Middling	-760	-705	-645	-550	-510	-475	-445	-435	-410	-390	-360	-335	-310	-275
Middling	-915	-860	-795	-715	-680	-630	-605	-595	-595	-595	-595	-595	-595	-595
St. Low Middling	-1,100	-1,045	-980	-910	-875	-835	-815	-810	-810	-810	-810	-810	-810	-810
Low Middling	-1,315	-1,260	-1,200	-1,105	-1,075	-1,040	-1,020	-1,010	-1,010	-1,010	-1,010	-1,010	-1,010	-1,010
YELLOW STAINED														
Good Middling	-1,000	-945	-890	-820	-790	-755	-740	-735	-735	-735	-735	-735	-735	-735
St. Middling	-1,025	-975	-915	-855	-820	-785	-770	-765	-765	-765	-765	-765	-765	-765
Middling	-1,220	-1,165	-1,105	-1,015	-985	-960	-945	-940	-940	-940	-940	-940	-940	-940
GRAY														
Good Middling	-365	-300	-230	-150	-105	-65	-20	Even	35	115	170	215	265	315
St. Middling	-390	-325	-260	-175	-130	-95	-50	-25	10	45	120	170	205	245
Middling	-580	-525	-455	-375	-320	-270	-235	-170	-150	-120	-90	-65	-40	-20
St. Low Middling	-805	-745	-685	-610	-545	-490	-445	-425	-425	-425	-425	-425	-425	-425

(b) *Schedule of minimum loan rates (in cents per pound net weight) for eligible qualities of 1955-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	55.00	55.40	57.95	58.35	59.30	59.70
2	54.00	54.40	57.05	57.45	58.50	58.90
3	52.50	52.90	55.45	55.85	57.35	57.75
4	48.55	48.95	51.95	52.35	53.85	54.25
5	43.15	43.55	46.50	46.90	48.25	48.65
6	37.40	37.80	40.35	40.75	42.65	43.05
7	33.65	34.05	36.35	36.75	38.65	39.05
8	29.70	30.10	32.30	32.70	34.30	34.70
9	25.75	26.15	28.30	28.70	30.35	30.75

(2) *Sea Island and Sealand cotton.*

Grade	(Staple length (inches))		
	1⅜	1⅜₁₆	1½ and longer
1	52.70	55.55	56.85
1½	51.80	54.70	56.05
2	50.30	53.15	54.95
2½	46.55	49.80	51.60
3	41.40	44.60	46.30
3½	35.90	38.75	40.95
4	32.35	34.90	37.10
4½	28.55	31.05	32.95
5	24.80	27.25	29.20

Issued this 15th day of June 1955.

[SEAL] EARL M. HUGHES,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 55-4959; Filed, June 21, 1955; 8:45 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

[P. P. C. 612, Revised]

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—KHAPRA BEETLE

REVISED ADMINISTRATIVE INSTRUCTIONS DESIGNATING PREMISES AS REGULATED AREAS UNDER REGULATIONS SUPPLEMENTAL TO THE KHAPRA BEETLE QUARANTINE

Pursuant to § 301.76–2 of the regulations supplemental to the Khapra Beetle Quarantine (7 CFR 301.76–2, 20 F. R. 1012) under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), revised administrative instructions are hereby issued as follows, listing warehouses, mills, and other premises in which infestations of the khapra beetle have been determined to exist and designating such premises as regulated areas within the meaning of said quarantine and regulations.

[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.

§ 301.76–2a *Administrative instructions designating certain premises as regulated areas under the khapra beetle quarantine and regulations.* Infestations of the khapra beetle have been determined to exist in the warehouses, mills, and other premises listed below. Accordingly, such warehouses, mills, and other premises are hereby designated as regulated areas within the meaning of the provisions in this subpart:

ARIZONA

Acme Bag & Burlap Co., 3200 South Seventh Street, Phoenix.

Advance Seed Co., 310 South 24th Avenue, Phoenix.

Allied Grain Co., 310 South 24th Avenue, Phoenix.

Al's Store, 106 Main Street, P. O. Box 38, Somerton.

Arizona Flour Mills, South Peart Road at Southern Pacific Railroad, Casa Grande.

Arizona Flour Mills, 75 South Second Street, Glendale.

Arizona Flour Mills, Ninth and Jackson Street, Phoenix.

Arizona Flour Mills, 177 East Toole, Tucson.

Arizona Grain Storage Co., 100 South Nevada, Chandler.

Arizona Sales Co., 116 West Fourth Avenue, Mesa.

Arlington Cattle Co. (warehouse and mill), Highway 80, Arlington.

Arlington Cattle Co., Quick's Warehouse, Star Route, Arlington.

Edward Beals Feed Lot, P. O. Box 163, San Luis.

Brown's Farm Store, 3555 East Washington, Phoenix.

Buckeye Seed & Feed Co., North First Street at Southern Pacific Railroad, Buckeye.

Capitol Feed & Seed, South Pacific Street and East Dirklay Avenue, Coolidge.

Capitol Feed & Seed Co., 4 South Main, Gilbert.

Capitol Feed & Seed Co., 312 South 15th Avenue, Phoenix.

Chandler Feed & Seed Store, 256 South Arizona Avenue, Chandler.

Delinting & Seed Treating Co., 3100 South Seventh Street, Phoenix.

Erly-Fat Livestock Feed Co., South Peart Road at Southern Pacific Railroad, Casa Grande.

Erly-Fat Livestock Feed Co., 117 East Toole Avenue, Tucson.

Farm Equipment & Supply, First Street and California Avenue, Parker.

Farmers' Coop. Marketing Association, Roll.

Farmers' Coop. Marketing Association, 401 Eighth Street, Yuma.

Farmers' Coop. Marketing Association, Highway 95, Yuma.

Feeders Supply Co., 751 West Main, Mesa.

H. P. Fites Ranch, Route 3, Box 302, Yuma.

G & H Feed Store, 812 Thatcher Boulevard, Safford.

Haffey's Market, Beal Street, Kingman.

A. W. Johnson Farm Storage Bins, Avenue D at One and One-Half Street, Yuma.

Dave Johnson Farm, Route 1, Box 25, Avenue "E", three-eighths mile south of Seventeenth Street, Somerton.

Richard W. Livingston (warehouse and store), Route 3, Box 144, Yuma.

Mrs. Pearl McCreary Ranch, Route 1, Gilbert.

R. H. McElhaney Ranch, Box 405, Wellton.

Millett Feed Barn & Millett Feed & Storage Warehouse, 254 South Sirrine Street, Mesa.

F. P. Nielson & Sons, 116 West Fourth Avenue, Mesa.

Northrup-King Co., 404 South 23d Avenue, Phoenix.

Northrup-King Seed Co., 953 Third Avenue, Yuma.

Peterson's Feed & Supply, 940 North Stone Avenue, Tucson.

Quick Seed & Feed, 2101 Grand Avenue, Phoenix.

Red Star Feed & Seed Store, 220 Mill Street, Tempe.

Southern Feed & Hardware, 25 East Southern Avenue, Phoenix.

Southwest Flour & Feed, 347 East A Street, Glendale.

Stranges Market, 867 Second Avenue, Ajo.

Jesse P. Stump Farm Storage, Route 1, Tolleson.

Tiemann Feed & Supply Co., 2001 North Stone Avenue, Tucson.

Tovrea Land & Cattle Co., 5001 East Washington, Phoenix.

Tucson Hay and Grain Co., 4734 East Speedway, Tucson.

Valley Feed & Seed, 1918 West Van Buren, Phoenix.

Valley Hay Market, 334 West Prince Road, Tucson.

Norman Welker Farm, Route 1, Safford.

Western Grain Elevator, 116 West Fourth Avenue, Mesa.

Whitman Grain Co., 11th Street, Yuma.

Whitman Seed Co., 11th Street, Yuma.

Yuma County Feed & Seed Warehouse & Store, 2101 Eighth Street, Yuma.

CALIFORNIA

Joe Ascaretta (a tin barn), on East Camp Road three-quarter mile south of Highway 20 on right side of road, Williams.

Paul H. Aspey Farm Storage Bins, 1 mile south of Highway 80 on Highway 111, and 1 mile east of Acacia Canal Gate 67, El Centro. Mail address Box 264, El Centro.

Janice Axtell Farm, Route 4, Box 2250, Oroville.

B & J Farm Service, 101 Walnut Street, Porterville.

Bakersfield Cattle Feeding Co. Ranch, Box 3155, Greenfield.

B. S. Baldwin & Son Ranch, Route 2, Box 758, Bakersfield.

Beckwith & Co., 614 High Street, Delano.

Belluomini Milling Corp., 1616 U Street, Bakersfield.

Berchtold Grain & Implement House, 330 East 19th Street, Bakersfield.

E. M. Bevine Ranch, Route 2, Box 22, El Centro.

John Binnell (chicken ranch), 1607 South Cucamonga Avenue, Ontario.

Blythe Alfalfa Growers Association Warehouses Nos. 2 and 3, West Hobson Way, Blythe.

Blythe Feed & Seed Co., West Hobson Way, Blythe.

Gilbert Britton Ranch, on south side of Airport Road, 5 miles south of Williams.

Ralph Brown Ranch, on west side of Walnut Avenue, off Highway 20, approximately 6 miles west of Williams.

California Milling Co., east side of Santa Fe RR., Corcoran.

Camp and Mebane Cattle Co. Feed Yard, 3½ miles east of Cawelo on Lerdo Road, Cawelo.

Louis Carano Ranch, east of Southern Pacific Railroad tracks at intersection of County Roads East B and No. 8, 1 mile south of Heber.

Charles C. Causey (small farm used for storage and farm feeding), 653 South Imperial Avenue, northwest corner intersection County Roads East M and 46th, Brawley.

Central Valley Feed Yard, Inc., East Eighth Street and RR. tracks, Imperial.

Fred Clendonen Ranch, Route 5, Box 359, Bakersfield.

J. E. Conrad Ranch, 18782 Livermore Street, Reedley.

Currier Bros. Feed Store, 2325 Myers Street, Oroville.

Cutter Grain & Milling Co., west side of Santa Fe RR., Corcoran.

Dessert Seed Co., Commercial and RR., El Centro.

Rosie Diffenboeker Ranch, County Road No. 68, one-half mile west of Highway 111, Calipatria.

C. R. Dow Ranch, Long Valley, North fork of Wolf Creek, 4 miles north of Highway 20, P. O. Clearlake Oaks.

C. B. Dunlap Ranch, on north side of Huffmaster Road, one-half mile south of Sites.

El Centro High School, barn on County Farm, El Centro.

Elm and North Feed Store, southeast corner Elm and North Streets, Fresno.

The Farmers Cattle Feeding Yard, three-quarter mile west of Highway 111, north of Brawley. Mail address Box 155, Brawley.

George Fiscalini Ranch, Williams.

M. H. Fisher Farm, at end of Malengo Road, 7 miles northwest of Williams.

Flickenger Feed & Seed, 930 18th Street, Bakersfield.

L. W. Frick & Sons feed yard and barn (ranch), Arvin.

Bud Frye Ranch, 72155 Frankwood (2 miles north of Reedley), Reedley.

Ernest Furrer Ranch, northeast corner of intersection of county roads West J and 18, El Centro.

J. Garafalo Ranch, on Airport Road, 1½ miles south of Colusa.

Pete Gardner Ranch, one-half mile south of Cemetery Road on west side of unnamed road, one-half mile east of Evergreen Cemetery, 2 miles east of courthouse, El Centro.

Abe Garr Ranch, on west side of Ninth Street, one-half block south of I Street, Williams.

General Mills, Inc., Warehouse, 320 A Street, Yuba City.

Will Gill and Sons Feed Yard, South Pine Street, Madera.

Glesby Bros. Grain & Milling Co., 148 East Olive Avenue, Monrovia.

Grange Co., 1152 G Street, Fresno.

Clifford Grifford Ranch, Myers Road, between Evans Road and Vineyard Road, Williams.

Bud Gunterman Ranch, on East G, one-half mile south of road 8 on west side of Acacia Canal at Gate 4, Calexico.

Gunterman Ranches (Bud Gunterman, owner), intersection of East L and Road 14, Calexico.

J. C. Hatfield Ranch, Dahlia Canal, P. O. Box 667, Imperial.

F. J. Hauseur & Sons Feed Lot, located 2 miles south of Orita, 1½ miles east on Oxalio Canal, Brawley.

J. D. Heiskell & Co., Inc., 116 West Cedar Street, Tulare.

J. B. Hill Co., North H Street, Fresno.

J. B. Hill Co., Selma.

Oscar Holdenried Farm Storage Bins, Renfro Drive, 1 mile west of Kelseyville. Mail address Box 338, Lakeport.

Holtville Milk Coop., Holtville

Ray J. Hovely Ranch, Old Calipatria Highway, 2½ miles north of Brawley, Brawley.

Willard Hoy Ranch, Cortina School Road, 1 mile south of Myers Road, Williams.

Harold Hunt Ranch, 742 Olive, (7 miles east of Heber), El Centro.

Imperial Grain Growers' Association, 204 North Eighth, Brawley.

Imperial Hay Growers' Association, West Main and Rio Vista, Brawley.

Imperial Valley Milling Co., 250 East Fifth Street, Holtville.

Johnson & Drysdale Cattle Co., Route 1, Box 143, Calexico.

Everet Jones Ranch, intersection of East R and Road 56, Route 2, Box 174, Brawley.

A. H. Karpe Greenfield Ranch, Station A, Box 187, Greenfield.

Clarence Keel Ranch, Highway 111, 4 miles north of Calipatria.

J. R. Kennedy Ranch, located in Long Valley, approximately 6 miles north of Highway 20, P. O. Clearlake Oaks.

Kern County Land Co. Feed Yard, Gosford.

Kern Valley Farms, on Wheeler Ridge Road, 1 mile south of Herring Road, Box 184, Arvin.

Henry Kirchener Dairy, on west side of County Road East B, one-fourth mile north of Country Road 28, El Centro.

C. E. Kline Ranch, Route 2, Box 282, El Centro.

Miss Mattie Lund and Irene Lund Parker Ranch, 6 miles east of Oroville, P. O. Drawer 309, Oroville.

H. E. Maltby Ranch, Zumwalt Road at corner at Hawkins Road, Williams.

H. E. Maltby (Sanders) Ranch, Zumwalt Road, 2 miles south of Williams, Williams.

Tom Manning Feed Barns, north end of Sones Drive, east side of Adobe Creek, north of Finley. Mail address Box 54, Lakeport.

Marshall Seed & Feed Co., 126 South Sixth, El Centro.

John T. Martin Ranch, Route 1, Box 99, Earlimart.

M. L. McFarland (small farm), County Road West A, one-fourth mile north of County Road 28, P. O. Box 327, Imperial.

Mee Ranches (lessee), 1901 Brundage Lane, Bakersfield.

Milham Farms, Blue Moon Ranch, Lerdo Road, Buttonwillow.

Minter Field-Kern County Warehouse, Cawelo.

Henry Munger Feed Lot, 299 Main Street, El Centro.

A. C. Musser Ranch, on north side of Myers Road, one-half mile west of Highway 99W, Williams.

L. C. Myers Ranch, intersection of East V and County Road 58, Brawley.

W. G. Myers Ranch, on south side of Myers Road, 1 mile west of Highway 99W, Williams.

Newhall Land & Farming Co., Route 3, Box 77, Saugus.

Niland Food Market (store), west side of 200 block, east side of Highway 111, Niland.

Northrup-King & Co., South U. S. Highway 99, Fresno.

Northrup-King & Co., 324 A Street, Yuba City.

Onyx Store property (Oscar Rudnick, owner), Onyx.

Outsen Milling Co., 925 Bryant Street, San Francisco.

Penny-Neuman Grain Co., Kern and G Streets, Fresno.

I. F. Porter (small farm), Route 2, Box 9A, Brawley.

Raymond A. Powell and Mike Deniz Ranch, Route 1, Box 166, 1 mile north of Glenn.

Gilbert Pryor Ranch, near southeast corner of intersection of Able Road and Lone Star Road, Williams.

C. B. Ralph's Ranch, at northeast corner of intersection of County Roads East C and 32, Imperial.

Emil Rebik Ranch, near East P on north side of Road 58, Box 184, Imperial.

Fred Reister Ranch, at northwest corner of intersection of Highway 20 and East Camp Road, Williams.

F. Retterath Ranch, west side of Zumwalt Road, 1¼ miles south of Williams, Williams.

Henry Rhoades Ranch, Able Road, 1½ miles east from Husted Road Junction on north side of road, Williams.

Oscar Rudnick Ranch, on Highway 178, across highway from Onyx Store, Onyx.

Oscar Rudnick Ranch, one-half mile north of Onyx Store, Onyx.

Rudnick Trust Feed Lot, 1½ miles west of Oak Street, on Panama Lane, Bakersfield.

Sacramento Valley Milling Co., (3 miles north of Glenn), Ord Bend.

San Joaquin Crops, 1600 T Street, Bakersfield.

San Joaquin Grain & Milling Co., 2030 14th Street, Bakersfield.

Leroy Schaad Ranch, at northwest corner of intersection of Ware Road and Lone Star Road, Williams.

F. W. Schoneman Ranch, at southwest corner of intersection of County Roads East T and 54, Brawley.

Sears, Roebuck & Co. warehouse, G Street, Fresno.

Robert E. Shank Ranch, Wiest Road and Maple Canal, Route 2, Box 150, Brawley.

Roy C. Shank Ranch, Route 2, Box 17A, Brawley.

K. K. Sharp (small farm and storage), Route 1, Box 44, southeast corner intersection County Roads East R and 26th, on Pampas Canal, Holtville.

Shaw & Dower (feed lot and bulk storage at residence), three-fourths mile north of Sandia, Holtville.

Frank Sherwood Ranch, 920 Lewelling Avenue, Hayward.

Alice Sinclair Ranch, Vail Canal No. 3, Gate 309, 5½ miles west, thence one-half mile north of Calipatria, on northwest corner of intersection of West I and County Road 66, Calipatria.

Elwood Sites Ranch, 2 miles south of Williams on west side of Zumwalt Road.

Snyder's Termite Control, 4428 Magnolia Avenue, Riverside.

S. Sorensen Ranch, southwest corner of Hahn Road and Cortina School Road, 6½ miles south of Williams.

Southwest Flaxseed Association, Eighth Street and RR. tracks, Imperial.

Starkey Bros. Dairy, Imperial.

Steiner Feed & Seed, 515 19th Street, Bakersfield.

Sumner Peck Ranch Co., Inc., Highway 33, 12 miles south of Mendota, Mendota.

Sunnyland Bulghur Co., 1435 Gearhart Street, Fresno.

Titsworth Milling Co., Calipatria Highway, Brawley.

Triangle Grain Co., 10118 Artesia Place, Bellflower.

Union Development Co. Warehouse, approximately 100 yards south of intersection of County Roads No. 86 and West A, Niland.

Herman Vossler (large farm storage), Route 1, Box 192, Porterville.

Warner Seed Co., 310 South Eighth Street, Brawley.

Wasco Hardware Co., 749 Seventh Street, Wasco.

Wattenbarger Feed & Hardware Store, 2521 East California Avenue, Bakersfield.

Wildlife Refuge Unit No. 1, at northeast corner of intersection of West I and County Road 60, Brawley.

Wildlife Refuge Unit No. 2, on east side of West I, one-fourth mile north of County Road 74, Brawley.

Wilkerson Bros. Ranch, on south side of County Road No. 74, one-half mile east of county road East J, Calipatria.

R. B. Wilson Co. Feed Yard, 300 K Street, Brawley.

T. O. Witt Ranch, on Highway 178, 13 miles northeast of Isabella Lake, Onyx.

Wright Feed Yards, Seeley.

H. Wright Ranch, on east side of Zumwalt Road, one-half mile south of Williams.

Yuba City Mills, 324 A Street, Yuba City.

NEW MEXICO

Curry County Grain & Elevator Co., 600 Curry Avenue, Clovis.

Roberts Seed Co., south of Wheeler Avenue, between Claud and Eulie Streets, Texico.

Slone Grain Co., 223 North Avenue B, Portales.

Worley Mills, Inc., 122 Northeast Commercial, Portales.

This revision combines into a single list the warehouses, mills, and other premises that were designated as khapra beetle regulated areas in administrative instructions originally issued effective March 1, 1955, as amended effective March 29, 1955, April 15, 1955, April 30, 1955, and June 4, 1955 (20 F. R. 1237, 1878, 2477, 2901, 3894).

By omitting, under the subhead California, the Williams Cooperative Warehouse Association, Sixth and F Streets, Williams, the revision revokes the desig-

nation of this establishment as a regulated area and deletes it from the list. It also adds to the list, thereby designating them as regulated areas, the following establishments in California: Charles C. Causey (small farm used for storage and farm feeding), 653 South Imperial Avenue, northwest corner intersection County Roads East M and 46th, Brawley; Onyx Store property (Oscar Rudnick owner), Onyx; Oscar Rudnick Ranch, one-half mile north of Onyx Store, Onyx; and K. K. Sharp (small farm and storage), route 1, Box 44, southeast corner intersection County Roads East R and 26th, on Pampas Canal, Holtville. A typographical correction has also been made in the name of the California establishment listed in this revision as J. R. Kennedy Ranch, located in Long Valley, approximately 6 miles north of Highway 20, P. O. Clearlake Oaks.

This revision shall be effective June 22, 1955, and on that date shall supersede administrative instructions effective March 1, 1955, and amendments thereof effective March 29, 1955, April 15, 1955, April 30, 1955, and June 4, 1955 (7 CFR 301.76–2a, 20 F. R. 1237, 1878, 2477, 2901, 3894).

These instructions supplement khapra beetle quarantine regulations already effective. They also relieve restrictions insofar as they revoke the designation of a regulated area. They must be made effective promptly in order to carry out the purposes of the regulations and to permit unrestricted movement of regulated products from the premises being removed from designation as a regulated area. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing administrative instructions are impracticable and contrary to the public interest, and good cause is found for making the effective date thereof less than 30 days after publication in the FEDERAL REGISTER.

(Secs. 1, 3, 33 Stat. 1269, 1270, sec. 9, 37 Stat. 318; 7 U. S. C. 141, 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 17th day of June 1955.

[SEAL] W. L. POPHAM,
Chief,
Plant Pest Control Branch.

[F. R. Doc. 55–5011; Filed, June 21, 1955; 8:57 a. m.]

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

[Plum Order 6]

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

REGULATION BY GRADES AND SIZES

§ 936.504 *Plum Order 6*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agriculture Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 23, 1955. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until June 15, 1955; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 15, 1955, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about June 29, 1955, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 23, 1955, and ending at 12:01 a. m., P. s. t., November 1, 1955, no shipper shall ship from any shipping point during any day any package or container of Tragedy plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 5 x 6 standard pack.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 5 x 6 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 6 x 6 standard pack if said quantity does not exceed thirty-three and one-third (33⅓) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 5 x 6 standard pack, as aforesaid.

(3) If any shipper, during any day of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 5 x 6 standard pack, as aforesaid, the quantity of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next two succeeding calendar days in addition to the quantities of such plums of a size smaller than a size that will pack a 5 x 6 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such two succeeding calendar days if there had been no undershipment.

(4) Section 936.143, as amended (18 F. R. 712, 2839; 19 F. R. 425), sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(5) As used in this section "U. S. No. 1" and "serious damage" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) (§§ 51.1520 to 51.1530 of this title); "standard pack" shall have the applicable meanings of the terms "standard pack" and "equivalent size" as when used in § 936.142; and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

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

Dated: June 17, 1955.

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

[F. R. Doc. 55–4999; Filed, June 21, 1955; 8:53 a. m.]

[Plum Order 7]

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

REGULATION BY GRADES AND SIZES

§ 936.505 *Plum Order 7*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under

the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 23, 1955. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until June 15, 1955; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 15, 1955, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about June 29, 1955, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 23, 1955, and ending at 12:01 a. m., P. s. t., November 1, 1955, no shipper shall ship from any shipping point during any day any package or container of Wickson plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) The plums are, except to the extent otherwise specified in this paragraph, of a size not smaller than a size that will pack a 4 x 4 standard pack.

(2) During each day of the aforesaid period, however, any shipper may ship from any shipping point a quantity of such plums, by number of packages or containers, which are of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, but are not of a size smaller than a size that will pack a 4 x 5 standard pack if said quantity does not exceed twenty (20) percent of the number of the same type of packages or containers of plums which are of a size not smaller than a size that will pack a 4 x 4 standard pack, as aforesaid.

(3) If any shipper, during any day of the aforesaid period, ships from any shipping point less than the maximum allowable quantity of such plums that may be of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, the quantity of the undershipment of such plums may be shipped by such shipper only from such shipping point during the next two succeeding calendar days in addition to the quantities of such plums of a size smaller than a size that will pack a 4 x 4 standard pack, as aforesaid, that such shipper could have shipped from such shipping point on such two succeeding calendar days if there had been no undershipment.

(4) Section 936.143, as amended (18 F. R. 712, 2839; 19 F. R. 425), sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(5) As used in this section, "U. S. No. 1" and "serious damage" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) (§§ 51.1520 to 51.1530 of this title); "standard pack" shall have the applicable meanings of the terms "standard pack" and "equivalent size" as when used in § 936.142; and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

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

Dated: June 17, 1955.

