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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. Grain Price Support Bulletin 1, Supp. 1, Rice]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1955-CROP RICE LOAN AND PURCHASE AGREEMENT PROGRAM

A price support program has been announced for the 1955 crop of rice. The 1955 C. C. C. Grain Price Support Bulletin 1 (20 F. R. 3017 and 4563) issued by the Commodity Credit Corporation and containing the regulations of a general nature with respect to price support operations for certain grains and other commodities produced in 1955, is supplemented as follows:

Sec.
421.1336 Purpose.
421.1337 Availability of price support.
421.1338 Eligible rice.
421.1339 Warehouse receipts.
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421.1341 Determination of quality.
421.1342 Maturity of loans.
421.1343 Support rates.
421.1344 Warehouse charges.
421.1345 Settlement.

AUTHORITY: §§ 421.1336 to 421.1345 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, 1954; 15 U. S. C. 714c, 7 U. S. C. 1421, 1441.

§ 421.1336 *Purpose.* Sections 421.1336 to 421.1345 state additional specific requirements which, together with the general requirements contained in the 1955 C. C. C. Grain Price Support Bulletin 1 (20 F. R. 3017 and 4563), comprise the regulations governing loans and purchase agreements under the 1955-Crop Rice Price Support Program.

§ 421.1337 *Availability of price support*—(a) *Method of Support.* Price support will be made available through farm-storage and warehouse-storage loans and through purchase agreements.

(b) *Area.* Farm-storage and warehouse-storage loans and purchase agreements will be available to eligible producers on eligible rice produced in the States of Arizona, Arkansas, California, Florida, Illinois, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee and Texas.

(c) *Where to apply.* Application for rice price support must be made at the office of the ASC county committee which keeps the farm program records for the farm. In the case of eligible cooperative marketing associations of producers, application for price support shall be made in the county where the main office of the cooperative marketing association of producers is located or in such other county as the ASC State Committee determines the application can be more expeditiously handled.

(d) *When to apply.* Loans and purchase agreements will be available from time of harvest through January 31, 1956, and the applicable documents must be signed by the producer and delivered to the county committee not later than such date.

(e) *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation, or other legal entity producing rice in 1955 as landlord, tenant, or sharecropper, including a person owning and operating his own farm, a tenant operating a farm rented for cash, a tenant operating a farm under a crop-share lease, contract, or agreement, a landlord leasing to share tenants, and an irrigation company furnishing water for a share of the crop: *Provided,* That a producer shall not be an eligible producer unless he satisfies the compliance requirements of the regulations pertaining to acreage allotments for the 1955 crop as provided in 1955 C. C. C. Rice Bulletin A and any amendments thereto.

(f) *Cooperative associations.* A cooperative marketing association of producers which satisfies the following conditions shall be deemed an eligible producer and shall be eligible for warehouse-storage loans and purchase agreements:

(1) The terms and conditions under which producer members' rice is mar-

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FEDERAL REGISTER

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CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

keted through the association must be set out in a uniform marketing agreement and must be applicable to all rice delivered to the association by producer members.

(2) The major part of the rice marketed by the association must be produced by members who are eligible producers.

(3) The members must share proportionately in the proceeds from marketings according to the quantity and quality of rice each delivers to the association. This provision shall not be construed to prohibit the association from establishing separate pools.

(4) The association must have authority to obtain a loan on the security of the rice and to give a lien thereon as well as authority to sell such rice.

(5) The association must maintain a record by varieties, grade and milling yields of the total quantity of rough rice acquired by or delivered to the association from all sources and must maintain a separate record of all such rice which is ineligible for price support. The association must keep in inventory at all times a quantity of rough rice of the varieties, average grade and milling yield equal to its outstanding warehouse receipts for commingled rice, plus a quantity of rough rice of the varieties, average grade and milling yield equal to the quantity of rice represented by outstanding warehouse receipts (including receipts held by CCC) for rice stored modified commingled and identity preserved. Rice stored modified commingled or identity preserved must be stored separately by lot and so kept in storage so long as receipts for such rice are outstanding.

(6) Not later than December 1, 1955, the association must have set aside in segregated storage, quantities of rough rice by varieties, grade and milling yield, equivalent to the quantities by varieties, grade and milling yield of rough rice which does not meet the eligibility requirements of § 421.1338, hereinafter referred to as "ineligible" rough rice, (except rough rice in inventory on July 31, 1955, and rough rice received from CCC and placed in inventory subsequent to July 31, 1955) received by the association from all sources up to such date. All ineligible rough rice received by the association on or after the date of such segregation must also be set aside in segregated storage together with other rough rice required to be set aside in segregated storage. The association must keep a detailed record of the disposition made of the rough rice required to be so set aside. In addition, all rough rice in inventory on July 31, 1955, and all rough rice received from CCC and placed in inventory subsequent to July 31, 1955, must be physically segregated in storage from other rice and a separate record kept of the disposition of such rice. Price support may be obtained only on that rough rice not required to be segregated in storage by this paragraph. The association shall not be entitled to obtain price support until such ineligible rice has been segregated in accordance with this paragraph.

(7) In making settlement with producer members the association shall make settlement with respect to the ineligible rice separately from the settlement made on eligible rice in accordance with the quantity and quality and sales proceeds from each.

(8) Rough rice held by the association must be made available for inspection by CCC at all reasonable times so long as the association has rice under price support and the books and records of the association must be made available to CCC for inspection at all reasonable times through May 1, 1961.

§ 421.1338 *Eligible rice.* To be eligible for price support, rice must meet the following requirements:

(a) The rice must have been produced in 1955 by an eligible producer on a farm on which the rice acreage allotment was not exceeded in the States of Arizona, Arkansas, California, Florida, Illinois, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, or Texas.

(b) The beneficial interest in the rice must be in the eligible producer tendering the rice for loan or for purchase under a purchase agreement and must always have been in him, or must have been in him and a former producer whom he succeeded before the rice was harvested. In the case of cooperative marketing associations, the beneficial interest in the rice must have been in the producer members who delivered the rice to the association and must always have been in them or in them and former producers whom they succeeded before the rice was harvested.

(c) The rice must be of one of the classes within the Official Standards of the United States for Rough Rice other than "mixed rough rice."

(d) The rice must (1) grade U. S. No. 5 or better (rice of special grades shall not be eligible rice); and (2) contain not more than 14 percent moisture.

(e) If offered as security for a farm-storage loan, the rice must have been stored in the granary at least 30 days prior to its inspection for measurement, sampling, and sealing, unless otherwise approved by the ASC State Committee.

(f) Rice must be in bags or in bulk when a loan is obtained. All deliveries of rice to CCC shall be in bulk and all settlements on loans or purchase agreements shall be on the basis of bulk rice. CCC shall not pay any amounts representing the value of bags.

§ 421.1339 *Warehouse receipts.* Warehouse receipts, representing rice in approved warehouse storage to be placed under loan or to be delivered to CCC under a purchase agreement, must meet the requirements of this section.

(a) Warehouse receipts must be issued in the name of the producer, or cooperative marketing association, must be properly endorsed in blank so as to vest title in any holder, and must be issued by a warehouse approved under the Uniform Rice Storage Agreement (CCC Form 26). The receipts must be negotiable and must cover eligible rice actually in store in the warehouse. Under the Uniform Rice Storage Agreement, the warehouseman guarantees the quantity and quality of the rice unless the warehouse receipts or accompanying supplemental certificates state that the rice is stored "identity-preserved" or "modified commingled." In the case of rice stored identity preserved, the warehouseman is not a guarantor but is required to redeliver the identical rice on which the warehouse receipt was issued. In the case of bulk rice stored modified commingled, the warehouseman guarantees quantity but not quality and the rice of two or more owners is stored together in one lot, the identity of which the warehouseman is required to maintain.

(b) In order to be acceptable as security for a warehouse-storage loan, each warehouse receipt, or the accompanying supplemental certificate, must contain a statement that the rice is insured in accordance with CCC Form 26, "Uniform Rice Storage Agreement," and if such insurance was not effective as of the date of deposit of the rice in the warehouse, the warehouseman must certify as to the effective date of the insurance and that the rice is in the warehouse and undamaged. The insurance on rice with respect to which the warehouseman guarantees quality and quantity (hereinafter called commingled rice) must be obtained by the warehouseman. Insurance on modified commingled rice must be obtained by the warehouseman. Insurance on identity-preserved rice must be obtained by either the producer or the warehouseman. If the insurance on identity-preserved rice

is obtained by the producer, it must be assigned to the warehouseman, with the consent of the insurance company, before a loan will be made and the warehouseman must also certify that the insurance has been assigned to him with the consent of the insurance company. Insurance is not required in order for warehouse receipts to be purchased under the purchase agreement program.

(c) A supplemental certificate will be required to be executed in duplicate when all of the following information is not contained in the warehouse receipt or inspection certificate: Variety, grade, grade factors, milling yield, moisture, weight, method of storage and manner by which the rice was received. When required, the supplemental certificate (completed for all items) shall be executed by the warehouseman for commingled rice, by the warehouseman and producer for modified commingled rice and by the producer for identity-preserved rice.

(d) When the warehouse receipt represents identity-preserved rice, the producer's responsibility will be as stated in section 421.1015 of the 1955 C. C. C. Grain Price Support Bulletin 1. The producer's responsibility for modified commingled rice shall be the same as stated in section 421.1015 of 1955 C. C. C. Grain Price Support Bulletin 1 for farm-stored and identity-preserved rice except that he shall not be responsible for quantity.

(e) A separate warehouse receipt must be submitted for each class or variety, grade, and milling yield of rice.

(f) Warehouse receipts must carry an endorsement by the warehouseman in substantially the following form: "Warehouse charges through April 30, 1956, including, but not limited to, receiving and loading out charges accrued or to accrue, loading out to CCC in bulk and all other charges incident to the acquisition of the rice by CCC, on the rice represented by this warehouse receipt have been paid or otherwise provided for and a lien for such charges will not be claimed by the warehouseman from CCC or any subsequent holder of the warehouse receipt."

(g) The warehouse receipt shall not contain any statement indicating that the quantity is subject to a shrinkage factor.

§ 421.1340 *Determination of quantity.* (a) Loans and purchase agreements shall be made on the basis of rough rice expressed in units of 100 pounds, and fractional units of less than 100 pounds shall be disregarded. The quantity of rice placed under farm-storage loan may be determined either by weight or by measurement. The quantity of rice placed under a warehouse-storage loan shall be determined on the basis of weight. Determination of the quantity of rice delivered under a farm-storage loan, or for making settlement on an identity-preserved warehouse storage loan or under a purchase agreement shall be on the basis of weight.

(b) In determining the quantity of bagged rice by weight, a deduction of ¾ of a pound for each 100 pounds of gross weight will be made.

(c) When the quantity of rice is determined by measurement, a cubic foot of rice testing 45 pounds per bushel, shall be 36 pounds. The quantity determined will be the following percentages of 36 pounds:

For rice testing:	Percent
45 pounds or over	100
44 pounds or over, but less than 45 pounds	98
43 pounds or over, but less than 44 pounds	96
42 pounds or over, but less than 43 pounds	93
41 pounds or over, but less than 42 pounds	91
40 pounds or over, but less than 41 pounds	89

Proportionately lower for rice testing below 40 pounds.

(d) In the case of commingled rice, loans will be made and settlement with the producer will be made on 100 percent of the quantity of rice determined in accordance with this section, based on the quantity shown on the warehouse receipt or the supplemental certificate. In all other cases, loans will be made on 95 percent of the quantity of rice determined in accordance with this section, and the determination of quantity for settlement purposes will be made on the basis of the actual quantity of rice acquired by CCC, except that in the case of bulk rice stored modified commingled, settlement with the producer will be made on the basis of 100 percent of the quantity shown on the warehouse receipt or the supplemental certificate.

(e) In the case of rice under purchase agreement, the producer shall, at the time he notifies the county committee of his intention to sell rice to CCC in accordance with § 421.1018 (d) of 1955 CCC Grain Price Support Bulletin 1, specify the quantity of each class or variety of rice included in the total quantity to be sold.

§ 421.1341 *Determination of quality.* (a) The class, grade, grade factors, milling yield and all quality factors for price support purposes shall be determined in accordance with the methods set forth in the official United States Standards for Rough Rice.

(b) In the case of commingled rice, loans will be made and settlement with the producer either on loans or purchase agreements will be on the basis of the quality shown on the warehouse receipt or supplemental certificate. In all other cases, loans will be made on the basis of quality shown on an official (Federal or Federal-State) sample inspection certificate, based on a representative sample drawn by the ASC county committee for each lot of rice at the time application is made for the loan, and settlement with the producer will be on the basis of quality determined by a Federal or Federal-State lot inspection certificate dated subsequent to April 15, 1956, and submitted by the producer in accordance with the settlement provisions of this subpart. Sample inspection fees incurred by the county committee in connection with the making of loans will be for the account of CCC. Lot inspection fees incurred in connection with the acquisition of rice by CCC will be for the account of the producer.

§ 421.1342 *Maturity of loans.* Unless demand is made earlier, loans on rice will mature on April 30, 1956.

§ 421.1343 *Support rates.* Loans and purchases under purchase agreement will be made at the support rates set forth in this section.

(a) *Basic rates.* The basic support rate per 100 pounds of rough rice in approved storage and with all accrued charges paid through April 30, 1956, including all receiving and loading out charges, accrued or to accrue, shall be computed as follows: Multiply the yield (in pounds per hundredweight) of head rice by the applicable value factor for head rice (as shown in the table below according to class or variety). Similarly, multiply the difference between the total yield and head rice yield (in pounds per hundredweight) by the applicable value factor for broken rice. Add the results of these two computations to obtain the basic loan or purchase rate per 100 pounds of rough rice and express such rate in dollars and cents, rounded to the nearest whole cent.

VALUE FACTORS FOR HEAD AND BROKEN RICE

Group	Rough rice class or variety	Head rice	Broken rice
I	Patna (except the variety Century Patna), and Rexoro (except the variety Rexark).	0.0938	0.0400
II	Blue Bonnet, Nira and Rexark.	.0904	.0400
III	Century Patna, Fortuna, R. N., and Edith.	.0851	.0400
IV	Blue Rose (including the varieties Improved Blue Rose, Greater Blue Rose, Kamrose and Arkrose), Magnolia, Zenith, Prelude, and Lady Wright.	.0740	.0400
V	Pearl, Calrose, Early Prolific, Calady, and other varieties.	.0688	.0400

(b) *Premiums and discounts.* The basic support rates, determined under paragraph (a) of this section, per 100 pounds of rough rice shall be adjusted by the following premium or discount for the grade applicable to an individual lot of rough rice:

Grade U. S. No. 1: Premium of 20 cents per 100 pounds.

Grade U. S. No. 2: Premium of 10 cents per 100 pounds.

Grade U. S. No. 3: Discount of 5 cents per 100 pounds.

Grade U. S. No. 4: Discount of 20 cents per 100 pounds.

Grade U. S. No. 5: Discount of 40 cents per 100 pounds.

(c) *Location differentials.* For rice produced in the following areas, discounts for location (to adjust for transportation costs of moving the rice to an area where competitive milling facilities are available) shall be applied to the basic support rate determined under paragraph (a) of this section and shall be in addition to any adjustment in accordance with paragraph (b) of this section:

Area:	Discount per 100 pounds
State of Florida	$0.82
States of South Carolina and North Carolina	.77
Counties of Lafayette, Little River and Miller in Arkansas; Bowie in Texas; McCurtain in Oklahoma; and Bossier Parish in Louisiana	.30
Imperial County, California, and adjacent counties in Arizona and California	.96
Counties of Holt, Lincoln, Marion and Pike in Missouri, and Adams in Illinois	.43

§ 421.1344 *Warehouse charges.* On rice stored in an approved warehouse prior to acquisition by CCC and acquired by CCC in such approved storage, with receiving and loading out charges paid by the producer, CCC will refund to the producer an amount computed at the rate of 8 cents per hundred pounds as compensation for any receiving and loading out charges paid by the producer. Inspection and weighing fees and any special charges assessed by the warehouseman, such as for unpiling and repiling required in order to obtain weights or grade samples or for bulking bagged rice in connection with acquisition of the rice by CCC from the producer, shall be for the account of the producer.

§ 421.1345 *Settlement*—(a) *Farm-storage and identity preserved warehouse-storage loans.* (1) For settlement on loans on farm-stored or identity-preserved warehouse stored rice the producer shall, at his own expense, furnish to the county committee official weight certificates and Federal or Federal-State lot inspection certificates dated subsequent to April 15, 1956, covering the rice. Settlement on such loans will be made at the applicable support rate for the grade and quality of the quantity of rice as shown by such weight certificates and inspection certificates. On farm storage loans such certificates shall be furnished at the time of delivery of the rice. On identity-preserved warehouse storage loans such certificates shall be furnished within 10 days after the maturity date. However, notwithstanding the foregoing provisions of this subparagraph, if at the time of delivery to CCC of rice covered by a farm storage loan or if at the time of acquisition by CCC of rice covered by an identity-preserved warehouse storage loan the warehouseman, with the agreement of the producer, issues a commingled warehouse receipt covering the rice, inspection and weight certificates will not be required and settlement with the producer will be made at the applicable support rate for the quantity and quality of rice shown on the commingled warehouse receipt.

(2) If the inspection certificate for the rice under farm-storage or identity-preserved warehouse-storage loan, or, where applicable, the commingled receipt for rice originally stored identity preserved, shows that the rice is of a grade for which no support rate has been established, the settlement value shall be the support rate established for the grade and milling yield of the rice placed under loan, less the difference, if any, on the date that the inspection and weight certificates, or the commingled receipts, are delivered to the county committee, between the market price for the grade and milling yield placed under loan and the market price of the rice described in the inspection certificate or commingled warehouse receipt, as determined by CCC: *Provided, however,* That if the rice is sold by CCC in order to determine its market price, the settlement value shall not be less than such sales price.

(b) *Modified commingled warehouse-storage loans.* (1) For settlement on loans on modified commingled warehouse-stored rice the producer shall, at his own expense and within 10 days after maturity, furnish to the county committee a Federal or Federal-State lot inspection certificate dated subsequent to April 15, 1956, covering the lot of rice acquired by CCC which must have been taken from the modified commingled lot against which the warehouse receipt representing the rice under loan was issued. Settlement on such loans shall be made at the applicable support rate for the grade and quality of the rice as shown on the inspection certificate and for the quantity shown on the warehouse receipt. However, notwithstanding the foregoing provisions of this subparagraph, if, at the time of acquisition of the rice by CCC, the warehouseman, with the agreement of the producer, issues a commingled warehouse receipt covering the rice, inspection certificates will not be required and settlement with the producer will be made at the applicable support rate for the quantity and quality of rice shown on the commingled warehouse receipt.

(2) If the inspection certificate for the rice under modified commingled warehouse storage loan, or, where applicable, the commingled warehouse receipt for rice originally stored modified commingled, shows that the rice is of a grade for which no support rate has been established, the settlement value shall be the support rate established for the grade and milling yield of the rice placed under loan, less the difference, if any, on the date that the inspection certificate, or commingled receipt, is delivered to the county committee, between the market price for the grade and milling yield placed under loan and the market price of the rice described in the inspection certificate or commingled warehouse receipt, as determined by CCC: *Provided, however,* That if the rice is sold by CCC in order to determine its market price, the settlement value shall not be less than such sales price.

(c) *Commingled warehouse storage loans.* Settlement will be made with the producer at the applicable support rate for the quantity and quality of rice shown on the warehouse receipt and accompanying documents.

(d) *Purchase agreements.* Eligible rice sold to CCC under a purchase agreement will be purchased in accordance with § 421.1018 (d) of 1955 Grain Price Support Bulletin 1, at the applicable support rate for the grade and quality of the rice sold. CCC will not accept modified commingled warehouse receipts under the purchase agreement program. Rice so stored must be removed from such storage and, if the producer desires to deliver warehouse receipts to CCC under the sale, identity preserved or commingled receipts must be obtained from an approved warehouse. Where the rice sold is represented by an identity-preserved warehouse receipt or is physically delivered to CCC, the producer shall, at his expense, furnish to the county committee at the time of sale official weight certificates and Federal or Federal-State lot inspection certificates dated subsequent to April 15, 1956. Where the rice sold is represented by commingled warehouse receipts, inspection and weight certificates will not be required and settlement with the producer will be made at the applicable support rate for the quantity and quality of rice shown on the commingled warehouse receipt.

(e) *Storage payment where CCC is unable to take delivery of rice stored in other than an approved warehouse under loan or purchase agreement.* The producer may be required to retain rice stored in other than an approved warehouse under loan or purchase agreement for a period of 60 days after the applicable maturity date without any cost to CCC. However, if CCC is unable to take delivery of such rice within the 60-day period after maturity, the producer shall be paid a storage payment upon delivery of the rice to CCC: *Provided, however,* That a storage payment shall be paid a producer whose rice is stored in other than an approved warehouse under purchase agreement only if he has properly given notice of his intention to sell the rice to CCC and delivery cannot be accepted within the 60-day period after maturity. The period for earning such storage payment shall begin the day following the expiration of the 60-day period after maturity and extend through the final date of delivery, or the final date for delivery as specified in the delivery instructions issued to the producer by the county office, whichever is earlier. The storage payment shall be computed at the rate of 2½ cents per cwt., for each 30 days or fraction thereof for the eligible rice accepted for delivery by CCC.

(f) In any instance where the producer fails to furnish to CCC weight or inspection certificates required for settlement on loans, CCC may obtain such certificates. The cost incurred by CCC in obtaining such certificates and any other fees or expenses incurred in connection with settlement on loans shall be for the account of the producer. All settlements will be made on the basis of bulk rice.

Issued this 23d day of August 1955.

[SEAL] WALTER C. BERGER,
Acting Executive Vice President, Commodity Credit Corporation.

[F. R. Doc. 55-6954; Filed, Aug. 25, 1955; 8:53 a. m.]

[1955 CCC Cotton Bulletin 1, Amdt. 1]

PART 427—COTTON

SUBPART—1955 COTTON LOAN PROGRAM

SCHEDULE OF BASE LOAN RATES FOR WAREHOUSE-STORED UPLAND COTTON

The 1955 Cotton Bulletin (1955 CCC Cotton Bulletin 1) is hereby amended by adding § 427.633 to read as follows:

§ 427.633 *Basic loan rates by warehouse locations.* The base loan rates, in cents per pound, gross weight, applicable to Middling 15/16-inch upland cotton, under Commodity Credit Corporation's 1955 Cotton Loan Program, are as follows:

ALABAMA

City and county:	*Basis Middling White 15/16" loan rate*
Abbeville, Henry	33.97
Akron, Hale	33.86
Albertville, Marshall	34.08
Alexander City, Tallapoosa	34.19
Aliceville, Pickens	33.75
Altoona, Etowah	34.19
Andalusia, Covington	33.86
Anniston, Calhoun	34.19
Arab, Marshall	34.08
Ardmore, Limestone	33.86
Ashford, Houston	33.97
Ashland, Clay	34.19
Athens, Limestone	33.86
Atmore, Escambia	33.75
Attalla, Etowah	34.19
Auburn, Lee	34.19
Banks, Pike	33.97
Bankston, Fayette	33.86
Belk, Fayette	33.86
Berry, Fayette	33.86
Bessemer, Jefferson	33.97
Birmingham, Jefferson	33.97
Blountsville, Blount	34.08
Boaz, Marshall	34.08
Boligee, Greene	33.75
Brantley, Crenshaw	33.86
Brantley, Dallas	33.86
Brent, Bibb	33.97
Brewton, Escambia	33.75
Bridgeport, Jackson	33.97
Browntown, Jackson	33.97
Brundidge, Pike	33.97
Butler, Choctaw	33.75
Camden, Wilcox	33.75
Camp Hill, Tallapoosa	34.19
Carbon Hill, Walker	33.86
Carrollton, Pickens	33.75
Centerville, Bibb	33.97
Centre, Cherokee	34.19
Chavies, DeKalb	34.08
Childersburg, Talladega	34.19
Clanton, Chilton	33.97
Clayton, Barbour	34.08
Clio, Barbour	34.08
Collinsville, De Kalb	34.08
Columbia, Houston	33.97
Columbiana, Shelby	34.08
Cooper, Chilton	33.97
Cordova, Walker	33.86
Courtland, Lawrence	33.86
Cullman, Cullman	33.97
Dadeville, Tallapoosa	34.19
Dancy, Pickens	33.75
Decatur, Morgan	33.97
Demopolis, Marengo	33.75
Detroit, Lamar	33.75
Dothan, Houston	33.97
Dozier, Crenshaw	33.86
Dutton, Jackson	33.97
Eclectic, Elmore	34.08
Elba, Coffee	33.97
Elkmont, Limestone	33.86
Enterprise, Coffee	33.97
Ethelsville, Pickens	33.75
Eufaula, Barbour	34.08
Eutaw, Greene	33.75
Evergreen, Conecuh	33.75

ALABAMA—Continued

City and county—Continued	*Basis Middling White 15/16" loan rate*
Fackler, Jackson	33.97
Fadette, Geneva	33.97
Faunsdale, Marengo	33.75
Fayette, Fayette	33.86
Flat Rock, Jackson	33.97
Florala, Covington	33.86
Florence, Lauderdale	33.75
Fort Deposit, Lowndes	33.86
Fort Payne, DeKalb	34.08
Fyffe, DeKalb	34.08
Gadsden, Etowah	34.19
Gantt, Covington	33.86
Geneva, Geneva	33.97
Georgiana, Butler	33.86
Glen Allen, Fayette	33.86
Good Water, Coosa	34.08
Gordo, Pickens	33.75
Goshen, Pike	33.97
Greensboro, Hale	33.86
Greenville, Butler	33.86
Grove Hill, Clarke	33.75
Guin, Marion	33.75
Guntersville, Marshall	34.08
Hackleburg, Marion	33.75
Haleyville, Winston	33.86
Hamilton, Marion	33.75
Hanceville, Cullman	33.97
Hartford, Geneva	33.97
Hartselle, Morgan	33.97
Havana Junction, Hale	33.86
Headland, Henry	33.97
Heflin, Cleburne	34.19
Henagar, DeKalb	34.08
Hodges, Franklin	33.75
Hollywood, Jackson	33.97
Huntsville, Madison	33.97
Hurtsboro, Russell	34.19
Ider, DeKalb	34.08
Jacksonville, Calhoun	34.19
Jasper, Walker	33.86
Jemison, Chilton	33.97
Kennedy, Lamar	33.75
Lafayette, Chambers	34.19
Larkinsville, Jackson	33.97
Leighton, Colbert	33.75
Lester, Limestone	33.86
Linden, Marengo	33.75
Lineville, Clay	34.19
Livingston, Sumter	33.75
Lockhart, Covington	33.86
Louisville, Barbour	34.08
Luverne, Grenshaw	33.86
McCullough, Escambia	33.75
Madison, Madison	33.97
Malvern, Geneva	33.97
Maplesville, Chilton	33.97
Marion, Perry	33.86
Millport, Lamar	33.75
Mobile, Mobile	33.63
Monroeville, Monroe	33.75
Montevallo, Shelby	34.08
Montgomery, Montgomery	33.97
Moores Bridge, Tuscaloosa	33.86
Moores Valley, Wilcox	33.75
Moulton, Lawrence	33.86
Moundville, Hale	33.86
Newbern, Hale	33.86
New Brockton, Coffee	33.97
New Hope, Madison	33.97
Newville, Henry	33.97
Northport, Tuscaloosa	33.86
Notasulga, Macon	34.08
Oakman, Walker	33.86
Oneonta, Blount	34.08
Opelika, Lee	34.19
Opp, Covington	33.86
Ozark, Dale	33.97
Panola, Sumter	33.75
Pell City, St. Clair	34.08
Peterman, Monroe	33.75
Phil Campbell, Franklin	33.75
Pickensville, Pickens	33.75
Pine Hill, Wilcox	33.75
Pisgah, Jackson	33.97
Pollard, Escambia	33.75
Prattville, Autauga	33.97

ALABAMA—Continued

City and county—Continued	*Basis Middling White 15/16" loan rate*
Red Bay, Franklin	33.75
Red Level, Covington	33.86
Reform, Pickens	33.75
Repton, Conecuh	33.75
Roanoke, Randolph	34.19
Rogersville, Lauderdale	33.75
Russellville, Franklin	33.75
Samantha, Tuscaloosa	33.86
Samson, Geneva	33.97
Scottsboro, Jackson	33.97
Section, Jackson	33.97
Selma, Dallas	33.86
Sheffield, Colbert	33.75
Slocomb, Geneva	33.97
Stevenson, Jackson	33.97
Stewart, Hale	33.86
Sulligent, Lamar	33.75
Sweet Water, Marengo	33.75
Sylacauga, Talladega	34.19
Sylvania, DeKalb	34.08
Talladega, Talladega	34.19
Tallassee, Elmore	34.08
Thomasville, Clarke	33.75
Thorsby, Chilton	33.97
Troy, Pike	33.97
Tuscaloosa, Tuscaloosa	33.86
Tuscumbia, Colbert	33.75
Tuskegee, Macon	34.08
Union Springs, Bullock	34.08
Uniontown, Perry	33.86
Vernon, Lamar	33.75
Vina, Franklin	33.75
Wadley, Randolph	34.19
Warrior, Jefferson	33.97
Webb, Houston	33.97
Wetumpka, Elmore	34.08
Winfield, Marion	33.75
Woodville, Jackson	33.97
York, Sumter	33.75

ARIZONA

Amado, Santa Cruz	32.80
Buckeye, Maricopa	32.80
Casa Grande, Pinal	32.80
Chandler, Maricopa	32.80
Coolidge, Pinal	32.80
Eloy, Pinal	32.80
Gilbert, Maricopa	32.80
Litchfield Park, Maricopa	32.80
McMicken, Maricopa	32.80
Marana, Pima	32.80
Phoenix, Maricopa	32.80
Picacho, Pinal	32.80
Safford, Graham	32.97
Willcox, Cochise	32.97
Yuma, Yuma	32.80

ARKANSAS

Arkadelphia, Clark	33.50
Ashdown, Little River	33.50
Batesville, Independence	33.50
Blytheville, Mississippi	33.55
Boughton, Nevada	33.50
Bradley, Lafayette	33.50
Brinkley, Monroe	33.55
Camden, Ouachita	33.50
Conway, Faulkner	33.50
Cotton Plant, Woodruff	33.55
Dardanelle, Yell	33.50
Dell, Mississippi	33.55
Dumas, Desha	33.53
Earle, Crittenden	33.55
England, Lonoke	33.53
Eudora, Chicot	33.52
Evadale, Mississippi	33.55
Fordyce, Dallas	33.50
Forrest City, St. Francis	33.55
Fort Smith, Sebastian	33.50
Gurdon, Clark	33.50
Harrisburg, Poinsett	33.55
Helena, Phillips	33.55
Hope, Hempstead	33.50
Hughes, St. Francis	33.55
Hulbert (P. O. West Memphis), Crittenden	33.59
Jonesboro, Craighead	33.55

ARKANSAS—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Junction City, Union	33.50
Leachville, Mississippi	33.55
Lepanto, Poinsett	33.55
Little Rock, Pulaski	33.53
Lonoke, Lonoke	33.53
McCrory, Woodruff	33.55
McGehee, Desha	33.53
Magnolia, Columbia	33.50
Malvern, Hot Springs	33.50
Marianna, Lee	33.55
Marked Tree, Poinsett	33.55
Marvell, Phillips	33.55
Morrilton, Conway	33.50
Nashville, Howard	33.50
Newport, Jackson	33.53
Osceola, Mississippi	33.55
Paragould, Greene	33.55
Pine Bluff, Jefferson	33.53
Portland, Ashley	33.50
Prescott, Nevada	33.50
Russellville, Pope	33.50
Searcy, White	33.53
Sparkman, Dallas	33.50
Trumann, Poinsett	33.55
Waldo, Columbia	33.50
Walnut Ridge, Lawrence	33.53
Warren, Bradley	33.50
West Memphis, Crittenden	33.59
Wilson, Mississippi	33.55
Wynne, Cross	33.55
CALIFORNIA	
Arvin, Kern	32.80
Bakersfield, Kern	32.80
Buttonwillow, Kern	32.80
Calico, Kern	32.80
Caruthers, Fresno	32.80
Chowchilla, Madera	32.80
Coalinga, Fresno	32.80
Corcoran, Kings	32.80
Firebaugh, Fresno	32.80
Five Points, Fresno	32.80
Fresno, Fresno	32.80
Hanford, Kings	32.80
Helm, Fresno	32.80
Huron, Fresno	32.80
Kerman, Fresno	32.80
Kingsburg, Fresno	32.80
Lemoore, Kings	32.80
Locke, Sacramento	32.80
McFarland, Kern	32.80
Madera, Madera	32.80
Oakland, Alameda	32.80
Pinedale, Fresno	32.80
Pond, Kern	32.80
Reedley, Fresno	32.80
Richmond, Contra Costa	32.80
San Francisco, San Francisco	32.80
San Joaquin, Fresno	32.80
San Jose, Santa Clara	32.80
San Pedro, Los Angeles	32.80
Selma, Fresno	32.80
Stockton, San Joaquin	32.80
Stratford, Kings	32.80
Tipton, Tulare	32.80
Tranquility, Fresno	32.80
Tulare, Tulare	32.80
Visalia, Tulare	32.80
FLORIDA	
Jay, Santa Rosa	33.63
Pensacola, Escambia	33.63
GEORGIA	
Abbeville, Wilcox	34.19
Adairsville, Bartow	34.31
Adrian, Emanuel	34.31
Alamo, Wheeler	34.19
Albany, Dougherty	34.19
Allentown, Wilkinson	34.31
Alma, Bacon	34.19
Alvaton, Meriwether	34.31
Americus, Sumter	34.19
Arlington, Calhoun	34.08
Ashburn, Turner	34.19
Athens, Clarke	34.43
Atlanta, Fulton	34.31

GEORGIA—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Augusta, Richmond	34.43
Bainbridge, Decatur	34.08
Barnesville, Lamar	34.31
Bartow, Jefferson	34.31
Baxley, Appling	34.19
Bishop, Oconee	34.43
Blackshear, Pierce	34.08
Blakely, Early	34.08
Braselton, Jackson	34.43
Bronwood, Terrell	34.19
Brooklet, Bulloch	34.31
Brunswick, Glynn	34.08
Buchanan, Haralson	34.31
Buena Vista, Marion	34.31
Buford, Gwinnett	34.31
Butler, Taylor	34.31
Byromville, Dooly	34.19
Cadwell, Laurens	34.31
Cairo, Grady	34.08
Calhoun, Gordon	34.31
Camilla, Mitchell	34.08
Canon, Franklin	34.43
Carrollton, Carroll	34.31
Cartersville, Bartow	34.31
Cedartown, Polk	34.31
Chauncey, Dodge	34.31
Chester, Dodge	34.31
Chipley, Harris	34.31
Claxton, Evans	34.19
Cochran, Bleckley	34.31
Coleman, Randolph	34.08
Colquitt, Miller	34.08
Columbus, Muscogee	34.31
Comer, Madison	34.43
Commerce, Jackson	34.43
Conyers, Rockdale	34.31
Cordele, Crisp	34.19
Covington, Newton	34.31
Culloden, Monroe	34.31
Cuthbert, Randolph	34.08
Dallas, Paulding	34.31
Dalton, Whitfield	34.31
Davisboro, Washington	34.31
Dawson, Terrell	34.19
Dexter, Laurens	34.31
Doerun, Colquitt	34.08
Donaldsonville, Seminole	34.08
Douglas, Coffee	34.19
Dublin, Laurens	34.31
Dudley, Laurens	34.31
Eastman, Dodge	34.31
East Point, Fulton	34.31
Eatonton, Putnam	34.31
Edison, Calhoun	34.08
Elberton, Elbert	34.43
Ellaville, Schley	34.31
Fairburn, Fulton	34.31
Farrar, Jasper	34.31
Fayetteville, Fayette	34.31
Findlay, Dooly	34.19
Fitzgerald, Ben Hill	34.19
Forsyth, Monroe	34.31
Fort Gaines, Clay	34.08
Fort Valley, Peach	34.31
Gainesville, Hall	34.43
Garfield, Emanuel	34.31
Gay, Meriwether	34.31
Glennville, Tattnall	34.19
Grantville, Coweta	34.31
Graymont, Emanuel	34.31
Greensboro, Greene	34.43
Greenville, Meriwether	34.31
Gresston, Dodge	34.31
Griffin, Spalding	34.31
Haralson, Coweta	34.31
Harrison, Washington	34.31
Hartsfield, Colquitt	34.08
Hartwell, Hart	34.43
Hawkinsville, Pulaski	34.31
Hogansville, Troup	34.31
Hollonville, Pike	34.31
Ideal, Macon	34.31
Jackson, Butts	34.31
Jefferson, Jackson	34.43
Jeffersonville, Twiggs	34.31
Jesup, Wayne	34.19