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

[F. R. Doc. 55-5000; Filed, June 21, 1955; 8:53 a. m.]

[Plum Order 8]

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

REGULATION BY GRADES AND SIZES

§ 936.506 *Plum Order 8*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 23, 1955. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until June 15, 1955; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 15, 1955, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about June 29, 1955, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 23, 1955, and ending at 12:01 a. m., P. s. t., November 1, 1955, no shipper shall ship from any shipping point during any day any package or container of Eldorado plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) Such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack.

(2) Section 936.143, as amended (18 F. R. 712, 2839; 19 F. R. 425), sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(3) As used in this section, "U. S. No. 1" and "serious damage" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) (§§ 51.1520 to 51.1530 of this title); "standard pack" shall have the applicable meanings of the terms "standard pack" and "equivalent size" as when used in § 936.142; and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

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

Dated: June 17, 1955.

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

[F. R. Doc. 55-5001; Filed, June 21, 1955; 8:54 a. m.]

[Plum Order 9]

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

REGULATION BY GRADES AND SIZES

§ 936.507 *Plum Order 9*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 23, 1955. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until June 15, 1955; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 15, 1955, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about July 6, 1955, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 23, 1955, and ending at 12:01 a. m., P. s. t., November 1, 1955, no shipper shall ship from any shipping point during any day any package or container of Burbank plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) Such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack.

(2) Section 936.143, as amended (18 F. R. 712, 2839; 19 F. R. 425), sets forth the requirements with respect to the inspection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(3) As used in this section, "U. S. No. 1" and "serious damage" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) (§§ 51.1520 to 51.1530 of this title); "standard pack" shall have the applicable meanings of the terms "standard pack" and "equivalent size" as when used in § 936.142; and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

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

Dated: June 17, 1955.

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

[F. R. Doc. 55-5002; Filed, June 21, 1955; 8:54 a. m.]

[Plum Order 10]

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

REGULATION BY GRADES AND SIZES

§ 936.508 *Plum Order 10*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 36, as amended (7 CFR Part 936), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Plum Commodity Committee, established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of plums of the variety hereinafter set forth, and in the manner herein provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than June 23, 1955. A reasonable determination as to the supply of, and the demand for, such plums must await the development of the crop thereof, and adequate information thereon was not available to the Plum Commodity Committee until June 15, 1955; recommendation as to the need for, and the extent of, regulation of shipments of such plums was made at the meeting of said committee on June 15, 1955, after consideration of all available information relative to the supply and demand conditions for such plums, at which time the recommendation and supporting information was submitted to the Department; shipments of the current crop of such plums are expected to begin on or about June 30, 1955, and this section should be applicable to all such shipments of such plums in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., June 23, 1955, and ending at 12:01 a. m., P. s. t., November 1, 1955, no shipper shall ship from any shipping point during any day any package or container of Gaviota plums unless:

(i) Such plums grade at least U. S. No. 1 with a total tolerance of ten (10) percent for defects not considered serious damage in addition to the tolerances permitted for such grade; and

(ii) Such plums are of a size not smaller than a size that will pack a 4 x 5 standard pack.

(2) Section 936.143, as amended (18 F. R. 712, 2839; 19 F. R. 425), sets forth the requirements with respect to the in-

spection and certification of shipments of fruit covered by this section. Such section also prescribes the conditions which must be met if any shipment is to be made without prior inspection and certification. Notwithstanding that shipments may be made without inspection and certification, each shipper shall comply with all grade and size regulations applicable to the respective shipment.

(3) As used in this section, "U. S. No. 1" and "serious damage" shall have the same meaning as set forth in the revised United States Standards for plums and prunes (fresh) (§§ 51.1520 to 51.1530 of this title); "standard pack" shall have the applicable meanings of the terms "standard pack" and "equivalent size" as when used in § 936.142; and all other terms shall have the same meaning as when used in the amended marketing agreement and order.

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

Dated: June 17, 1955.

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

[F. R. Doc. 55-5003; Filed, June 21, 1955; 8:54 a. m.]

PART 992—IRISH POTATOES GROWN IN WASHINGTON

LIMITATION OF SHIPMENTS

§ 992.310 *Limitation of shipments*—(a) *Findings.* (1) Pursuant to Marketing Agreement No. 113 and Order No. 92 (7 CFR Part 992), regulating the handling of Irish potatoes grown in the State of Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the State of Washington Potato Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the limitations of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

(b) *Order.* (1) During the period from June 27, 1955, to May 31, 1956, both dates inclusive, no handler shall ship potatoes of any variety unless such potatoes are "fairly clean" and (i) if they are of the red skin varieties such potatoes meet the requirements of the U. S. No. 2 or better grade, 1⅞ inches minimum diameter, and (ii) if they are of the White Rose or Netted Gem varieties such potatoes meet the requirements of the U. S. No. 2 or better grade, 2 inches minimum diameter or 4 ounces minimum weight, as such terms, grades, and sizes are defined in the United States Standards for Potatoes (§§ 51.1540–1559 of this title), including the tolerances set forth therein.

(2) During the period from June 27, 1955, to September 30, 1955, both dates inclusive, and subject to the requirements set forth in subparagraph (1) of this paragraph no handler shall ship (i) any lot of potatoes of the red skin varieties if more than 20 percent of the potatoes in such lot have more than one-half of the skin missing or "feathered", as such terms are used in the said United States Standards, (ii) any lot of potatoes of the White Rose variety if more than 35 percent of the potatoes in such lot have more than one-half of the skin missing or "feathered", as such terms are used in the said United States Standards, or (iii) any lot of potatoes of the Netted Gem variety if such potatoes are more than "moderately skinned" as such term is defined in the said United States Standards, which means that not more than 10 percent of such potatoes have more than one-half of the skin missing or "feathered".

(3) Pursuant to § 992.49, each handler may make one shipment of not in excess of five hundredweight per week without regard to the limitations set forth in subparagraphs (1) and (2) of this paragraph, and §§ 992.41 and 992.53.

(4) The limitations set forth in subparagraphs (1) and (2) of this paragraph shall not be applicable to shipments of potatoes for any of the following purposes: (i) Export; (ii) distribution by the Federal Government, distribution by relief agencies, or consumption by charitable institutions; (iii) manufacture or conversion into starch, flour, alcohol, dehydrated products, canned products, frozen products or potato chips; (iv) livestock feed; or (v) certified seed potatoes.

(5) Each handler making shipments of potatoes pursuant to subparagraph (4) of this paragraph shall (i) pursuant to § 992.120 first apply to the committee for and obtain a Certificate or Certificates of Privilege permitting the proposed shipments (except as to shipments for distribution by the Federal Government); (ii) pay assessments on such shipments pursuant to § 992.41 (except shipments for livestock feed); and (iii) have such shipments (except shipments of certified seed potatoes and shipments for livestock feed) inspected pursuant to § 992.53.

(6) Terms used in Marketing Agreement No. 113 and Order No. 92 shall, when used in this section, have the same meaning as when used in said agreement and order.

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

Done at Washington, D. C. this 17th day of June 1955, to become effective June 27, 1955.

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

[F. R. Doc. 55-5004; Filed, June 21, 1955; 8:55 a. m.]

Chapter XI—Agricultural Conservation Program Service, Department of Agriculture

[ACP-1955-Hawaii, Supp. 2]

PART 1105—AGRICULTURAL CONSERVATION; HAWAII

SUBPART—1955

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7–17 of the Soil Conservation and Domestic Allotment Act, as amended, the Department of Agriculture Appropriation Act, 1955, and Public Law 42, 84th Congress, the 1955 Agricultural Conservation Program for Hawaii, approved September 22, 1954 (19 F. R. 6206), as amended November 19, 1954 (19 F. R. 7599), is further amended as follows:

1. Section 1105.407 (b) is amended by revising the fourth sentence to read as follows: "For the practices contained in §§ 1105.438, 1105.445, and 1105.454, the Soil Conservation Service is responsible for determining that the practice is needed and practicable on the farm."

2. Section 1105.425 is deleted in its entirety.

3. A new § 1105.454 is added as follows:

§ 1105.454 *Practice 22: Clearing volcano-damaged farmlands for the purpose of restoring them to immediate agricultural use.* This practice is applicable only to active farmlands with productive ability impaired by (a) heavy deposits of volcanic cinder; (b) fire-damaged crops left standing in the fields.

Maximum Federal cost-share. (a) 50 percent of the cost of removing volcanic cinder deposits which are seriously impeding resumption of cultural operations, but not in excess of $100 per acre cleared.

(b) 50 percent of the cost of clearing useless crop residue impeding resumption of cultural operations, but not in excess of (1) $150 per acre cleared if work must be done by hand, or (2) $75 per acre cleared if done by machine.

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7–17, 49 Stat. 1148, as amended, 68 Stat. 304, P. L. 42, 84th Cong.; 16 U. S. C. 590g–590q)

Done at Washington, D. C., this 17th day of June 1955.

[SEAL] E. L. PETERSON,
Assistant Secretary of Agriculture.

[F. R. Doc. 55-4998; Filed, June 21, 1955; 8:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 3]

PART 408—ENFORCEMENT PROCEDURES

CIVIL PENALTIES

Section 408.23, published on December 30, 1950 in 15 F. R. 9444, is amended by substituting "The General Counsel of the Administration or the Regional Attorney handling the case will accept or refuse the offer of compromise. When scheduled and irregular air carriers and their personnel, air taxi operators, commercial operators, and certificated repair stations are involved, only the General Counsel of the Administration will accept or refuse the offer of compromise." for "The General Counsel of the Administration will accept or refuse the offer of compromise."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies Sec. 901, 52 Stat. 1015, as amended; 49 U. S. C. 621)

This amendment shall become effective July 1, 1955.

[SEAL] S. A. KEMP,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 55-4972; Filed, June 21, 1955; 8:46 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6228]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

REDDI-SPRED CORP.

Subpart—*Advertising falsely or misleadingly:* § 13.135 *Nature:* Product or service. In connection with the offering for sale, sale, or distribution of oleomargarine or margarine, directly or indirectly, disseminating, etc., any advertisement by means of the United States mails, or in commerce, or by any means to induce, etc., the purchase in commerce, of said product, which advertisement contains any statement, word, grade designation, design, device, symbol, sound or any combination thereof which represents or suggests that said product is a dairy product; prohibited, subject to the proviso, however, that nothing contained in the order shall prevent the use in advertisements of a truthful, accurate and full statement of all of the ingredients contained in said product, or of a truthful statement that said product contains butter or any other dairy product provided the percentage thereof contained is clearly and conspicuously set forth.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended, secs. 12, 15, 52 Stat. 114, as amended; 15 U. S. C. 45, 52, 55) [Cease and desist order, Reddi-Spred Corporation, Philadelphia, Pa., Docket 6228, May 5, 1955]

This proceeding was heard by Abner E. Lipscomb, hearing examiner, upon the complaint of the Commission which charged respondent with violating the Federal Trade Commission Act by the use of unfair and deceptive acts and practices in commerce in the sale of oleomargarine, respondent's answer denying that its advertisements were in violation of law, hearings at which full opportunity to be heard, to examine and cross-examine witnesses and to introduce evidence bearing on the issues, recorded and filed in the office of the Commission, was afforded respondent and counsel supporting the complaint, and the submission of proposed findings of fact.

Thereafter, following the filing by the hearing examiner of his initial decision dismissing the case for failure of proof, and the appeal to the Commission by counsel supporting the complaint from said initial decision, the Commission, having considered the entire record in the matter, including briefs filed in support of and in opposition to the appeal, and including a brief of National Milk Producers Federation as amicus curiae and respondent's brief in reply thereto, filed its opinion, and rendered its decision, in which, having determined that the hearing examiner erroneously dismissed the complaint, it reversed and set aside his initial decision, and, in lieu thereof, made its findings of fact[1] and its conclusion[1] that respondent's advertising clearly suggested that its oleomargarine was a dairy product, notwithstanding certain disclosures, and that accordingly respondent's acts and practices, as found, were all to the prejudice and injury of the public and constituted unfair and deceptive acts and practices in commerce within the intent and meaning of the Federal Trade Commission Act; and issued its order to cease and desist and order requiring report of compliance.

Said order in said "Decision of the Commission", Docket 6228, May 5, 1955, is as follows:

It is ordered, That the respondent Reddi-Spred Corporation, a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of oleomargarine or margarine, do forthwith cease and desist from, directly or indirectly:

1. Disseminating or causing to be disseminated by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any statement, word, grade designation, design, device, symbol, sound or any combination thereof which represents or suggests that said product is a dairy product;

Provided, however, That nothing contained in this order shall prevent the use in advertisements of a truthful, accurate and full statement of all of the ingredients contained in said product, or of a truthful statement that said product contains butter or any other dairy product provided the percentage thereof contained is clearly and conspicuously set forth.

2. Disseminating or causing to be disseminated by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act of said product any advertisement which contains any of the representations prohibited in paragraph one of this order.

It is further ordered, That respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: May 5, 1955.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 55-5009; Filed, June 21, 1955; 8:56 a. m.]

[1] Filed as part of the original document.

[Docket 6126]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

E. F. DREW & CO., INC.

Subpart—*Advertising falsely or misleadingly:* § 13.135 *Nature:* Product or service. In connection with the offering for sale, sale, or distribution of oleomargarine or margarine, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., the purchase in commerce, of said product, which advertisements contain the terms "churned to delicate, sweet creamy goodness", "country-fresh", or "* * * the same day-to-day freshness which characterizes our other dairy products", or any other statement, word, grade designation, design device, symbol, sound, or any combination thereof which represents or suggests that said product is a dairy product; prohibited, subject to the proviso, however, that nothing contained in the order shall prevent the use in advertisements of a truthful, accurate, and full statement of all the ingredients contained in said product, or of a truthful statement that said product contains butter or any other dairy product provided the percentage thereof contained is clearly and conspicuously set forth.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended, secs. 12, 15, 52 Stat. 114, as amended; 15 U. S. C. 45, 52, 55) [Cease and desist order, E. F. Drew & Company, Inc., New York, N. Y., Docket 6126, May 5, 1955.]

This proceeding was heard by Everett F. Haycraft, hearing examiner, upon the complaint of the Commission which charged respondent with having violated the Federal Trade Commission Act by the use of unfair and deceptive acts and practices in commerce in the dissemination of false and misleading advertisements concerning its "Farm Queen Oleomargarine", and also in the use of the words "Farm Queen" as a trade name for its said product, respondent's answer in which it denied all the material allega-

tions, and testimony in support of and in opposition to such allegations of the complaint.

Thereafter the proceeding regularly came on for final consideration upon the complaint, answer thereto, the testimony taken, the proposed findings submitted by respective counsel, and oral argument, and said hearing examiner, having duly considered the record in the matter and having found that the proceeding was in the interest of the public, made his initial decision comprising certain findings as to the facts,[1] conclusions drawn therefrom,[1] and order to cease and desist.

Thereafter, counsel supporting the complaint and respondent, having both filed an appeal from said initial decision, and the Commission having rendered its opinion and decision in which respondent's appeal was denied and the appeal of counsel supporting the complaint was granted in part and denied in part, the matter was disposed of by the Commission's "Final Order", dated May 5, 1955, as follows:

Counsel supporting the complaint and respondent E. F. Drew & Co., Inc. (erroneously named in the complaint as E. F. Drew & Company, Inc.), both having filed an appeal from the initial decision of the hearing examiner in this proceeding; and the matter having been heard by the Commission on briefs and oral argument; and the Commission having rendered its decision denying respondent's appeal and granting in part and denying in part the appeal of counsel supporting the complaint, and affirming the initial decision as modified:

It is ordered, That the initial decision be, and it hereby is, modified by:

1. Inserting the term "country-fresh" directly after the term "churned to delicate, sweet creamy goodness" in paragraph number 4 of the findings of fact, so as to include it as one of the terms found to constitute a representation or suggestion that respondent's oleomargarine is a dairy product.

2. Changing the word "two" to "three" in the third paragraph of the Conclusion so that the second sentence therein now reads: "From an examination of the advertisements themselves as well as the results of the surveys made among housewives in one city to obtain their opinions with respect to the advertisements, and representations contained therein, there appear to be only three statements which have the capacity and tendency to lead a purchaser to believe that respondent's product is a dairy product."

3. Changing the order to cease and desist so that it now reads as follows:

It is ordered, That the respondent, E. F. Drew & Co., Inc., a corporation, and its officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of oleomargarine or margarine do forthwith cease and desist from, directly or indirectly.

1. Disseminating or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains:

The terms "churned to delicate, sweet creamy goodness," "country-fresh," or "* * * the same day-to-day freshness which characterizes our other dairy products," or any other statement, word, grade designation, design, device, symbol, sound, or any combination thereof which represents or suggests that said product is a dairy product;

Provided, however, That nothing contained in this order shall prevent the use in advertisements of a truthful, accurate and full statement of all of the ingredients contained in said product, or of a truthful statement that said product contains butter or any other dairy product provided the percentage thereof contained is clearly and conspicuously set forth.

2. Disseminating or causing to be disseminated by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said product any advertisement which contains any of the representations prohibited in Paragraph One of this order.

It is further ordered, That respondent E. F. Drew & Co., Inc., shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist as hereinabove set forth.

Issued: May 5, 1955.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 55-5010; Filed, June 21, 1955; 8:57 a. m.]

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

[Child Labor Reg. 36]

PART 4—CHILD LABOR REGULATIONS, ORDERS AND STATEMENTS OF INTERPRETATION

SUBPART B—ACCEPTANCE OF STATE CERTIFICATES

DESIGNATION OF STATES; EXTENSION OF EFFECTIVE DATE

Pursuant to the provisions of 29 CFR Part 4, Subpart A (Child Labor Regulation No. 1), the designation of the States enumerated in § 4.21 of 29 CFR Part 4, as States in which State age, employment or working certificates or permits shall have the same force and effect as Federal certificates of age under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060 as amended; 29 U. S. C. 201), is hereby extended and shall be effective from July 1, 1955, until June 30, 1956, unless amended or revoked prior to such date.

(Secs. 3, 11, 52 Stat. 1060, as amended, 1066, as amended; 29 U. S. C. 203,211)

Signed at Washington, D. C., this 14th day of June 1955.

ARTHUR LARSON,
Acting Secretary of Labor.

[F. R. Doc. 55-4974; Filed, June 21, 1955; 8:46 a. m.]

PROPOSED RULE MAKING

FEDERAL POWER COMMISSION

[18 CFR Parts 154, 157]

[Docket No. R-145]

RATE SCHEDULES AND TARIFFS; APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

NOTICE OF PROPOSED RULEMAKING

JUNE 1, 1955.

1. Notice is hereby given of proposed rulemaking in the above-entitled matter.

2. It is proposed to amend Part 154, entitled, "Rate Schedules and Tariffs" and Part 157, entitled, "Applications for Certificates of Public Convenience and Necessity" of Subchapter E, Regulations under the Natural Gas Act, Chapter I of Title 18, Code of Federal Regulations, to prescribe therein (in lieu of existing sections or the indicated portions thereof) new or amended §§ 154.16, 154.21, 154.22, 154.51, 154.63 (b) (3), 154.96-1, 154.96-2, 154.96-3, 154.98, 154.99, 157.13 (d), 157.14 (a), Exhibits E, H, I and N, 157.20 (c) to read as set forth below, and to eliminate § 157.14 (a) (5), Exhibit E.

3. The changes proposed in paragraph 2 arose out of a series of conferences between members of the staff and representatives of the Federal Power Bar Association, the Independent Natural Gas Association, and the Task Force on Paper Work Management of the (Hoover) Commission on Organization in the Executive Branch of the Government. As a result of those conferences the Commission is proposing changes in its rules to simplify and clarify the provisions relating to rate filings and certificate applications. The changes proposed also relate to the notice requirements associated with the filing of rate schedules.

4. The accompanying amendments to the Commission's regulations are proposed to be issued under authority granted the Federal Power Commission by the Natural Gas Act, as amended, particularly sections 4, 7 and 16 thereof (52 Stat. 822, 830, as amended 56 Stat. 83; 15 U. S. C. 717c, 717f, and 717o).

[1] Filed as part of the original document.

5. Any interested person may submit to the Federal Power Commission, Washington 25, D. C., on or before June 27, 1955, data, views, and comments in writing concerning the amendments proposed herein. The Commission will consider these written submittals before acting upon the proposed amendments. An original and 9 copies should be filed of any such submittals.

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

1. Amend § 154.16 by adding the following at the end thereof:

§ 154.16 *Posting.* * * * and (c) publication of notice in accordance with § 154.22.

2. Amend § 154.21 to read:

§ 154.21 *Effective tariff.* The effective tariff of a natural-gas company shall be the tariff filed and posted pursuant to the requirements of this part, and permitted by the Commission to become effective: *Provided,* That no change in any effective tariff, executed service agreement or part thereof shall become effective until 30 days after notice of such proposed change has been published in the FEDERAL REGISTER, unless a different period of time is permitted by the Commission in accordance with § 154.51.

3. Amend § 154.22 by inserting between the first sentence and the proviso the following:

§ 154.22 *Notice requirements.* * * *. Within ten business days, i. e., excluding Saturdays, Sundays and holidays) after such filing date notice thereof will be published in the FEDERAL REGISTER and copies of such notice mailed to customers of the purchaser affected by the proposed change, interested State commissions, and persons deemed by the Commission, in its discretion, to have a sufficient interest to be entitled to such notice. * * *

4. In § 154.51 delete the first sentence and substitute the following:

§ 154.51 *Waiver of notice requirements.* Upon application and for good cause shown, the Commission may by order provide that a tariff, contract, or part thereof shall be effective on less than the periods of notice required by §§ 154.21 and 154.22. Such application may be incorporated in the transmittal letter and should show (a) the reasons, if any, for inability to comply with the notice requirements; (b) the effect, if any, on seller, buyer, or any other party affected by the waiver of notice requirements; and (c) a statement setting forth the extent to which the public interest would be served by waiver of the notice requirements. * * *

5. Amend § 154.63 (b) (3) (i) (c) to read:

(3) *Rate increase applications*—(i) *Rate increases.* * * *

(c) If the natural-gas company has relied on data other than those in Statements A through N in support of its rate increase, such other data, appropriately identified and designated as such and separately stated, shall be submitted with the data required by Statements A to N but limited to the test period referred to below. Ten sets of the statements and of the additional information, if any, shall be submitted, each set securely bound in a cover.

6. Add new § 154.96–1 to 154.96–3 to follow § 154.96 to read:

§ 154.96–1 *Posting.* The term "posting" means (a) mailing to each customer affected a copy of an independent producer's rate schedule, as defined in § 154.93, and (b) publication of notice in accordance with § 154.96–2.

§ 154.96–2 *Effective rate schedules.* The effective rate schedules of an independent producer shall be the schedule or schedules filed and posted pursuant to §§ 154.92, 154.93 and 154.96–1 and permitted by the Commission to become effective: *Provided,* That no change in any effective rate schedule shall become effective until 30 days after notice of such proposed change has been published in the FEDERAL REGISTER, unless a different period of time is permitted by the Commission in accordance with § 154.98.

§ 154.96–3 *Notice requirements.* Within ten business days (i. e., excluding Saturdays, Sundays, and holidays) after such filing date notice thereof will be published in the FEDERAL REGISTER and copies of such notice mailed to customers of the purchaser affected by the proposed change, interested State commissions, and persons deemed by the Commission, in its discretion, to have a sufficient interest to be entitled to notice.

7. In § 154.98 delete the first sentence and substitute the following:

§ 154.98 *Waiver of notice requirements.* Upon application and for good cause shown, the Commission may by order provide that a rate schedule or a change in rate schedule shall be effective on less than the periods of notice required by §§ 154.92 and 154.94. Such application may be incorporated in the transmittal letter and should show (a) the reasons, if any, for inability to comply with the notice requirements; (b) the effect, if any, on seller, buyer, or any other party affected by the waiver of notice requirements; and (c) a statement setting forth the extent to which the public interest would be served by waiver of the notice requirements. * * *

8. In § 154.99 amend title and paragraph (b) to read as follows:

§ 154.99 *Number of copies; material to be submitted with changes in rate schedules.* * * *

(b) Such letter of transmittal shall contain a complete list of all material being filed, properly designated so that each item is easily identifiable, and, with the filing of any change in rate schedule, a concise statement (to be used as a basis for the notice required by § 154.96–3) as to (1) name of buyer and name of the first interstate pipeline company receiving all or any portion of the gas concerned, if different from buyer, together with the names of all parties intermediate between the buyer and such first interstate pipeline company; (2) current price in cents per Mcf; (3) proposed price per Mcf; (4) estimated annual volumes involved; (5) estimated amount of annual increase; (6) basic reason for increase (periodic, favored nation, tax, etc.); (7) proposed effective date, and (8) the names of all parties notified of the proposed change and the dates thereof. Persons known to be affected must have a notice, including a copy of the statement specified herein. No filing will be accepted without a proper certificate specifying the parties notified and served with such statement.

9. Amend § 157.13 (d) to read:

(d) *Measurement base and B. t. u. content.* All gas volumes, including gas purchased from producers, shall be stated upon a uniform basis of measurement, and, in addition, if the uniform basis of measurement used in any application is other than 14.73 psia, then any volume or volumes delivered to or received from any interstate natural-gas pipeline company shall also be stated upon a basis of 14.73 psia; similarly, total volumes on all summary sheets, as well as grand totals of volumes in any exhibit, shall also be stated upon a basis of 14.73 psia if the uniform basis of measurement used is other than 14.73 psia.

10. In § 157.14, paragraph (a) (5) *Exhibit E—Corporate authorization* is revoked.

11. Amend § 157.14 (a) (10) *Exhibit H—Total gas supply data* as follows:

a. Amend subdivision (v) to read:

(v) Three conformed copies of each gas purchase contract upon which applicant proposes to rely. Contracts already on file with the Commission may be incorporated by reference without supplying additional copies, provided such contracts are identified with particularity by stating the exact pages to be incorporated by reference and the file or docket number designation to which reference is made; provided further, that the Commission or the presiding officer may direct that additional copies of such contracts be furnished to the Commission or to other parties to the proceeding.

b. Add a new subdivision (vi) to read:

(vi) Estimate of the B. t. u. content of the gas available to applicant for proposed service.

c. Redesignate present subdivision (vi) as (vii) and amend to read:

(vii) A legible and clearly lettered map or maps showing: The location of each gas field; the proven limits of each reservoir; acreage committed to applicant; volumes of gas which are or may be withdrawn from each reservoir under existing contracts and identity of pipeline companies or others receiving gas; and all principal pipelines and other principal facilities to be utilized to deliver gas to applicant's pipeline system, indicating ownership if other than by applicant. Information respecting different reservoirs in a gas field shall be shown on separate maps except when a single map will clearly show all required information without confusion. When the gas supply required for the proposed project would not shorten the total system gas supply by more than one year

the data required in said subdivisions (i) through (vii) of this subparagraph need not be submitted for the system as a whole. In lieu thereof, a statement shall be submitted in support of such omission, together with the necessary information required by subdivisions (i) through (vii) of this subparagraph applicable only to any new reserves being acquired for the proposed project.

d. Redesignate present subdivision (vii) to (viii).

12. Amend § 157.14 (a) (11) *Exhibit I—Market data* as follows:

a. Amend subdivision (iii) to read:

(iii) Total past and expected curtailments of service by the applicant and each wholesale customer proposing to receive new or additional supplies of gas from the project, all to be listed by the classifications of service in subdivision (i) of this subparagraph.

b. Amend subdivision (vii) to read:

(vii) A copy of each market survey made within the past three years for such markets as are to receive new or increased service from the project applied for.

c. Add new subdivision (x) to read:

(x) When the proposed project is for service which would not decrease the life index of the total system gas supply by more than one year, the data required in subdivisions (i) to (ix) of this subparagraph, inclusive, need be submitted only as to the particular market to receive new or additional service.

13. Amend § 157.14 (a) (16) *Exhibit N—Revenues—Expenses—Income* as follows:

a. Amend introductory paragraph to read:

When the estimated revenues and expenses related to a proposed facility will significantly affect the operating revenues or operating expenses of an applicant, there shall be submitted pro forma statements for each of the first three full years of operation of the proposed facilities, showing:

b. Add new subdivision (iii) to read:

(iii) When the data required in subdivisions (i) and (ii) of this subparagraph is not submitted, applicant shall provide in lieu thereof a statement in sufficient detail to show clearly the effect on the operating revenues and operating expenses of the estimated revenues and expenses related to the proposed facility.

14. Amend paragraph (c) of § 157.20 *General conditions applicable to certificates* to read:

(c) Applicant shall file with the Commission, in writing and under oath, an original and four conformed copies of the following: (1) Within ten days after the bona fide beginning of construction, notice of the date of such beginning; (2) each three months after the date of the issuance of the order granting the certificate, a progress report showing the exact status of authorized construction; (3) within ten days after authorized facilities have been constructed and placed in service or any authorized operation, sale, or service has commenced, notice of the date of such placement and commencement; and (4) within six months after authorized facilities have been constructed and placed in service and authorized operations have commenced, a statement showing, on the basis of all costs incurred to that date and estimated to be incurred for final completion of the project, the cost of constructing authorized facilities, such total cost to be classified according to the estimates submitted in the certificate proceeding and compared therewith and any significant differences explained.

[F. R. Doc. 55-4997; Filed, June 21, 1955; 8:52 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 55-26]

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and Treasury Department Order 167-14, dated November 26, 1954 (19 F. R. 8026), and in compliance with the authority cited with each item of equipment: *It is ordered*, That:

(a) All the approvals listed in this document which extend approvals previously published in the FEDERAL REGISTER, except an approval of standard buoyant cushions under Specification Subpart 160.007 covered in paragraph (b) below, are prescribed and shall be in effect for a period of five years from their respective dates as indicated at the end of each approval, unless sooner canceled or suspended by proper authority; and,

(b) The approval for a standard buoyant cushion under Specification Subpart 160.007 listed in this document, which extends approval previously published in the FEDERAL REGISTER, is prescribed and shall be in effect until October 1, 1955, from the date indicated at the end of the approval, unless sooner canceled or suspended by proper authority; and,

(c) All the approvals for standard kapok buoyant cushions under Specification Subpart 160.007 and for nonstandard buoyant cushions under Specification Subpart 160.008 listed in this document (which are not covered by paragraph (b) above) are prescribed and shall be in effect until October 1, 1955, from the date of publication of this document in the FEDERAL REGISTER, unless sooner canceled or suspended by proper authority; and,

(d) All the other approvals listed in this document (which are not covered by paragraphs (a) to (c), inclusive, above) are prescribed and shall be in effect for a period of five years from the date of publication of this document in the FEDERAL REGISTER, unless sooner canceled or suspended by proper authority.

LIFE PRESERVERS, BALSA WOOD, (JACKET TYPE) MODELS 42 AND 46

Approval No. 160.004/5/0, Model 42, adult balsa wood life preserver, U. S. C. G. Specification Subpart 160.004, manufactured by Noble Products Co., Box 327, Caldwell, Ohio.

Approval No. 160.004/6/0, Model 46, child balsa wood life preserver, U. S. C. G. Specification Subpart 160.004, manufactured by Noble Products Co., Box 327, Caldwell, Ohio.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, 4426, 4481, 4482, 4488, 4491, 4492, as amended, sec. 11, 35 Stat. 428, secs. 1, 2, 49 Stat. 1544, secs. 6, 17, 54 Stat. 164, 166, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 475, 481, 489, 490, 396, 367, 526e, 526p, 1333; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.004)

BUOYANT CUSHIONS, KAPOK, STANDARD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.007/95/0, Standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Willis Manufacturing Co., 3007 Huldy, Houston, Tex. (Extension of the approval published in FEDERAL REGISTER June 13, 1950, effective June 13, 1955.)

Approval No. 160.007/166/0, standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by McIlwaine Canvas Co., 247 West Sixth Street, San Pedro, Calif.

Approval No. 160.007/168/0, standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Starrlite Manufacturing Co., 2635 Clyde Avenue, Los Angeles 16, Calif.

Approval No. 160.007/170/0, standard kapok buoyant cushion, U. S. C. G. Specification Subpart 160.007, manufactured by Faulkner Manufacturing Co., 13 Centre Street, Malden 48, Mass.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply secs. 6 and 17, 54 Stat. 164, 166, as amended; 46 U. S. C. 526e, 526p; 46 CFR 160.007)

BUOYANT CUSHIONS, NON-STANDARD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.008/628/0, 18" x 24" x 2¾", rectangular buoyant cushion, 53 oz. kapok, dwg. No. 18 SK, dated April 22, 1955, manufactured by George R.

Briddell, 106 West Vine Street, Salisbury, Md.

Approval No. 160.008/641/0, 15" x 15" x 2" rectangular buoyant cushion, 20 oz. kapok, Style-Crafters, Inc., dwg. dated December 9, 1952, manufactured by Style-Crafters, Inc., Box 3277, Sta. A, Greenville, S. C., for Sears, Roebuck & Co., 925 South Homan Avenue, Chicago 7, Ill.

Approval No. 160.008/642/0, 18" x 26" x 2¾", rectangular buoyant cushion, 57 oz. kapok, dwg. No. 22 SK, dated April 22, 1955, manufactured by George R. Briddell, 106 West Vine Street, Salisbury, Md.

Approval No. 160.008/643/0, 18" x 28" x 2¾", rectangular buoyant cushion, 62 oz. kapok, dwg. No. 26 SK, dated April 22, 1955, manufactured by George R. Briddell, 106 West Vine Street, Salisbury, Md.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply secs. 6 and 17, 54 Stat. 164, 166, as amended; 46 U. S. C. 526e, 526p; 46 CFR 160.008)

BUOYS, LIFE, RING, CORK OR BALSA WOOD

Approval No. 160.009/37/1, 30-inch balsa wood ring life buoy, dwg. No. 5–10–51, revised April 15, 1955, manufactured by Atlantic-Pacific Manufacturing Corp, 124 Atlantic Avenue, Brooklyn 1, N. Y. (Supersedes Approval No. 160.009/37/0 published in FEDERAL REGISTER August 24, 1951.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, secs. 6 and 17, 54 Stat. 164, 166, as amended, sec. 3, 54 Stat. 1333, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 481, 489, 367, 526e, 526p, 1333; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.009)

BUOYANT APPARATUS

Approval No. 160.010/3/2, 4.0' x 6.0' x 0.67' buoyant apparatus, pine decking with copper tanks, 16-person capacity, general arrangement dwg. No. G–305–S, dated January 2, 1947, revised July 21, 1954, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N. Y. (Reinstates and supersedes Approval No. 160.010/3/1 terminated in the FEDERAL REGISTER May 12, 1954.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, secs. 6 and 17, 54 Stat. 164, 166, as amended, sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 367, 526e, 526p, 1333; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.010)

WINCH, LIFEBOAT

Approval No. 160.015/27/2, Type B172N lifeboat winch, approval is limited to mechanical components and for a maximum working load of 18,000 pounds pull at the drums (9,000 pounds per fall), identified by general arrangement dwg. No. 2114–N dated December 1, 1941, and revised December 9, 1954, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Supersedes Approval No. 160.015/27/1 published in FEDERAL REGISTER April 3, 1952.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, sec. 11, 35 Stat. 428, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 396, 367; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.015)

DAVITS, LIFEBOAT

Approval No. 160.032/42/2, gravity davit, type 135, approved for maximum working load of 44,000 pounds per set (22,000 pounds per arm; 17,650 pounds taken by falls and 4,350 pounds taken by davit head) using 2 part falls, identified by arrangement dwg. No. 2227–35 dated April 24, 1952 and revised April 27, 1954, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N. J. (Supersedes Approval No. 160.032/42/1 published in FEDERAL REGISTER February 18, 1953.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, and sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 481, 489, 367, 1333; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Cum. Supp.; 46 CFR 160.032)

BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD, MODELS AK, CKM, CKS, AF, CFM, AND CFS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.047/26/0, Model AK, adult kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Elvin Salow Co., 31–33 South Street, Boston 11, Mass.

Approval No. 160.047/27/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Elvin Salow Co., 31–33 South Street, Boston 11, Mass.

Approval No. 160.047/28/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Elvin Salow Co., 31–33 South Street, Boston 11, Mass.

Approval No. 160.047/31/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Iowa Fibre Products Inc., 316 Court Avenue, Des Moines 9, Iowa.

Approval No. 160.047/32/0, Model CKM, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Iowa Fibre Products Inc., 316 Court Avenue, Des Moines 9, Iowa, for Hawkeye Sporting Goods Co., P. O. Box 613, Des Moines, Iowa.

Approval No. 160.047/33/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Iowa Fibre Products Inc., 316 Court Avenue, Des Moines 9, Iowa.

Approval No. 160.047/34/0, Model CKS, child kapok buoyant vest, U. S. C. G. Specification Subpart 160.047, manufactured by Iowa Fibre Products Inc., 316 Court Avenue, Des Moines 9, Iowa, for Hawkeye Sporting Goods Co., P. O. Box 613, Des Moines, Iowa.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply secs. 6, 17, 54 Stat. 164, 166, as amended; 46 U. S. C. 526e, 526p; 46 CFR 160.047)

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/7/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U. S. C. G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4 (c) (1) (i), manufactured by Iowa Fibre Products Inc., 316 Court Avenue, Des Moines 9, Iowa.

Approval No. 160.048/8/0, group approval for rectangular and trapezoidal kapok buoyant cushions, U. S. C. G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4 (c) (1) (i), manufactured by Iowa Fibre Products, Inc., 316 Court Avenue, Des Moines 9, Iowa, for Hawkeye Sporting Goods Co., P. O. Box 613, Des Moines, Iowa.

Approval No. 160.048/9/0, special approval for 13½" x 18" x 2" rectangular ribbed-type kapok buoyant cushion, 23 oz. kapok, dwg. No. 1, dated April 5, 1955, manufactured by Iowa Fibre Products, Inc., 316 Court Avenue, Des Moines 9, Iowa.

Approval No. 160.048/10/0, special approval for 13½" x 18" x 2" rectangular ribbed-type kapok buoyant cushion, 23 oz. kapok, Iowa Fibre Products, Inc., dwg. No. 1, dated April 5, 1955, manufactured by Iowa Fibre Products, Inc., 316 Court Avenue, Des Moines 9, Iowa, for Hawkeye Sporting Goods Co., P. O. Box 613, Des Moines, Iowa.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply secs. 6, 17, 54 Stat. 164, 166, as amended; 46 U. S. C. 526e, 526p; 46 CFR 160.048)

BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.049/3/0, group approval for rectangular or trapezoidal unicellular plastic foam buoyant cushions, U. S. C. G. Specification Subpart 160.049, sizes to be as per Table 160.049–4 (c) (1), manufactured by Atlantic-Pacific Manufacturing Corp., 124 Atlantic Avenue, Brooklyn 1, N. Y.

(R. S. 4405, as amended, 4462, as amended; 46 U. S. C. 375, 416. Interpret or apply secs. 6, 17, 54 Stat. 164, 166, as amended; 46 U. S. C. 526e, 526p; 46 CFR 160.049)

LIGHTS (WATER): ELECTRIC, FLOATING, AUTOMATIC (WITH BRACKET FOR MOUNTING)

Approval No. 161.001/4/0, "Coslite" automatic floating electric water light (with bracket for mounting), dwg. No. 16, Alt. 1, dated April 4, 1950, manufactured by Coston Supply Co., Inc., 31 Water Street, New York 4, N. Y. (Extension of the approval published in

FEDERAL REGISTER May 10, 1950, effective May 10, 1955.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1, 2, 49 Stat. 1544, as amended, sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 367, 1333; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 161.001)

TELEPHONE SYSTEMS, SOUND POWERED

Approval No. 161.005/15/1, sound powered telephone station, selective ringing, common talking, 19 stations maximum, bulkhead mounting, waterproof, with attached 3'' or 4'' hand generator bell, dwg. No. 5, Alt. 3, Type A, Model W. T., manufactured by Hose-McCann Telephone Co., Inc., 25th Street and Third Avenue, Brooklyn 32, N. Y. (Extension of the approval published in FEDERAL REGISTER May 10, 1950, effective May 10, 1955.)

Approval No. 161.005/16/1, sound powered telephone station, selective ringing, common talking, 19 stations maximum, bulkhead mounting, waterproof, with separately mounted 6'' or 8'' hand generator bell, dwg. No. 6, Alt. 3, Type A, Model W. T., manufactured by Hose-McCann Telephone Co., Inc., 25th Street and Third Avenue, Brooklyn 32, N. Y. (Extension of the approval published in FEDERAL REGISTER May 10, 1950, effective May 10, 1955.)

Approval No. 161.005/17/1, sound powered telephone station, selective ringing, common talking, 19 stations maximum, pedestal mounting, waterproof, with attached 6'' or 8'' hand generator bell, dwg. No. 8, Alt. 3, Type A, Model W. T. P., manufactured by Hose-McCann Telephone Co., Inc., 25th Street and Third Avenue, Brooklyn 32, N. Y. (Extension of the approval published in FEDERAL REGISTER May 10, 1950, effective May 10, 1955.)

Approval No. 161.005/19/1, sound powered telephone station, selective ringing, common talking, 19 stations maximum, pedestal mounting, waterproof, with attached 6'' or 8'' hand generator bell, dwg. No. 12, Alt. 3, Type A, Model W. T. P.–1, manufactured by Hose-McCann Telephone Co., Inc., 25th Street and Third Avenue, Brooklyn 32, N. Y. (Extension of the approval published in FEDERAL REGISTER May 10, 1950, effective May 10, 1955.)

Approval No. 161.005/39/0, telephone station relay, electrical release, splashproof, dwg. No. 17, Alt. 1, dated February 1950, manufactured by Hose-McCann Telephone Co., 25th Street and Third Avenue, Brooklyn 32, N. Y. (Extension of the approval published in FEDERAL REGISTER June 13, 1950, effective June 13, 1955.)

(R. S. 4405, 4417a, 4418, 4426, 4491, 49 Stat. 1544, and 54 Stat. 346, as amended; sec. 3 (c), 68 Stat. 676; 46 U. S. C. 367, 375, 391a, 392, 404, 489, 1333; 46 CFR 113.30–25 (a))

FIRE EXTINGUISHERS, PORTABLE, HAND, CARBON-DIOXIDE TYPE

Approval No. 162.005/14/1, Alfite Speedex 5, 5-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 28X–1934 dated March 15, 1955, nameplate No. 28X–2134 on dwg. No. 28X–2130, Alt. M dated June 29, 1949 (Coast Guard Classification: Type B, Size I; and Type C, Size I), manufactured by American-LaFrance-Foamite Corp., Elmira, N. Y. (Supersedes Approval No. 162.005/14/0 published in FEDERAL REGISTER May 10, 1950.)

Approval No. 162.005/47/0, Kidde Fyre-Freez Model 15F, 15-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. MS870369, Rev. A dated June 20, 1950, name plate dwg. No. 270194, Rev. B dated March 9, 1951 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by Walter Kidde & Company, Inc., Belleville 9, N. J.

Approval No. 162.005/48/0, Kidde Fyre-Freez Model 10F, 10-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. MS870811, Rev. A dated June 10, 1952, name plate dwg. No. 270286, Rev. A dated June 11, 1952 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Walter Kidde & Company, Inc., Belleville 9, N. J.

Approval No. 162.005/49/0, Kidde Fyre-Freez Model 5F, 5-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. MS870390, Rev. A dated September 6, 1950, name plate dwg. No. 270204, Rev. C dated March 9, 1951 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Walter Kidde & Company, Inc., Belleville 9, N. J.

Approval No. 162.005/50/1, Fyre-Fyter Model 33–1, 5-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 33–1, Rev. C, dated November 27, 1953, name plate dwg. No. 4317, Rev. D dated March 18, 1955 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyre-Fyter Company, Dayton 1, Ohio. (Supersedes Approval No. 162.005/50/0 published in FEDERAL REGISTER October 6, 1954.)

Approval No. 162.005/51/1, Fyr-Fyter Model 34–1, 10-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 34–1, Rev. F, dated November 18, 1954, name plate dwg. No. 4318, Rev. C dated March 18, 1955 (Coast Guard Classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Company, Dayton 1, Ohio. (Supersedes Approval No. 162.005/51/0 published in FEDERAL REGISTER October 6, 1954.)

Approval No. 162.005/52/1, Fyr-Fyter Model 35–1, 15-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 35–1, Rev. F, dated November 18, 1954, name plate dwg. No. 4319, Rev. C dated March 18, 1955 (Coast Guard Classification: Type B, Size II; and Type C, Size II), manufactured by The Fyr-Fyter Company, Dayton 1, Ohio. (Supersedes Approval No. 162.005/52/0 published in FEDERAL REGISTER October 6, 1954.)

Approval No. 162.005/53/1, Buffalo Better Built Model 33–2, 5-lb, carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 33–2, Rev. C, dated November 27, 1953, name plate dwg. No. 4321, Rev. D dated March 18, 1955 (Coast Guard Classification: Type B, Size I; and Type C, Size I), manufactured by Buffalo Fire Appliance Corp., Dayton 1, Ohio. (Supersedes Approval No. 162.005/53/0 published in FEDERAL REGISTER October 6, 1954.)

Approval No. 162.005/54/1, Buffalo Better Built Model 34–2, 10-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 34–2, Rev. F, dated November 18, 1954, name plate dwg. No. 4322, Rev. C dated March 18, 1955 (Coast Guard Classification: Type B, Size I; and Type C, Size I), manufactured by Buffalo Fire Appliance Corp., Dayton 1, Ohio. (Supersedes Approval No. 162.005/54/0 published in FEDERAL REGISTER October 6, 1954.)

Approval No. 162.005/55/1, Buffalo Better Built Model 35–2, 15-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 35–2, Rev. F, dated November 18, 1954, name plate dwg. No. 4323, Rev. C dated March 18, 1955 (Coast Guard Classification: Type B, Size II; and Type C, Size II), manufactured by Buffalo Fire Appliance Corp., Dayton 1, Ohio. (Supersedes Approval No. 162.005/55/0 published in FEDERAL REGISTER October 6, 1954.)

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, as amended, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 367, 375, 391a, 404, 463a, 472, 490, 526g, 526p, 1333; 46 CFR 25.30, 34.25, 76.50, 95.50)

VALVES, SAFETY RELIEF, LIQUEFIED COMPRESSED GAS

Approval No. 162.018/32/1, Style JO–25, safety relief valve for liquefied petroleum gas and anhydrous ammonia service, full nozzle type metal-to-metal seat, 150 p. s. i. primary service pressure rating, dwg. No. HV–60, dated September 3, 1954, approved for the following orifice sizes and air capacity ratings (discharge in cubic feet per minute of free air measured at 60 degrees F. and 14.7 p. s. i. a. and flow-rated at 110 percent of the set pressure):

Orifice size	Inlet orifice outlet	Set pressure p. s. i. g.				
		100	150	200	250	300
D	1D2	243	351	458	566	673
E	1E2	434	626	817	1,016	1,199
F	1½F2	680	980	1,280	1,580	1,879
G	1½G2½	1,114	1,605	2,097	2,588	3,078
H	1½H3	1,740	2,508	3,276	4,043	4,808
J	2J3	2,851	4,110	5,367	6,625	7,878
K	3K4	4,073	5,872	7,668	9,465	11,256
L	3L4	6,320	9,112	11,898	14,687	17,465
M	4M6	7,976	11,500	15,016	18,535	22,042
N	4N6	9,616	13,863	18,103	22,345	26,572
P	4P6	14,134	20,379	26,610	32,845	39,059
Q	6Q8	24,472	35,283	46,071	56,867	68,150
S	6S8	33,235	47,917	62,568	77,229	91,841

Manufactured by Crosby Steam Gage & Valve Co., Wrentham, Mass. (Supersedes Approval No. 162.018/32/0 published in FEDERAL REGISTER January 18, 1955.)

Approval No. 162.018/33/1, Style JO–35 safety relief valve for liquefied petroleum gas and anhydrous ammonia service, full nozzle type metal-to-metal seat, 300 p. s. i. primary service pressure rating, dwg. No. HV–61, dated September 3, 1954, approved for the following orifice sizes and air capacity ratings (discharge in

cubic feet per minute of free air measured at 60 degrees F. and 14.7 p. s. i. a. and flow-rated at 110 percent of the set pressure):

Orifice size	Inlet orifice outlet	Set pressure p. s. i. g.				
		100	150	200	250	300
D	1D2	243	351	458	566	673
E	1E2	434	626	817	1,016	1,199
F	1½F2	680	980	1,280	1,580	1,879
G	1½G2½	1,114	1,605	2,097	2,588	3,078
H	2H3	1,740	2,508	3,276	4,043	4,808
J	2½J4	2,851	4,110	5,367	6,625	7,878
K	3K4	4,073	5,872	7,668	9,465	11,256
L	4L6	6,320	9,112	11,898	14,687	17,465
M	4M6	7,976	11,500	15,016	18,535	22,042
N	4N6	9,616	13,863	18,103	22,345	26,572
P	4P6	14,134	20,379	26,610	32,845	39,059
Q	6Q8	24,472	35,283	46,071	56,867	68,150
S	6S10	33,235	47,917	62,568	77,229	91,841

Manufactured by Crosby Steam Gage & Valve Co., Wrentham, Mass. (Supersedes Approval No. 162.018/33/0 published in FEDERAL REGISTER January 18, 1955.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, and 4491, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 489; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 162.018)

Dated: June 15, 1955.

[SEAL] A. C. RICHMOND,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 55-4995; Filed, June 21, 1955; 8:51 a. m.]

[CGFR 55-27]

TERMINATION OF APPROVAL OF EQUIPMENT

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and Treasury Department Order 167-14, dated November 26, 1954 (19 F. R. 8026), and in compliance with the authority cited with each item of equipment, the following approvals of equipment are terminated because (1) the manufacturer is no longer in business; or (2) the manufacturer does not desire to retain the approval; or (3) the item is no longer being manufactured; or (4) the item of equipment no longer complies with present Coast Guard requirements; or (5) the approval has expired. Except for those approvals which have expired, all other terminations of approvals made by this document shall be made effective upon the thirty-first day after the date of publication of this document in the FEDERAL REGISTER. Notwithstanding this termination of approval of any item of equipment as listed in this document, such equipment in service may be continued in use so long as such equipment is in good and serviceable condition.