GEORGIA—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Jonesboro, Clayton	34.31
Kelly, Jasper	34.31
Kingston, Bartow	34.31
Kite, Johnson	34.31
Lafayette, Walker	34.31
LaGrange, Troup	34.31
Lavonia, Franklin	34.43
Lawrenceville, Gwinnett	34.31
Leary, Calhoun	34.08
Leesburg, Lee	34.19
Leslie, Sumter	34.19
Lilly, Dooly	34.19
Lincolnton, Lincoln	34.43
Locust Grove, Henry	34.31
Loganville, Walton	34.31
Louisville, Jefferson	34.31
Lumpkin, Stewart	34.19
Luthersville, Meriwether	34.31
Lyons, Toombs	34.19
McDonough, Henry	34.31
McRae, Telfair	34.19
Macon, Bibb	34.31
Madison, Morgan	34.31
Manchester, Meriwether	34.31
Mansfield, Newton	34.31
Marietta, Cobb	34.31
Marshallville, Macon	34.31
Meansville, Pike	34.31
Meigs, Thomas	34.08
Metter, Candler	34.31
Midville, Burke	34.31
Milan, Telfair	34.19
Milledgeville, Baldwin	34.31
Millen, Jenkins	34.31
Monroe, Walton	34.31
Montezuma, Macon	34.31
Monticello, Jasper	34.31
Montrose, Laurens	34.31
Moreland, Coweta	34.31
Moultrie, Colquitt	34.08
Newnan, Coweta	34.31
Ochlochnee, Thomas	34.08
Ocilla, Irwin	34.19
Oglethorpe, Macon	34.31
Omega, Tift	34.19
Orchard Hill, Spalding	34.31
Parrott, Terrell	34.19
Pelham, Mitchell	34.08
Perry, Houston	34.31
Pinehurst, Dooly	34.19
Pitts, Wilcox	34.19
Plains, Sumter	34.19
Portal, Bulloch	34.31
Pulaski, Candler	34.31
Quitman, Brooks	34.08
Rebecca, Turner	34.19
Pentz, Laurens	34.31
Reynolds, Taylor	34.31
Rhine, Dodge	34.31
Richland, Stewart	34.19
Roberta, Crawford	34.31
Rochelle, Wilcox	34.19
Rockmart, Polk	34.31
Rocky Ford, Screven	34.31
Rome, Floyd	34.31
Royston, Franklin	34.43
Rutledge, Morgan	34.31
Sandersville, Washington	34.31
Savannah, Chatham	34.31
Scotland, Telfair	34.19
Senoia, Coweta	34.31
Shady Dale, Jasper	34.31
Sharpsburg, Coweta	34.31
Shellman, Randolph	34.08
Shellman, Bartow	34.31
Social Circle, Walton	34.31
Soperton, Treutlen	34.31
Sparta, Hancock	34.31
Statesboro, Bulloch	34.31
Summit, Emanuel	34.31
Swainsboro, Emanuel	34.31
Sycamore, Turner	34.19
Sylvania, Screven	34.31
Sylvester, Worth	34.19
Tallapoosa, Haralson	34.31
Taylorsville, Bartow	34.31

GEORGIA—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Temple, Carroll	34.31
Tennille, Washington	34.31
Thomaston, Upson	34.31
Thomson, McDuffie	34.43
Tifton, Tift	34.19
Tignall, Wilkes	34.43
Toccoa, Stephens	34.43
Turin, Coweta	34.31
Twin City, Emanuel	34.31
Tyrone, Fayette	34.31
Unadilla, Dooly	34.19
Valdosta, Lowndes	34.08
Vidalia, Toombs	34.19
Vienna, Dooly	34.19
Villa Rica, Carroll	34.31
Wadley, Jefferson	34.31
Warrenton, Warren	34.43
Washington, Wilkes	34.43
Watkinsville, Oconee	34.43
Waynesboro, Burke	34.31
West Point, Troup	34.31
Williamson, Pike	34.31
Winder, Barrow	34.43
Woodbury, Meriwether	34.31
Woodland, Talbot	34.31
Wrightsville, Johnson	34.31
Zebulon, Pike	34.31

ILLINOIS

Cairo, Alexander	33.57

LOUISIANA

Alexandria, Rapides	33.50
Arcadia, Bienville	33.50
Bernice, Union	33.50
Bryceland, Bienville	33.50
Bunkie, Avoyelles	33.50
Chatham, Jackson	33.50
Choudrant, Lincoln	33.50
Coushatta, Red River	33.50
Delhi, Richland	33.51
Dubach, Lincoln	33.50
Farmerville, Union	33.50
Ferriday, Concordia	33.52
Franklinton, Washington	33.57
Gibsland, Bienville	33.50
Haynesville, Claiborne	33.50
Homer, Claiborne	33.50
Jonesboro, Jackson	33.50
Lake Charles, Calcasieu	33.50
Lake Providence, East Carroll	33.52
Logansport, De Soto	33.50
Mansfield, De Soto	33.50
Marion, Union	33.50
Minden, Webster	33.50
Monroe, Ouachita	33.50
Natchitoches, Natchitoches	33.50
Newellton, Tensas	33.52
New Orleans, Orleans	33.57
Oak Grove, West Carroll	33.51
Opelousas, Saint Landry	33.50
Plain Dealing, Bossier	33.50
Rayville, Richland	33.50
Ringgold, Bienville	33.50
Ruston, Lincoln	33.50
Shreveport, Caddo	33.50
Springhill, Webster	33.50
Tallulah, Madison	33.52
Winnsboro, Franklin	33.50
Westwego, Jefferson	33.57

MISSISSIPPI

Aberdeen, Monroe	33.63
Amory, Monroe	33.63
Batesville, Panola	33.63
Belmont, Tishomingo	33.63
Belzoni, Humphreys	33.57
Booneville, Prentiss	33.63
Brookhaven, Lincoln	33.59
Canton, Madison	33.63
Carthage, Leake	33.63
Clarksdale, Coahoma	33.57
Cleveland, Bolivar	33.57
Coffeeville, Yalobusha	33.63
Columbia, Marion	33.59
Columbus, Lowndes	33.63

MISSISSIPPI—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Como, Panola	33.63
Corinth, Alcorn	33.63
Drew, Sunflower	33.57
Durant, Holmes	33.63
Flora, Madison	33.57
Forest, Scott	33.59
Gloster, Amite	33.57
Goodman, Holmes	33.63
Greenville, Washington	33.57
Greenwood, Leflore	33.57
Grenada, Grenada	33.63
Gulfport, Harrison	33.57
Hattiesburg, Forrest	33.59
Hollandale, Washington	33.57
Holly Springs, Marshall	33.63
Houston, Chickasaw	33.63
Indianola, Sunflower	33.57
Inverness, Sunflower	33.57
Itta Bena, Leflore	33.57
Jackson, Hinds	33.59
Kosciusko, Attala	33.63
Laurel, Jones	33.59
Leland, Washington	33.57
Lexington, Holmes	33.57
Liberty, Amite	33.57
Louisville, Winston	33.63
McComb, Pike	33.59
Macon, Noxubee	33.63
Magee, Simpson	33.59
Magnolia, Pike	33.59
Marks, Quitman	33.57
Meridian, Lauderdale	33.63
Mount Olive, Covington	33.59
Natchez, Adams	33.57
New Albany, Union	33.63
Newton, Newton	33.59
Okolona, Chickasaw	33.63
Oxford, Lafayette	33.63
Philadelphia, Neshoba	33.63
Pontotoc, Pontotoc	33.63
Port Gibson, Claiborne	33.57
Prentiss, Jefferson Davis	33.59
Quitman, Clarke	33.59
Ripley, Tippah	33.63
Rolling Fork, Sharkey	33.57
Rosedale, Bolivar	33.57
Ruleville, Sunflower	33.57
Shaw, Bolivar	33.57
Shelby, Bolivar	33.57
Shuqualak, Noxubee	33.63
Sledge, Quitman	33.57
Summit, Pike	33.59
Tunica, Tunica	33.57
Tupelo, Lee	33.63
Tutwiler, Tallahatchie	33.57
Tylertown, Walthall	33.59
Union, Newton	33.63
Vicksburg, Warren	33.57
Water Valley, Yalobusha	33.63
Wesson, Copiah	33.59
West Point, Clay	33.63
Yazoo City, Yazoo	33.57

MISSOURI

Arbyrd, Dunklin	33.55
Caruthersville, Pemiscot	33.55
Charleston, Mississippi	33.53
Gideon, New Madrid	33.53
Hayti, Pemiscot	33.55
Kennett, Dunklin	33.53
Lilbourn, New Madrid	33.53
Malden, Dunklin	33.53
Portageville, New Madrid	33.55
Sikeston, Scott	33.53

NEVADA

All point origins	32.80

NEW MEXICO

Animas, Hidalgo	33.08
Artesia, Eddy	33.22
Carlsbad, Eddy	33.22
Deming, Luna	33.15
Hobbs, Lea	33.29
Las Cruces, Dona Ana	33.21
Lordsburg, Hidalgo	33.08

NEW MEXICO—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Lovington, Lea	33.29
Roswell, Chaves	33.22
Sage, Luna	33.15
Socorro, Socorro	33.21

NORTH CAROLINA

Avondale, Rutherford	34.55
Battleboro, Nash	34.45
Benson, Johnston	34.45
Bethel, Pitt	34.45
Bladenboro, Bladen	34.45
Bostic, Rutherford	34.55
Candor, Montgomery	34.55
Carthage, Moore	34.55
Charlotte, Mecklenburg	34.55
Cherryville, Gaston	34.55
Clayton, Johnston	34.45
Clinton, Sampson	34.45
Columbus, Polk	34.55
Concord, Cabarrus	34.55
Conway, Northampton	34.45
Dunn, Harnett	34.45
Durham, Durham	34.55
Edenton, Chowan	34.45
Elizabeth City, Pasquotank	34.45
Enfield, Halifax	34.45
Farmville, Pitt	34.45
Fayetteville, Cumberland	34.45
Forest City, Rutherford	34.55
Franklinton, Franklin	34.45
Gastonia, Gaston	34.55
Goldsboro, Wayne	34.45
Greensboro, Guilford	34.55
Gumberry, Northampton	34.45
Harris, Rutherford	34.55
Henderson, Vance	34.45
Hickory, Catawba	34.55
Hope Mills, Cumberland	34.45
Jackson, Northampton	34.45
Kings Mountain, Cleveland	34.55
Kinston, Lenoir	34.45
La Grange, Lenoir	34.45
Laurel Hill, Scotland	34.45
Laurinburg, Scotland	34.45
Lewiston, Bertie	34.45
Lilesville, Anson	34.55
Lincolnton, Lincoln	34.55
Littleton, Halifax	34.45
Louisburg, Franklin	34.45
Lumberton, Robeson	34.45
Marshville, Union	34.55
Matthews, Mecklenburg	34.55
Maxton, Robeson	34.45
Monroe, Union	34.55
Mooresville, Iredell	34.55
Morven, Anson	34.55
Mount Gilead, Montgomery	34.55
Mount Olive, Wayne	34.45
Murfreesboro, Hertford	34.45
Nashville, Nash	34.45
Newton, Catawba	34.55
Norlina, Warren	34.45
Parkton, Robeson	34.45
Pates, Robeson	34.45
Pembroke, Robeson	34.45
Pikesville, Wayne	34.45
Pinetops, Edgecombe	34.45
Raeford, Hoke	34.45
Raleigh, Wake	34.45
Ranlo, Gaston	34.55
Red Springs, Robeson	34.45
Reidsville, Rockingham	34.55
Rich Square, Northampton	34.45
Roanoke Rapids, Halifax	34.45
Rockingham, Richmond	34.55
Rocky Mount, Edgecombe	34.45
Rowland, Robeson	34.45
Rutherfordton, Rutherford	34.55
Saint Pauls, Robeson	34.45
Salisbury, Rowan	34.55
Sanford, Lee	34.55
Scotland Neck, Halifax	34.45
Seaboard, Northampton	34.45
Shelby, Cleveland	34.55
Smithfield, Johnston	34.45
Spring Hope, Nash	34.45

NORTH CAROLINA—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Stantonburg, Wilson	34.45
Statesville, Iredell	34.55
Tarboro, Edgecombe	34.45
Wadesboro, Anson	34.55
Wagram, Scotland	34.45
Wake Forest, Wake	34.45
Warrenton, Warren	34.45
Washington, Beaufort	34.45
Weldon, Halifax	34.45
Wilmington, New Hanover	34.45
Wilson, Wilson	34.45
Woodland, Northampton	34.45

OKLAHOMA

Ada, Pontotoc	33.50
Altus, Jackson	33.41
Anadarko, Caddo	33.41
Ardmore, Carter	33.50
Carter, Beckham	33.41
Chandler, Lincoln	33.41
Chickasha, Grady	33.41
Clinton, Custer	33.41
Cushing, Payne	33.50
Durant, Bryan	33.50
Elk City, Beckham	33.41
Erick, Beckham	33.41
Foss, Washita	33.41
Frederick, Tillman	33.41
Guthrie, Logan	33.41
Hobart, Kiowa	33.41
Hugo, Choctaw	33.50
Lawton, Comanche	33.41
McAlester, Pittsburg	33.50
Mangum, Greer	33.41
Marlow, Stephens	33.41
Mountain View, Kiowa	33.41
Muskogee, Muskogee	33.50
Oklahoma City, Oklahoma	33.41
Pauls Valley, Garvin	33.41
Purcell, McClain	33.41
Ryan, Jefferson	33.41
Sentinel, Washita	33.41
Shawnee, Pottawatomie	33.50
Snyder, Kiowa	33.41
Stroud, Lincoln	33.50
Tipton, Tillman	33.41
Waurika, Jefferson	33.41
Weleetka, Okfuskee	33.50
Wynnewood, Garvin	33.41

SOUTH CAROLINA

Abbeville, Abbeville	34.55
Aiken, Aiken	34.55
Allendale, Allendale	34.45
Anderson, Anderson	34.55
Andrews, Georgetown	34.45
Angelus, Chesterfield	34.55
Ashwood, Lee	34.45
Atkins, Lee	34.45
Bamberg, Bamberg	34.45
Barnwell, Barnwell	34.45
Batesburg, Lexington	34.55
Belton, Anderson	34.55
Bennettsville, Marlboro	34.45
Bethune, Kershaw	34.55
Bishopville, Lee	34.45
Blacksburg, Cherokee	34.55
Blackstock, Fairfield	34.55
Blackville, Barnwell	34.45
Blair, Fairfield	34.55
Blaney, Kershaw	34.55
Blenheim, Marlboro	34.45
Bowman, Orangeburg	34.45
Boykin, Kershaw	34.55
Brunson, Hampton	34.45
Calhoun Falls, Abbeville	34.55
Camden, Kershaw	34.55
Cameron, Calhoun	34.45
Campobello, Spartanburg	34.55
Carlisle, Union	34.55
Catawba, York	34.55
Cateechee, Pickens	34.55
Centenary, Marion	34.45
Central, Pickens	34.55
Chappells, Newberry	34.55
Charleston, Charleston	34.45

SOUTH CAROLINA—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Cheraw, Chesterfield	34.55
Chesnee, Spartanburg	34.55
Chester, Chester	34.55
Chesterfield, Chesterfield	34.55
Clinton, Laurens	34.55
Clio, Marlboro	34.45
Clover, York	34.55
Columbia, Richland	34.55
Conestee, Greenville	34.55
Cope, Orangeburg	34.45
Cordova, Orangeburg	34.45
Cowpens, Spartanburg	34.55
Crockettville, Hampton	34.45
Cross Anchor, Spartanburg	34.55
Cross Hill, Laurens	34.55
Darlington, Darlington	34.45
Davis Station, Clarendon	34.45
Denmark, Bamberg	34.45
Dillon, Dillon	34.45
Drake, Marlboro	34.45
Due West, Abbeville	34.55
Dunbar, Marlboro	34.45
Dunbarton, Barnwell	34.45
Duncan, Spartanburg	34.55
Easley, Pickens	34.55
Edgefield, Edgefield	34.55
Ehrhardt, Bamberg	34.45
Elko, Barnwell	34.45
Ellenton, Aiken	34.55
Elliott, Lee	34.45
Elloree, Orangeburg	34.45
Enoree, Spartanburg	34.55
Estill, Hampton	34.45
Eureka, Aiken	34.55
Eutawville, Orangeburg	34.45
Fairfax, Allendale	34.45
Fairforest, Spartanburg	34.55
Fairmont, Spartanburg	34.55
Filbert, York	34.55
Fingerville, Spartanburg	34.55
Florence, Florence	34.45
Fountain Inn, Greenville	34.55
Gaffney, Cherokee	34.55
Gray Court, Laurens	34.55
Greenville, Greenville	34.55
Greenwood, Greenwood	34.55
Greer, Greenville	34.55
Hamer, Dillon	34.45
Hampton, Hampton	34.45
Hartsville, Darlington	34.45
Heath Springs, Lancaster	34.55
Hickory Grove, York	34.55
Holly Hill, Orangeburg	34.45
Honea Path, Anderson	34.55
Inman, Spartanburg	34.55
Iva, Anderson	34.55
Jefferson, Chesterfield	34.55
Jenkinsville, Fairfield	34.55
Johnsonville, Florence	34.45
Johnston, Edgefield	34.55
Jonesville, Union	34.55
Kershaw, Kershaw	34.55
Kings Creek, Cherokee	34.55
Kingstree, Williamsburg	34.45
Kinsler Siding, Richland	34.55
Kline, Barnwell	34.45
Kollock, Marlboro	34.45
Lake City, Florence	34.45
Lamar, Darlington	34.45
Lancaster, Lancaster	34.55
Landrum, Spartanburg	34.55
Lanford, Laurens	34.55
Latta, Dillon	34.45
Laurens, Laurens	34.55
Leesville, Lexington	34.55
Lester, Marlboro	34.45
Liberty, Pickens	34.55
Little Rock, Dillon	34.45
Lowrys, Chester	34.55
Lugoff, Kershaw	34.55
Luray, Hampton	34.45
Lynchburg, Lee	34.45
McBee, Chesterfield	34.55
McColl, Marlboro	34.45
McCormick, McCormick	34.55
Manning, Clarendon	34.45