DAVITS, LIFEBOAT

Termination of Approval No. 160.032/112/0, gravity davit, type 36.5-150, approved for maximum working load of 35,000 pounds per set (17,500 pounds per arm), using 2 part falls, identified by General Arrangement dwg. No. 451-1, Alt. F, dated November 24, 1948, and revised April 10, 1950, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER June 13, 1950. Termination of approval effective June 13, 1955.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, and sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 481, 489, 367, 1333; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Cum. Supp.; 46 CFR 160.032)

MECHANICAL DISENGAGING APPARATUS LIFEBOAT

Termination of Approval No. 160.033/38/0, Mills type R releasing gear, approved for maximum working load of 20,000 pounds per set (10,000 pounds per hook), identified by Assembly dwg No. M-105-1, dated August 31, 1949, and revised April 27, 1950, for use on all vessels other than Ocean and Coastwise over 3,000 gross tons, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER June 13, 1950. Termination of approval effective June 13, 1955.)

Termination of Approval No. 160.033/40/0, Rottmer Type L-1 releasing gear, approved for maximum working load of 29,600 pounds per set (14,800 pounds per hook), identified by Hoist Gear Assembly, dwg. No. M-125-1 dated October 14, 1949, and revised January 23, 1950, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER May 10, 1950. Termination of approval effective May 10, 1955.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, and sec. 3, 54 Stat. 346, as amended, and sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 367, 1333; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.033)

LIFEBOATS

Termination of Approval No. 160.035/241/0, 36.5' x 12.5' x 5.33' aluminum, hand-propelled lifeboat, 150-person capacity, identified by construction and arrangement dwg. No. 36-7C dated March 20, 1950, and revised May 1, 1950, manufactured by Marine Safety Equipment Corp., Point Pleasant, N. J. (Approved FEDERAL REGISTER June 13, 1950. Termination of approval effective June 13, 1955.)

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4481, as amended, 4488, as amended, 4491, as amended, 4492, as amended, sec. 11, 35 Stat. 428, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, and sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 474, 481, 489, 490, 396, 367, 1333; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.035)

FIRE EXTINGUISHERS, PORTABLE, HAND, CARBON-DIOXIDE TYPE

Termination of Approval No. 162.005/31/0, Fyr-Fyter Model 33-1, 5-pound carbon-dioxide type hand portable fire extinguisher, assembly dwg. No. 33-1 dated September 8, 1949, issue of July 11, 1951, name plate dwg. No. 4665 dated May 28, 1951, no revision, manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Approved FEDERAL REGISTER March 5, 1952.)

Termination of Approval No. 162.005/32/0, Fyr-Fyter Model 34-1, 10-pound carbon-dioxide type hand portable fire extinguisher, assembly dwg. No. 34-1 dated September 7, 1949, issue of January 31, 1950, name plate dwg. No. 4667 dated May 28, 1951, no revision, manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Approved FEDERAL REGISTER March 5, 1952.)

Termination of Approval No. 162.005/33/0, Fyr-Fyter Model 35-1, 15-pound carbon-dioxide type hand portable fire extinguisher, assembly dwg. No. 35-1 dated September 8, 1949, issue of January 31, 1950, name plate dwg. No. 4669 dated May 28, 1951, no revision, manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Approved FEDERAL REGISTER March 5, 1952.)

Termination of Approval No. 162.005/34/0, Buffalo Model 33-2, 5-pound carbon-dioxide type hand portable fire extinguisher, assembly dwg. No. 33-2 dated September 8, 1949, issue of July 11, 1951, name plate dwg. No. 4666 dated May 28, 1951, no revision, manufactured by Buffalo Fire Appliance Corp., Dayton 1, Ohio. (Approved FEDERAL REGISTER March 5, 1952.)

Termination of Approval No. 162.005/35/0, Buffalo Model 34-2, 10-pound carbon-dioxide type hand portable fire extinguisher, assembly dwg. No. 34-2 dated September 7, 1949, issue of January 31, 1950, name plate dwg. No. 4668 dated May 28, 1951, no revision, manufactured by Buffalo Fire Appliance Corp., Dayton 1, Ohio. (Approved FEDERAL REGISTER March 5, 1952.)

Termination of Approval No. 162.005/36/0, Buffalo, Model 35-2, 15-pound carbon-dioxide type hand portable fire extinguisher, assembly dwg. No. 35-2 dated September 8, 1949, issue of January 31, 1950, name plate dwg. No. 4670 dated May 28, 1951, no revision, manufactured by Buffalo Fire Appliance Corp., Dayton 1, Ohio. (Approved FEDERAL REGISTER March 5, 1952.)

(R. S. 4405, 4417a, 4426, 4479, 4491, 4492, as amended, 49 Stat. 1544, 54 Stat. 165, 166, 346, 1028, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 367, 375, 391a, 404, 463a, 472, 490, 526g, 526p, 1333; 46 CFR 25.30, 34.25, 76-50, 95.50)

Dated: June 15, 1955.

[SEAL] A. C. RICHMOND,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 55-4996; Filed, June 21, 1955; 8:52 a. m.]

DEPARTMENT OF COMMERCE

Maritime Administration

ESSENTIALITY AND U. S. FLAG SERVICE REQUIREMENTS OF ROUND-THE-WORLD WESTBOUND SERVICE

CONCLUSIONS AND DETERMINATIONS

Notice is hereby given that on June 3, 1955, the Maritime Administrator, acting pursuant to section 211 of the Merchant

Marine Act, 1936, as amended, found and determined the essentiality and United States flag service requirements of United States Round-the-World Westbound Service, and, in accordance with his action of October 29, 1954, ordered that the following conclusions and determinations reached by the Maritime Administrator with respect to said service be published in the FEDERAL REGISTER:

1. Round-the-World Westbound Service, as redescribed below, is reaffirmed as an essential service in the foreign trade of the United States:

From United States North Atlantic ports via the Panama Canal to California and thence to ports in the Far East (Japan, Formosa, the Philippines and the Continent of Asia from Union of Soviet Socialist Republics to Siam, inclusive), Indonesia-Malaya (including Singapore), Southwest Asia (Suez to Burma, inclusive, and in Africa on the Red Sea and Gulf of Aden), and the Mediterranean returning to United States North Atlantic ports. Combination ships will call at Havana, Cuba, and may call at Hawaiian Islands.

NOTE: The carrying of intercoastal and non-contiguous passengers and cargo on the above service is subject to compliance with all applicable statutory provisions and requirements.

2. United States flag sailing requirements are approximately four sailings monthly, including one sailing monthly with combination ships.

3. Approximately twelve freighters are required to perform three sailings monthly and four combination ships are required to perform one sailing monthly.

4. The C–3 type freighters and combination ships presently operated in Round-the-World service are suitable ships, but new freighters built to serve this trade should have a speed of approximately 18 knots, carrying capacity of about 12,500 tons deadweight, 600–700 thousand bale cubic, and should be equipped with adequate refrigerator and deep tank spaces; and new combination ships should be of not less than 20-knot speed with accommodations for approximately 100 passengers, cargo capacity of at least 500,000 bale cubic and be equipped with adequate refrigerator and deep tank spaces. For interim operations C–2's and, to some extent, Victory type freighters are suitable to round out sailing requirements of U. S. flag lines as a whole.

Any person, firm or corporation having any interest in the foregoing who desires to offer comments and views thereon should submit same in writing to the Secretary, Maritime Administration, Department of Commerce, Washington 25, D. C., within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER. The Maritime Administrator will consider these comments and views and take such action with respect thereto as in his discretion he deems warranted.

Dated: June 17, 1955.

By order of the Maritime Administrator.

[SEAL] THOS. E. STAKEM, Jr.,
Acting Secretary.

[F. R. Doc. 55–5006; Filed, June 21, 1955; 8:55 a. m.]

ESSENTIALITY AND U. S. FLAG SERVICE REQUIREMENTS OF ROUND-THE-WORLD EASTBOUND SERVICE

TENTATIVE CONCLUSIONS AND DETERMINATIONS

Notice is hereby given that on June 3, 1955, the Maritime Administrator, acting pursuant to Section 211 of the Merchant Marine Act, 1936, as amended, tentatively found and determined the essentiality and United States flag service requirements of United States Round-the-World Eastbound Service, and, in accordance with his action of October 29, 1954, ordered that the following tentative conclusions and determinations reached by the Maritime Administrator with respect to said service be published in the FEDERAL REGISTER:

1. Round-the-World Eastbound Service, as described below, is tentatively determined to be an essential service in the foreign trade of the United States:

From United States North Atlantic ports to ports in the Mediterranean (including Atlantic approaches), Southwest Asia (Suez to Burma inclusive, and in Africa on the Red Sea and Gulf of Aden), Indonesia-Malaya (including Singapore), and the Far East (Japan, Formosa, the Philippines and the Continent of Asia from Union of Soviet Socialist Republics to Siam, inclusive), returning to California ports and via the Panama Canal to United States North Atlantic ports. Combination ships will call at Havana, Cuba, and freight ships may call at Puerto Rico.

NOTE: The carrying of intercoastal and non-contiguous passengers and cargo on the above service is subject to compliance with all applicable statutory provisions and requirements.

2. United States flag sailing requirements are approximately three to four sailings monthly, including one sailing monthly with combination ships.

3. From eight to twelve freighters are required to perform two to three sailings monthly and four combination ships are required to perform one sailing monthly.

4. The C–3 type freighters presently operated in Round-the-World service are suitable ships, but new freighters built to serve this trade should have a speed of approximately 18 knots, carrying capacity of about 12,500 tons deadweight, 600–700 thousand bale cubic, and should be equipped with adequate refrigerator and deep tank spaces; and new combination ships should be of not less than 20 knot speed with accommodations for approximately 100 passengers, cargo capacity of at least 500,000 bale cubic and be equipped with adequate refrigerator and deep tank spaces. For interim operations C–2's and, to some extent, Victory type freighters are suitable to round out sailing requirements of U. S. flag lines as a whole.

Any person, firm or corporation having any interest in the foregoing who desires to offer comments and views thereon should submit same in writing to the Secretary, Maritime Administration, Department of Commerce, Washington 25, D. C., within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER. The Maritime Administrator will consider these comments and views and take such action with respect thereto as in his discretion he deems warranted.

Dated: June 17, 1955.

By order of the Maritime Administrator.

[SEAL] THOS. E. STAKEM, Jr.,
Acting Secretary.

[F. R. Doc. 55–5007; Filed, June 21, 1955; 8:55 a. m.]

ESSENTIALITY AND U. S. FLAG SERVICE REQUIREMENTS OF TRADE ROUTES NOS. 5, 7 AND 9

CONCLUSIONS AND DETERMINATIONS

Notice is hereby given that on June 15, 1955, the Maritime Administrator, acting pursuant to section 211 of the Merchant Marine Act, 1936, as amended, found and determined the essentiality and United States flag service requirements of the following United States foreign trade routes, and, in accordance with his action of October 29, 1954, ordered that the following conclusions and determinations reached by the Maritime Administrator with respect to said routes be published in the FEDERAL REGISTER.

Trade Routes Nos. 5, 7 and 9—U. S. North Atlantic/United Kingdom — Germany — France—Spain—1. *Trade Route No. 5.* Between U. S. North Atlantic ports (Maine/Virginia—North Carolina border, inclusive) and ports in the United Kingdom and Ireland is reaffirmed as an essential route with no change in the United States and foreign areas served.

2. *Trade Route No. 7.* Between U. S. North Atlantic ports (Maine/Virginia—North Carolina border, inclusive) and German North Sea ports is reaffirmed as an essential route with no change in the United States and foreign areas served.

3. *Trade Route No. 9.* Between U. S. North Atlantic ports (Maine/Virginia—North Carolina border, inclusive) and ports in Atlantic France and Northern Spain (French-Belgian border south to northern border of Portugal) is reaffirmed as an essential route with no change in the United States and foreign areas served.

4. Requirements for United States flag freighter operation on Trade Routes Nos. 5, 7 and 9 are found to be between 22 and 29 sailings per month of which between 15 and 18 should serve the routes exclusively supplemented by between 7 and 10 sailings per month serving the routes in conjunction with other U. S. and foreign port ranges.

5. The C–2 type vessel is found to be suitable for freighter operation on Trade Routes Nos. 5, 7, and 9. Between 24 and 29 such ships serving the routes exclusively and between 11 and 16 freighters serving the routes in conjunction with other routes are required to provide adequate U. S. flag freight service under present conditions.

Any person, firm or corporation having any interest in the foregoing who desires to offer comments and views thereon, should submit same in writing to the Secretary, Maritime Administration, Department of Commerce, Washington 25, D. C., within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER. The Maritime Administrator will consider these comments and views and take such ac-

tion with respect thereto as in his discretion he deems warranted.

Dated: June 17, 1955.

By order of the Maritime Administrator.

[SEAL] THOS. E. STAKEM, Jr.,
Acting Secretary.

[F. R. Doc. 55–5008; Filed, June 21, 1955; 8:56 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Anchorage 029270]

ALASKA

REVOKING DEPARTMENTAL ORDER OF APRIL 24, 1942, RESERVING CERTAIN LANDS AT NORTHWAY FOR SCHOOL AND MEDICAL PURPOSES

JUNE 16, 1955.

Upon request of the Bureau of Indian Affairs, Department of the Interior, and pursuant to Departmental Order No. 2583 of August 16, 1950, section 2.22 (a), as amended and the act of March 31, 1938 (52 Stat. 593; 48 U. S. C. 353a), it is ordered as follows:

The Departmental order of April 24, 1942, reserving the following-described lands at Northway, Alaska for school and medical purposes is hereby revoked:

Beginning at a point on the left bank of the Nabesna River opposite the Moose Creek School at Northway (formerly Nabesna) Alaska, about 6 miles above its confluence with the Tanana River in approximate latitude 63°00′ N., approximate longitude 141°58′ W., thence northeasterly downstream along the left bank of the Nabesna River approximately ½ mile, N. 45° W., 1 mile, S. 45° W., 1 mile, S. 45° E., 1 mile more or less to the left bank of the Nabesna River, northeasterly downstream along the left bank of the Nabesna River approximately ½ mile to the place of beginning.

The area described contains 640 acres.

The lands are included within the area withdrawn by Public Land Order No. 255 of December 15, 1944, for use of the War Department for military purposes.

W. G. GUERNSEY,
Acting Director.

[F. R. Doc. 55–4973; Filed, June 21, 1955; 8:46 a. m.]

Bureau of Reclamation

[Public Announcement 23]

COLUMBIA BASIN PROJECT, WASHINGTON, SOUTH COLUMBIA BASIN IRRIGATION DISTRICT

SALE OF FULL-TIME FARM UNITS

JUNE 1, 1955.

Columbia Basin Project, Washington, South Columbia Basin Irrigation District; public announcement of the sale of full-time farm units.

LANDS COVERED

SECTION 1. *Offer of farm units for sale.* It is hereby announced that certain farm units in the South Columbia Basin Irrigation District, Columbia Basin Project, Washington, will be sold to qualified applicants in accordance with the provisions of this announcement. Applications to purchase farm units may be submitted beginning at 2 p. m., June 17, 1955.

In order to permit the continued orderly development and settlement of project lands, this public announcement is issued irrespective of there being pending applications for exchange pursuant to the act of August 13, 1953 (67 Stat. 566).

a. *Farm units presently owned.* The farm units which are presently owned by the United States, and hereby offered for sale, are described as follows:

Irrigation Block No.	Farm unit No.	Total acreage	Tentative irrigable acreage				Nonirrigable	Price
			Total	Class 1	Class 2	Class 3		
19	8	179.7	92.8	----------	92.1	0.7	86.9	$4,727.40
	9	131.8	105.9	----------	102.1	3.8	25.9	6,228.50
	10	134.1	115.1	----------	102.3	12.8	19.0	2,429.00
	11	115.5	84.9	2.1	82.3	1.4	30.6	4,371.90
	12	135.3	125.4	3.2	93.8	28.4	9.9	2,274.30
	13	104.0	83.9	6.7	40.1	37.1	20.1	1,388.40
	14	190.7	135.2	----------	93.7	41.5	55.5	2,904.90
	16	158.3	120.0	----------	12.6	107.4	38.3	2,752.40
	17	167.8	93.1	----------	22.1	71.0	74.7	6,061.90
	18	161.6	89.9	----------	42.5	47.4	71.7	2,035.80
	19	147.8	118.9	13.8	36.2	68.9	28.9	4,399.20
	20	176.7	104.0	----------	.7	103.3	72.7	2,257.30
	24	80.6	67.8	30.8	34.1	2.9	12.8	4,480.10
	25	90.2	74.2	48.4	15.6	10.2	16.0	5,646.70
	26	86.3	73.8	65.1	8.5	.2	12.5	5,600.70
	29	132.3	106.0	37.0	32.4	36.6	26.3	4,444.50
	30	90.3	85.1	45.7	29.9	9.5	5.2	5,131.90
	31	82.3	80.2	41.9	36.8	1.5	2.1	5,215.10
	35	101.1	91.0	17.9	16.1	57.0	10.1	3,684.30
	36	160.3	103.6	----------	75.9	27.7	56.7	5,229.00
	37	127.5	92.0	----------	52.9	39.1	35.5	4,057.20
	38	102.6	90.3	----------	64.4	25.9	12.3	4,615.50
	44	123.3	103.9	----------	103.5	.4	19.4	6,299.30
	45	134.2	100.1	2.1	92.0	7.0	34.1	6,187.70
	46	102.6	94.9	28.0	66.9	----------	7.7	6,178.00
	47	113.1	82.9	44.9	36.2	1.8	30.2	5,567.20
	48	152.7	105.3	30.4	33.9	41.0	47.4	6,196.20
	53	110.3	102.5	17.9	50.8	33.8	7.8	6,744.70
	54	99.9	92.8	----------	36.9	55.9	7.1	4,675.00
	55	101.4	86.8	----------	27.3	59.5	14.6	4,407.70
	56	117.8	101.1	----------	36.0	65.1	16.7	5,328.50
	57	145.2	98.8	----------	40.6	58.2	46.4	7,597.80
	58	111.3	107.4	----------	87.6	19.8	3.9	5,910.90
	59	128.8	90.3	----------	53.2	37.1	38.5	5,364.70
	60	102.0	94.5	18.1	31.1	45.3	7.5	5,248.20
	63	108.3	77.7	11.1	28.7	37.9	30.6	1,788.90
	64	86.8	78.8	20.1	42.9	15.8	8.0	1,603.80
	65	104.6	84.8	13.0	50.4	21.4	19.8	1,851.70
	66	94.1	78.6	27.1	36.8	14.7	15.5	2,048.90
	67	88.4	77.7	67.4	10.0	.3	10.7	6,689.60
	68	80.3	71.8	58.1	6.1	7.6	8.5	6,205.10
	69	79.7	74.4	54.0	16.9	3.5	5.3	6,346.10
	70	80.2	75.3	64.5	9.3	1.5	4.9	6,427.00
	71	72.0	66.4	61.3	5.0	.1	5.6	5,649.60
	72	71.5	63.1	61.5	1.6	----------	8.4	5,723.40
	73	69.5	64.6	59.8	4.8	----------	4.9	5,828.80
	74	73.8	71.0	67.0	4.0	----------	2.8	6,392.80
	75	77.6	76.2	61.3	14.1	.8	1.4	6,097.40
	76	77.8	72.3	42.3	23.0	7.0	5.5	4,343.50
	77	90.3	83.9	48.7	32.2	3.0	6.4	5,059.30
	79	114.7	101.9	7.4	54.9	39.6	12.8	2,100.30
	80	109.5	77.3	----------	32.1	45.2	32.2	1,414.90
	85	141.6	122.5	14.0	84.6	23.9	19.1	965.90
	86	88.0	83.8	17.5	59.7	6.6	4.2	2,099.20
	87	90.5	85.1	23.0	61.1	1.0	5.4	2,132.90
	95	107.8	98.2	42.5	45.7	10.0	9.6	6,076.80
	96	122.6	117.7	35.2	70.6	11.9	4.9	7,068.70
	97	102.6	72.4	5.1	47.1	20.2	30.2	3,715.00
	98	97.2	80.8	25.8	38.2	16.8	16.4	4,931.00
	99	113.7	88.2	54.6	30.4	3.2	25.5	6,362.70
	100	181.0	71.3	24.1	29.7	17.5	109.7	2,060.40
	101	133.7	93.9	40.9	45.9	7.1	39.8	6,884.90
	102	126.4	114.8	61.6	50.2	3.0	11.6	8,062.90
	103	112.3	107.6	8.7	90.5	8.4	4.7	6,481.40
	104	165.7	89.6	15.8	59.3	14.5	76.1	7,328.10
	112	117.3	108.8	29.8	51.8	27.2	8.5	5,496.50
	113	111.8	101.3	2.4	83.5	15.4	10.5	4,569.00
	114	130.0	120.8	----------	77.1	43.7	9.2	4,276.80
	115	125.8	102.0	----------	46.2	55.8	23.8	1,668.10
	116	82.9	76.3	22.5	45.0	8.8	6.6	1,539.80
	117	69.2	61.0	50.9	10.1	----------	8.2	4,917.20
	118	69.4	64.6	37.3	23.9	3.4	4.8	4,849.80
	119	66.5	56.5	54.3	2.2	----------	10.0	2,844.90
	120	82.8	77.8	42.7	24.7	10.4	5.0	2,730.70
	122	104.8	90.9	24.1	30.9	35.9	13.9	1,935.40
	124	185.4	123.0	----------	30.9	92.1	62.4	2,361.90
	125	171.5	131.9	8.2	53.4	70.3	39.6	4,221.00
	126	113.5	96.6	36.0	33.2	27.4	16.9	4,877.50
	127	177.1	74.3	----------	32.5	41.8	102.8	3,842.50
	128	143.3	79.5	18.9	26.8	33.8	63.8	5,308.40
	129	138.6	73.5	16.5	21.7	35.3	65.1	3,774.00

b. *Additional farm units.* If, through the operation of its land acquisition program, the United States should, following the date of this announcement and prior to the date on which the first farm unit is offered for selection to an applicant under the provisions hereof, own additional farm units in Irrigation Block 19 and in other irrigation blocks in the South Columbia Basin Irrigation District which are scheduled to receive water before the close of the 1956 irrigation season; such farm units may be offered for sale under the provisions of this announcement.

The official plat of this irrigation block is on file in the office of the County Auditor of Franklin County in Pasco,

Washington, and copies are on file in the offices of the Bureau of Reclamation at Ephrata, Washington, and Boise, Idaho.

SEC. 2. *Limit of acreage which may be purchased.* The lands covered by this announcement have been divided into farm units. Each of the farm units represents the acreage which, in the opinion of the Regional Director, Region 1, Bureau of Reclamation, will support an average size family at a suitable level of living. The law provides that with certain minor exceptions not more than one farm unit in the entire project may be held by any one owner or family. A family is defined as comprising husband or wife, or both, together with their children under 18 years of age, or all of such children if both parents are dead.

PREFERENCE OF APPLICANTS

SEC. 3. *Nature of preference.* Except for a prior preference given applicants for exchange under the provisions of the act of August 13, 1953 (67 Stat. 566), preference right to purchase the farm units described above will be given to veterans (and in some cases to their husbands or wives or guardians of minor children) who submit applications during a 45-day period beginning at 2 p. m., June 17, 1955, and ending at 2 p. m., August 1, 1955, and who, at the time of making application, are in one of the following five classes:

a. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States for a period of at least ninety (90) days at any time between September 16, 1940, and January 31, 1955, inclusive, and have been honorably discharged.

b. Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States during the period prescribed in subsection a. of this section regardless of length of service, and who have been discharged on account of wounds received or disability incurred during such period in the line of duty, or subsequent to a regular discharge, have been furnished hospitalization or awarded compensation by the Government on account of such wounds or disability.

c. The spouse of any person in either of the first two classes listed in this section, if the spouse has the consent of such person to exercise his or her preference right. (See subsection 7. c. of this announcement regarding the provision that a married woman must be head of a family.)

d. The surviving spouse of any person in either of the first two classes listed in this section, or in the case of the death or marriage of such spouse, the minor child or children of such person by guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

e. The surviving spouse of any person whose death has resulted from wounds received or disability incurred in the line of duty while serving in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period described in subsection a. of this section, or in the case of death or marriage of such spouse, the minor child or children of such person by a guardian duly appointed and qualified and who furnishes to the examining board acceptable evidence of such appointment and qualification.

SEC. 4. *Definition of honorable discharge.* An honorable discharge means:

a. Separation from the service by means of an honorable discharge or by the acceptance of resignation or a discharge under honorable conditions.

b. Release from active duty under honorable conditions to an inactive status, whether or not in a reserve component or retirement.

Any person who obtains an honorable discharge as herein defined shall be entitled to veterans preference even though such person thereafter resumes active military duty.

QUALIFICATIONS REQUIRED OF PURCHASERS

SEC. 5. *Examining board.* An examining board of three members has been appointed by the Regional Director, Region 1, Bureau of Reclamation, to determine the qualifications and fitness of applicants to undertake the purchase, development, and operation of a farm on the Columbia Basin Project. The board will make careful investigations to verify the statements and representations made by applicants. Any false statements may constitute grounds for rejection of an application and cancellation of the applicant's right to purchase a farm unit.

SEC. 6. *Minimum qualifications.* Certain minimum qualifications have been established which are considered necessary for the successful development of farm units. Applicants must meet these qualifications in order to be eligible for the purchase of farm units. Failure to meet them in any single respect will be sufficient cause for rejection of an application. No added credit will be given for qualifications in excess of the required minimum. The minimum qualifications are as follows:

a. *Character and industry.* An applicant must be possessed of honesty, temperate habits, thrift, industry, seriousness of purpose, record of good moral conduct, and a bona fide intent to engage in farming as an occupation.

b. *Farm experience.* Except as otherwise provided in this subsection, an applicant must have had a minimum of two years (24 months) of full-time farm experience, which shall consist of participation in actual farming operations, after attaining the age of 15 years. Time spent in agricultural courses in an accredited agricultural college or time spent in work closely associated with farming, such as teaching vocational agriculture, agricultural extension work, or field work in the production or marketing of farm products, which, in the opinion of the board will be of value to an applicant in operating a farm, may be substituted for full-time farm experience. Such substitution shall be on the basis of one year (academic year of at least nine months) of agricultural college courses or one year (twelve months) of work closely associated with farming for six months of full-time farm experience. Not more than one year of full-time farm experience of this type will be allowed. A farm youth who actually resided and worked on a farm after attaining the age of 15 and while attending school may credit such experience as full-time experience.

Applicants who have acquired their experience on an irrigated farm will not be given preference over those whose experience was acquired on a nonirrigated farm, but all applicants must have had farm experience of such nature as in the judgment of the examining board will qualify the applicant to undertake the development and operation of an irrigated farm by modern methods.

c. *Health.* An applicant must be in such physical condition as will enable him to engage in normal farm labor.

d. *Capital.* An applicant must possess assets worth at least $4,500 in excess of liabilities. Assets must consist of cash, property readily convertible into cash or property such as livestock, farm machinery and equipment, which, in the opinion of the board, will be useful in the development and operation of a new, irrigated farm. In considering the practical value of property which will be useful in the development of a farm, the board will not value household goods at more than $500 or a passenger car at more than $500. Assets not useful in the development of a farm will be considered if the applicant furnishes, at the board's request, evidence of the value of the property and proof of its conversion into useful form before execution of a purchase contract.

SEC. 7. *Other qualifications required.* Each applicant (except guardian) must meet the following requirements:

a. Be a citizen of the United States or have declared an intention to become a citizen of the United States.

b. Not own outright, or control under a contract to purchase, more than ten acres of crop land or a total of 160 acres of land at the time of execution of a purchase contract for a farm unit.

c. If a married woman, or a person under 21 years of age who is not eligible for veterans preference, be the head of a family. The head of a family is ordinarily the husband, but a wife or a minor child who is obliged to assume major responsibility for the support of a family may be the head of a family.

WHERE AND HOW TO SUBMIT AN APPLICATION

SEC. 8. *Filing application blanks.* Any person desiring to purchase a farm unit offered for sale by this announcement must fill out the attached application blank and file it with the Land Settlement Branch, Bureau of Reclamation, Ephrata, Washington, in person or by mail. Additional application blanks may be obtained from the office of the Bureau of Reclamation at Ephrata, Washington; Post Office Box 937 Boise, Idaho; or Washington, D. C. No advantage will accrue to an applicant who presents an application in person. Each application submitted, including the evidence of qualification to be submitted following the public drawing, will become a part of the records of the Bureau

of Reclamation and cannot be returned to the applicant.

SELECTION OF QUALIFIED APPLICANTS

SEC. 9. *Priority of applications.* All applicants except those received from qualified exchange applicants prior to 2 p. m., August 1, 1955, which shall be given prior preference, will be classified for priority purposes as follows:

a. *First Priority Group.* All complete applications filed prior to 2 p. m., August 1, 1955, by applicants who claim veterans preference. All such applications will be treated as simultaneously filed.

b. *Second Priority Group.* All complete applications filed prior to 2 p. m., August 1, 1955, by applicants who do not claim veterans preference. All such applications will be treated as simultaneously filed.

c. *Third Group.* All complete applications filed after 2 p. m., August 1, 1955. Such applications will be considered in the order in which they are filed if any farm units are available for sale to applicants within this group.

SEC. 10. *Public drawing.* After the priority classification, the board will conduct a public drawing of the names of the applicants in the First Priority Group as defined in subsection 9. a. of this announcement. Applicants need not be present at the drawing to participate therein. The names of a sufficient number of applicants (not less than four times the number of farm units to be offered for sale) shall be drawn and numbered consecutively in the order drawn for the purpose of establishing the order in which the applications drawn will be examined by the board to determine whether the applicants meet the minimum qualifications prescribed in this announcement, and to establish the priority of qualified applicants for the selection of farm units. After such drawing, the board shall notify each applicant of his respective standing as a result of the drawing.

SEC. 11. *Submission of evidence of qualification.* After the drawing, a sufficient number of applicants, in the order of their priority as established by the drawing, will be supplied with forms on which to submit evidence of qualification, showing that they meet the qualifications set forth in sections 6 and 7 of this announcement and, in case veterans preference is claimed, establishing proof of such preference, as set forth in section 3 of this announcement. Full and accurate answers must be made to all questions. The completed form must be mailed or delivered to the Land Settlement Branch, Bureau of Reclamation, Ephrata, Washington, within 20 days of the date the form is mailed to the last address furnished by the applicant. Failure of an applicant to furnish all of the information requested or to see that information is furnished by his references within the time period specified will subject his application to rejection.

SEC. 12. *Examination and interview.* After the information outlined in section 11 of this announcement has been received or the time for submitting such statements has expired, the board shall examine in the order drawn a sufficient number of applications together with the evidence of qualification submitted to determine the applicants who will be permitted to purchase farm units. This examination will determine the sufficiency, authenticity, and reliability of the information and evidence submitted by the applicants.

If the applicant fails to supply any of the information required or the board finds that the applicant's qualifications do not meet the requirements prescribed in this announcement, the applicant shall be disqualified and shall be notified by the board, by registered mail, of such disqualification and the reasons therefor and of the right to appeal to the Regional Director, Region 1, Bureau of Reclamation. All appeals must be received in the office of the Land Settlement Branch, Bureau of Reclamation, Ephrata, Washington, within 15 days of the applicant's receipt of such notice or, in any event, within 30 days from the date when the notice is mailed to the last address furnished by the applicant. The Land Settlement Branch will promptly forward the appeal to the Regional Director.

If the examination indicates that an applicant is qualified, the applicant may be required to appear for a personal interview with the board for the purpose of: (a) Affording the board any additional information it may desire relative to his qualifications; (b) affording the applicant any information desired relative to conditions in the area and the problems and obligations relative to development of a farm unit; and (c) affording the applicant an opportunity to examine the farm units.

If an applicant fails to appear before the board for a personal interview on the date requested, he will thereby forfeit his priority position as determined by the drawing.

If the board finds that an applicant's qualifications fulfill the requirements prescribed in this announcement, such applicant shall be notified, in person or by registered mail, that he is a qualified applicant and shall be given an opportunity to select one of the farm units available then for purchase. Such notice will require the applicant to make a field examination of the farm units available to him and in which he is interested, to select a farm unit, and to notify the board of such selection within the time specified in the notice.

SELECTION OF FARM UNITS

SEC. 13. *Order of selection.* The applicants who have been notified of their qualification for the purchase of a farm unit will successively exercise the right to select a farm unit in accordance with the priority established by the drawing. If a farm unit becomes available through failure of a qualified applicant to exercise his right of selection or failure to complete his purchase, it will be offered to the next qualified applicant who has not made a selection at the time the unit is again available. An applicant who is considered to be disqualified as a result of the personal interview will be permitted to exercise his right to select, notwithstanding his disqualification, unless he voluntarily surrenders this right in writing. If, on appeal, the action of the board in disqualifying an applicant as a result of the personal interview is reversed by the Regional Director, the applicant's selection shall be effective, but if such action of the board is upheld by the Regional Director, the farm unit selected by this applicant will become available for selection by qualified applicants who have not exercised their right to select.

If any of the farm units listed in this announcement remain unselected after all qualified applicants whose names were selected in the drawing have had an opportunity to select a farm unit, and if additional applicants remain in the First Priority Group, the board will follow the same procedure outlined in section 10 of this announcement in the selection of additional applicants from this group.

If any of the farm units remain unselected after all qualified applicants in the First Priority Group have had an opportunity to select a farm unit, the board will follow the same procedure to select applicants from the Second Priority Group, and they will be permitted to exercise their right to select a farm unit in the manner prescribed for the qualified applicants from the First Priority Group.

Any farm units remaining unselected after all qualified applicants in the Second Priority Group have had an opportunity to select a farm unit will be offered to applicants in the Third Group in the order in which their applications were filed, subject to the determination of the board, made in accordance with the procedure prescribed herein, that such applicants meet the minimum qualifications prescribed in this announcement.

If any farm units offered by or under this announcement remain unsold for a period of two years following the date of this announcement, the Project Manager, Columbia Basin Project, Bureau of Reclamation, may sell, lease, or otherwise dispose of such units to qualified applicants without regard to the provisions of section 10 of this announcement.

SEC. 14. *Failure to select.* If any applicant refuses to select a farm unit or fails to do so within the time specified by the board, such applicant shall forfeit his position in his priority group and his name shall be placed last in that group.

PURCHASE OF SELECTED UNIT

SEC. 15. *Execution of purchase contract.* When a farm unit is selected by an applicant as provided in section 13 of this announcement, the Project Manager will promptly give the applicant a written notice confirming the availability to him of the unit selected and will furnish the necessary purchase contract, together with instructions concerning its execution and return. In that notice the Project Manager will also inform the applicant of the amount of the irrigation charges assessed by the South Columbia Basin Irrigation District or, if such charges have not been assessed, of an estimate of the

amount of the charges for the first year of the development period, to be deposited with the Secretary, South Columbia Basin Irrigation District.

If the purchase is made subsequent to April 1 of any year during the development period, a deposit will be required to cover payment of water charges for the balance of that year as well as for the year following the purchase.

SEC. 16. *Terms of sale.* Contracts for the sale of farm units pursuant to this announcement will contain, among others, the following principal provisions:

a. *Down payment.* An initial or down payment of not less than 20 percent of the purchase price of the lands being purchased from the United States will be required. Larger proportions, or the entire amount of the price, may be paid initially at the purchaser's option.

b. *Schedule for payment of balance; interest rate.* If only a portion of the purchase price is paid initially, the remainder will be payable within a period of 20 years following the date of the contract. No payments on the principal, except the down payment, will be required during the first three years and the Project Manager may postpone such payments for as long as the first five years of the contract. Interest on the unpaid balance at the rate of three per cent per annum, however, will be payable annually. When payments on the principal are resumed, they will be payable each year. The schedule of principal payments, which will be established by the Project Manager, will provide for relatively small payments during the first years and larger payments during the later years of the contract period. Payment of any or all installments, or any portion thereof, may be made before their due dates at the purchaser's option.

c. *Development requirements.* In order that the irrigable area of the entire farm unit shall be developed with reasonable dispatch, each purchaser will be required, as a minimum, to clear, level, irrigate, and plant to crops by the end of each of the calendar years indicated below, and to maintain in crops thereafter, the following percentages of irrigable land as tentatively or finally classified:

Size of farm unit in irrigable acres	Percentage of land classified tentatively or finally as irrigable to be developed by end of each year. (Period will begin with year of purchase if contract is executed and water is available on or before May 1 of that year; otherwise period will begin with the next calendar year.)			
	2d year	3d year	4th year	5th year
10 to 40	75	----------	----------	----------
41 to 60	50	75	----------	----------
61 to 80	50	65	75	----------
81 to 100	40	60	65	75
101 to 160	35	50	65	75

d. *Residence requirements.* A major objective of the settlement program for the Columbia Basin Project is to assist and encourage the permanent settlement of farm families. In keeping with this objective, each purchaser will be required to do the following with respect to residence: (1) Within one year from the date of his contract, or within one year from the date that water is available to the irrigation block in which the farm unit is located, whichever is later, to initiate residence by actually moving onto the unit, such residence to be maintained by living thereon for not less than 12 months within an 18-month period following the initial date of residence, and (2) before receiving title to the unit under the purchase contract, to establish a permanent and habitable dwelling on the unit. The time for compliance with the initiation of residence may be extended by the Project Manager for periods of as long as six months, upon his determination that an extension is necessary to avoid undue hardship to the purchaser and that it will not be detrimental to the orderly development of the irrigation block. The latest permissible date for initiating residence, however, will not be extended for more than one year in addition to the one-year period specified above. In extraordinary situations, the requirements under (1) and (2) above may be waived entirely upon the determination by the Regional Director, after recommendation by the Project Manager, that such waiver will be in the interest of orderly development of the block. Any such waiver, however, shall be conditioned on the requirement that the purchaser reside close enough to his unit to permit him to develop it through his own efforts.

e. *Speculation and landholding limitations.* Purchase contracts and deeds covering farm units offered by this announcement will include provisions governing (1) maximum permissible sizes of holdings of irrigable lands; (2) continued conformance of land to the area and boundaries of the farm unit plat for the block; (3) prices at which land can be resold during a period of five years following the date on which water is made available to the irrigation block; (4) disposal of land should it become excess at any time; and (5) limitations as to total area that may be operated on the project whether as lessee or as owner or both.

f. *Copies of contract form.* The terms listed above, and all other standard contract provisions, are contained in the purchase contract form, copies of which may be obtained by writing to the Bureau of Reclamation, Ephrata, Washington.

IRRIGATION CHARGES

SEC. 17. *Water rental charges.* During the irrigation season of 1956, while some construction activities will be continuing and the system is being tested, it is expected that the water will be furnished on a temporary rental basis to those desiring it. The terms of payment, which will be at a fixed rate per acre-foot of water used, will be announced by the Regional Director before the beginning of the irrigation season.

SEC. 18. *Development period charges.* Pursuant to the provisions of the repayment contract of October 9, 1945, between the United States and the South Columbia Basin Irrigation District in the Columbia Basin Project, the Secretary of the Interior will announce a development period of ten years during which time payment of construction charge installments will not be required. This period probably will commence with the calendar year 1957. During the development period, water rental charges will average an estimated $5.50 per year for each irrigable acre as tentatively or finally classified. This figure is preliminary and subject to change because all the data needed to fix the charges are not available nor can they be obtained now. In any event, there will be a minimum charge per farm unit each year whether or not water is used. A notice establishing the details of the plan to be followed and announcing charges and governing provisions for the first year of the development period will be issued prior to January 1 of that year by the Regional Director, who has the responsibility for fixing charges.

The present plans of the Regional Director are (a) to vary the minimum charge according to the anticipated relative repayment ability of the various land classes; (b) to provide for a small minimum charge for the first year and to increase it each year thereafter so that the charge for the tenth year will be approximately equal to the combined construction and operation and maintenance charge for the following year; and (c) to charge for water in excess of the amount furnished for the minimum charge on an acre-foot basis. The minimum charge will entitle each user to a quantity of water to be specified by the Regional Director, varying with the water requirement classification of the land and the size of the farm unit.

In addition to the water rental charges, the Irrigation District will levy an additional charge to cover administrative costs and probable delinquencies in collections.

SEC. 19. *Construction period repayment charges—a. Operation and maintenance charges.* After the development period has ended, water users will pay a charge for operation and maintenance of the project irrigation system which will be uniform for the irrigation blocks throughout the project. These charges may or may not be graduated among land classes. Assessment procedure will be left for the Irrigation District Board of Directors to determine, but, in any case, there will be an annual minimum charge per acre. In order to encourage careful use of water, this annual minimum charge will entitle the water user to one-half acre-foot of water per acre less than the amount of water normally required. The normal requirements for the various classes of land will be determined and announced as provided in the repayment contract with the South Columbia Basin Irrigation District. Water in excess of the quantity covered by the minimum charge will be paid for on an acre-foot basis in accordance with an ascending, graduated scale.

b. *Construction charges.* The contract between the United States and the South Columbia Basin Irrigation District requires the payment of construction charges for the project irrigation system during the forty years following the development period. The average construction charge per irrigable acre for the entire project will be $2.12 per year. Thus, the total construction

charge payment will average $85 per irrigable acre, but that amount was predicated on an estimated total direct irrigation cost of not to exceed $280,782,180 as indicated by Article 6 of the repayment contract, an amount that it now appears is likely to be exceeded. The contract further provides that construction charges shall be graduated according to the relative repayment ability of the land; consequently, the charge per irrigable acre will be larger for the better lands than for the poorer lands. This allocation of construction charges by classes of land will be made as soon as practicable.

FRED G. AANDAHL,
Assistant Secretary of the Interior.

[F. R. Doc. 55-4943; Filed, June 21, 1955; 8:45 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6630]

SIERRA PACIFIC POWER CO.

NOTICE OF APPLICATION

JUNE 16, 1955.

Take notice that on June 13, 1955, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Sierra Pacific Power Company, a corporation organized under the laws of the State of Maine, and doing business in the States of California and Nevada, with its principal business office at Reno, Nevada, seeking an order authorizing the issuance of unsecured promissory notes, payable to such bank or banks from which Applicant may borrow funds, up to but not exceeding $2,200,000 face amount at any one time outstanding, for periods not exceeding twelve months from the date of original issue or renewal thereof, as the case may be, such notes issued either originally or upon renewal from time to time to have maturity dates not later than December 31, 1956. Said notes will bear interest at a rate per annum not in excess of one quarter of one percent over the prime rate in effect at the time of the borrowing or the renewal or extension of the loans as the case may be. The proceeds will be used to reimburse Applicant for construction expenditures heretofore made and, together with other cash from operations, to carry out the construction program now in progress and contemplated in 1956; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 7th day of July 1955, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-4975; Filed, June 21, 1955; 8:46 a. m.]

[Docket Nos. G-6674, G-6675, G-8672]

NATURAL GAS STORAGE COMPANY OF ILLINOIS ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

JUNE 15, 1955.

In the matters of Natural Gas Storage Company of Illinois, Docket No. G-6674; Texas Illinois Natural Gas Pipeline Company, Docket No. G-6675; Natural Gas Pipeline Company of America, Docket No. G-8672.

Take notice that Natural Gas Storage Company of Illinois (Storage Company), applicant in Docket No. G-6674, an Illinois corporation, having its principal place of business at 20 North Wacker Drive, Chicago 6, Illinois, filed on December 30, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Storage Company to construct and operate certain facilities as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Storage Company proposes to construct and operate the following facilities to increase the maximum peak day withdrawals from its storage field in Kankakee and Iroquois Counties in Illinois from 150,000 Mcf to 430,000 Mcf:

(a) Approximately 31 miles of 36-inch pipeline extending from Storage Company's existing compressor station and connecting with the main transmission pipeline of Texas Illinois Natural Gas Pipeline Company at a point at which such pipeline crosses the Illinois River;

(b) Additional dehydration facilities to accomplish the dehydration of the increased flow of gas from the storage reservoir; and compressor station changes required by the increase of input and ejection from storage, but not increasing the total horsepower now installed;

(c) One meter station to measure gas delivered through the pipeline mentioned in (a) above into the main transmission line of Texas Illinois Natural Gas Pipeline Company; such meter station to be located at the point of connection with the main transmission pipeline of Texas Illinois Natural Gas Pipeline Company;

(d) Special valves, fittings and appurtenant facilities as may be necessary or convenient for the proper operation of the aforementioned installations.

Storage Company proposes to increase the quantity of gas in the storage area to a total of at least 25,000 Mcf and to provide a maximum peak day withdrawal of 430,000 Mcf by means of authorized existing facilities and the facilities and operations herein proposed.

Storage Company also proposes to install the following facilities for the reinjection of gas now being vented in the storage area:

(a) Approximately 3.75 miles of pipeline, varying in size from 4 to 24 inches in diameter and other necessary and appurtenant facilities, including drilling of wells as may be required;

(b) Changes in two existing compressor units at Storage Company's authorized Herscher compressor station No. 201 to permit 3-stage compression of gas gathered through the proposed gathering system.

The total estimated cost of the proposed facilities is $7,458,000 to be financed by the issuance and sale of common stock in equal amounts to the present owners of its capital stock, namely Natural Gas Pipeline Company of America and Texas Illinois Natural Gas Pipeline Company.

Take notice further that Texas Illinois Natural Gas Pipeline Company (Texas Illinois), applicant in Docket No. G-6675, a Delaware corporation having its principal place of business at 20 North Wacker Drive, Chicago, Illinois, filed on December 30, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Texas Illinois to construct and operate certain facilities as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Texas Illinois proposes to construct and operate a side tap connection between the 36-inch pipe line of Storage Company proposed in Docket No. G-6674 and the main transmission line of Texas Illinois.

Take notice further that Natural Gas Pipeline Company of America (Natural Gas Pipeline), applicant in Docket No. G-8672, a Delaware corporation having its principal place of business at 20 North Wacker Drive, Chicago 6, Illinois, filed on March 28, 1955, an application for a certificate of public convenience and necessity, as supplemented on April 25, 1955, pursuant to section 7 of the Natural Gas Act, authorizing Natural Gas Pipeline to construct and operate five loop lateral pipelines as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Construction and operation of the five lateral loop lines would permit delivery of the increased volumes of gas to five of its existing customers in Iowa and Illinois. The increased volumes would result from the increased storage operations proposed by Storage Company in Docket No. G-6674. The total estimated cost of the facilities proposed to be constructed by Natural Gas Pipeline is $1,572,200 to be financed from funds on hand.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, 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 will be held on July 6,

1955, at 10:00 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 in and the issues presented by such applications.

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 July 5, 1955.

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

[F. R. Doc. 55-4977; Filed, June 21, 1955; 8:47 a. m.]

[Docket No. G-8752]

OHIO FUEL GAS CO.

NOTICE OF APPLICATION AND DATE OF HEARING

JUNE 16, 1955.

Take notice that The Ohio Fuel Gas Company (Applicant), an Ohio corporation with its principal office at Columbus, Ohio, filed an application on April 11, 1955, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of additional facilities on its system in western Ohio, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application, which is on file with the Commission and open for public inspection.

Applicant proposes construction and operation of:

(1) Approximately 18.9 miles of 16-inch natural gas transmission line in Hardin and Allen Counties, Ohio, partially looping its existing Line D-322 and connecting it with a proposed metering station at Lima, Ohio, to deliver additional gas to West Ohio Gas Company;

(2) A new metering station on the premises of a new petro-chemical plant of Standard Oil Company of Ohio at Lima, Ohio; and,

(3) Approximately 20 feet of 3½-inch transmission line to connect from its Lines D-322 and D-357 in Marion County, Ohio, to initiate retail service in the community of LaRue in Marion County.

Applicant states that the purpose of the proposed facilities is to improve its service to West Ohio Gas Company and enable it to meet the estimated increased gas requirements in the area between Marion and Lima, Ohio. Applicant also proposes to sell up to 12,000 Mcf per day of interruptible gas to Standard Oil's new plant at Lima for the manufacture of ammonia used in making fertilizer and other chemicals.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, 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 will be held on July 12, 1955, 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 in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

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 July 5, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

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

[F. R. Doc. 55-4976; Filed, June 21, 1955; 8:46 a. m.]

[Docket Nos. G-8932—G-8934, G-8940, G-8997]

PACIFIC NORTHWEST PIPELINE CORP. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

JUNE 15, 1955.

In the matters of Pacific Northwest Pipeline Corporation, Docket Nos. G-8932, G-8933, G-8934; El Paso Natural Gas Company, Docket No. G-8940; Nevada Natural Gas Pipe Line Co., Docket No. G-8997.

Take notice that on May 23, 1955, Pacific Northwest Pipeline Corporation (Pacific), a Delaware corporation with principal office at Houston, Texas, filed application for an order under section 3 of the Natural Gas Act authorizing Pacific to import a maximum of 300,000 Mcf per day of natural gas produced from fields in northwestern Alberta and northeastern British Columbia, Canada, into the Pacific Northwest areas of the United States, and to export natural gas for use in the Vancouver and Trail areas of British Columbia. Pacific filed an application simultaneously for a Permit under Executive Order No. 10485 for the construction, operation, maintenance and connection of facilities on the International Boundary (1) at a point near Sumas in Whatcom County, Washington, for the proposed importation and for the proposed exportation to the Vancouver area, and (2) at a point near Boundary in Stevens County, Washington for the proposed exportation to the Trail area. Pacific also filed application simultaneously for a certificate of public convenience and necessity under section 7 of the act authorizing Pacific to extend its system in northern Idaho and Washington, to increase the dimensions of its pipelines north of the Columbia River crossing at Umatilla, Oregon, and increase its system compressor station capacity by 11,340 horsepower, together with miscellaneous facilities, for the transportation and sale of approximately 300,000 Mcf of additional natural gas per day, consisting principally of the sale and delivery at Pacific's main line Compressor Station No. 11 at Mountain Home, Idaho, of a maximum of 250,000 Mcf per day to El Paso Natural Gas Company for resale principally in northern California, together with the proposed exportation to Canada and the sale to new markets in Idaho and Washington in the additional amount of approximately 50,000 Mcf per day, which total of 300,000 Mcf equals the maximum amount of gas that Pacific proposes to import from Canada; all as more fully set forth in Pacific's applications.