SOUTH CAROLINA—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Marion, Marion	34.45
Maulding, Greenville	34.55
Mayesville, Sumter	34.45
Mount Carmel, McCormick	34.55
Mount Croghan, Chesterfield	34.55
Mullins, Marion	34.45
Neeses, Orangeburg	34.45
Newberry, Newberry	34.55
Newry, Oconee	34.55
New Zion, Clarendon	34.45
Ninety Six, Greenwood	34.55
Norris, Pickens	34.55
North, Orangeburg	34.45
Norway, Orangeburg	34.45
Olanta, Florence	34.45
Olar, Bamberg	34.45
Orangeburg, Orangeburg	34.45
Oswego, Sumter	34.45
Owings, Laurens	34.55
Pageland, Chesterfield	34.55
Pamplico, Florence	34.45
Parksville, McCormick	34.55
Pelzer, Anderson	34.55
Pendleton, Anderson	34.55
Pickens, Pickens	34.55
Piedmont, Greenville	34.55
Plum Branch, McCormick	34.55
Pomaria, Newberry	34.55
Princeton, Laurens	34.55
Remini, Clarendon	34.45
Richburg, Chester	34.55
Ridge Springs, Saluda	34.55
Ridgeway, Fairfield	34.55
Rock Hill, York	34.55
Roebuck, Spartanburg	34.55
Rowesville, Orangeburg	34.45
Salley, Aiken	34.55
Saluda, Saluda	34.55
Sandy Springs, Anderson	34.55
Scotia, Hampton	34.45
Seigling, Allendale	34.45
Sellers, Marion	34.45
Seneca, Oconee	34.55
Sharon, York	34.55
Silver, Clarendon	34.45
Simpsonville, Greenville	34.55
Six Mile, Pickens	34.55
Smoaks, Colleton	34.45
Spartanburg, Spartanburg	34.55
Springfield, Orangeburg	34.45
Starr, Anderson	34.55
St. Matthews, Calhoun	34.45
Summerton, Clarendon	34.45
Sumter, Sumter	34.45
Swansea, Lexington	34.55
Syracuse, Darlington	34.45
Tatum, Marlboro	34.45
Timmonsville, Florence	34.45
Trenton, Edgefield	34.55
Union, Union	34.55
Vance, Orangeburg	34.45
Van Wyck, Lancaster	34.55
Wagener, Aiken	34.55
Walhalla, Oconee	34.55
Wallace, Hampton	34.45
Walterboro, Colleton	34.45
Waterloo, Laurens	34.55
Wedgefield, Sumter	34.45
Westminster, Oconee	34.55
West Union, Oconee	34.55
Whitmire, Newberry	34.55
Whitney, Spartanburg	34.55
Williamston, Anderson	34.55
Williston, Barnwell	34.45
Windsor, Aiken	34.55
Winnsboro, Fairfield	34.55
Wisacky, Lee	34.45
Wolfton, Orangeburg	34.45
Woodruff, Spartanburg	34.55
York, York	34.55

TENNESSEE

Appleton, Lawrence	33.75
Brownsville, Haywood	33.61
Chattanooga, Hamilton	34.19
Covington, Tipton	33.61

TENNESSEE—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Decherd, Franklin	33.97
Dyersburg, Dyer	33.61
Elora, Lincoln	33.86
Fayetteville, Lincoln	33.86
Five Points, Lawrence	33.75
Halls, Lauderdale	33.61
Henderson, Chester	33.63
Humboldt, Gibson	33.61
Jackson, Madison	33.63
Knoxville, Knox	34.19
Lawrenceburg, Lawrence	33.75
Loretto, Lawrence	33.75
Memphis, Shelby	33.63
Milan, Gibson	33.61
Murfreesboro, Rutherford	33.86
Ripley, Lauderdale	33.61
South Pittsburgh, Marion	34.08
Tiptonville, Lake	33.61
Winchester, Franklin	33.97

TEXAS

Abernathy, Hale	33.32
Abilene, Taylor	33.39
Ackerly, Dawson	33.32
Afton, Dickens	33.39
Aiken, Floyd	33.32
Alba, Wood	33.50
Alvarado, Johnson	33.41
Amherst, Lamb	33.32
Anson, Jones	33.39
Anton, Hockley	33.32
Aspermont, Stonewall	33.39
Athens, Henderson	33.50
Atlanta, Cass	33.50
Austin, Travis	33.41
Austonio, Houston	33.41
Avery, Red River	33.50
Baileyboro, Bailey	33.32
Bakersfield, Pecos	33.29
Ballinger, Runnels	33.39
Balmorhea, Reeves	33.29
Barry, Navarro	33.41
Bartlett, Bell	33.41
Beaumont, Jefferson	33.50
Beckville, Panola	33.50
Belton, Bell	33.41
Bertram, Burnett	33.41
Big Spring, Howard	33.32
Bledsoe, Cochran	33.32
Bloomburg, Cass	33.50
Bogata, Red River	33.50
Bonham, Fannin	33.50
Bovina, Parmer	33.32
Brady, McCulloch	33.39
Brenham, Washington	33.41
Broadview, Lubbock	33.32
Brownfield, Terry	33.32
Brownsville, Cameron	33.32
Brownwood, Brown	33.41
Bryan, Brazos	33.41
Bula, Bailey	33.32
Bynum, Hill	33.41
Caldwell, Burleson	33.41
Calvert, Robertson	33.41
Cameron, Milam	33.41
Carthage, Panola	33.50
Celina, Collin	33.41
Center, Shelby	33.50
Chapel Hill, Washington	33.41
Childress, Childress	33.39
Chillicothe, Hardeman	33.41
Clarksville, Red River	33.50
Cleburne, Johnson	33.41
Coble, Hockley	33.32
Coleman, Coleman	33.39
Colorado City, Mitchell	33.39
Commerce, Hunt	33.50
Cooper, Delta	33.50
Corpus Christi, Nueces	33.37
Corsicana, Navarro	33.41
Crockett, Houston	33.41
Crosbyton, Crosby	33.32
Cuero, DeWitt	33.41
Daingerfield, Morris	33.50
Dallas, Dallas	33.41
Dean, Hockley	33.32

TEXAS—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Dean, Clay	33.41
Dean, Leon	33.41
Decatur, Wise	33.41
Denison, Grayson	33.50
Denton, Denton	33.41
Deport, Lamar	33.50
Dimmit, Castro	33.32
Dublin, Erath	33.41
Eden, Concho	33.39
Edgewood, Van Zandt	33.50
El Campo, Wharton	33.41
Elgin, Bastrop	33.41
Elkhart, Anderson	33.41
El Paso, El Paso	33.21
Elysian Fields, Harrison	33.50
Emhouse, Navarro	33.41
Enloe, Delta	33.50
Ennis, Ellis	33.41
Enochs, Bailey	33.32
Fabens, El Paso	33.21
Fairfield, Freestone	33.41
Farwell, Parmer	33.32
Fauna, Harris	33.50
Floydada, Floyd	33.39
Forney, Kaufman	33.41
Fort Stockton, Pecos	33.29
Fort Worth, Tarrant	33.41
Frisco, Collin	33.41
Gainesville, Cooke	33.50
Galveston, Galveston	33.50
Ganado, Jackson	33.41
Garland, Dallas	33.50
Gary, Panola	33.50
Gatesville, Coryell	33.41
Gilmer, Upshur	33.50
Gonzales, Gonzales	33.41
Grand Saline, Van Zandt	33.50
Grandview, Johnson	33.41
Granger, Williamson	33.41
Grapeland, Houston	33.41
Grassland, Lynn	33.32
Greenville, Hunt	33.50
Hale Center, Hale	33.32
Hamilton, Hamilton	33.41
Hamlin, Jones	33.39
Harlingen, Cameron	33.32
Hart, Castro	33.32
Haskell, Haskell	33.39
Hearne, Robertson	33.41
Hebron, Denton	33.41
Hedley, Donley	33.39
Henderson, Rusk	33.50
Hillsboro, Hill	33.41
Hobans, Reeves	33.29
Honey Grove, Fannin	33.50
Houston, Harris	33.50
Hubbard, Hill	33.41
Hughes Spring, Cass	33.50
Huntsville, Walker	33.41
Hutto, Williamson	33.41
Irene, Hill	33.41
Itasca, Hill	33.41
Jacksonville, Cherokee	33.50
Jarrell, Williamson	33.41
Jayton, Kent	33.39
Jefferson, Marion	33.50
Jewett, Leon	33.41
Kaufman, Kaufman	33.50
Kenedy, Karnes	33.37
Kerens, Navarro	33.41
Killeen, Bell	33.41
Knox City, Knox	33.39
Krum, Denton	33.41
Ladonia, Fannin	33.50
LaGrange, Fayette	33.41
Lamesa, Dawson	33.32
Levelland, Hockley	33.32
Lindale, Smith	33.50
Littlefield, Lamb	33.32
Lobo, Culberson	33.22
Lockhart, Caldwell	33.41
Lockney, Floyd	33.32
Longview, Gregg	33.50
Loraine, Mitchell	33.39
Lorenzo, Crosby	33.32
Lovelady, Houston	33.41
Lubbock, Lubbock	33.32

TEXAS—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Lueders, Jones	33.39
McAdoo, Dickens	33.39
McCamey, Upton	33.29
McGregor, McLennan	33.41
McLean, Gray	33.39
McKinney, Collin	33.50
Madisonville, Madison	33.41
Marfa, Presidio	33.22
Marlin, Falls	33.41
Marshall, Harrison	33.50
Mart, McLennan	33.41
Maypearl, Ellis	33.41
Meadow, Terry	33.32
Memphis, Hall	33.39
Mereta, Tom Green	33.39
Merkel, Taylor	33.39
Mexia, Limestone	33.41
Midland, Midland	33.32
Midlothian, Ellis	33.41
Mineola, Wood	33.50
Monahans, Ward	33.29
Morton, Cochran	33.32
Mount Pleasant, Titus	33.50
Muleshoe, Bailey	33.32
Munday, Knox	33.39
Nacogdoches, Nacogdoches	33.50
Naples, Morris	33.50
Navasota, Grimes	33.41
Needmore, Bailey	33.32
Needmore, Delta	33.50
New Boston, Bowie	33.50
New Braunfels, Comal	33.41
Nocona, Montague	33.41
Norton, Runnels	33.39
O'Donnell, Lynn	33.32
Old Glory, Stonewall	33.39
Olton, Lamb	33.32
Omaha, Morris	33.50
Paducah, Cottle	33.39
Palestine, Anderson	33.41
Paris, Lamar	33.50
Patricia, Dawson	33.32
Peacock, Stonewall	33.39
Pecos, Reeves	33.29
Petersburg, Hale	33.32
Pettit, Hockley	33.32
Pilot Point, Denton	33.41
Pittsburg, Camp	33.50
Plainview, Hale	33.32
Plano, Collin	33.50
Post, Garza	33.32
Presidio, Presidio	33.22
Princeton, Collin	33.50
Quanah, Hardeman	33.41
Quitaque, Briscoe	33.32
Quitman, Wood	33.50
Ralls, Crosby	33.32
Raymondville, Willacy	33.32
Rice, Navarro	33.41
Roans Prairie, Grimes	33.41
Roaring Springs, Motley	33.39
Robstown, Nueces	33.37
Roby, Fisher	33.39
Rochelle, McCulloch	33.39
Rochester, Haskell	33.39
Rockwall, Rockwall	33.50
Roscoe, Nolan	33.39
Rosebud, Falls	33.41
Rotan, Fisher	33.39
Rowlett, Dallas	33.50
Royce City, Rockwall	33.50
Rule, Haskell	33.39
Salado, Bell	33.41
San Angelo, Tom Green	33.39
San Augustine, San Augustine	33.50
San Marcos, Hays	33.41
Saragosa, Reeves	33.29
Schulenburg, Fayette	33.41
Seagraves, Gaines	33.32
Seguin, Guadalupe	33.41
Seymour, Baylor	33.41
Shallowater, Lubbock	33.32
Shamrock, Wheeler	33.39
Sherman, Grayson	33.50
Shiner, Lavaca	33.41
Shiro, Grimes	33.41
Silverton, Briscoe	33.32

TEXAS—Continued

City and county—Continued	Basis Middling White 15/16" loan rate
Slaton, Lubbock	33.32
Snyder, Scurry	33.39
Spade, Mitchell	33.39
Spade, Lamb	33.32
Spur, Dickens	33.39
Stamford, Jones	33.39
Stanton, Martin	33.32
Streetman, Freestone	33.41
Sudan, Lamb	33.32
Sugar Land, Fort Bend	33.50
Sulphur Springs, Hopkins	33.50
Sweetwater, Nolan	33.39
Swenson, Stonewall	33.39
Taft, San Patricio	33.37
Tahoka, Lynn	33.32
Tarzan, Martin	33.32
Tatum, Rusk	33.50
Taylor, Williamson	33.41
Teague, Freestone	33.41
Temple, Bell	33.41
Tenaha, Shelby	33.50
Terrell, Kaufman	33.50
Texarkana, Bowie	33.50
Texas City, Galveston	33.50
Timber, Montgomery	33.50
Timpson, Shelby	33.50
Troup, Smith	33.50
Turkey, Hall	33.32
Twitty, Wheeler	33.39
Tyler, Smith	33.50
Valley Mills, Bosque	33.41
Van Horn, Culberson	33.22
Venus, Johnson	33.41
Vernon, Wilbarger	33.41
Victoria, Victoria	33.41
Waco, McLennan	33.41
Wall, Tom Green	33.39
Waxahachie, Ellis	33.41
Wellington, Collinsworth	33.39
Weslaco, Hidalgo	33.32
West, McLennan	33.41
Whitewright, Grayson	33.50
Wichita Falls, Wichita	33.41
Wills Point, Van Zandt	33.50
Wilson, Lynn	33.32
Winnsboro, Wood	33.50
Winters, Runnels	33.39
Wolfe City, Hunt	33.50
Wolfforth, Lubbock	33.32
Yoakum, Lavaca	33.41
Yorktown, DeWitt	33.41
VIRGINIA	
Brodnax, Brunswick	34.45
Kenbridge, Lunenburg	34.45
Norfolk, Norfolk	34.45

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interprets or applies sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1954; 15 U. S. C. 714c, 7 U. S. C. 1441, 1421.)

Issued this 18th day of August 1955.

[SEAL] WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 55-6875; Filed, Aug. 25, 1955; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6328]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

WALTER E. SCHWANHAUSSER ET AL.

Subpart—*Maintaining resale prices:* § 13.1130 *Contracts and agreements;* § 13.1146 *Enforcement;*[1] Legalizing statutes;[1] § 13.1147 *Governmental purchasing;*[1] § 13.1150 *Penalties;* § 13.1167 *Trade-in restrictions.*[1] In connection with the offering for sale, sale, or distribution in commerce of projectors and accessories, or any related or similar product or products, regardless of the name or names under which the same are sold: (1) Restricting, limiting, or attempting to restrict or limit, through or by the use of any sales policy, resale price contract or agreement, or by any other means or method, the amount or amounts which any dealer or other party or parties, to whom respondents have sold any product or products, may grant or give as a trade-in allowance on the resale of any such product or products; (2) restricting, limiting, or attempting to restrict or limit, through the use of any sales policy, resale price contract or agreement, or by any other means or method, the type, grade, class, or nature of any article which any dealer or other party or parties, to whom respondents have sold their product or products, may accept for a trade-in allowance on the resale of any such product or products; (3) enforcing, or attempting to enforce, any resale price maintenance contract or agreement, to which respondents are parties, by any means or methods other than those provided in statute or statutes legalizing such contracts or agreements; (4) requiring, or attempting to require, any party or parties, with whom respondents have entered into any resale price maintainance contract or agreement, to pay them, directly or indirectly, for their benefit or that of anyone else, any amount or amounts, regardless of how calculated, because of any violation of such contract or agreement by such party or parties; (5) requiring, or attempting to require, any party or parties, to whom respondents have sold any products for the purpose of resale, to pay them, directly or indirectly, for their own benefit or that of anyone else, any amount or amounts, regardless of how calculated, because of any violation by such party or parties of any sales policy of the respondents relating to prices, discounts, trade-in allowances, or any other subject connected with the resale of any such product; (6) requiring, or attempting to require, dealers to observe the terms of resale price maintenance contracts or agreements in making resales of any product purchased from the respondents, to any governmental body or agency, where such resale price maintenance is not permitted by statute, other legal methods, or by the terms of such contracts or agreements; and (7) enforcing, or attempting to enforce, by any means or methods not authorized by statute the resale price or terms of sale of any product or products purchased from the respondents; prohibited.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Walter E. Schwanhausser et al. d. b. a. Charles Beseler Company, Newark, N. J., Docket 6328, July 8, 1955]

In the Matter of Walter E. Schwanhausser, Raymond N. Haas and H. Herbert Myers, Individually and as Partners Doing Business Under the Trade Name of Charles Beseler Company

This proceeding was heard by Frank Hier, hearing examiner, upon the complaint of the Commission which charged respondents with unlawfully extending the "fair trade" laws, in connection with the offer and sale of their film projectors and accessories, through putting illegal restrictions and requirements on customers reselling the same; and upon an agreement between respondents and counsel supporting the complaint, which provided for entry of a consent order and which was submitted to said hearing examiner.

By the terms of said agreement, respondents admitted all the jurisdictional allegations set forth in the complaint; agreed that the record in the matter might be taken as if the Commission had made findings of jurisdictional facts in accordance with such allegations; expressly waived the filing of answers, a hearing before a hearing examiner or the Commission, the making of findings of fact or conclusions of law by the hearing examiner or the Commission, the filing of exceptions or oral argument before the Commission, and all further and other procedure before the hearing examiner and the Commission to which respondents might be entitled under the Federal Trade Commission Act or the Rules of Practice of the Commission.

Respondents further agreed that the order provided for should have the same force and effect as if made after a full hearing, presentation of evidence and findings and conclusions thereon and specifically waived any and all right, power, or privilege to challenge or contest the validity of the order provided for in the agreement, which further provided that it, together with the complaint, should constitute the entire record in the matter and should be filed with the hearing examiner for his consideration in accordance with § 3.25 (f) of the Commission's Rules of Practice as amended May 21, 1955; that the complaint in the proceeding might be used in construing the terms of the order agreed upon, which order, if adopted, might be altered, modified, or set aside in the manner provided by the Federal Trade Commission Act for orders of the Commission; that it was subject to approval in accordance with §§ 3.21 and 3.25 (f) of the Commission's Rules of Practice, as amended May 21, 1955, and that said order should have no force and effect unless and until it became the order of the Commission; and that it was for settlement purposes only and did not constitute an admission by any respondent that he had violated the law as alleged in the complaint.

Thereafter, on the basis of the foregoing, the hearing examiner made his initial decision in which he set out said matters; concluded that the proceeding was in the public interest; and that it was an appropriate disposition of the proceeding; and in conformity with the

[1] New.

action contemplated and agreed upon, made his order to cease and desist.

Thereafter, said initial decision, including said order, as announced and decreed by "Decision of the Commission and Order To File Report of Compliance", dated June 24, 1955, became, on July 8, 1955, pursuant to § 3.21 of the Commission's Rules of Practice, the decision of the Commission.