The estimated cost of the proposed facilities is $175,493,166 to be financed by Pacific through the issuance of first mortgage pipeline bonds, cumulative preferred and common stocks, and interim notes.

El Paso Natural Gas Company (El Paso), a Delaware Corporation with principal office at El Paso, Texas, filed application on May 23, 1955, which was amended on May 31, for a certificate of public convenience and necessity under section 7 of the act authorizing El Paso to make field exchanges of natural gas with Pacific at wellhead connections in the San Juan Basin in the maximum amount of 100,840 Mcf per day on a temporary basis, and authorizing El Paso to construct and operate facilities for the transportation and sale of natural gas under one of three proposed plans, designated alternate Plans A, B, and C, as hereinafter described and as more fully described in the application.

Under alternate Plan A, El Paso proposes to construct and operate facilities for the transportation of 500,000 Mcf of natural gas per day from the San Juan Basin in northeast New Mexico and southwest Colorado, and 50,000 Mcf from the Permian Basin in west Texas and southeast New Mexico, for the sale and delivery of 70,000 Mcf of additional gas per day to various customers along El Paso's pipeline system in Texas, New Mexico and Arizona, and for the sale and delivery of an additional 225,000 Mcf per day to Pacific Gas and Electric Company (PG&E), an additional 225,999 Mcf per day jointly to Southern California Gas Company, and Southern Counties Gas Company of California (Southern California Companies), and an additional 30,000 Mcf per day to Nevada National Gas Pipe Line Co. (Nevada Natural). El Paso proposes to deliver this additional gas to PG&E and to the Southern California Companies at a point on the Arizona-California boundary near Topock, Arizona. The delivery to Nevada Natural is proposed to be made near Topock, Arizona.

Under alternate Plan B, El Paso proposes to construct and operate facilities for the transportation of 250,000 Mcf of natural gas per day from the San Juan Basin, 50,000 Mcf from the Permian Basin, and the purchase of a maximum of 250,000 Mcf from Pacific at its main line Compressor Station No. 11 at Mountain Home, Idaho. 200,000 Mcf per day of the additional gas from the San Juan

and Permian Basins would be sold and delivered to PG&E and to the Southern California Companies on the Arizona-California Boundary near Topock. The sale and delivery of additional gas to Nevada Natural and to the various customers along El Paso's pipeline system in Texas, New Mexico and Arizona would be the same as under alternate Plan A. The 250,000 Mcf of gas per day which El Paso proposes to receive from Pacific at Mountain Home, Idaho, under alternate Plan B, would be sold and delivered by El Paso to PG&E and the Southern California Companies at a point on the Nevada-California boundary near Reno, Nevada.

Under alternate Plan C, El Paso proposes to construct and operate facilities for the transportation and sale of natural gas as set forth in alternate Plan B, except that instead of receiving the 250,000 Mcf of gas per day at Mountain Home and delivering it at the aforesaid point near Reno, El Paso proposes to receive 250,000 Mcf per day from Pacific at a point on Pacific's pipeline near Pendleton, Oregon, and deliver it to PG&E and the Southern California Companies at a point on the California-Oregon boundary near Klamath Falls, Oregon.

The estimated cost of the proposed facilities is $184,750,000 under alternate Plan A; $200,742,000 under alternate Plan B, including $36,454,000 for the proposed Mountain Home-Reno pipeline; $195,528,000 under alternate Plan C, including $31,240,000 for the proposed Pendleton-Klamath Falls Pipeline; and is proposed to be financed by El Paso through the issuance of first mortgage pipeline bonds, cumulative preferred stock, and from funds on hand.

Nevada Natural Gas Pipe Line Co. (Nevada Natural), a Nevada corporation with principal office at Las Vegas, Nevada, filed application on June 3, 1955, for a certificate of public convenience and necessity, under section 7 of the act, authorizing Nevada Natural to construct and operate facilities, consisting principally of approximately 114 miles of loop line and approximately 26 miles of sales laterals and extensions, for the transportation of a maximum of 30,000 Mcf of additional natural gas per day from a connection with the aforesaid facilities of El Paso near Topock, Arizona, for sale to Nevada Southern Gas Company and to California-Pacific Utilities Company for resale in the Las Vegas and Henderson, Nevada, areas, respectively, and for direct sales to additional industrial customers of Nevada Natural in those areas; all as more fully described in the application.

The estimated cost of the proposed facilities is $518,301, to be financed by Nevada Natural through the issuance of first mortgage bonds, and cumulative preferred and common stocks.

Take further notice that these related matters should be heard on a consolidated record, and, 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, as amended, and the Commission's rules of practice and procedure, a hearing will be held on July 18, 1955, at 10:00 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 in and the issues presented by such applications.

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 July 5, 1955. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-4979; Filed, June 21, 1955; 8:47 a. m.]

[Docket No. G-9034]

TRUNKLINE GAS CO.

ORDER INSTITUTING INVESTIGATION AND FIXING DATE OF HEARING

By our order issued July 29, 1954, in Docket No. G-2506, we suspended until January 1, 1955, 29 tariff sheets of Panhandle Eastern Pipe Line Company (Panhandle) proposing revision of Panhandle's FPC Gas Tariff. Original Volume No. 1, and an increase in rates and charges of $12,127,684 annually, over and above the rates and charges permitted to become effective as of May 1, 1954, by Opinion No. 269, issued April 15, 1954. The increased rates and charges are based on the 12-month period ending March 1, 1954, and adjusted for "known changes" expected to occur by November 1, 1954.

Included in Panhandle's cost of service submitted in support of the increased rates is the stated cost of substantial volumes of natural gas purchased from Trunkline Gas Company (Trunkline), an affiliate, computed on a cost of service formula type of rate which was prescribed by us In the Matter of Trunkline Gas Supply Co., et al., Docket No. G-882, et al., 9 FPC 721. The working capital component of the cost formula rate base is an allowance represented by the balance of necessary materials and supplies for operating purposes and one-eighth of cash operating expenses, exclusive of gas purchased, for the preceding twelve-month period. Such allowance does not reflect credit for income tax accruals in accordance with our prior rulings which have been approved by the courts. (Alabama-Tennessee Natural Gas Company v. F. P. C., 203 F. 2d 494; Northern Natural Gas Co., v. F. P. C. 206 F. 2d 690, certiorari denied, 346 U. S. 922). Accordingly, in order to determine whether Panhandle's rates, charges, services or classifications are unjust, unreasonable, unduly discriminatory or preferential it is necessary to investigate Trunkline's rates, charges, services and classifications, and any rule, regulation, practice or contact affecting such rates, charges, services or classifications insofar as they relate to working capital.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that an investigation be instituted by the Commission, on its own motion, concerning the rates, charges, services or classifications demanded, observed, charged or collected by Trunkline in connection with the transportation or sale of natural gas subject to the jurisdiction of the Commission, and any rule, regulation, practice or contract affecting such rates, charges, services or classifications insofar as they or any of them relate to working capital as provided in the formula set forth in subparagraph 3.4 (b) of Rate Schedule P-1 of Trunkline's FPC Gas Tariff, Original Volume No. 1.

The Commission orders:

(A) An investigation be and it hereby is instituted on the Commission's own motion for purpose of enabling the Commission:

(i) To determine whether any rate, charge, service or classification demanded, observed, charged, or collected by Trunkline Gas Company for or in connection with the transportation or sale of natural gas subject to the jurisdiction of the Commission or any rule, regulation, practice or contract affecting such rate, charge, services or classification, is unjust, unreasonable, unduly discriminatory or preferential insofar as they or any of them relate to working capital as set forth in subparagraph 3.4 (b) of Rate Schedule P-1 of Trunkline's Gas Tariff, Original Volume No. 1.

(ii) If, after hearing, it shall find that any such rates, charges, services, classifications, rules, regulations, practices or contracts are unjust, unreasonable, unduly discriminatory or preferential, to determine and fix by appropriate order or orders just, reasonable, non-discriminatory or non-preferential, rates, charges, services, classifications, rules, regulations or contracts to be hereafter observed and in force.

(B) Pursuant to the authority contained in, and subject to the jurisdiction conferred upon the Federal Power Commission by sections 5 and 16 of the Natural Gas Act and the Commission's rules of practice and procedure, a public hearing be held on June 28, 1955 commencing at 10:00 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington 25, D. C., concerning the lawfulness of the rates, charges, classifications and the rules, regulations, practices and services contained in Trunkline's tariff insofar as they or any of them relate to working capital as provided for in the formula set forth in subparagraph 3.4 (b) of Rate Schedule P-1 of Trunkline's FPC Gas Tariff, Original Volume No. 1.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Adopted: June 8, 1955.

Issued: June 15, 1955.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 55-4980; Filed, June 21, 1955; 8:47 a. m.]

[Docket No. IT-5331]

ARIZONA PUBLIC SERVICE CO.

NOTICE OF APPLICATION FOR AUTHORIZATION TO EXPORT ELECTRIC ENERGY

JUNE 15, 1955.

Notice is hereby given that the Arizona Public Service Company has filed an application pursuant to section 202 (e) of the Federal Power Act (16 U. S. C. 824a (e)) for authority to increase the amount of electric energy previously authorized to be exported across the international boundary between the United States and Mexico, adjacent to Agua Prieta, Sonora, Mexico, to Compania de Servicios Publicos de Agua Prieta, S. A., from 3,000,000 kwh annually at a rate not to exceed 600 kw to 4,000,000 kwh annually, at a rate not to exceed 900 kw.

The requested authorization would supersede the authorization granted in the order of the Commission, issued January 28, 1953.

Any person desiring to be heard or to make any protest with reference to such application should, on or before July 1, 1955, file with the Federal Power Commission, Washington, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

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

[F. R. Doc. 55-4978; Filed, June 21, 1955; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 65]

MOTOR CARRIER APPLICATIONS

JUNE 17, 1955.

Protests, consisting of an original and two copies, to the granting of an application must be filed with the Commission within 30 days from the date of publication of this notice in the FEDERAL REGISTER and a copy of such protest served on the applicant. Each protest must clearly state the name and street number, city and state address of each protestant on behalf of whom the protest is filed (49 CFR 1.240 and 1.241). Failure to seasonably file a protest will be construed as a waiver of opposition and participation in the proceeding unless an oral hearing is held. In addition to other requirements of Rule 40 of the general rules of practice of the Commission (49 CFR 1.40), protests shall include a request for a public hearing, if one is desired, and shall specify with particularity the facts, matters and things, relied upon, but shall not include issues or allegations phrased generally. Protests containing general allegations may be rejected. Requests for an oral hearing must be supported by an explanation as to why the evidence cannot be submitted in the forms of affidavits. Any interested person, not a protestant, desiring to receive notice of the time and place of any hearing, prehearing conference, taking of depositions, or other proceedings shall notify the Commission by letter or telegram within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

Except when circumstances require immediate action, an application for approval, under section 210a (b) of the act, of the temporary operation of motor carrier properties sought to be acquired in an application under section 5 (a) will not be disposed of sooner than 10 days from the date of publication of this notice in the FEDERAL REGISTER. If a protest is received prior to action being taken, it will be considered.

APPLICATIONS OF MOTOR CARRIERS OF PROPERTY

No. MC 703 Sub 7, filed May 20, 1955, HINCHCLIFF MOTOR SERVICE, INC., 3400 South Crawford, Chicago, Ill. Applicant's attorney: Howell Ellis, 520 Illinois Building, Indianapolis, Ind. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, sand, stone and coal, household goods as defined by the Commission, commodities in bulk commodities requiring special equipment, and those injurious or contaminating to other lading, (1) between Indianapolis, Ind., and Cincinnati, Ohio, over U. S. Highway 52, serving no intermediate points, as an alternate or connecting route for operating convenience only in connection with carrier's regular route operations (a) between Chicago, Ill., and Cincinnati, Ohio, and (b) between Chicago, Ill., and Marietta, Ohio; (2) between Cincinnati, Ohio, and Dayton, Ohio, over U. S. Highway 25, serving no intermediate points, as an alternate or connecting route for operating convenience only in connection with carrier's regular route operations (a) between Chicago, Ill., and Cincinnati, Ohio, and (b) between Eaton, Ohio, and LaFayette, Ohio; (3) from Cincinnati, Ohio, to Springfield, Ohio, from Cincinnati over U. S. Highway 42 to junction U. S. Highway 68, thence over U. S. Highway 68 to Springfield, and return over the same route, serving no intermediate points, as an alternate or connecting route for operating convenience only in connection (a) with carrier's proposed regular route operations between Cincinnati, Ohio, and Dayton, Ohio, as described in (2) above, and (b) between Dayton, Ohio, and Springfield, Ohio; (4) between Vincennes, Ind., and Indianapolis, Ind., over Indiana Highway 67, serving no intermediate points, as an alternate or connecting route for operating convenience only, in connection with carrier's regular route operations (a) between junction U. S. Highways 41 and 52 and Evansville, Ind., and (b) between Chicago, Ill., and Marietta, Ohio; (b) between junction U. S. Highways 30 and 30S and junction U. S. Highway 30S and Ohio Highway 31, over U. S. Highway 30S, serving no intermediate points, as an alternate or connecting route for operating convenience only in connection with carrier's regular route operations (a) between Chicago, Ill., and Cleveland, Ohio, and (b) between Delphos, Ohio, and Newark, Ohio; (6) between junction Ohio Highways 161 and 31, and junction Ohio Highways 161 and 37, near Granville, Ohio, over Ohio Highway 161, serving no intermediate points, as an alternate or connecting route for operating convenience only in connection with carrier's regular route operations (a) between Chicago, Ill., and Marietta, Ohio, and (b) between Delphos, Ohio, and Newark, Ohio; (7) between junction combined U. S. Highways 27 and 33, near Decatur, Ind., and junction Ohio Highways 33 and 4, near Marysville, Ohio, over U. S. Highway 33, as an alternate or connecting route for operating convenience only in connection with carrier's regular route operations (a) between Lafayette, Ind., and Fort Wayne, Ind., and (b) between carrier's proposed regular route operations between Springfield, Ohio, and Sandusky, Ohio, as described in (9) below; (8) from Akron, Ohio, to Cleveland, Ohio, from Akron over Ohio Highway 18 to junction Ohio Highway 176, thence over Ohio Highway 176 to junction U. S. Highway 21, thence over U. S. Highway 21 to Cleveland, and return over the same route, serving no intermediate points, as an alternate or connecting route for operating convenience only in connection with carrier's regular route operations (a) between Lodi, Ohio, and Akron, Ohio, and (b) between Chicago, Ill., and Cleveland, Ohio; and (9) between Springfield, Ohio, and Sandusky, Ohio, over Ohio Highway 4, serving no intermediate points, as an alternate or connecting route for operating convenience only in connection with carrier's regular route operations (a) between Chicago, Ill., and Marietta, Ohio, (b) between junction U. S. Highways 40 and 42, and Mansfield, Ohio, and (c) between Sandusky, Ohio, and Mansfield, Ohio. Applicant is authorized to conduct operations in Illinois, Indiana, and Ohio.

No. MC 1641 Sub 34, filed June 7, 1955, RAY PEAKE, doing business as PEAKE TRANSPORT SERVICE, Chester, Nebr. Applicant's attorney: Einar Viren, 904 City National Bank Building, Omaha 2, Nebr. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum products*, in bulk, in tank trucks, between points in Kansas and Nebraska. Applicant is authorized to conduct regular route operations in Kansas and Nebraska, and irregular route operations in Iowa, Kansas, Nebraska, and South Dakota.

No. MC 2900 Sub 82, Filed May 16, 1955 (amended), GREAT SOUTHERN TRUCKING COMPANY, A Corporation, 1863 Clarkson Street (P. O. Box 2408), Jacksonville 3, Fla. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, (1) between Valdosta, Ga. and junction Georgia Highways 94 and 33 over Georgia Highway 94, serving no intermediate points, as an alternate or connecting route in connection with the carrier's regular route operations (a) between Waycross, Ga. and Atlanta, Ga., and (b) between Atlanta, Ga. and Al-

bany, Ga.; (2) between Pelham, Ga., and junction Georgia Highways 93 and 37 over Georgia Highway 93, serving no intermediate points, as an alternate or connecting route in connection with the carrier's regular route operations (a) between Waycross, Ga. and Atlanta, Ga., and (b) between Moultrie, Ga. and Bainbridge, Ga.; (3) between Camilla, Ga., and junction Georgia Highway 93 and U. S. Highway 319 over Georgia Highway 112 between Camilla and Cairo, Ga., and over Georgia Highway 93 between Cairo and junction Georgia Highway 93 and U. S. Highway 319, serving no intermediate points, as an alternate or connecting route in connection with the carrier's regular route operations (a) between Waycross, Ga. and Atlanta, Ga. and (b) between Griffin, Ga. and Williston, Fla.; and (4) between Colquitt, Ga. and Marianna, Fla., from Colquitt over Georgia Highway 91 to the Georgia-Florida State line, thence over Florida Highway 2 to Malone, Fla., thence over Florida Highway 71 to Marianna (also from junction of Florida Highways 2 and 165 over Florida Highway 165 to Greenwood), and return over the same route, serving intermediate points between the Georgia-Florida State line and Marianna. Applicant is authorized to conduct operations in Florida, Georgia, Alabama, North Carolina, South Carolina and Tennessee.

No. MC 3009 Sub 17, filed June 10, 1955, WEST BROTHERS, INC., 706 East Pine, Hattiesburg, Miss. Applicant's attorney: Dudley W. Conner, Conner Bldg., Hattiesburg, Miss. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, including *Class A and B explosives, articles of unusual value*, and *household goods as defined by the Commission*, but excluding commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, (1) between Birmingham, Ala., and Gadsden, Ala., over U. S. Highway 11, and (2) between Gadsden, Ala., and Guntersville, Ala., over U. S. Highway 241, and return over the above routes, serving all intermediate points. Applicant is authorized to conduct operations in Alabama, Louisiana, and Mississippi.

NOTE: This case is directly related to MC–F 5996, published this issue.

No. MC 4405 Sub 263, filed March 21, 1955 (amended), published on page 3196, of issue of May 11, 1955, now further amended to reflect substitution of DEALERS TRANSIT, INC., 12933 South Stony Island Ave., Chicago 33, Ill., as applicant therein in lieu of Dealer's Transport Company, a corporation. Applicant's attorney: James W. Wrape, Sterick Building, Memphis 3, Tenn. In view of circumstances as set forth in Docket No. MC–F 5772, published on page 5623 of issue of September 2, 1954, there is no necessity for change of docket number; therefore, the application as now amended to reflect said substitution of applicant is still assigned Docket No. MC 4405 Sub 263.

No. MC 113459 Sub 10, filed June 9, 1955, H. J. JEFFRIES TRUCK LINE, INC., P. O. Box 4877, 4720 South Shields Street, Oklahoma City, Okla. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City, Okla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Machinery, equipment, materials* and *supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by products; *machinery, equipment, materials*, and *supplies* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, except the stringing and picking up of pipe in connection with main or trunk pipe lines; and such *commodities* as require special handling, special rigging, or special equipment because of size, weight or shape, except the stringing and picking up of pipe in connection with main or trunk pipe line (a) between points in Colorado, Utah, and Arizona and (b) between points in Colorado and Wyoming, on the one hand, and, on the other, points in Nebraska and Montana. Applicant is authorized to conduct operations in Arkansas, Colorado, Illinois, Kansas, Louisiana, Montana, New Mexico, North Dakota, Oklahoma, South Dakota and Texas.

No. MC 15167 Sub 17, filed May 26, 1955, PAUL F. CULLUM, doing business as Cullum Trucking Company, 1281 West Side Ave., Jersey City 6, N. J. Applicant's attorney: August W. Heckman, 880 Bergen Ave., Jersey City 6, N. J. For authority to operate as *contract carrier*, over irregular routes, transporting: *Inedible fish oils, vegetable oils, sea animal oils, paint oils, surface coating compound solutions*, including but not limited to *alkyd resin solutions* and *ester gum solutions*, in bulk, in tank vehicles, (1) from Newark, Elizabeth, and Edgewater, N. J., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee; and (2) from Pensacola, Fla., to points in New Jersey, New York, and Pennsylvania. Applicant is authorized to conduct operations in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia.

No. MC 18124 Sub 7, Filed May 23, 1955, ALLER & SHARP, INC., 817 West Fifth Avenue, Columbus, Ohio. Applicant's attorney: Taylor C. Burneson, 3510 LeVeque-Lincoln Tower, Columbus 15, Ohio. For authority to operate as a *contract carrier*, over a regular route, transporting: *Zinc pigments and oil cloth*, in containers, *newsprint paper, cores* for newsprint paper, *meats, packing house products and supplies, vegetable oil and animal fats, and compounds and products thereof, paper*, other than newsprint paper, *cores* for paper other than newsprint paper, *coated fabrics, oil cloth covered pads, paper cores, hand crimping machines, display racks*, and *advertising matter*, between Chicago, Ill. and junction of Indiana Highway 152 and U. S. Highway 41 and 6, from Chicago, Ill. over the Calumet-Tri-State Expressway to junction of Indiana Highway 152, thence over Indiana Highway 152 to junction of U. S. Highways 41 and 6, and return over the same route, serving the junction of Indiana Highway 152 and U. S. Highways 41 and 6 for joinder purposes only, as an alternate or connecting route, in connection with carrier's regular route operations (1) between Columbus, Ohio and Chicago, Ill., (2) between Chillicothe, Ohio and Chicago, Ill., and (3) between Chillicothe, Ohio and Hammond, Ind. Applicant is authorized to conduct operations in Ohio, Illinois, Indiana, Kentucky, and West Virginia.

No. MC 42487 Sub 297, filed June 7, 1955, CONSOLIDATED FREIGHTWAYS, INC., 2029 NW. Quimby Street, Portland, Oreg. Applicant's attorney: William B. Adams, Pacific Building, Portland 4, Oreg. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities, including articles of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk* (except liquid petroleum products, in bulk, in tank vehicles), and *those requiring special equipment* (1) between Portland, Oreg., and Hubbard, Oreg., from Portland over U. S. Highway 99W to junction Oregon Highway 57, thence over Oregon Highway 57 to junction Oregon Highway 51, thence over Oregon Highway 51 to junction U. S. Highway 99E, thence over U. S. Highway 99E to Hubbard, and return over the same route, serving all intermediate points; (2) between North Junction Salem, Oreg., By-Pass and U. S. Highway 99E and South Junction Salem, Oreg., By-Pass and U. S. Highway 99E, over Salem By-Pass, serving no intermediate points; (3) between North Junction unnumbered highway and U. S. Highway 99E and South Junction unnumbered highway and U. S. Highway 99E over unnumbered highway via Jefferson, Oreg., serving the intermediate point of Jefferson, Oreg., (4) between Eugene, Oreg., and Goshen, Oreg., from Eugene over U. S. Highway 126 to junction Oregon Highway 225, thence over Oregon Highway 225 to junction U. S. Highway 99 at or near Goshen, and return over the same route, serving all intermediate points; (5) between Anlauf, Oreg., and Rice Hill, Oreg., over Oregon Highway 45 via Drain, Oreg., serving all intermediate points; and (6) between Oakland, Oreg., and Shady Point, Oreg., over Oregon Highway 234, serving all intermediate points. Applicant is authorized to conduct operations in California, Idaho, Illinois, Iowa, Minnesota, Montana, Nevada, North Dakota, Oregon, Utah, Washington and Wisconsin.

No. MC 50034 Sub 22, filed June 8, 1955. COURIER EXPRESS, INC., 115 Montgomery St., Logansport, Ind. Applicant's attorney: Robert W. Loser, 317 Chamber of Commerce Building, Indianapolis, Ind. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unsual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Sterling Plant of the Ford Motor Company (Chassis Parts Division) located at or near the intersection of Mound Road

and Seventeen Mile Road in Sterling Township, Macomb County, Mich., as an off-route point, in connection with regular route operations to and from Detroit, Mich., and the commercial zone thereof over U. S. Highways 25 and 112. Applicant is authorized to conduct operations in Indiana, Michigan, and Ohio.

No. MC 65699 Sub 3, filed June 7, 1955, BROADWAY TRANSPORT, INC., 2120 South C, P. O. Box 1517, Tacoma, Wash. Applicant's attorney: E. M. Murray, 1012 Rust Building, Tacoma 2, Wash. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Malt beverages*, from Tacoma, Wash., to Coeur d'Alene, Lewiston, Moscow, St. Maries, Sandpoint, Wallace, Weiser, Boise, Idaho Falls, Twin Falls, and Pocatello, Idaho; Klamath Falls, and Lakeview, Oreg.; and Alameda, Chico, Crescent City, Eureka, Petaluma, Placerville, Red Bluff, Redding, Roseville, Sacramento, San Jose, Santa Clara, Santa Rosa, Stockton, Susanville, Ukiah, Yreka, Yuba City, Vallejo, Woodland, San Francisco, and Oakland, Calif., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodity on return. Applicant is authorized to conduct operations in Oregon and Washington.