Said order to cease and desist is as follows:

It is ordered, That Walter E. Schwanhausser, Raymond N. Haas and H. Herbert Myers, individually and as partners doing business in the name of Charles Beseler Company, or in any other name, their agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution in commerce of projectors and accessories, or any related or similar product or products, regardless of the name or names under which the same are sold, do forthwith cease and desist from:

1. Restricting, limiting or attempting to restrict or limit, through or by the use of any sales policy, resale price contract or agreement, or by any other means or method, the amount or amounts which any dealer or other party or parties, to whom they have sold any product or products, may grant or give as a trade-in allowance on the resale of any such product or products;

2. Restricting, limiting, or attempting to restrict or limit, through the use of any sales policy, resale price contract or agreement, or by any other means or method, the type, grade, class, or nature of any article which any dealer or other party or parties, to whom respondents have sold their product or products, may accept for a trade-in allowance on the resale of any such product or products;

3. Enforcing, or attempting to enforce, any resale price maintenance contract or agreement, to which they are parties, by any means or methods other than those provided in statute or statutes legalizing such contracts or agreements;

4. Requiring, or attempting to require, any party or parties, with whom they have entered into any resale price maintenance contract or agreement, to pay them, directly or indirectly, for their benefit or that of anyone else, any amount or amounts, regardless of how calculated, because of any violation of such contract or agreement by such party or parties;

5. Requiring, or attempting to require, any party or parties, to whom respondents have sold any products for the purpose of resale, to pay them, directly or indirectly, for their own benefit or that of anyone else, any amount or amounts, regardless of how calculated, because of any violation by such party or parties of any sales policy of the respondents relating to prices, discounts, trade-in allowances, or any other subject connected with the resale of any such product;

6. Requiring, or attempting to require, dealers to observe the terms of resale price maintenance contracts or agreements in making resales of any product purchased from the respondents, to any governmental body or agency, where such resale price maintenance is not permitted by statute, other legal methods, or by the terms of such contracts or agreements;

7. Enforcing, or attempting to enforce, by any means or methods not authorized by statute the resale price or terms of sale of any product or products purchased from the respondents.

By said "Decision of the Commission," etc., report of compliance was required as follows:

It is ordered, that the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 24, 1955.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F. R. Doc. 55-6925; Filed, Aug. 25, 1955; 8:49 a. m.]

TITLE 7—AGRICULTURE

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

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART—REGULATIONS GOVERNING INSPECTION AND CERTIFICATION [1]

INSPECTION SERVICE

Pursuant to the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., 7 U. S. C. 1621 et seq.), § 52.52 of the existing regulations governing the inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (§§ 52.1 to 52.87, 20 F. R. 4842) is amended, effective as of the date of the publication of this document in the FEDERAL REGISTER, by relettering present paragraph (b) thereof as (c) and by inserting, immediately prior thereto, a new paragraph (b) reading as follows:

(b) Irrespective of fees and charges prescribed in the foregoing sections, the Administrator may enter into a written memorandum of understanding or contract, whichever may be appropriate, with any administrative agency charged with the administration of a marketing agreement or a marketing order effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et. seq.) for the making of inspections pursuant to said agreement or order on such basis as will reimburse the Agricultural Marketing Service of the Department for the full cost of rendering such inspection service including an appropriate overhead charge to cover as nearly as practicable administrative overhead expenses as may be determined by the Administrator. Likewise, the Administrator may enter into a written memorandum of understanding or contract, whichever may be appropriate, with an administrative agency charged with the administration of a similar program operated pursuant to the laws of any State.

Notice of proposed rule making, public procedure thereon, and the delaying of the making of this document effective as of the date of the publication of it in the FEDERAL REGISTER impracticable, unnecessary, and contrary to the public interest because: (1) It is anticipated that the Inspection Service will soon have occasion to make numerous inspections and certifications in connection with the types of programs referred to in this amendment under circumstances which will justify the charging of somewhat different fees than are otherwise prescribed in such regulations; (2) it is necessary that this amendment be made effective prior to the time that such different fees are fixed or agreed upon; and (3) additional time is not required for compliance with this amendment.

(Sec. 205, 60 Stat. 1090; 7 U. S. C. 1624)

Dated: August 23, 1955.

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

[F. R. Doc. 55-6950; Filed, Aug. 25, 1955; 8:52 a. m.]

[1] Among such other processed food products are the following: Honey; molasses, except for stockfeed; nuts and nut products, except oil; sugar (cane, beet and maple); sirups (blended), sirups, except from grain; marine food products, except oil.

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

Subchapter A—Marketing Orders

[Tokay Grape Order 1]

PART 951—TOKAY GRAPES GROWN IN SAN JOAQUIN AND SACRAMENTO COUNTIES IN CALIFORNIA

REGULATION BY GRADES AND SIZES

§ 951.319 *Tokay Grape Order 1*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 51, as amended (7 CFR Part 951) regulating the handling of Tokay grapes grown in San Joaquin and Sacramento Counties in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the Industry 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 Tokay grapes, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this

section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than August 27, 1955. A reasonable determination as to the supply of, and the demand for, Tokay grapes must await the development of the crop and adequate information thereon was not available to the Industry Committee until August 18, 1955; recommendation as to the need for, and the extent of, grade and size regulation was made at the meeting of said committee on August 18, 1955, after consideration of all available information relative to the supply and demand conditions for such grapes, at which time the recommendations and information were transmitted to the Department; shipments of the current crop of such grapes are expected to begin on or about August 28, 1955, and this section should be applicable to all shipments of such grapes in order to effectuate the declared policy of the act; and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., August 27, 1955, and ending at 12:01 a. m., P. s. t., January 1, 1956, no shipper shall ship:

(i) Any Tokay grapes produced in the Florin District which do not meet the grade and size specifications of U. S. No. 1 Table Grapes: *Provided,* That there shall be allowed, in addition to the tolerances provided for U. S. No. 1 Table Grapes, for each container of such grapes an aggregate tolerance of ten (10) percent, by weight, for defects not considered serious damage, for bunches smaller than the minimum size specified for U. S. No. 1 Table Grapes, and for bunches which are not fairly well colored; or

(ii) Any Tokay grapes produced in the Lodi District which do not meet the grade and size specifications of U. S. No. 1 Table Grapes and the following additional requirements:

(*a*) Each bunch of such grapes shall have at least 65 percent, by count, of berries which are fairly well colored;

(*b*) Of the 25 percent, by count, of the berries of each such bunch which are attached to the lower part of the main stem, including laterals, at least 30 percent, by count, shall be fairly well colored; and

(*c*) In lieu of the tolerances for variations incident to proper grading and handling provided for U. S. No. 1 Table Grapes, not more than a total of 6 percent, by weight, of the Tokay Grapes contained in any container may fail to meet the requirements of U. S. No. 1 Table Grapes.

(2) *Application of tolerance.* In connection with the grade requirements and tolerances established in subparagraph (1) (ii) of this paragraph, the application of tolerances to individual packages provided in the U. S. Standards for Table Grapes shall apply except that no container of Tokay grapes shall have more than one-half of one percent, by weight, of berries affected by decay.

(3) *Definitions.* As used in this section, "handler," "shipper," "ship," "Lodi District," "Florin District," "bunch," and "size" shall have the same meaning as when used in the amended marketing agreement and order; and "U. S. No. 1 Table Grapes," "fairly well colored," "serious damage," and "decay," shall have the same meaning as when used in the United States Standards for Table Grapes, as recodified (§§ 51.880 to 51.911 of this title; 18 F. R. 7101).

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

Dated: August 23, 1955.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-6912; Filed, Aug. 25, 1955; 8:46 a. m.]

PART 994—PECANS GROWN IN GEORGIA, ALABAMA, FLORIDA, MISSISSIPPI, AND SOUTH CAROLINA

SUSPENSION OF GRADE AND SIZE REGULATION

Pursuant to the provisions of § 994.4 of Marketing Agreement No. 111 and Order No. 94 regulating the handling of pecans grown in Georgia, Alabama, Florida, Mississippi, and South Carolina (7 CFR, Part 994), effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the Act, the Pecan Administrative Committee, the administrative agency thereunder, has recommended to the Department that the presently effective grade and size regulation (18 F. R. 7162) be suspended and that no other minimum standards be made effective at this time.

The reasons for the suspension action herein taken are as follows:

(1) The 1955 production of pecans in the five-State production area above specified is estimated at 14 million pounds, as compared with 38 million pounds in 1954, and the 1944–53 average of 69 million pounds, and shipments from this area for inshell distribution are expected to be considerably below the relatively small quantity shipped in 1954–55, which approximates 5,600,000 pounds, as compared with shipments in 1953–54 of approximately 18,000,000 pounds;

(2) The average price of pecans to growers in the five-State production area is above parity and is expected to continue above parity until the end of the 1955–56 fiscal period; and

(3) The usage of those minimum standards which could be placed in effect when prices are above parity would under indicated conditions of small production and shipments result in excessively high per unit administrative and inspection costs.

After consideration of all relevant matters, it is hereby found and determined that the continuance in effect of the grade and size regulation (§ 994.102, 18 F. R. 7162) will not, after the effective time of this document, tend to effectuate the declared policy of the act. Therefore, such regulation is hereby suspended as of that time. The effect of this action is that, during the period of this suspension, no grade and size regulation on such pecans will be in effect.

It is found that good cause exists for making this administrative rule effective upon its publication in the FEDERAL REGISTER, instead of waiting 30 days after such publication for the reasons that: (1) Prices to growers are now above parity and are expected to continue above parity during the 1955–56 fiscal period, and therefore the presently effective grade and size regulation should be suspended without delay; (2) the suspension will be a relaxation of requirements under the order; and (3) no advance preparation on the part of handlers will be necessary to comply therewith.

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

Issued at Washington, D. C., this 23d day of August 1955, to become effective upon publication of this document in the FEDERAL REGISTER.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division.

[F. R. Doc. 55-6951; Filed, Aug. 25, 1955; 8:52 a. m.]

Subchapter B—Prohibitions of Imported Commodities

PART 1069—LIMES

LIME REGULATION NO. 1

§ 1069.1 *Lime Regulation No. 1.* (a) On and after the effective time of this section, the importation into the United States of any lot of limes which in the aggregate exceeds 250 pounds, net weight, is prohibited unless:

(1) Such limes grade at least U. S. No. 2: *Provided,* That (i) a tolerance of 15 percent (including the tolerances provided in such grade) shall be allowed for limes not meeting the requirements of such grade; and (ii) the requirement of such grade that the limes shall have good green color shall be applicable only to limes known as large fruited or Persian limes (including Tahiti, Bearss, and similar varieties).

(2) Each such importation is made in conformance with the General Regulations (Part 1060 of this subchapter) applicable to the importation of listed commodities and the requirements of this section: *Provided,* That the provisions of § 1060.4 (e) of the General Regulations shall not apply.

(b) The Federal Inspection Service is hereby designated to perform, through inspectors authorized or licensed by such Service, the inspection and certification prescribed in § 1060.3 *Eligible imports* of the aforesaid General Regulations. Such inspection and certification services will

be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in Southern California, importers of limes should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the limes will be imported:

Ports	Office	Advance notice
All Texas points	George B. Crisp, Jeffers Bldg., P. O. Box 111, Harlingen, Tex. (Telephone Garfield 3-1240.)	1 day.
All Arizona points	R. H. Bertelson, Room 202 Trust Bldg., 305 American Ave., P. O. Box 1646, Nogales, Ariz. (Telephone 484.)	1 day.
All California points	Carley D. Williams, 284 Wholesale Terminal Bldg., 784 S. Central Ave., Los Angeles 21, Calif. (Telephone Vandike 8756.)	3 days.
All other points	E. E. Conklin, Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, AMS, Washington 25, D. C. Telephone Republic 7-4142, Ext. 5870.)	3 days.

(c) The terms "U. S. No. 2," and "good green color" shall have the same meaning as when used in the United States Standards for Persian (Tahiti) Limes, as recodified (§ 51.1001 of this title; 18 F. R. 7107), and all other terms shall have the same meaning as when used in the General Regulations (Part 1060 of this subchapter). Copies of the grade standards may be obtained upon request to any office of the Federal or Federal-State Inspection Service of this Department.

It is hereby found that it is impracticable and contrary to the public interest to postpone the effective time of this regulation beyond that hereinafter specified (5 U. S. C. 1001 et seq.) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), which makes such regulation mandatory; (b) the requirements of this import regulation are the same as those in effect on domestic shipments of limes under Lime Order 1, as amended (§ 101.301, 20 F. R. 4711, 4897); (c) the General Regulations relating to the prohibitions of imported commodities were published in the FEDERAL REGISTER issue of November 30, 1954 (19 F. R. 7707, 8012); (d) notice that this action was being considered was published in the FEDERAL REGISTER issue of August 9, 1955 (20 F. R. 5732), and interested parties were afforded an opportunity to submit written data, views, or arguments for consideration in connection therewith; (e) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time; (f) notice hereof in excess of three days, the minimum that is prescribed by said section 8e, is given with respect to this import regulation; and (g) such notice is hereby determined, under the circumstances, to be reasonable.

(Sec. 401 (e), 68 Stat. 907; 7 U. S. C. 608e)

Done at Washington, D. C., this 23d day of August 1955, to become effective at 12:01 a. m., e. s. t., September 12, 1955.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 55-6952; Filed, Aug. 25, 1955; 8:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Supp. 21]

PART 3—AIRPLANE AIRWORTHINESS: NORMAL, UTILITY, AND ACROBATIC CATEGORIES

VERTICAL SURFACE MANEUVERING LOADS

This supplement is issued to clarify the application of tail surface maneuvering loads as a design condition for the fuselage structure. Section 3.219–1 as published in 16 F. R. 3287, April 14, 1951, is amended by designating the existing paragraph as "(a)" and adding the following new subparagraphs (1) and (2).

§ 3.219–1 *Vertical surface maneuvering loads (CAA policies which apply to § 3.219).* (a) The specified maneuvering loads * * *

(1) When the Figures 3–3, 3–7, 3–8, and 3–9 are used to compute the specified maneuvering loads on the vertical tail surfaces, it is not necessary to include the lg balancing load for unaccelerated flight which acts on the horizontal tail surfaces in considering the effects of the vertical tail loads on the fuselage.

(2) When rational methods are used, the maneuvering loads on the vertical tail surfaces and the lg horizontal balancing tail load should be applied simultaneously for the structural loading condition.

This supplement shall become effective September 19, 1955.

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

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

[F. R. Doc. 55-6948; Filed, Aug. 25, 1955; 8:52 a. m.]

[Civil Air Regs., Amdt. 41-4]

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

MISCELLANEOUS AMENDMENTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 22d day of August 1955.

Currently effective § 41.52 of Part 41 of the Civil Air Regulations requires in part that a pilot in command or second in command, in order to maintain pilot technique in any aircraft of a particular type in which he is to serve in air transportation at night, shall have made at least one take-off and landing at night in that particular type of aircraft within the preceding ninety days. On the other hand, § 40.301 of Part 40, "Pilot recent experience," does not contain any requirement for night landings and take-offs within the preceding ninety days. Although § 40.282, "Initial pilot flight training," requires training for pilots in night operation in each type of airplane to be flown by them in scheduled operations, Part 41 contains only the generalization in § 41.53, "Periodic flight checks and instruction," that pilots in command must receive training under certain specified conditions and does not specifically require night operations. The Board has determined that the requirement for recent night landings is not essential to the safety of air carrier operations provided that adequate provision is made for night landings in the air carrier's initial pilot training program. Therefore, this amendment incorporates into Part 41 the basic provisions of §§ 40.301 and 40.282 (a) of Part 40.

Currently effective Part 41 does not contain any provisions such as those in Part 40 which permit a scheduled domestic air carrier under specified conditions to conduct over-the-top operations by day below the established minimum en route altitude, and which permit such an air carrier to make an entry into an instrument approach procedure below the altitude specified by the administrator for such procedure. At the time this provision was incorporated into Part 40 by amendment, it did not appear necessary that it also be included in Part 41. However, it has since become apparent that such a provision can appropriately be utilized in Part 41 operations. Accordingly, this amendment incorporates into Part 41 provisions similar to those currently contained in Part 40.

In addition, an erroneous reference in § 41.34 is corrected by deleting the reference to § 41.35 and inserting in lieu thereof the reference § 41.33.

The foregoing amendments were the subject of a notice of proposed rule making (19 F. R. 5645) which was circulated to interested persons as Draft Release No. 54–20. This draft release also contained certain proposals relating to aircraft dispatcher daily duty time limitations, instrument approach procedures, and approach and landing limitations. Final disposition of these latter proposals is not being made at this time but will be the subject of separate rule making actions at a later date.

The Board has under development a complete revision of the format of Part 41. In the course of this revision it is intended that consideration be given to many substantive issues covering the international air carrier certification and operating rules which have been raised in recent years. However, the Board has determined that justification exists for

proceeding with the amendments described herein at this time.

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

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 41 of the Civil Air Regulations (14 CFR Part 41, as amended) effective September 26, 1955:

1. By amending § 41.34 by deleting the reference "§ 41.35" and inserting in lieu thereof the reference "§ 41.33".

2. By amending § 41.52 to read as follows:

§ 41.52 *Initial pilot flight training and recent experience.* (a) Flight training for each pilot shall include at least take-offs and landings, during day and night, and normal and emergency flight maneuvers in each type of airplane to be flown by him in scheduled operations, and flight under simulated instrument flight conditions.

(b) No air carrier shall schedule a pilot in command or second in command to serve as such in scheduled air transportation unless within the preceding 90 days he has made at least three take-offs and three landings in the airplane of the particular type on which he is to serve.

3. By amending § 41.114 by changing the title of paragraph (b) to read "Night VFR or IFR operations (including over-the-top)" and by adding a new paragraph (c) to read as follows:

§ 41.114 *Flight altitude rules.* * * *

(c) *Daytime over-the-top operations below minimum en route altitudes.* Over-the-top operations may be conducted at flight altitudes lower than the minimum en route IFR altitudes by day only and in accordance with the following provisions:

(1) Such operations shall be conducted at least 1,000 feet above the top of lower broken or overcast cloud cover;

(2) The top of the lower cloud cover shall be generally uniform and level;

(3) Flight visibility shall be at least five miles;

(4) The base of any higher broken or overcast cloud cover shall be generally uniform and level and shall be at least 1,000 feet above the minimum en route IFR altitude for the route segment.

4. By amending § 41.117 to read as follows:

§ 41.117 *Altitude maintenance on initial approach.* (a) When making an initial approach to a radio navigational facility on instruments or on top of overcast (excluding over-the-top conducted in accordance with the provisions of § 41.114 (c)), an airplane shall not descend below the pertinent minimum altitude for initial approach specified by the Administrator for such facility until arrival over the radio facility has been definitely established;

(b) When making an initial approach on a flight being conducted in accordance with the provisions of § 41.114 (c), a pilot shall not commence an instrument approach until arrival over the radio facility has definitely been established. In executing an instrument approach procedure under such circumstances, the airplane shall not be flown at an altitude lower than 1,000 feet above the top of the lower cloud or the minimum altitude specified by the Administrator for that portion of the instrument approach procedure being flown, whichever is the lower.