No. MC 66562 Sub 1238, filed June 6, 1955, RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N. Y. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, including *Class A and B explosives and household goods as defined by the Commission*, and excepting commodities of unusual value, commodities requiring special equipment and those injurious or contaminating to other lading, in rail express service, between Newburg, Mo., and Fort Leonard Wood, Mo., from Newburg over county road "P" to junction U. S. Highway 66, thence over U. S. Highway 66 to junction Missouri Highway 17, thence over Missouri Highway 17 to junction with Missouri Avenue, thence over Missouri Avenue to Fort Leonard Wood, and return over the same route, serving no intermediate points. Applicant is authorized to conduct operations in all 48 states and the District of Columbia.

No. MC 68830 Sub 13, filed June 9, 1955, ROADWAY TRANSIT COMPANY, a corporation, 3601 Wyoming, Dearborn, Mich. Applicant's attorney: Robert A. Sullivan, 2606 Guardian Building, Detroit 26, Mich. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those exceeding ordinary equipment or loading facilities, serving the site of the Ford Motor Company plant located north of Detroit, Mich., at Mound Road and 17 Mile Road in Sterling Township, Macomb County, Mich., as an off-route point in connection with regular route operations to and from Detroit, Mich., and the Commercial Zone thereof, over U. S. Highways 25 and 112, and Michigan Highway 17. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, New York, Ohio, and Pennsylvania.

No. MC 69051 Sub 2, filed May 27, 1955, (amended), JOSEPH REINHART, INC., RFD #1, St. James, Long Island, N. Y. Applicant's attorney: Edward M. Alfano, 36 West 44th St., New York 36, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Prefabricated structures*, and *parts of prefabricated structures*, from Smithtown, Long Island, N. Y., to points in Maine, Massachusetts, Connecticut, Maryland, Pennsylvania, New Hampshire, Rhode Island, Delaware, New York, New Jersey, Vermont, and the District of Columbia. Applicant does not presently hold any authority to transport the commodities specified in this application.

No. MC 73262 Sub 9, filed June 10, 1955, MERCHANTS FREIGHT SYSTEM, INC., 1401 N. 13th St., Terre Haute, Ind. Applicant's attorney: Howell Ellis, 520 Illinois Bldg., Indianapolis, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *General commodities*, except Class A and Class B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving the United States Gypsum Company Plant located approximately two and one-half (2½) miles south of Willow Valley, Ind., as an off-route point in connection with applicant's presently authorized regular route operations between points in Indiana over U. S. Highway 50. Applicant is authorized to conduct operations in Illinois, Indiana, Michigan, Missouri, Kentucky, Ohio, Pennsylvania, and West Virginia.

No. MC 76177 Sub 259, filed May 24, 1955, BAGGETT TRANSPORTATION COMPANY, 2 S. 32d St., Birmingham 5, Ala. Applicant's attorney: Harold G. Hernly, 1624 Eye St., NW., Washington 6, D. C. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and Class B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between Gadsden, Ala., and Fort Payne, Ala., over U. S. Highway 11, serving all intermediate points. Applicant is authorized to conduct operations in Alabama, New Jersey, New York, and Pennsylvania.

No. MC 80430 Sub 75, filed May 20, 1955, GATEWAY TRANSPORTATION CO., a corporation, 2130–2150 South Avenue, La Crosse, Wis. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Albany, Wis., as an off-route point in connection with carrier's regular route operations between Minneapolis, Minn., and Chicago, Ill., over U. S. Highway 12, between Onalaska, Wis., and Chicago, Ill., over U. S. Highway 14, between Dubuque, Iowa, and Elkhorn, Wis., over Wisconsin Highway 11, between Madison, Wis., and Rockford, Ill., over U. S. Highway 51 and Wisconsin Highway 13, between Madison, Wis., and Freeport, Ill., over Wisconsin Highway 69, and between Freeport, Ill., and Delavan, Wis., over Wisconsin Highway 15. Applicant is authorized to conduct operations in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Pennsylvania and Wisconsin.

No. MC 87857 Sub 25, filed June 6, 1955, BRINK'S INCORPORATED, 234 East 24th Street, Chicago 16, Ill. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Currency*, for the Federal Reserve Bank of Atlanta, Atlanta, Ga., between Atlanta, Ga., Birmingham, Ala., Jacksonville, Fla., Nashville, Tenn., and New Orleans, La. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Virginia, West Virginia, and the District of Columbia.

No. MC 89697 Sub 16, filed June 10, 1955, KRAJACK TANK LINES, INC., 480 Westfield Avenue, Roselle Park, N. J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Acids and chemicals*, (including not restricted to those classified in Ex Parte No. MC 45), in bulk, in tank vehicles, between Philadelphia, Pa., on the one hand, and, on the other, points in Virginia. Applicant is authorized to conduct operations in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, and Rhode Island.

NO. MC 96288 Sub 1, LEONARD L. LEIDING, 621 E. Mulberry St., Watseka, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Sand, gravel*, and *rock*, (1) between points in Fountain County, Ind., on the one hand, and, on the other, points in Iroquois County, Ill., (2) between points in Jasper County, Ind., on the one hand, and, on the other, points in Iroquois County, Ill., and (3) between points in White County, Ind., on the one hand, and, on the other, points in Iroquois County, Ill. Applicant is authorized to conduct operations in Indiana and Illinois.

No. MC 106965 Sub 79, filed June 3, 1955, M. I. O'BOYLE AND SON, INC., doing business as O'BOYLE TANK LINES, 817 Michigan Ave., NE., Washington, D. C. Applicant's attorney: Dale C. Dillon, Suite 944 Washington Building, Washington 5, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Fish oils*, in bulk, in tank vehicles, from Baltimore, Md., to points in Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Delaware, Virginia, West Virginia, North Carolina, and the District of Columbia. Applicant does not presently hold any authority to transport the commodities specified in this application.

No. MC 107011 Sub 2, filed June 14, 1955, LLOYD ATKINSON AND CORNELIA D. ATKINSON, doing business as

ATKINSON EXPRESS, Wolf Road, Colonie, Albany County, N. Y. For authority to operate as a *common carrier*, over regular and irregular routes, transporting: (A) *General commodities*, except those of unusual value, and except Class A and B explosives, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, (1) between points in Albany County, N. Y. (2) between points in Albany County, N. Y., on the one hand, and, on the other, points in Rensselaer, Schenectady, and New York Counties, N. Y. (3) from points in Schenectady County, N. Y., to points in Rensselaer County, N. Y. (4) from points in Rensselaer County to points in Columbia, Saratoga, Schenectady, and Washington Counties, N. Y. (5) from points in Saratoga County, N. Y., to points in Rensselaer County, N. Y. (6) between Gloversville, N. Y., and Albany, N. Y., from Gloversville to Johnstown over New York Highway 148, thence over New York Highway 67 to Fort Johnson, N. Y., thence over New York Highways 5 and 5S to Schenectady, N. Y., thence over New York Highway 5 to Albany, N. Y., and return over the same route, serving all intermediate points, (7) between Albany, N. Y., and Waterford, N. Y., over New York Highway 32, serving all intermediate points and the off-route points of Troy and Green Island (Albany County), N. Y. (8) from Johnstown over New York Highway 29 to the junction of New York Highway 147, thence over New York Highway 147 to Scotia, N. Y., and return over the same route, serving all intermediate points and the off-route points of Galway, Hagaman, West Galway, and Perth, N. Y. (9) from Johnstown, N. Y., over New York Highway 148 to Fonda, N. Y., thence over New York Highways 5 and 5S to Scotia, N. Y., and return over the same route, serving all intermediate points, (1) from and to Gloversville (Belt Line), N. Y., from Gloversville over New York Highway 30 to the junction of New York Highway 8, thence over New York Highway 8 and an unnumbered highway to New York Highway 10, thence over New York Highway 10 to junction of New York Highway 29A, thence over New York Highway 29A to Gloversville, serving all intermediate points and the off-route points of Bleecker, Batchellerville, and Edinburg, N. Y. (11) between Caroga Lake and Rockwood, N. Y., over New York Highway 10, (12) from Fonda to Johnstown, N. Y., from Fonda over New York Highways 5 and 5S to Little Falls, N. Y., thence over New York Highway 167 to Dolgeville, thence over New York Highway 29 to junction New York Highway 10, thence over New York Highway 10 to junction of New York Highway 29 at Rockwood, N. Y., thence over New York Highway 29 to Johnstown, and return over the same route, serving all intermediate points and the off-route point of Ephratah, N. Y., and (B) *Commodities dealt in by retail mail order houses*, including *furniture, home appliances and home furnishings*, (1) from points in Albany County, N. Y., to points in Washington County, N. Y., and (2) from points in Rensselaer County, N. Y., to points in Otsego and Schoharie Counties, N. Y. Application MC–F–6000 published in this issue of FEDERAL REGISTER, is a directly related matter. Applicant is authorized to conduct operations in New York.

No. MC 107107 Sub 69, filed June 6, 1955, ALTERMAN TRANSPORT LINES, INC., 2424 Northwest 46th St., Miami, Fla. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Meat, meat products*, and *meat by-products*, from points in Florida, to points in Georgia, South Carolina, North Carolina, and Virginia. Applicant is authorized to conduct operations in Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Maryland, Massachusetts, Minnesota, Missouri, Nebraska, New Jersey, New York, Pennsylvania, South Dakota, Tennessee, Texas, Virginia, and Wisconsin.

No. MC 108298 SUB 17, filed June 6, 1955, ELLIS TRUCKING CO., INC., 430 Kentucky Avenue, Indianapolis, Ind. Applicant's attorney: Harry E. Yockey, Morris Plan Building, Suite 806, 108 East Washington Street, Indianapolis, 4 Ind. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, livestock, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between junction of Illinois Highways 34 and 145 and U. S. Highway 45 near Harrisburg, Ill., and junction of U. S. Highway 45 and U. S. Highway 145 near Paducah, Ky., and junction of Illinois Highways 34 and 145 and U. S. Highway 45 over U. S. Highway 45 to junction Illinois Highway 145, thence over Illinois Highway 145 to junction of U. S. Highway 45, approximately 8 miles northwest of Paducah, Ky., and return over the same route, as an alternate or connecting route in connection with applicant's authorized regular-route operations between South Bend, Ind., and Memphis, Tenn., and between Vienna, Ill., and Paducah, Ky., serving no intermediate points, but serving the southern junction point at the intersection of U. S. Highway 45 and Illinois Highway 145 for purpose of joinder only. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky, Michigan, Missouri, Ohio and Tennessee.

No. MC 108435 Sub 7, filed June 9, 1955, OSCAR C. RADKE, doing business as RADKE TRANSIT, 600 Grand Avenue, Schofield, Wis. Applicant's attorney: Claude J. Jasper, One West Main Street, Madison 3, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lumber*, (1) from points in Iron, Marquette, Dickinson, and Menominee Counties, Mich., to points in Wisconsin, and (2) from points in Wisconsin to points in Gogebic, Ontonagon, Houghton, Keweenaw, Baraga, Iron, Marquette, Dickinson, and Menominee Counties, Mich., and *coke*, from St. Paul, Minn., to points in Marathon County, Wis. Applicant is authorized to conduct operations in Michigan and Wisconsin.

No. MC 108461 Sub 42, filed May 23, 1955, WHITFIELD TRANSPORTATION, INC., 200 West Amador St., P. O. Box 1350, Las Cruces, N. Mex. Applicant's attorney: Loyall G. Kaplan, Suite 924, City National Bank Bldg., Omaha 2, Nebr. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, including *Class A, B, and C explosives* and *those classified as dangerous articles*, but excluding articles of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment (but not excluding those requiring refrigeration), and those injurious or contaminating to other lading, (1) between Las Cruces, N. Mex., and Alamogordo, N. Mex., over U. S. Highway 70, serving all intermediate points, and the off-route points within five (5) miles of U. S. Highway 70, (2) between El Paso, Tex., and Alamogordo, N. Mex., over U. S. Highway 54, serving all intermediate points, and the off-route points within five (5) miles of U. S. Highway 54, and (3) between El Paso, Tex., and White Sands Proving Grounds, N. Mex., from El Paso, Tex., over U. S. Highway 54 to junction unnumbered highway, approximately three (3) miles south of the northern city limits of El Paso, Tex., thence over said unnumbered highway to the White Sands Proving Grounds, and return over the same route, serving no intermediate points.

NOTE: Applicant states that it will provide service to White Sands Proving Grounds and Holloman Air Force Base, N. Mex. Applicant is authorized to conduct operations in New Mexico and Texas.

No. MC 108671 Sub 10, filed May 20, 1955, TARBET TRUCKING, INC., 311 E. 18th Street, Muncie, Ind. Applicant's attorney: Howell Ellis, 520 Illinois Building, Indianapolis, Ind. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Cincinnati, Ohio, and St. Louis, Mo., over U. S. Highway 50, serving no intermediate points, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between (a) Muncie, Ind., and St. Louis, Mo., and (b) Muncie, Ind., and Cincinnati, Ohio, (2) between Louisville, Ky., and St. Louis, Mo., from Louisville over U. S. Highway 150 to junction U. S. Highway 50, thence over U. S. Highway 50 to St. Louis, and return over the same route, serving no intermediate points, as an alternate or connecting route for operating convenience only, in connection with carrier's regular route operations between Indianapolis, Ind., and Louisville, Ky., (3) between Indianapolis, Ind., and Peru, Ind., over U. S. Highway 31, serving no intermediate points, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between (a) Muncie, Ind.,

and St. Louis, Mo., (b) Muncie, Ind., and Chicago, Ill., and (c) Indianapolis, Ind., and Louisville, Ky., and carrier's connecting route operations between Marion, Ind., and Peru, Ind., (4) between Cincinnati, Ohio, and Wapakoneta, Ohio, over U. S. Highway 25, serving no intermediate points, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between (a) Muncie, Ind., and Buffalo, N. Y., (b) Muncie, Ind., and Detroit, Mich., and (c) Muncie, Ind., and Cincinnati, Ohio, (5) between junction Indiana Highway 3 and U. S. Highway 50 at North Vernon, Ind., and Cleveland, Ohio, from junction Indiana Highway 3 and U. S. Highway 50 at North Vernon over U. S. Highway 50 to Cincinnati, Ohio, thence over U. S. Highway 42 to Cleveland, and return over the same route, serving no intermediate points, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between Muncie, Ind., and Buffalo, N. Y., and carrier's alternate route operations between Chicago, Ill., and Fremont, Ohio, (6) between Cleveland, Ohio, and Bryan, Ohio, from Cleveland over U. S. Highway 254 to junction Ohio Highway 57, thence over Ohio Highway 57 to the Ohio Turnpike, thence via the Ohio Turnpike to junction U. S. Highway 127, thence over U. S. Highway 127 to junction U. S. Highway 6 at Bryan, and return over the same route, serving no intermediate points, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between Muncie, Ind., and Cleveland, Ohio, which is a portion of regular route operations between Muncie, Ind., and Buffalo, N. Y., and carrier's alternate route operations between Chicago, Ill., and Fremont, Ohio, (7) between Indianapolis, Ind., and junction U. S. Highways 40 and 42, over U. S. Highway 40, serving no intermediate points, as an alternate or connecting route, for operating convenience only, in connection with carrier's regular route operations between (a) Muncie, Ind., and St. Louis, Mo., and (b) Indianapolis, Ind., and Louisville, Ky. Applicant is authorized to conduct operations in Illinois, Indiana, Kentucky, Michigan, Missouri, New York, Ohio, and Pennsylvania.

No. MC 109640 Sub 11, filed May 16, 1955, and amended June 9, 1955, BICE TRUCK LINES, INC., 505 East Main, Laurel, Mont. Applicant's attorney: Jerome Anderson, Electric Building, Billings, Mont. For authority to operate as a *common carrier*, over regular routes, transporting: *Refined petroleum and petroleum products*, in bulk, in tank trucks, from Bozeman, Mont., and the Yellowstone Pipeline Terminal located within the Commercial Zone of Bozeman, Mont., on the one hand, and, on the other, West Yellowstone, Mont., and filling stations, gasoline stations, and bulk plants located within the commercial zone of West Yellowstone, Mont., over U. S. Highway 191. Applicant is authorized to conduct operations in Wyoming, Montana, and Idaho.

No. MC 110190 Sub 24, filed June 6, 1955, PENN-DIXIE LINES, INC., 2000 South George Street, P. O. Box 42, York, Pa. Applicant's attorney: Christian V. Graf, 11 North Front Street, Harrisburg, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Frozen meats, frozen foods*, and *cheese*, from points in New York on, north and west of New York Highway 7 to points in Alabama, Georgia, Louisiana, Florida, and Mississippi.

No. MC 110193 Sub 23, filed June 6, 1955, SAFEWAY TRUCK LINES, INC., 4625 W. 55th Street, Chicago, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington St., Chicago 2, Ill. For authority to operate as a *common carrier*, over irregular routes, transporting: *Frozen foods*, from Omaha, Nebr., to Baltimore, Md., Wilmington, Delaware, and points in Pennsylvania, New Jersey, New York, Massachusetts, Rhode Island, Connecticut and the District of Columbia. Applicant is authorized to conduct operations in New York, Massachusetts, Rhode Island, Connecticut, Pennsylvania, Ohio, Illinois, Nebraska, New Jersey, Iowa, Wisconsin, Kansas and Minnesota.

No. MC 111214 Sub 1, filed June 9, 1955, CLARK V. GRAHAM, doing business as CONTRACT TRUCKING COMPANY, 457 Dory Street, Jackson, Miss. Applicant's attorney: Phineas Stevens, Suite 900 Milner Building, P. O. Box 141, Jackson, Miss. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Animal feed* and *poultry feed*, and *feed ingredients*, between the site of General Mills feed mill, located at Van Winkle, Miss., approximately three (3) miles from Jackson, Miss., on the one hand, and, on the other, points in Alabama, Louisiana, and Mississippi. Applicant is authorized to conduct operations in Mississippi and Tennessee.

No. MC 111301 Sub 4, filed May 25, 1955, L. J. KREUTZER, doing business as KREUTZER MOTOR EXPRESS, 706 Lyndale Street, Mankato, Minn. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Stone*, rough and finished, between Mankato and Kasota, Minn., on the one hand, and, on the other, all points in the United States, except those in Washington, Oregon, Idaho, California, Nevada, Utah, and Arizona.

No. MC 112713 Sub 59, filed June 6, 1955, YELLOW TRANSIT FREIGHT LINES, INC., 18 E. 17th St., Kansas City, Mo. For authority to operate as a *common carrier*, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, serving the site of the Sterling Plant of the Ford Motor Company (Chassis Parts Division) located at the northeast intersection of Mound Road and Seventeen Mile Road in Sterling Township, Macomb County, Mich., as an off-route point, in connection with regular route operations to and from Detroit, Mich., over Michigan Highway 53. Applicant is authorized to conduct operations in Illinois, Indiana, Ohio, Michigan, Missouri, Oklahoma, and Texas.

No. MC 114230, filed June 4, 1953 (Reopened for oral hearing), PAUL M. GILLMOR CO., Old Fort, Ohio. Applicant's attorney: Richard H. Brandon, Hartman Bldg., Columbus 15, Ohio. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Petroleum and liquid petroleum products*, in bulk, in tank trucks, from points in Lucas County, Ohio, to points in that part of the Southern Peninsula of Michigan in and south of the Counties of Oceana, Newaygo, Mecosta, Isabella, Midland, Bay, Tuscola, and Huron, and those in that part of Indiana east and north of a line beginning at the Michigan-Indiana State line, thence extending along U. S. Highway 31 to junction Indiana Highway 22, thence along Indiana Highway 22 to junction Indiana Highway 26, thence along Indiana Highway 26 to the Indiana-Ohio State line, including points on the designated highways, and *rejected shipments* of the above-described commodities, from points in the above-specified destination territory to points in Lucas County, Ohio, (2) *Liquid petroleum products*, in bulk, in tank vehicles, from points in Cuyahoga County, Ohio, to points in that part of the Southern Peninsula of Michigan, in and south of the counties of Oceana, Newaygo, Mecosta, Isabella, Midland, Bay, Tuscola, and Huron, and those in Indiana on and east of U. S. Highway 31 from the Indiana-Michigan State line to junction U. S. Highway 40, and on and north of U. S. Highway 40 from said junction with U. S. Highway 31 to the Indiana-Ohio State line, (3) *Clay products*, (a) between points in Athens, Carroll, Cuyahoga, Delaware, Franklin, Lucas, Medina, Noble, Perry, Tuscarawas, Stark, Vinton, Wayne, and Wyandotte Counties, Ohio, on the one hand, and, on the other, points in that part of Michigan located on, east and south of a line extending from the Michigan-Indiana State line at U. S. Highway 27, along U. S. Highway 27 to junction Michigan Highway 78, thence along Michigan Highway 78 to junction Michigan Highway 21, thence along Michigan Highway 21 to the St. Clair River, at Port Huron, Mich., (b) between points in Lawrence County, Pa., on the one hand, and, on the other, points in that part of Michigan located on, east and south of a line extending from the Michigan-Indiana State line at U. S. Highway 27, along U. S. Highway 27 to junction Michigan Highway 78, thence along Michigan Highway 78 to junction Michigan Highway 21, thence along Michigan Highway 21 to the St. Clair River, at Port Huron, Mich., and those points in that part of Ohio located on, west and north of a line extending from Lake Erie at Ohio Highway 60, along Ohio Highway 60 to junction U. S. Highway 42, thence along U. S. Highway 42 to junction U. S. Highway 30–S, thence along U. S. Highway 30–S to junction Ohio Highway 4, thence along Ohio Highway 4 to junction Ohio Highway 47, thence along Ohio Highway 47 to the Ohio-Indiana State line. (4) *Petroleum products*, in bulk, in tank vehicles, from points in Lucas County, Ohio, to points in that part of Indiana bounded on the north by Indiana Highway 22 from its junction with U. S. Highway 31 to junction Indiana Highways 22 and 26, thence by Indiana Highway 26 to the

Indiana-Ohio State line, on the east by the Indiana-Ohio State line, from Indiana Highway 26 to U. S. Highway 40, on and south by U. S. Highway 40 from the Indiana-Ohio State line to its junction with U. S. Highway 31, and on and west by U. S. Highway 31 from its junction with U. S. Highway 40 to its junction with Indiana Highway 22, including points on the indicated portions of the highways specified, except those on Indiana Highways 22 and 26 and U. S. Highway 31. (5) *Petroleum products,* in bulk, in tank vehicles, from points in Hancock County, Ohio, to points in that part of Indiana on and east of U. S. Highway 31, extending from the Indiana-Michigan State line through South Bend, Ind., to Indianapolis, Ind., and on and north of U. S. Highway 40 from Indianapolis, through Richmond, Ind., to the Indiana-Ohio State line, including points on the indicated portions of the highways specified. (6) *Clay products* (a) from points in Holmes and Summit Counties, Ohio, to points in that part of Michigan located on, east and south of a line extending from the Michigan-Indiana State line at U. S. Highway 27, along U. S. Highway 27 to junction Michigan Highway 78, thence along Michigan Highway 78 to junction Michigan Highway 21, and thence along Michigan Highway 21 to the St. Clair River, at Port Huron, Mich., (b) from points in Beaver County, Pa., to points in that part of Michigan located on, east and south of a line extending from the Michigan-Indiana State line at U. S. Highway 27, thence along U. S. Highway 27 to junction Michigan Highway 78, thence along Michigan Highway 78 to junction Michigan Highway 21, and thence along Michigan Highway 21 to the St. Clair River, at Port Huron, Mich., and those points in that part of Ohio located on, west and north of a line extending from Lake Erie at Ohio Highway 60, thence along Ohio Highway 60 to junction U. S. Highway 250, thence along U. S. Highway 250 to junction U. S. Highway 42, thence along U. S. Highway 42 to junction U. S. Highway 30–S, thence along U. S. Highway 30–S to junction Ohio Highway 4, at Marion, Ohio, thence along Ohio Highway 4 to junction Ohio Highway 47, and thence along Ohio Highway 47 to the Ohio-Indiana State line, and (7) *Empty clay products containers,* from points in the above-specified destination territories to the respective origin points. Applicant is authorized to conduct the above-described operations as a contract carrier. (Applicant will be required to make available for cross-examination at the further hearing the witnesses who supported the application at the original hearing.)

No. MC 115138 Sub 2, filed June 6, 1955, AVONDALE TRUCKING COMPANY, INC., 1648 National Bank of Commerce Bldg., New Orleans, La. Applicant's attorney: Rollo E. Kidwell, 305 Empire Bank Building, Dallas 1, Tex. For authority to operate as a *common carrier,* over irregular routes, transporting: *Dipentine,* in bulk, in tank vehicles, from De Ridder, La., and Picayune, Miss., to Avondale, La.

No. MC 115351, filed May 9, 1955, and amended May 31, 1955, ROBERT W. SOUTH, doing business as SOUTH'S CONTRACT CARRIER, Applicant's attorney: 731 Virginia Ave., Hagerstown, Md. James L. Givan, 925 15th St., NW., Washington 5, D. C. For authority to operate as a *contract carrier,* over irregular routes, transporting: *Malt beverages* and *returned empty containers,* (1) between Newark, N. J., New York, N. Y., Cumberland, Md., and points in Allegheny County, Pa., on the one hand, and, on the other, Hagerstown, Md., (2) between Baltimore and Hagerstown Md., on the one hand, and, on the other, Cleveland, Ohio, and (3) between Newark, N. J., on the one hand, and, on the other, Cumberland, Md.