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

By the Civil Aeronautics Board.

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

[F. R. Doc. 55-6955; Filed, Aug. 25, 1955; 8:53 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[7th Gen. Rev. of Export Regs., Amdt. 38 [1]]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 374—PROJECT LICENSES

MISCELLANEOUS AMENDMENTS

1. Section 373.71 *Supplement 1; Time schedules for submission of applications for licenses to export certain Positive List commodities* is amended to read as follows:

TIME SCHEDULES FOR SUBMISSION OF APPLICATIONS FOR LICENSES TO EXPORT CERTAIN POSITIVE LIST COMMODITIES [1]—THIRD AND FOURTH QUARTERS OF 1955

Dept. of Commerce Schedule B No.	Commodity	Submission dates	
		Third quarter, 1955	Fourth quarter, 1955
630050	Aluminum scrap (new and old)	Before Sept. 1, 1955	
630070	Aluminum remelt ingots		
641200	Refined copper in cathodes, billets, ingots, wire bars and other crude forms (including anodes) of foreign origin or produced from foreign origin materials, including refined copper produced under toll or conversion agreements.	Before Aug. 19, 1955.[2]	
641300	Copper scrap (new and old) containing 40 percent or more copper.	Before Sept. 15, 1955	
644000	Copper-base alloy scrap (new and old) containing 40 percent or more copper.		
644100	Copper-base alloy ingots and other crude forms		
619159	Selenium powder	June 1-15, 1955	Sept. 1-15, 1955.
622098	Ferroselenium		
664998	Selenium metal, except selenium-bearing scrap materials.		
829810	Selenium-containing rubber compounding agents not of coal tar origin: accelerators.		
839750	Selenium salts of organic compounds		
839900	Selenium salts and compounds, including selenium dioxide.		
842900	Selenium-containing pigments		

[1] Applications for licenses to export commodities for which no specified filing dates are announced may be submitted at any time (see § 372.5 (c) of this subchapter). Export applications for commodities requiring a validated license when moving in transit through the United States may be submitted at any time and are not subject to specified filing dates (see note following § 372.6 (d) of this subchapter).

[2] Applications submitted before Sept. 15, 1955 pursuant to letters filed in accordance with § 373.41 (d) (2) (ii) shall also be given consideration provided they meet all requirements of the regulations, including evidence of availability.

2. Section 374.1 *Project licenses* is amended in the following particulars:

Notes 1 and 2 following paragraph (c) are amended to read as follows:

NOTE: 1. *Project license identification.* If a project license is issued, it will be given a license number with either the prefix "SP" (if approved as a Special Project license) or with the prefix "DL" (if approved as a Dollar Limit license). The "SP" or "DL" prefix will be followed with the license number and an additional symbol to indicate the code of the product division in the Bureau of Foreign Commerce which is responsible for issuing the license and for handling any other matters with respect to that license. The symbol "P" indicates the Producers Equipment Division, "F" the Finished Products Division, "M" the Materials Division, and "A" the Agricultural and Chemical Products Division. As an example, License Number "DL-113-P" indicates that a Dollar Limit type of project license has been issued (DL), that number "113" is the numerical sequence of license issuance and that the Producers Equipment Division (P) of the BFC is responsible for handling all matters with respect to that license.

2. *Consultation with the Bureau of Foreign Commerce.* Prospective applicants for new project licenses should consult with the Bureau of Foreign Commerce so that a determination may be made as to whether the use of the project licensing procedure is justified. Where the prospective applicant is unable to determine which product division in BFC is responsible for licensing the bulk of the commodities required for a project or program, this information may be obtained from the Exporters Service Section, Operations Division, BFC.

3. Section 374.2 *Application procedure* is amended in the following particulars:

a. Subparagraph (2) *Preparation of acknowledgement card* of paragraph (b) is amended to read as follows:

(2) *Preparation of acknowledgement card.* Form IT- or FC-116, Acknowledgement Card, shall be prepared in accordance with § 372.5 (a) with the following exceptions:

(i) In the Schedule B Number item, the applicant should enter "Project License."

(ii) The processing code item shall not be completed.

(iii) In the commodity description item, the name of the project shall be entered.

In returning the Acknowledgement Card to the applicant, the BFC will in-

[1] This amendment was published in Current Export Bulletin No. 754, dated August 18, 1955.

sert a code symbol in the processing code item to indicate the name of the product division to which the application has been assigned for processing. Any contacts with the BFC with regard to the application should be made with the indicated division. The code symbols used are as follows:

P—Producers Equipment Division.
F—Finished Products Division.
M—Materials Division.
A—Agricultural and Chemical Products Division.

b. Subdivision (i) *Restricted commodities* of paragraph (c) (1) is amended by adding at the end thereof the following: "Each Form IT– or FC–375 shall indicate the full license number, including the symbol prefix (SP or DL) and division code symbol, of the project license to which it refers."

c. Subdivision (i) *Manner of submission* of paragraph (c) (2) is amended by adding between the second and third sentences thereof the following: "Each Form IT– or FC–375 shall indicate the full license number, including the symbol prefix (SP or DL) and division code symbol, of the project license to which it refers."

4. Section 374.3 *Amendments to licenses* is amended in the following particulars:

a. Subdivision (i) of subparagraph (1) *Submission of requests* of paragraph (a) is amended to read as follows:

(i) Requests for extension of an SP or DL Project License must be submitted by letter, in duplicate, at least 30 days prior to the current expiration date of the license. The letter should contain the full license number, including the symbol prefix (SP or DL) and division code symbol, of the project license to which it refers, the reasons for requesting an extension, the approximate percentage of completion of the project or program and the approximate date of completion, as well as a statement as to whether the scope of the project or program has changed materially. If there is a change in the scope of the project or program and/or the level of requirements, the procedure as outlined in paragraph (b) below should be complied with.

b. The first unnumbered paragraph of paragraph (b) *All other amendments* is amended to read as follows:

(b) *All other amendments.* Requests for amendments to project licenses which materially change the scope of the project or program or materially change the level of requirements from the United States, as well as amendments covering such other changes as addition of an intermediate consignee, change in name of the licensee, addition of another ultimate consignee, etc., shall indicate the full license number, including the symbol prefix (SP or DL) and division code symbol of the project license to which it relates and shall be submitted as follows:

5. Section 374.4 *Export clearance* is amended in the following particulars:

The second sentence of subparagraph (1) of paragraph (b) *Shipper's export declaration* is amended to read as follows: "The licensee shall enter on the Declaration the full license number, including the symbol prefix (SP or DL) and division code symbol of the project license to which it relates."

This amendment shall become effective as of August 18, 1955.

(Sec. 3, 63 Stat. 7, as amended; 50 U. S. C. App. 2023. E. O. 9630, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,
Bureau of Foreign Commerce.

[F. R. Doc. 55–6863; Filed, Aug. 25, 1955; 8:45 a. m.]

[7th Gen. Rev. of Export Regs., Amdt. P. L. 21 [1]]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

The revised entries set forth below are substituted for entries presently on the Positive List. Where the Positive List contains more than one entry under a Schedule B number, the entry to be superseded is identified by a numerical reference in parentheses following the commodity description in the revised entry:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Abrasive products (report abrasive refuse in 596098; and diamond compounds in 540910):				
541400	Honing abrasive stones for use on power-driven metal-working machines, and made of, or incorporating, drains of silicon carbide, boron carbide or fused aluminum oxide.[3]	Lb.	TOOL 2	100	R
541400	Other whetstones, sticks, files, and blocks of manufactured abrasives made of, or incorporating, grains of silicon carbide, boron carbide or fused aluminum oxide.[18]	Lb.	CDGS	100	R
640100	Copper ores, concentrates, matte, and other unrefined copper (copper content). (1 and 2).[18]	Content Lb.	NONF	1,000	RO
711510	Gas turbines, except aircraft (report aircraft turbines in 794631). (2) [18]	No.	GIEQ 9	None	RO
711900	Parts, n. e. c., especially fabricated for gas turbines, except aircraft. (Specify horsepower.) (Report parts for aircraft turbines in 794814.) (3) [18]	----------	GIEQ 9	100	RO
	Internal-combustion engines, n. e. c., and parts, n. e. c.:				
	Diesel and semi-Diesel (specify brake horsepower at normal speed, and RPM):				
714500	Marine, 50 up to and including 200 brake horsepower, when the nonmagnetic content exceeds 50 percent of total weight. (1) [13]	No.	TRAN	None	RO
714500	Other marine, 50 up to and including 200 brake horsepower. (2) [13]	No.	TRAN	None	R
714620	Other marine, over 200, up to and including 500 brake horsepower. (2) [13]	No.	TRAN 7	None	R
714640	Other marine, over 500, up to and including 1,000 brake horsepower. (2) [13]	No.	TRAN 7	None	R
714660	Marine, over 1,000 brake horsepower when the nonmagnetic content exceeds 50 percent of total weight.[13]	No.	TRAN 7	None	RO
714660	Other marine, over 1,000 up to but not incuding 1,500 brake horsepower.[5 17]	No.	TRAN 7	None	R
714660	Other marine, 1,500 brake horsepower and over.[13]	No.	TRAN 7	None	RO
	Other, including tractor engines (specify brake horsepower at normal speed, and revolutions per minute):				
714710	50 up to and including 200 brake horsepower [13]	No.	TRAN 7	None	R
714720	Over 200, up to and including 500 brake horsepower.[13]	No.	TRAN 7	None	R
714740	Over 500, up to and including 1,000 brake horsepower.[13]	No.	TRAN 7	None	R
714760	Over 1,000, up to but not including 1,500 brake horsepower.[5 17]	No.	TRAN 7	None	R
714760	1,500 brake horsepower and over [13]	No.	TRAN 7	None	RO
715900	Parts and accessories, n. e. c., specially fabricated for Diesel engines included on the Positive List under Schedule B Nos. 714500 through 714760 for which validated license is required to R country destinations only. (Specify type of engine, brake horsepower, and revolutions per minute.) [13]	----------	TRAN	500	R
715900	Parts and accessories, n. e. c., specially fabricated for Diesel engines included on the Positive List under Schedule B Nos. 714500 through 714760 for which validated license is required to both R and O country destinations. (Specify type of engine, brake horsepower, and RPM.) [4 13 16]	----------	TRAN	500	RO
	Off-the-road haulage vehicles (report tractors separately under appropriate Schedule B number):				
722027	Off-the-road haulage trucks having a maximum rated axle carrying capacity (with pay load) of 47,500 pounds or over. (1) [15]	No.	CONS 1	None	R
722027	Chassis of off-the-road haulage trucks having a maximum rated axle carrying capacity (with pay load) of 47,500 pounds or over. (2) [15]	No.	CONS 1	None	R
722027	Off-the-road wagons or trailers having a maximum rated axle carrying capacity (with pay load) of 30,000 pounds or over. (3) [23]	No.	CONS 1	None	R
722027	Chassis of off-the-road wagons or trailers having a maximum rated axle carrying capacity (with pay load) of 30,000 pounds or over. (4) [23]	No.	CONS 1	None	R

See footnotes at end of table.

[1] This amendment was published in Current Export Bulletin No. 754, dated August 18, 1955.

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
	Earth and rock drilling machines, n. e. c., and parts, n. e. c.:				
	Rock drill bits, core drill bits, and reamers (including well drilling machine bits and reamers):				
730870	Rotary rock drill bits, core drill bits, and reamers containing tungsten carbide.[13 22]	No.	MINE 3	100	RO
730875	Bits and reamers containing diamonds. (Specify carat weight of contained diamonds.) [13]	No.	MINE 3	100	RO
730880	Other rotary rock drill bits, core drill bits, and reamers.[13 22]	No.	MINE 3	100	RO
730890	Parts, and accessories, n. e. c., specially fabricated for rotary rock drill bits, core drill bits, and reamers (report tool bit blanks and inserts in 617905 and 618903.) [22]	----------	MINE 3	100	RO
	Power-driven metal working machine tools (non-portable), and parts:				
	Artillery and ammunition lathes (specify by name):				
740308	Cartridge-case lathes. (1) [18]	No.	TOOL	None	RO
740308	Gun barrel trepanning lathes. (1) [18]	No.	TOOL	None	RO
740308	Gun-boring lathes. (1) [18]	No.	TOOL	None	RO
740308	Gun jump screw lathes. (1) [18]	No.	TOOL	None	RO
740308	Shell lathes. (1) [18]	No.	TOOL	None	RO
744305	Honing machines and combination honing and lapping machines (except gear) with multiple work stations (report gear honing and lapping machines in 741200).[3]	No.	TOOL 2	500	RO
	Accessories and attachments, n. e. c., for power-driven nonportable machine tools, n. e. c.:				
	Metal-cutting tools and specially fabricated parts, n. e. c., for machine operation (not incorporating industrial diamonds) (specify by name) (report metal-cutting dies incorporating industrial diamonds in 745503):				
744381	Hollow deep hole drills [11 13 18]	----------	TOOL 1	250	RO
744381	Surface broaching tools [11 13 18]	----------	TOOL 1	250	RO
	Physical properties testing and inspecting machines, n. e. c., and specially fabricated parts and accessories, n. e. c. (report mass spectrometer type leak detectors in 919060):				
766990	Testing and inspecting machines incorporating transonic, supersonic or ultrasonic generators designed for operation at 17,000 cycles per second or over, and specially fabricated parts, n. e. c. (3) [13 24]	----------	GIEQ	None	RO
	Geophysical and mineral prospecting equipment, and specially fabricated parts, n. e. c. (specify by name):				
766995	Well-logging instruments and equipment, and specially fabricated parts, n. e. c. (report isotopes in 829940). (4) [13]	----------	MINE	100	RO
	Pumping equipment, n. e. c. (specify type of pump by generic name according to following classifications):				
770900	Centrifugal pumps designed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 200 g. p. m. (Specify pressure and delivery capacity.) [15]	No.	CONS 3	None	RO
770900	Centrifugal pumps having all flow-contact surfaces made of any of the following materials, either separately or combined: (a) 10 percent or more chromium, nickel, or silicon; (5) 50 percent or more cobalt or molybdenum: (c) 90 percent or more tantalum, titanium, or zirconium (d) polytetrafluoroethylene (e. g., Teflon), or polytrifluorochloroethylene (e. g., Kel-F). (Specify metal content in percent.) [15]	No.	CONS 3	None	RO
770910	Turbine pumps designed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 200 g. p. m. (Specify pressure and delivery capacity.) [11 13 15]	No.	CONS 3	None	RO
770910	Turbine pumps having all flow-contact surfaces made of any of the following materials, either separately or combined: (a) 10 percent or more chromium, nickel, or silicon; (b) 50 percent or more cobalt or molybdenum; (c) 90 percent or more tantalum, titanium, or zirconium; (d) polytetrafluoroethylene (e. g., Teflon), or polytrifluorochloroethylene (e. g., Kel-F). (Specify metal content in percent.) [11 13 15]	No.	CONS 3	None	RO
	Pumping equipment, n. e. c. (specify type of pump by generic name according to following classifications)—Continued				
770920	Rotary pumps designed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 200 g. p. m. (Specify pressure and delivery capacity.) [11 13 15]	No.	CONS 3	None	RO
770920	Rotary pumps having all flow-contact surfaces made of any of the following materials, either separately or combined: (a) 10 percent or more chromium, nickel, or silicon: (b) 50 percent or more cobalt or molybdenum; (c) 90 percent or more tantalum, titanium or zirconium; (d) polytetrafluoroethylene (e. g., Teflon), or polytrifluorochloroethylene (e. g., Kel-F). (Specify metal content in percent.) [11 13 15]	No.	CONS 3	None	RO
770930	Diaphragm pumps having all flow-contact surfaces made of any of the following materials, either separately or combined: (a) 10 percent or more chromium, nickel, or silicon; (b) 50 percent or more cobalt or molybdenum; (c) 90 percent or more tantalum, titanium, or zirconium; (d) polytetraflouroethylene (e. g. Teflon), or polytrifluorochloroethylene (e. g., Kel-F). (Specify metal content in percent.) [11 13 15]	No.	CONS 3	None	RO
770940	Reciprocating steam pumps designed to produce pressures of 450 p. s. i. or more and with a delivery capacity exceeding 200 g. p. m. (Specify pressure and delivery capacity.) [11 13 15]	No.	CONS 3	None	RO
770940	Reciprocating steam pumps having all flow-contact surfaces made of any of the following materials, either separately or combined: (a) 10 percent or more chromium, nickel, or silicon; (b) 50 percent or more cobalt or molybdenum; (c) 90 percent or more tantalum, titanium, or zirconium; (d) polytetrafluoroethylene (e. g., Teflon), or polytrifluorochloroethylene (e. g., Kel-F). (Specify metal content in percent.) [11 13 15]	No.	CONS 3	None	RO
770950	Other reciprocating pumps designed to produce pressures of 450 p. s. i. or more and with a delivery capacity of 200 g. p. m. (Specify pressure and delivery capacity.) [11 13 15]	No.	CONS 3	None	RO
770950	Other reciprocating pumps having all flow-contact surfaces made of any of the following materials, either separately or combined: (a) 10 percent or more chromium, nickel, or silicon; (b) 50 percent or more cobalt or molybdenum; (c) 90 percent or more tantalum, titanium, or zirconium; (d) polytetrafluoroethylene (e. g., Teflon), or polytrifluorochloroethylene (e. g., Kel-F). (Specify metal content in percent.) [11 13 15]	No.	CONS 3	None	RO
770980	Pumps, n. e. c., designed to move molten metals by electromagnetic forces. (Specify that pumps are so designed.) [11 13 15]	No.	CONS 3	None	RO
770980	Pumps, n. e. c., designed to produce pressures of 450 p. s. i., or more and with a delivery capacity exceeding 200 g. p. m. (Specify pressure and delivery capacity.) [11 13 15]	No.	CONS 3	None	RO
770980	Pumps, n. e. c., having all flow-contact surfaces made of any of the following materials, either separately or combined: (a) 10 percent or more chromium, nickel, or silicon; (b) 50 percent or more cobalt or molybdenum; (c) 90 percent or more tantalum, titanium, or zirconium; (d) polytetrafluoroethylene (e. g., Teflon), or polytrifluorochloroethylene (e. g., Kel-F). (Specify metal content in percent.) [11 13 15]	No.	CONS 3	None	RO
	Parts for commercial automobiles, trucks and busses:				
791280	Leaf springs, and spring leaves, for replacement [1]	Lb.	TRAN 6	500	R
	Explosives:				
860700	Jet perforators. (1) [18]	Lb.	MINE 4	250	RO
860700	Oil well bullets. (1) [18]	Lb.	MINE 4	250	RO

See footnotes at end of table.

[1] The GLV dollar-value limit is increased.
[3] The processing code is changed or related commodity group number is changed (see § 372.5 (f)).
[4] The letter "A" is added in the column headed "Commodity Lists," indicating that the commodity is subject to the IC/DV procedure (see § 373.2), effective Oct. 3, 1955.
[5] The letter "A" is deleted in the column headed "Commodity Lists," indicating that the commodity is no longer subject to the IC/DV procedure (see § 373.2).

[11] The letter "E" is deleted in the column headed "Commodity Lists," indicating that the commodity may no longer be exported under the Periodic Requirements licensing procedure (see Part 376), effective Sept. 19, 1955.
[12] The letter "F" is deleted in the column headed "Commodity Lists," indicating that the commodity may no longer be exported under the Foreign Distribution licensing procedure (see Part 378), effective Sept. 19, 1955.
[13] The letter "G" is deleted in the column headed "Commodity Lists," indicating that the commodity may be exported to Group O destinations under General License GLV within the $500 dollar-value limit (see § 371.10 (c)).
[16] The destination control is changed from R to RO, effective Aug. 25, 1955.
[17] The destination control is changed from RO to R.
[18] The commodity description is revised without change in coverage.
[22] The commodity coverage is increased, effective Aug. 25, 1955.
[23] The entry is revised to read 30,000 instead of 26,000 pounds or over.
[24] The entry is revised to read 17,000 instead of 1,700 cycles per second or over.

This amendment shall become effective as of August 18, 1955, unless otherwise indicated in the footnotes.

Shipments of any commodities removed from general license to Country Group R or Country Group O destinations as a result of changes set forth above, which were on dock for lading, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., August 25, 1955, may be exported under the previous general license provisions up to and including September 19, 1955. Any such shipment not laden aboard the exporting carrier on or before September 19, 1955, requires a validated license for export.

(Sec. 3, 63 Stat. 7, as amended; 50 U. S. C. App. 2023. E. O. 9630, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,
Bureau of Foreign Commerce.

[F. R. Doc. 55-6864; Filed, Aug. 25, 1955; 8:45 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.265]

PART 75—UNITED STATES MUNITIONS LIST; ENUMERATION OF ARMS, AMMUNITION, AND IMPLEMENTS OF WAR, INCLUDING TECHNICAL DATA RELATING THERETO; AND REGULATIONS GOVERNING SAME

The regulations governing the international traffic in arms, ammunition, and implements of war, including technical data relating thereto, issued on November 25, 1953, as amended, are hereby revoked and superseded in their entirety by the issuance of the following regulations.

DEFINITIONS AND INTERPRETATIONS

GENERAL PROVISIONS AND DEFINITIONS

AUTHORITY: §§ 75.1 to 75.195 issued under sec. 414, 68 Stat. 848. Sec. 103, E. O. 10575, 19 F. R. 7251; 3 CFR, 1954 Supp.

DEFINITIONS AND INTERPRETATIONS

GENERAL PROVISIONS AND DEFINITIONS

§ 75.1 *General.* (a) The list of articles designated as arms, ammunition, and implements of war pursuant to the authority of the Mutual Security Act of 1954 and Executive Order No. 10575 cited earlier in this part shall be named the United States Munitions List.

(b) The term "article" shall mean any of the arms, ammunition, and implements of war enumerated in the United States Munitions List.

§ 75.2 *Definition of technical data.* The term "technical data", as used in this part, means any professional, scientific or technical information relating to arms, ammunition, and implements of war. The term includes but is not limited to any model, design, photographic negative, document or other articles or material containing plans or specifications.

§ 75.3 *Definition of aircraft.* As used in § 75.10, Category X, the term "aircraft" shall include piloted, pilotless, and robot aircraft and non-expansible balloons in excess of 3,000 cubic feet capacity.

§ 75.4 *Definition of helium.* The word "helium" shall be understood to mean "contained helium" at standard atmospheric pressure (14.7 pounds per square inch) and 70° Fahrenheit. The term "contained helium" means the actual quantity of the element helium (i. e. 100 percent pure helium) in terms of cubic feet present in a mixture of helium and other gases. Purity determinations shall be made by usually recognized methods.

UNITED STATES MUNITIONS LIST

§ 75.10 *Enumeration of articles.* Pursuant to the authority cited supra, the following articles are hereby designated as arms, ammunition, and implements of war.

CATEGORY I—SMALL ARMS AND MACHINE GUNS

(a) Rifles, carbines, revolvers, pistols, machine pistols and machine guns using ammunition of caliber .22 or over except weapons using only caliber .22 rim-fire ammunition.

(b) The following accessories and attachments for such arms: bayonets, slings, straps, gun mounts, belts, links and magazines. All

components and parts for machine guns. Barrels and breech mechanisms for rifles, carbines, pistols and revolvers.

CATEGORY II—ARTILLERY AND PROJECTORS

(a) Guns, howitzers, cannon, mortars, tank destroyers, rocket launchers, military flame throwers, military smoke projectors and recoilless rifles.

(b) Components and parts and the following accessories and attachments: mounts and carriers.

CATEGORY III—AMMUNITION

(a) Ammunition of caliber .22 or over for the arms enumerated in Categories I and II hereof except caliber .22 rim-fire ammunition.

(b) The following components, parts, accessories and attachments: cartridge cases, powder bags, bullets, jackets, cores, shells (excluding shotgun), projectiles, boosters, percussion caps, fuses or fuses and components thereof, primers, and other detonating devices for such ammunition.

CATEGORY IV—BOMBS, TORPEDOES, ROCKETS, AND GUIDED MISSILES

(a) Bombs, torpedoes, grenades (including smoke grenades), smoke canisters, rockets, mines, guided missiles, depth charges, fire bombs, and incendiary bombs.

(b) Apparatus and devices for the handling, control, activation, discharge, detonation, or detection of items enumerated in paragraph (a) of this category.

(c) Military fuel thickeners (see § 75.12).

(d) Components and parts including but not limited to fuses or fuses and components thereof; bomb racks and shackles; bomb shackle release units; bomb ejectors; torpedo tubes; torpedo and guided missile boosters; launching racks, projectors; control mechanisms and control systems; pistols (exploders); igniters; detonators; mine detectors; fuse or fuse arming devices; and the following items related thereto: intervalometers and components thereof; bomb lift trucks; bomb and torpedo handling trucks; trailers, hoists, and skids for handling bombs; guided missile launchers.

CATEGORY V—FIRE CONTROL EQUIPMENT AND RANGE FINDERS

(a) Fire control, gun tracking and infrared and other nightsighting equipment; range, position, and height finders, and spotting instruments; aiming devices (electronic, gyroscopic, optic and acoustic); bomb sights, gun sights, and periscopes for the arms, ammunition, and implements of war enumerated herein.

(b) Components, parts, accessories and attachments specifically designed for the articles enumerated in this category.

CATEGORY VI—TANKS AND ORDNANCE VEHICLES

(a) Tanks, military type armed or armored vehicles, ammunition trailers, and amphibious vehicles (land vehicles capable of limited endurance in water), military half tracks, military type tank recovery vehicles, gun carriers, and automotive vehicles or chassis embodying all-wheel drive and equipped with one or both of the following features to meet special military requirements: adaptation features for deep water fording and sealed electrical systems.

(b) Components, parts, accessories and attachments specifically designed for the tanks and ordnance vehicles enumerated in this category.

CATEGORY VII—CHEMICAL AND BIOLOGICAL AGENTS

(a) Chemical or biological agents adapted for use in war to produce death or disablement in human beings or animals or to damage crops.

(b) Equipment for the dissemination, detection, and identification of, and defense against, the items described in paragraph (a) of this category.

(c) Components, parts, attachments, and accessories specifically designed for equipment for the dissemination, detection, identification of and defense from the chemical toxicological agents defined in § 75.13 and of biological toxicological agents.

CATEGORY VIII—PROPELLANTS AND EXPLOSIVES

Propellants for the articles enumerated in Categories III, IV, and VI hereof; military high explosives (see § 75.14).

CATEGORY IX—VESSELS OF WAR AND SPECIAL NAVAL EQUIPMENT

(a) Warships, amphibious warfare vessels, landing craft, mine warfare vessels, patrol vessels, auxiliary vessels, service craft, floating dry docks, and experimental types of naval ships. Turrets and gun mounts, submarine storage batteries, catapults and other components, parts, attachments and accessories specifically designed for the following types of combatant vessels: battle ships, command ships, cruisers, aircraft carriers, destroyers and submarines.

(b) Equipment for the laying, detection, detonation, and sweeping of mines. Components, parts, attachments, and accessories specifically designed for mine laying, mine detection and detonation, and mine sweeping equipment.

(c) Submarine and torpedo nets. Components, parts, attachments and accessories specifically designed for these articles.

CATEGORY X—AIRCRAFT

(a) Aircraft and airborne equipment.

(b) All components, parts and accessories for aircraft. This does not include ground handling and maintenance equipment and bulk materials, such as dopes, paints, oils, cable, wire, tubing, hose, aluminum sheets (see § 75.3).

CATEGORY XI—MISCELLANEOUS ARTICLES

(a) Military electronics. (1) Electronics equipment specially designed for military use; (2) radar of all types, including guidance systems and airborne or ground equipment therefor; (3) electronic countermeasure and jamming equipment; (4) underwater sound equipment; (5) military communications-electronics equipment bearing a military designation; (6) electronic navigational aids specially designed for military use such as radio direction finding equipment; (7) radio distance measuring systems such as Shoran, and hyperbolic grid systems, such as Raydist, Loran, and Decca; (8) components, parts, accessories and attachments specially designed for use with equipment enumerated in Category XI (a).

(b) Aerial cameras and special purpose military cameras and specialized processing equipment therefor; military photointerpretation, stereoscopic plotting and photogrammetry equipment.

(c) Armor plate, armored railway trains, military steel helmets, body armor, and flak suits. Components and parts specifically designed for use in military steel helmets, body armor, and flak suits.

(d) Specialized military mobile repair shops specially designed to service military equipment.

(e) Pressurized breathing equipment and partial pressure suits for use in aircraft, anti "G" suits, military crash helmets, aircraft liquid oxygen converters, and complete parachutes utilized for personnel, cargo, or decaleration purposes. Components and parts specifically designed for pressurized breathing equipment, partial pressure suits, anti "G" suits, aircraft crash helmets, and liquid oxygen converters.

(f) Military pyrotechnics including projectors therefor.

(g) Specialized military training equipment. Components, parts, attachments and accessories for specialized military training equipment as defined in § 75.16.

(h) Tear gas and equipment for dissemination thereof.

(i) Helium gas.

(j) Cryptographic devices (encoding and decoding).

(k) Landing mats.

CATEGORY XII—CLASSIFIED MATERIAL

All material not enumerated herein which is classified from the standpoint of military security.

CATEGORY XIII—TECHNICAL DATA

Technical data relating to the articles herein designated as arms, ammunition, and implements of war.

INTERPRETATIONS

§ 75.12 *Military fuel thickeners.* As used in § 75.10 Category IV, these are liquids or solids in granular forms (commonly metallic salts of fatty acids such as the aluminum salt of octoic acid) which when mixed with petroleum products produce a gel-type mixture. The burning characteristics of such gel can be controlled by the type of thickener used and the quantity added such as napalm and octal. The following are included:

(a) Aluminum soaps of fatty acids containing 12–18 carbon atoms and mixtures thereof;

(b) Aluminum soaps of oleic acids;

(c) Aluminum soaps of 2-ethylhexoic acid;

(d) Aluminum soaps of cocoanut fatty acids;

(e) Aluminum soaps of napthenic acids;

(f) Any mixtures of the substances set out in paragraphs (a) to (e) of this section.

§ 75.13 *Chemical toxicological agents.* The term "chemical toxicological agents" as used in § 75.10, Category VII, shall include but not be limited to: cyanogen chloride, hydrogen cyanide, diphosgene, fluorine (but not fluorene), Lewisite gas, mustard gas (dichlorodiethyl sulfide), phepylcarbylamine chloride, phosgene, adamsite (diphenylaminochloroarsine), dibromodimethyl ether, dichlorodimethyl ether, diphenylchloroarsine, diphenylcyanarsine, ethyldibromoarsine, ethyldichloroarsine, methyldichloroarsine, phenyldibromoarsine, phenyldichloroarsine, cyanodimethylaminoethyloxyphosphine oxide, fluoroisopropoxymethylphosphine oxide, fluoromethylpinaeolyloxyphosphine oxide, and related compounds.

§ 75.14 *Propellants and explosives.* (a) As used in § 75.10, category VIII, the term "propellant" shall include but not be limited to propellant powders, hydrazine, unsymmetrical dimethylhydrazine, hydrogen peroxide in excess of 85 percent concentration, and nitro guanadine or picrite. The term "military high explosives" shall include ammonium picrate, black soda powder, potassium nitrate powder, hexanitrodiphenylamine, pentacrythritetranitrate (penthrite, pentrite or PETN), nitrocellulose having a nitrogen content of more than 12.20 percent, tetryl (trinitrophenylmethylnitromine or "tetranitro-

methylaniline") trimethylenetrinitramine (RDX, Cyclonite, Hexogen or T4), trinitroanisol, trinitronaphthalene, dinitronaphthalene, tetranitronaphthalene, trinitrotoluene, trinitroxylene.

(b) Explosive mixtures or devices which are not listed above but which contain minor quantities of the types of explosives listed here are not considered to be arms, ammunition, and implements of war.

§ 75.15 *Quartz crystals.* Quartz crystals are subject to the licensing jurisdiction of the Secretary of State only when intended for use with military electronics equipment and shipped with such items.

§ 75.16 *Specialized military equipment.* As used in § 75.10, category (XI) (g), specialized military equipment shall include but not be limited to link-type trainers, attack trainers, operational flight trainers, radar target generators, gunnery training devices, anti-submarine warfare trainers, flight simulators, radar trainers, instrument flight trainers, navigation trainers, target equipment, armament trainers, pilotless aircraft trainers, and mobile training units.

§ 75.17 *Vessels of war*—(a) *All combatant vessels and craft, including the following.* Battleships (BB), command ships (CBC, CLC); cruisers (CA, CAG, CB, CL, CLAA, CLG); aircraft carriers (CVA, CVL, CVE); destroyers (DD, DL, DDE, DDR); submarines (SS, SSN, SSG, SSK, SSR, SST, ASSA, ASSP). Amphibious force flag ship (ACC); cargo ship attack (AKA); transports (APA, APD); fire support ship (IFS); landing ships (ISFF, LSTL, LSSL, LSD, LSM, LSMR, LST, LSV); landing craft (LOC, LCI, LCM, LCP, LCP-G, LCB-S, LCV, LCVP, LVT-A, LCT-A, LVT); landing vessels (LVW, DUEV, LCU); mine vessels (MMA, MSF, MSO, MHC, MSC, MSC(O), MM, MMC, DM, DMS, MSA, MSB, XMAP, YMP, YMS, YNG); patrol vessels (PY, XP); motor torpedo boat (PT); escort vessels (DE, DEC, DER, PCE, PCER, PCEC); subchasers (PCC, PCSC, SCC, SC, PC, PCS); frigate (PF); motor gun boats (PGM, PR).

(b) *Naval auxiliary and service vessels and craft.* Destroyer tender (AD); degaussing vessel (ADG); ammunition ship (AE); store ship (AF); ice breaker (AGB); motor torpedo boat tender (AGP); surveying ships (AGS, AGSC); auxiliary submarine (AGSS); net laying ship (AN); oilers and tankers (AO, AOG, AOR); transports (AP, APC); barrack ships (APB, APL); repair ships (AR, ARB, ARG, ARH, ARL, ARV, ARVA, ARVE); cable repairing or laying ship (ARC); salvage vessels (ARS, ARSD, ARST); submarine tenders and rescue vessels (AS, ASH, X); tugs (ARA, ATF, ATR, YTB, YTL, YTM); guided missle ship (AVM); tenders (AV, AVP, YDT); crane and service vessels (AB, YD, YSD); miscellaneous (AG, AW, PYC, YAG, YHB, YPD); aviation supply ship (AVS); floating dry dock and shop craft (AFDB, AFDL, AFDM, ARD, YFD, YRDH, YRDM); naval lighters (AVC, YC, YCK, YCV, YCF, YF, YFB, YFN, YFNG, YFNX, YFP, YFR, YFRN, YFT, YG, YGN, YFND, YFNB, YVO, YRL); naval barges (YO, YOG, YOGN, YON, YOS, YDK, YR, YRB, YRS, YTT, YW, YAN); naval dredge (YN).

(c) *Coast Guard patrol and service vessels and craft.* Submarine repair and berthing barge (YRB); labor transportation barracks ship (APL); Coast Guard cutter (CGC); gun boat (WPG); patrol craft (WPC, WSC, WPG); sea plane tender (WAVP); ice breaker (WAGB); cargo ship (WAK); buoy tenders and boats (WAGL, WD); cable layer (WARC); lightship (WAL); CG tugs (WAT, WYT); radio ship (WAGR); special vessel (WIX); auxiliary vessels (WAG, WAGE). Other Coast Guard patrol or rescue craft over 300 horsepower capacity.

(d) *Air Force crash rescue boat.*

(e) *Army vessels and craft.* Transportation Corps tug—100 ft. (LT), 65 ft. (ST), T-boat, Q-boat, J-boat, B-boat; barges (BG, BC, BR, BK, BSP, BSPI, BKI, BCF, BBL, BARC); cranes, floating (BD); dry dock, floating (FDL); repair ship, floating (FMS); trainer, amphibious 20 ton wheeled tow boat, inland waterway (LTI, STI).

§ 75.18 *Forgings, castings, and machined bodies.* Forgings, castings, extrusions and machined bodies of any of the articles enumerated in the United States Munitions List which have reached such a stage in manufacture that they are identifiable as such articles are considered to constitute arms, ammunition, and implements of war for the purposes of section 414 of the Mutual Security Act.

General Regulations

REGISTRATION

§ 75.23 *Requirements for registration.* Persons engaged in the business, within the United States, its territories or possessions, of manufacturing, exporting or importing articles enumerated in the United States Munitions List are required to register with the Secretary of State.

§ 75.24 *Production for experimental or scientific purposes.* The fabrication of arms, ammunition, and implements of war for experimental or scientific purposes including research and development is not considered as manufacture for the purposes of section 414 of the Mutual Security Act.

§ 75.25 *Application for registration.* (a) Applications for registration shall be submitted to the Secretary of State on forms prescribed by him and shall be accompanied by a registration fee in the form of a postal money order or a check payable to the Department of State.

(b) Registration can be effected for periods of one year or four years upon payment of a fee of $75 or $300, respectively, at the option of the registrant.