No. MC 115390, filed June 6, 1955, MAX WILLENSKY AND FAY WILLENSKY, doing business as NEW YORK DISTRIBUTING COMPANY, 50 Carnation Avenue, Floral Park, N. Y. Applicant's attorney: Edward M. Alfano, 36 West 44th Street, New York 36, N. Y. For authority to operate as a *contract carrier,* over irregular routes, transporting: *Sanitary pads, paper facial and cleansing tissues, wax paper* and *toilet paper,* from Floral Park, (Nassau County), N. Y., to points in Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Ocean, Passaic, Somerset and Union Counties, N. J., points in Rockland County, N. Y., and points in Fairfield County, Conn., and *returned shipments* on return movement.

No. MC 115393, filed June 8, 1955, SAMUEL G. LOMBARDO, 1332 Meadowcreek Lane, Lancaster, Pa. Applicant's attorney: Bernard N. Gingerich, Quarryville, Pa. For authority to operate as a *common carrier,* over irregular routes, transporting: (1) *Petroleum products,* in containers, from Warren County, Pa., to Baltimore, Md.; (2) *anti-freeze,* in containers, *petroleum products,* in containers, and *commodities, in containers used or useful in the blending, processing and sale of petroleum products,* from Baltimore, Md., to Warren County, Pa., and (3) *empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified, from the above-described destination areas to the above-described origins.

APPLICATION OF MOTOR CARRIERS OF PASSENGERS

No. MC 115387, filed June 5, 1955, FORNELL MOORE, doing business as MOORE'S BUS SERVICE, 4 Lee Heights Street, Portsmouth, Va. For authority to operate as a *common carrier,* over regular routes, transporting: *Passengers and their baggage,* in the same vehicle with passengers, between Elizabeth City, N. C., and the Norfolk Naval Shipyard, Norfolk, Va., over U. S. Highway 17, serving all intermediate points. RESTRICTION: Authority applied for herein to be restricted to the transportation of workers employed at Norfolk Naval Shipyard, Norfolk, Va.

No. MC 115392, filed June 6, 1955, EMERY BUS LINES, INC., 351 Boyd Avenue, Martinsburg, W. Va. Applicant's attorney: S. Harrison Kahn, 726–34 Investment Building, Washington, D. C. For authority to operate as a *common carrier,* over a regular route, transporting: *Passengers and their baggage,* and *express, mail* and *newspapers,* in the same vehicle with passengers, between Harrisonburg, Va., and Franklin, W. Va., over U. S. Highway 33, serving all intermediate points.

CORRECTIONS

No. MC 55776 Sub 6, filed May 23, 1955, published in the June 8, 1955 issue, page 3973, MID-AMERICA HIGHWAY EXPRESS, INC., 507 Stryker Street, Archbold, Ohio. Applicant's representative: Earl J. Thomas, Thomas Building, 5850 North High Street, Worthington, Ohio. For authority to operate as a *common carrier,* over irregular routes, transporting: *Meat, meat products,* and *meat byproducts,* as defined by the Commission in Ex Parte No. MC–38, between points in Fulton County, Ohio, and Boston, Mass., Buffalo, Rochester, Syracuse and Utica, N. Y., and New Castle, Pa. Applicant is authorized to conduct operations in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania and Rhode Island.

No. MC 36874 Sub 1, DAVID GOLD, doing business as GOLD'S EXPRESS, 49 Lowell Ave., West Orange, N. J., appearing on page 3856 issue of June 2, 1955, should read *common carrier* instead of contract carrier.

No. MC 82874 Sub 4, RUSSELL N. MAGAW, doing business as AKRON CARTAGE, 790 West Wilbeth Road, P. O. Box 143, Akron 9, Ohio, appearing on page 3484 issue of May 18, 1955, should show applicant's name as RUSSELL M. MAGAW instead of RUSSELL N. MAGAW.

APPLICATIONS UNDER SECTION 5 AND 210a (b)

No. MC–F–5996. Authority sought for purchase by WEST BROTHERS, INC., 706 East Pine St., Hattiesburg, Miss., of a portion of the operating rights and certain property of MURRAY MOTOR TRANSPORT, INC., 3200 Fifth Avenue South, Birmingham, Ala., and for acquisition by H. E. WEST, VENICE MADELINE WEST, and MC. WEST, Hattiesburg, Miss., of control of said operating rights and property through the purchase. Applicant's attorney: Dudley W. Conner, Conner Building, Hattiesburg, Miss. Operating rights sought to be transferred: *General commodities* with certain exceptions, including household goods, as a *common carrier,* over regular routes, between Birmingham, Ala., and Mobile, Ala., between Selma, Ala., and Montgomery, Ala., between Clanton, Ala., and Mobile, Ala., and between Birmingham, Ala., and Safford, Ala., serving certain intermediate and off-route points. Proviso operation, as a *common carrier* in Alabama. Vendee is authorized to operate in Mississippi, Louisiana and Alabama. Application has been filed for temporary authority under section 210a (b). Application No. MC 3009 Sub-17, published in this issue of the FEDERAL REGISTER, is a directly related matter.

No. MC–F–5997. Authority sought for purchase by R. C. WILLIAMS, INC., 615 Wichita St., Russell, Kans., of a portion of the operating rights and certain property of WESTERN TRUCK AND SUP-

PLY COMPANY, INCORPORATED, 2706 East Central, Wichita, Kans., and for acquisition by R. C. WILLIAMS, Russell, Kans., of control of said operating rights and property through the purchase. Applicant's attorney: J. F. Miller, 500 Board of Trade Bldg., Kansas City, Mo. Operating rights sought to be transferred: *Machinery, equipment, materials,* and *supplies,* used in the discovery, development, production, refining, manufacture, processing, storage, transmission and distribution of natural gas and petroleum, and their products and byproducts, as a *common carrier,* over irregular routes, between points in Texas on and north of U. S. Highway 66, on the one hand, and, on the other, points in Stevens, Haskell, Grant, Seward, Morton, Stanton, Finney, Kearney, Hamilton, and Meade Counties, Kans., and Cimmaron, Texas, and Beaver Counties, Oklahoma. Vendee is authorized to operate in Colorado, Nebraska, Kansas and Oklahoma. Application has been filed for temporary authority under section 210a (b).

No. MC–F–5998. Authority sought for purchase by NORTHERN PACIFIC TRANSPORT COMPANY, 176 East Fifth St., St. Paul, Minn., of the operating rights of ADAMS, INCORPORATED, 6 North Thirteenth St., Fargo, N. Dak., and for acquisition by NORTHERN PACIFIC RAILWAY COMPANY, St. Paul, Minn., of control of the operating rights through the purchase. Applicant's attorney: Frank S. Farrell, 176 East 5th St., St. Paul, Minn. Operating rights sought to be transferred: *General commodities* except livestock, in collection and delivery service, as a *common carrier,* over irregular routes, between points in Fargo, N. Dak., between points in West Fargo, N. Dak., between points in Moorhead, Minn., and between Fargo and West Fargo, N. Dak., and Moorhead, Minn. Vendee is authorized to operate in Washington, Montana, North Dakota, and Idaho. Application has been filed for temporary authority under section 210a (b).

No. MC–F–5999. Authority sought for purchase by UNION BUS REAL ESTATE COMPANY, McAllen, Tex., of the operating rights and property of EVELYN B. WHEELER, doing business as RANDOLPH FIELD TRANSPORTATION COMPANY, 201 North Alamo St., San Antonio, Tex., and for acquisition by GUY L. MANN, BOWIE GASOLINE COMPANY, CONTINENTAL BUS SYSTEM, INC., TRANSCONTINENTAL BUS SYSTEM, INC., Dallas, Tex., and UNION BUS LINES, INC., McAllen, Tex., of control of the operating rights and property through the purchase. Applicant's attorney: Hollis H. Rankin, Jr., Edinburg, Tex. Operating rights sought to be transferred: *Passengers* and their baggage, as a *common carrier,* over a regular route, between San Antonio, Tex., and Randolph Field, Tex., serving all intermediate points. Vendee is not a motor carrier, but is affiliated with Union Bus Lines, Inc., which is authorized to operate in Texas by virtue of a filing under the Second Proviso of section 206 (a) (1). Application has been filed for temporary authority under section 210a (b).

No. MC–F–6000. Authority sought for purchase by JOHN VOGEL, INC., 11 Pruyn St., Albany, N. Y., of the operating rights and property of CORNELIA ATKINSON and LLOYD ATKINSON, doing business as ATKINSON EXPRESS, Wolf Road, Colonie, N. Y., and for acquisition by JOHN VOGEL, JR., JAMES VOGEL and WILLIAM VOGEL, Albany, N. Y., of control of the operating rights and property through the purchase. Applicants' attorney: John J. Brady, Jr., 75 State St., Albany, N. Y. Operating rights sought to be transferred: *General commodities,* with certain exceptions, including household goods, as a *common carrier,* over regular routes, between Gloversville, N. Y., and Albany, N. Y., and between Gloversville, N. Y., and Speculator, N. Y., serving all intermediate points; also, Proviso operation, as a *common carrier* in New York. Vendee is authorized to operate in New York, New Jersey, Massachusetts, Connecticut, and Pennsylvania. Application has been filed for temporary authority under section 210a (b). Application No. MC–107011 Sub–2, published in this issue of the FEDERAL REGISTER, is directly related matter.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F. R. Doc. 55–4994; Filed, June 21, 1955; 8:51 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[ODM (DPA) Request No. 29—DPAV–47(a)]

NOTICE OF WITHDRAWAL OF REQUEST TO PARTICIPATE IN ACTIVITIES OF SIGNAL CORPS INTEGRATION COMMITTEE ON HYDROGEN THYRATRON TUBES

The Signal Corps Integration Committee on Hydrogen Thyratron Tubes formed pursuant to section 708 of the Defense Production Act of 1950, as amended, has been dissolved and accordingly the request published in 18 F. R. 5337 on September 2, 1953, to participate in the formation and activities of that Committee in accordance with the Voluntary Plan entitled "Plan and Regulations of Signal Corps Governing the Integration Committee on Hydrogen Thyratron Tubes" transmitted to and accepted by those companies listed in the above cited FEDERAL REGISTER, has been withdrawn.

The immunity from prosecution under the Federal antitrust laws and the Federal Trade Commission Act heretofore granted to those companies has been likewise withdrawn, except as to those acts performed or omitted by reason of the request which occurred prior to that withdrawal.

(Sec. 708, 64 Stat. 818, as amended; 50 U. S. C. App. Sup. 2158; Executive Order 10480, August 14, 1953, 18 F. R. 4939)

Dated: June 13, 1955.

ARTHUR S. FLEMMING, *Director.*

[F. R. Doc. 55–5045; Filed, June 20, 1955; 2:42 p. m.]

GENERAL SERVICES ADMINISTRATION

Public Buildings Service

[Wildlife Order 30]

TRANSFER OF PROPERTY KNOWN AS PEQUEST FISH CULTURAL STATION, PEQUEST, NEW JERSEY

Pursuant to the authority granted under Public Law 537, approved May 19, 1948, Eightieth Congress, notice is hereby given that:

1. By deed from the United States of America, dated May 31, 1955, that property known as Pequest Fish Cultural Station, Pequest, New Jersey, and more particularly described in said deed, has been transferred from the United States to the State of New Jersey.

2. The above described property is transferred to the State of New Jersey for wildlife conservation purposes (other than migratory birds) in accordance with the provisions of said Public Law 537.

J. E. STRAWSER, *Acting Commissioner of Public Buildings Service.*

JUNE 15, 1955.

[F. R. Doc. 55–5047; Filed, June 21, 1955; 8:58 a. m.]

SECURITIES AND EXCHANGE COMMISSION

AMERICAN INVESTMENT & DEVELOPMENT CO.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of June 1955.

In the matter of American Investment & Development Company, 150 Broadway, New York 38, New York.

I. The Commission's public official files disclose that American Investment & Development Company, a Delaware corporation, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A–5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A–5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of in-

[1] Filed as part of the original document.

vestors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 21st day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 7, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 21, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

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

[F. R. Doc. 55-4983; Filed, June 21, 1955; 8:48 a. m.]

FRANK W. BENNETT & CO., INC.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of June 1955.

In the matter of Frank W. Bennett & Co., Inc., 30 Broad Street, New York 4, New York.

I. The Commission's public official files disclose that Frank W. Bennett & Co., Inc., a Delaware corporation, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 21st day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 7, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 21, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

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

[F. R. Doc. 55-4984; Filed, June 21, 1955; 8:48 a. m.]

[1] Filed as part of the original document.

R. W. BROUSE & CO.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

In the matter of Richard W. Brouse, doing business as R. W. Brouse & Co., Stolle Road, Elma, New York.

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 16th day of June 1955.

I. The Commission's public official files disclose that Richard W. Brouse, doing business as R. W. Brouse & Co., a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934, and is a member of the National Association of Securities Dealers, Inc., a national securities association registered pursuant to section 15A of said act.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange

Act of 1934 and Rule X-17A–5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A–5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant;

(e) Whether, pursuant to section 15A (*l*) (2) of the Securities Exchange Act of 1934, it is necessary or appropriate in the public interest or for the protection of investors or to carry out the purposes of said section; to suspend the registrant for a period not exceeding twelve (12) months or to expel registrant from membership in the National Association of Securities Dealers, Inc.

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in paragraph IV hereof on the 21st day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street, NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 7, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 21, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 55–4985; Filed, June 21, 1955; 8:49 a. m.]

JOHN BRIEN BROWN

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of June 1955.

In the matter of John Brien Brown, Port Murray, R. D., New Jersey.

I. The Commission's public official files disclose that John Brien Brown, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A–5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A–5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A–5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in paragraph IV hereof on the 21st day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 7, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 21, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 55–4986; Filed, June 21, 1955; 8:49 a. m.]

[1] Filed as part of the original document.

GUARDIAN TRUST CO.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Security and Exchange Commission held at its office in the City of Washington, D. C., on the 16th day of June 1955.

In the matter of Willard J. Hacht, doing business as Guardian Trust Company, 830 Security Building, Phoenix, Arizona.

I. The Commission's public official files disclose that Willard J. Hacht, doing business as Guardian Trust Company, a sole proprietorship, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A–5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 21st day of July 1955 at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 14, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 21, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

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

[F. R. Doc. 55-4987; Filed, June 21, 1955; 8:49 a. m.]

CHARLES LEONARD KEYES

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of June 1955.

In the matter of Charles Leonard Keyes, 151 West 44th Street, New York 18, New York.

I. The Commission's public official files disclose that Charles Leonard Keyes, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 21st day of July 1955 at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 7, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules and practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 21, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

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

[F. R. Doc. 55-4988; Filed, June 21, 1955; 8:49 a. m.]

MAX KRUMHOLZ

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of June 1955.

In the matter of Max Krumholz, 625 Main Avenue, Passaic, New Jersey.

I. The Commission's public official files disclose that Max Krumholz, a sole proprietor, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange

[1] Filed as part of the original document.

Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 21st day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 7, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 21, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. D. Doc. 55-4989; Filed, June 21, 1955; 8:50 a. m.]

LAWYERS MORTGAGE AND TITLE CO.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of June 1955.

In the matter of Lawyers Mortgage and Title Company, 115 Broadway, New York 6, New York.

I. The Commission's public official files disclose that Lawyers Mortgage and Title Company, a New York corporation, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954 as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered,* That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 21st day of July 1955 at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 7, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

[1] Filed as part of the original document.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer, of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 21, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 55-4990; Filed, June 21, 1955; 8:50 a. m.]

THRALLS & CO., INC.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of June 1955.

In the matter of Thralls & Co., Incorporated, 37 Wall Street, New York 5, New York.

I. The Commission's public official files disclose that Thralls & Co., Incorporated, a New York corporation, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered*, That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 21st day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 7, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 21, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

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

[F. R. Doc. 55-4991; Filed, June 21, 1955; 8:50 a. m.]

POMEROY ENTERPRISES, INC.

ORDER FOR PROCEEDINGS AND NOTICE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 16th day of June 1955.

In the matter of Pomeroy Enterprises, Inc., 547 North Arizona Avenue, Chandler, Arizona.

I. The Commission's public official files disclose that Pomeroy Enterprises, Inc., an Arizona corporation, hereinafter referred to as registrant, is registered as a broker-dealer pursuant to section 15 (b) of the Securities Exchange Act of 1934.

II. The Records Officer of the Commission has filed with the Commission a statement, a copy of which is attached hereto and made a part hereof,[1] stating that registrant did not file with the Commission reports of his financial condition during the calendar year 1954, as required by section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted thereunder.

III. The information reported to the Commission by its Records Officer as set forth in Paragraph II hereof tends, if true, to show that registrant violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section.

IV. The Commission, having considered the aforesaid information, deems it necessary and appropriate in the public interest and for the protection of investors that proceedings be instituted to determine:

(a) Whether the statement referred to in Paragraph II hereof is true;

(b) Whether registrant has wilfully violated section 17 (a) of the Securities Exchange Act of 1934 and Rule X-17A-5 adopted under said section;

(c) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, it is in the public interest to revoke registration of registrant; and

(d) Whether, pursuant to section 15 (b) of the Securities Exchange Act of 1934, pending final determination, it is necessary or appropriate in the public interest or for the protection of investors to suspend the registration of registrant.

V. *It is ordered*, That registrant be given an opportunity for hearing as set forth in Paragraph IV hereof on the 21st day of July 1955, at the main office of the Securities and Exchange Commission, located at 425 2d Street NW., Washington 25, D. C., before a Hearing Examiner to be designated by the Commission. On such date the Hearing Room Clerk in Room 193, North Building, will advise the parties and the Hearing Examiner as to the room in which such hearing will be held. The Commission will consider any motion with respect to a change of place of said hearing if said motion is filed with the Secretary of the Commission on or before July 14, 1955. Upon completion of any such hearing in this matter the Hearing Examiner shall prepare a recommended decision pursuant to Rule IX of the rules of practice unless such decision is waived.

It is further ordered, That in the event registrant does not appear personally or through a representative at the time and place herein set or as otherwise ordered, the Hearing Room Clerk shall file with the Records Officer of the Commission a written statement to that effect and thereupon the Commission will take the record under advisement for decision.

This order and notice shall be served on registrant personally or by registered mail forthwith, and published in the FEDERAL REGISTER not later than fifteen (15) days prior to July 21, 1955.

In the absence of an appropriate waiver, no officer or employee of the Commission engaged in the performance of investigative or prosecuting functions in this or any factually related proceeding will be permitted to participate or advise in the decision upon the matter except as witness or counsel in proceedings held pursuant to notice. Since this proceeding is not "rule making" within the meaning of section 4 (c) of the Administrative Procedure Act, it is not deemed to be subject to the provisions of the section delaying the effective date of any final Commission action.

By the Commission.

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

[F. R. Doc. 55-4992; Filed, June 21, 1955; 8:51 a. m.]

[1] Filed as part of the original document.

[File No. 70-3386]

WEST PENN ELECTRIC CO.

ORDER REGARDING SALE BY REGISTERED HOLDING COMPANY OF CAPITAL STOCK OF NON-UTILITY SUBSIDIARY COMPANY

JUNE 16, 1955.

The West Penn Electric Company ("West Penn"), a registered holding company, has filed a declaration and an amendment thereto with this Commission pursuant to the provisions of section 12 (f) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-43 promulgated thereunder with respect to the following described transaction:

West Penn and The Greyhound Corporation ("Greyhound"), which are not affiliates of one another, are affiliates of Penn Bus Company ("Penn Bus"), a non-utility company, by reason of their respective holdings of 10,000 shares (50 percent) each of the outstanding common stock of Penn Bus. Pursuant to a contract dated October 1, 1953, West Penn will sell, on or before November 30, 1955, its holdings of Penn Bus stock to Greyhound for a cash consideration equivalent to one-half of the amount, on the last day of the month preceding the date of the sale, of the total assets less the total liabilities (other than capital stock and unappropriated surplus) of Penn Bus, which consideration as of March 31, 1955, amounted to $146,263. The consideration for the 10,000 shares of Penn Bus stock was determined at arm's-length between West Penn and Greyhound.

The contract for the sale by West Penn of its holdings of Penn Bus stock was executed simultaneously with, and is related to, a contract entered into jointly by The Blue Ridge Transportation Company ("Blue Ridge"), and White Star Lines, Inc. ("White Star"), both of which are direct or indirect subsidiaries of

West Penn, for the sale of all of their assets and businesses to Greyhound. The contracts between West Penn and its subsidiaries, on the one hand, and Greyhound, on the other hand, are subject to rescission unless all of the transactions are approved by the regulatory authorities having jurisdiction with respect thereto.

No State commission and no Federal regulatory agency, other than this Commission, has jurisdiction over the sale by West Penn of the Penn Bus stock; the acquisition of the Penn Bus stock by Greyhound has been approved by order of the Interstate Commerce Commission and no other State commission or Federal regulatory agency has jurisdiction over the acquisition; and the sale by Blue Ridge and White Star of their assets to Greyhound, having been approved by the Interstate Commerce Commission, is exempt from the provisions of the act pursuant to Rule U-8 promulgated thereunder.

The fees and expenses to be paid in connection with the sale by West Penn of its holdings of the Penn Bus stock are estimated as follows:

Payee:	
Legal fees:	
Sullivan & Cromwell	$500
McNees, Wallace & Nurick (Pennsylvania counsel)	350
Miscellaneous	150
Total	1,000

West Penn has requested that the Commission take action on this matter as soon as practicable and that there be no waiting period between the issuance of the Commission's order and the date of its effectiveness.

Due notice of the filing of said declaration having been given in the manner prescribed by Rule U-23 promulgated under the act, and no hearing thereon having been requested of, or ordered by, the Commission; and the Commission finding that the applicable provisions of the act and the rules thereunder are satisfied, that the fees and expenses to be paid in connection with said transaction, if they do not exceed the amounts estimated, are not unreasonable, that said declaration, as amended, should be permitted to become effective, and that the Commission's order should become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said amended declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

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

[F. R. Doc. 55-4982; Filed, June 21, 1955; 8:48 a. m.]

[File No. 812-927]

WEALDEN CO.

NOTICE OF FILING REQUESTING ORDER EXEMPTING TRANSACTION BETWEEN AFFILIATED PERSONS

JUNE 16, 1955.

Notice is hereby given that The Wealden Company ("Applicant"), a registered closed-end, non-diversified investment company, has filed an application pursuant to the provisions of section 17 (b) of the Investment Company Act of 1940 (the "act") for exemption from the provisions of section 17 (a) (2) thereof in respect of the transactions described below.

Applicant's assets consist solely of cash, United States Government securities and 243,450.9 shares of Common Stock of The Glenn L. Martin Company ("Martin"). Applicant's liabilities consist solely of current liabilities (none of which is represented by notes or other securities). Applicant's securities outstanding consist solely of Common Stock, par value $5 per share, of which 120,000 shares are authorized and 116,484 shares are outstanding.

Applicant proposes to offer to redeem its stock by distributing to each stockholder who wishes to accept the offer 2.07 shares of Common Stock of Martin (owned by the applicant) in redemption of each share of applicant's stock, the stock of applicant owned by stockholders accepting the offer to be surrendered to the applicant and cancelled. Since fractional shares of Martin Common Stock are not issuable, an appropriate adjustment in cash (in lieu of a fractional share of Martin Common Stock) will be made by the applicant to its tendering stockholders, such adjustment to be based upon the closing price of Martin Common Stock on the New York Stock Exchange on a date prior, but as close as practicable, to the date when the offer is first made.

Such offer will be subject to acceptance or rejection by each stockholder of applicant at the option of the stockholder, and each stockholder may tender all or any part of his Wealden stock. It is contemplated that such offer would remain open for acceptance or rejection by each stockholder for approximately thirty days after the mailing thereof. The consummation of the proposed transaction will result, to the extent the offer is accepted, in a liquidation of the applicant, giving those stockholders of applicant who desire to accept the offer an opportunity to acquire directly Common Stock of Martin and to surrender their interest in applicant.

A. C. Allyn and Company, Incorporated and Bear, Stearns & Co. are each affiliated persons of applicant, since each is the beneficial owner of more than 5 percent of the outstanding Common Stock of the applicant. Applicant is informed that each of said persons intends to accept such offer when made and to tender all of their Wealden stock. Mr. Henry G. Lambert (a director and President of applicant) is an affiliated person (an employee) of A. C. Allyn and Company, Incorporated, and Mr. Harris T. Shea (Secretary and Treasurer of applicant) is an affiliated person (a partner) of Bear, Stearns & Co.

Section 17 (a) (2) of the act prohibits, among other things, an affiliated person of a registered investment company or an affiliated person of such a person, from purchasing any security from such registered company, subject to certain exceptions not here material, unless the Commission, upon application pursuant to section 17 (b) of the act, grants an exemption from the provisions of section 17 (a). Under the terms of section 17 (b) an exemption shall be granted by the Commission if evidence establishes: That the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned; that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the act; and that the proposed transaction is consistent with the general purposes of the act. Applicant has requested that the Commission issue an order exempting the transaction from the provisions of section 17 (a) (2) to the extent applicable, pursuant to an order under section 17 (b) of the act.

Notice is further given that any interested person may not later than June 30, 1955, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

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

[F. R. Doc. 55-4981; Filed, June 21, 1955; 8:48 a. m.]