§ 75.26 *Certificate of registration.* (a) Upon receipt of an application for registration properly executed, accompanied by the registration fee, the Secretary of State shall issue to the applicant a certificate of registration valid for one year if $75 is paid or for four years if $300 is paid. Certificates of registration are not transferable. Certificates of registration are renewable for a further period of one year if a renewal fee of $75 is paid or for four years if a renewal fee of $300 is paid and the fee payment is accompanied by an application for registration properly executed on the prescribed form.

(b) Registration certificates issued prior to April 1, 1955, shall remain in effect during the period of validity indicated therein, without any additional fee being required.

§ 75.27 *Notification of changes in information furnished by registrants.* Registered persons shall notify the Secretary of State of any change in the information set forth in their applications for registration. Upon receipt of such information an amended certificate of registration including this information will be issued if appropriate. An amended certificate of registration will be issued without charge in such cases and will remain valid until the date of expiration of the original certificate.

§ 75.28 *Records of manufacture, exportation, and importation.* (a) Persons required to register shall maintain, subject to the inspection of the Secretary of State, or any person or persons designated by him, permanent records in which shall be kept the quantity and estimated values of the articles imported or exported by them. The records of articles imported shall, in addition, contain information as to the consignor and the country of origin. The records of articles exported shall, in addition, contain information as to the source of supply, consignee, purchaser, and the initial and ultimate destination of each shipment, and other pertinent data relating thereto.

(b) Special agents of the Department of State and United States Customs agents are hereby designated as the representatives of the Secretary of State for the purpose of this section.

LICENSES

§ 75.40 *Application for license.* Persons who intend to export from or import into the United States, its territories or possessions any of the articles enumerated in the United States Munitions List shall make application for license to the Secretary of State on the forms prescribed by him. No exportation or importation of any shipment shall be made until the application has been approved and the license issued unless an exemption from these requirements is authorized by this part. Applications for license to export helium gas should show the quantity to be exported in terms of cubic feet; the approximate net value of the helium gas; the number and type of containers and the approximate gross weight. Applications for license to export technical data are required in accordance with the provisions of § 75.110.

§ 75.41 *Export licenses.* The Secretary of State will not issue export licenses if a proposed exportation is considered contrary to the security and/or foreign policy of the United States. Prior to the issuance of an export license the Secretary of State may also require documentary evidence pertinent to the proposed transaction.

§ 75.42 *Import licenses.* The Secretary of State will not issue import licenses if a proposed importation is considered contrary to the security and/or foreign policy of the United States. Prior to the issuance of an import license the Secretary of State may also require documentary evidence pertinent to the proposed transaction.

§ 75.43 *Intransit licenses.* (a) When articles are to be moved intransit through the United States, its territories or possessions, an intransit license must be obtained except as indicated in paragraphs (b) and (c) of this section, and an application for license must be submitted on the form prescribed therefor. The Secretary of State will not issue intransit licenses if the proposed shipment is considered contrary to the security and/or foreign policy of the United States.

(b) Collectors of customs are authorized on presentation of satisfactory evidence, to permit arms, ammunition, and implements of war to enter or leave the United States without the presentation of an import, export or intransit license if such articles are consigned from any place in a foreign country whose territory is contiguous to that of the United States to any other place in the same country.

(c) Collectors of customs may permit intransit shipments of sporting arms and ammunition, and of pistols and revolvers not larger than caliber .38, to enter and leave the United States without a license if such shipments are valued at not more than $300.

§ 75.44 *Validity and terms of licenses.* Licenses are valid for six months from the date of issuance unless a different period of validity is stated thereon. No extensions may be granted on licenses which have expired or are about to expire. If shipment cannot be made during the period of validity of a license, a new license may be applied for to authorize its exportation or importation. Licenses are not transferable and are subject to revocation, suspension, or revision without notice. Licenses which have expired or have been revoked must be returned immediately to the Secretary of State.

§ 75.45 *Amendments and alterations.* No amendment or alteration of a license may be made except by the Secretary of State, or by collectors of customs or postmasters when specifically authorized to do so by the Secretary of State.

§ 75.46 *Ports of exit or entry.* Applications for license should show the proposed port or ports of exit or entry. If shipping arrangements subsequent to the issuance of the license necessitate a change of ports, no amendment of the license in such case is necessary but the Secretary of State should be notified of this change.

§ 75.47 *Country of ultimate destination.* The country designated on an application for license to export as the country of ultimate destination must be the country wherein the articles being exported are to be used or consumed, not a country receiving the shipment in transit. If it is the intention of the exporter that the articles being exported and consigned to one country are to be transshipped to another country or are to pass through the hands of an intermediate consignee in a foreign country, this fact must be clearly indicated on the license application and the Secretary of State must be informed prior to shipment of all the relevant facts pertaining to such transshipment.

§ 75.48 *Exportation of arms, ammunition and implements of war to Cuba.* (a) Article II of the convention between the United States and Cuba to suppress smuggling, signed at Habana, March 11, 1926, reads in part as follows (Treaty Series 739; 44 Stat., Pt. 3,2403):

> The High Contracting Parties agree that clearance of shipments of merchandise by water, air, or land, from any of the ports of either country to a port of entry of the other country, shall be denied when such shipment comprises articles the importation of which is prohibited or restricted in the country to which such shipment is destined, unless in this last case there has been a compliance with the requisites demanded by the law of both countries.

(b) The Secretary of State will permit the exportation to Cuba of the articles listed in the proclamation only when applications for license to export these articles bear the stamp of approval of the Cuban Embassy in Washington. In such cases, the original, duplicate, and triplicate of the application shall be forwarded to the Cuban Embassy by the applicant for stamping and transmission to the Department by the Cuban Embassy.

§ 75.49 *Licenses filed with collectors of customs.* Export or import licenses shall be filed prior to exportation or importation with the collector of customs at the port through which the shipment authorized is being made. Shippers' export declarations (United States Department of Commerce Form 7525–V) must also be filed with and authenticated by the collector before the commodities are exported or imported. (See also § 75.51.)

§ 75.50 *Shippers' export declaration.* The shippers' export declaration (United States Department of Commerce Form 7525–V), covering arms, ammunition, and implements of war for which an export license is required, must contain the same information in regard to the description, destination and value of the articles to be exported as that which appears on the application for license. If the person designated on the export declaration as the actual shipper of the goods is not the person to whom the export license has been issued by the Secretary of State, the name of this shipper should appear on the export license as that of the consignor in the United States.

§ 75.51 *Shipment by parcel post.* Export and import licenses for articles which are being transported by mail shall be filed with the postmaster at the post office where the article is mailed or received.

§ 75.52 *National Firearms Act; Federal Firearms Act; Federal Explosives Act.* (a) The provisions of these regulations shall be considered as binding, in addition to, and not in lieu of, those established under the provisions of the National Firearms Act, approved by the President June 26, 1934 (48 Stat. 1236; Subchapter B, Chapter 25 and Part VIII, Chapter 27, Title 26, U. S. C.), as amended April 10, 1936 (49 Stat. 1192), June 16, 1938 (52 Stat. 756), August 11, 1945 (59 Stat. 531) and Public Law 353, 82d Congress, 2d Session; under the provisions of the Federal Firearms Act, approved by the President June 30, 1938 (52 Stat. 1250; 15 U. S. C. 901–909), as amended March 10, 1947 (61 Stat. 11), August 6, 1939 (53 Stat. 1222), and February 7, 1950 (64 Stat. 3); and under the provisions of the Federal Explosives Act, approved by the President October 6, 1917 (40 Stat. 385; 50 U. S. C. ch. 8), as amended December 26, 1941 (55 Stat. 863; 50 U. S. C. ch. 8).

(b) The National Firearms Act imposes certain taxes upon manufacturers, importers, and dealers in certain firearms; taxes upon the making of certain firearms, and taxes on transfers of certain firearms. The term "firearm", as used in this act, includes "a shotgun or rifle having a barrel of less than eighteen inches in length, or any other weapon, except a pistol or revolver, from which a shot is discharged by an explosive if such weapon is capable of being concealed on the person, or a machine gun, and includes a muffler or silencer for any firearm whether or not such firearm is included within the foregoing definition, but does not include any rifle which is within the foregoing provisions solely by reason of the length of its barrel if the caliber of such rifle is .22 or smaller and if its barrel is sixteen inches or more in length."

(c) The Federal Firearms Act applies to manufacturers and dealers who are engaged in interstate or foreign commerce in firearms and ammunition. The term "firearm", as used in this act, means "any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive and a firearm muffler or firearm silencer, or any part or parts of such weapon"; and the term "ammunition" includes "all pistol or revolver ammunition. It shall not include shotgun shells, metallic ammunition suitable for use only in rifles, or any .22 caliber rim fire ammunition."

(d) The Federal Explosives Act is applicable to the manufacture, distribution, storage, use, and possession of explosives in time of war. The term "explosives", as used in this act, means "gunpowders, powders used for blasting, all forms of high explosives, blasting materials, fuzes (other than electric circuit breakers), detonators, and other detonating agents, smokeless powders, and any chemical compounds or mechanical mixture that contains any oxidizing and combustible units, or other ingredients, in such proportions, quantities, or packing that ignition by fire, by friction, by concussion, by percussion, or by detonation of the compound or mixture or any part thereof may cause an explosion".

(e) Rules and regulations for the enforcement of the National Firearms Act and the Federal Firearms Act are pre-

scribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Rules and regulations for the enforcement of the Federal Explosives Act are prescribed by the Director of the Bureau of Mines, Department of the Interior.

§ 75.53 *Foreign trade zones.* For the purpose of these regulations the foreign trade zones of the United States have no special status but are considered as an integral part of the United States. Accordingly, persons who intend to ship articles into foreign trade zones of the United States (established pursuant to 19 U. S. C. 81c, Supp. 5) shall submit application for import license described in § 75.40, and obtain license therefor, prior to the entry of such articles. Persons who intend to ship such articles from foreign trade zones to foreign destinations shall submit an application for an export license, as described in § 75.41, and obtain a license therefor, prior to shipment therefrom.

§ 75.54 *Export of vessels of war.* The transfer of a vessel of war as defined in § 75.17 from United States registry to foreign registry, and the registration of an undocumented vessel of war under a foreign flag shall be considered an exportation for which a license is required. The provisions of these regulations shall be considered as binding in addition to and not in lieu of the provisions of the United States Shipping Act of 1916, as amended (46 U. S. C. 835). United States Maritime Administration approval is required prior to the sale and/or transfer to alien ownership, registry and/or flag of vessels of war. The United States registry of a documented vessel is cancelled under the regulations of the Maritime Administration when such vessel is sold to a purchaser for use under foreign registry.

§ 75.55 *Repairs or alterations of vessels.* Operators of foreign vessels entering the territorial waters of the United States for repairs or alterations shall obtain an export license for articles enumerated in the United States Munitions List and further defined and interpreted by these regulations which are required in connection with such repairs or alterations.

§ 75.56 *Saving clause.* Outstanding certificates of registration issued under previous regulations shall remain valid for the same period as if the regulations in this part had not been promulgated.

GENERAL PROVISIONS AND EXEMPTIONS

§ 75.70 *Shipment by or to the United States Government.* The exportation of arms, ammunition, and implements of war by the United States Government or any agency thereof is not subject to the provisions of the Mutual Security Act, and therefore an export license is not required. The importation of arms, ammunition, and implements of war consigned to the United States Government or any agency thereof is not subject to the provisions of the Mutual Security Act, and therefore an import license is not required.

§ 75.71 *Authorization to collectors of customs to waive presentation of license document under prescribed conditions.* Customs officers are authorized in their discretion to permit arms, ammunition, and implements of war to enter and depart from the United States without requiring the presentation of a license under certain conditions as set forth in §§ 75.72 to 75.79 inclusive, provided the prescribed conditions are met and there is satisfactory evidence that all other requirements are being or will be adhered to. In case of doubt as to compliance with any of the exemptions, collectors of customs should refer the matter to the Office of Munitions Control, Department of State, for determination as to whether such exemption applies.

§ 75.72 *Canadian shipments.* (a) Collectors of customs may release shipments of arms, ammunition, and implements of war to or from Canada without a license or UAC Release Certificate.

(b) The provisions of § 75.72 (a) do not apply to intransit shipments through the United States to or from Canada or intransit shipments through Canada to or from the United States.

(c) The provisions of § 75.72 (a) do not apply to shipments of helium gas. Applications for license to export helium gas to Canada shall be made in accordance with the provisions of § 75.40.

§ 75.73 *Cathode ray tubes being shipped with radar.* Applications for license to ship radar equipment may include cathode ray tubes installed in or intended for use in such equipment, provided the tubes are being shipped with such equipment.

§ 75.74 *United States aircraft on temporary sojourn abroad.* (a) Collectors of customs may permit aircraft flown or shipped from the United States for a temporary sojourn abroad of not to exceed six months' duration to depart from the United States without requiring the presentation of an export license issued by the Secretary of State, provided the collector of customs at the port of exit is satisfied that the conditions set forth in paragraph (b) of this section have been met.

(b) Owners or operators of aircraft departing from the United States for temporary sojourn abroad under the provisions of paragraph (a) of this section shall file an affidavit in the form indicated below and must satisfy the collector of customs that: (1) The aircraft will not be sold or disposed of; (2) the aircraft will be returned to the United States within six months; (3) it will be operated only by a United States licensed pilot, except on demonstration flights; (4) it will remain under United States registry while abroad.

(c) The requirement of an affidavit may be waived for personal type aircraft (one to five-seaters) and executive type aircraft (privately owned non-revenue), provided the owner-operator of such aircraft submits a statement with evidence satisfactory to the collector of customs that paragraph (b) (1) through (4) of this section will be complied with. Such aircraft may then be permitted to leave the United States for a temporary sojourn abroad not to exceed six (6) months' duration without the necessity of submitting an individual license or affidavit therefor.

(d) When an affidavit is required it must be submitted in the following form:

AFFIDAVIT OF TEMPORARY SOJOURN

County of _____
State of _____ ss.

The undersigned, being duly sworn, says that he is the (owner) (operator) of an aircraft identified as a _____ bearing markings _____; that it is departing from the United States on a temporary sojourn abroad not to exceed six (6) months; that he is the holder of CAB letter of registration for this aircraft dated _____; that the aircraft's ultimate destination outside the United States is _____; that it will reenter the United States through the port of _____ on or about _____; that he will not dispose of the aircraft, its parts, components, or accessories in any foreign country nor permit its use in military activities; that it will be operated by a U. S. licensed pilot (except in demonstration flights) while abroad; that he will not change its U. S. registration while abroad; that if the aircraft or any of its parts is to be sold or disposed of in a foreign country, it will be immediately returned to the U. S. and an export license obtained; that he will not transport in such aircraft arms, ammunition, or implements of war as defined by Presidential proclamation unless authorized by the Secretary of State; and that the purpose of the temporary sojourn abroad is as follows:

_____
_____

This statement is given to U. S. Customs authority at _____ or the Secretary of State pursuant to regulations of the Secretary of State, Title 22, Code of Federal Regulations, Section 75.74 in support of claim for exemption from the Department of State requirements relating to licenses to export aircraft enumerated in the Presidential proclamation.

Signed _____
(Owner-operator)

Address _____
_____

Subscribed and sworn to before me at _____ this _____ day of _____, 19__.

_____
(Signature and title of officer)

(e) When a copy of the affidavit of temporary sojourn (the form shown in paragraph (b) of this section) is accepted by the customs officer at the port of exit it shall be endorsed by him and returned to the owner or operator prior to the departure of the airplane. Upon the return of the aircraft to the United States, the endorsed copy of the affidavit must be surrendered to the collector of customs at the port of reentry. If the port of reentry is not the same as that from which the aircraft departed the customs officer shall forward the surrendered copy of the affidavit to the customs authority at the port from which the aircraft originally departed, noting thereon the date of reentry. The affidavits shall be retained by the collectors of customs for possible future examination.

§ 75.75 *United States scheduled transports.* Customs officers are authorized to permit civil aircraft operated by commercial airlines and used on regular schedules between the United States and foreign countries under certificates of public convenience and necessity to depart from and enter into the United States without a license.

§ 75.76 *Aircraft of foreign registry entering the United States.* (a) Collectors of customs are authorized to permit aircraft of foreign registry to enter and depart from the United States without requiring the presentation of an individual license, provided it is established to their satisfaction that the country of ultimate destination is the same as the country of origin and that the airplane will not be sold or disposed of in the United States and will not remain in the United States in excess of a period of six months.

(b) This section does not apply to aircraft returning to the United States for major overhaul and reexport. The provisions of § 75.56 are applicable to such aircraft.

§ 75.77 *Articles returned to the United States for repair or overhaul and reexport.* Collectors of customs are authorized on presentation of satisfactory evidence to permit arms, ammunition, and implements of war, which have been legally exported from the United States and which are returned to the United States worn or damaged for repair and reexport to the country of origin, to enter the United States without requiring the presentation of an import license (subject to the provisions of § 75.81). An individual export license, however, is required before such articles may be reexported.

§ 75.78 *Antique arms and implements of war.* Collectors of customs are authorized on presentation of satisfactory evidence to permit antique arms and implements of war, components, parts, accessories and attachments therefor, enumerated in the proclamation, which are more than one hundred years old to enter the United States or to depart therefrom without requiring the presentation of a license (subject to the provisions of § 75.81).

§ 75.79 *Arms carried on person or in baggage.* Collectors of customs are authorized on presentation of satisfactory evidence to permit rifles, carbines, revolvers, or pistols, and ammunition therefor, to enter the United States or depart therefrom without requiring the presentation of a license (subject to the provisions of § 75.81) when these articles enter or leave the United States on the person of an individual or in his baggage, and are intended exclusively for the personal use of that individual for sporting or scientific purposes or for personal protection. No more than three arms and no more than five hundred cartridges shall in any case be carried from or into the United States by an individual under the provisions of this section.

§ 75.80 *Ammunition for personal use of consignee.* Licenses will not be required for the exportation or importation of ammunition for rifles, carbines, revolvers, or pistols, provided the quantity does not exceed five hundred rounds in any shipment and the ammunition is for the personal use of the consignee and not for resale (subject to the provisions of § 75.81). A license is required, however, for the exportation of such ammunition to Bahrein, Kuwait, Qatar, the Trucial States, and Muscat-and-Oman.

§ 75.81 *Shipments to or from certain countries.* The exemptions provided by §§ 75.77, 75.78, 75.79 and 75.80 do not apply to shipments destined for or originating in the Soviet Union, Soviet bloc countries, Communist China, North Korea, and that part of Viet-Nam which lies north of approximately the 17th parallel and any of the territories of free Viet-Nam or Cambodia or Laos which are under de facto control of the Communists.

§ 75.82 *Arms for the individual use of members of the Armed Forces.* (a) Collectors of customs are authorized to permit members of the United States Armed Forces presenting written authorization from their commanding officers to ship or bring into the United States war trophies and souvenirs consisting of rifles, carbines, revolvers, pistols, and ammunition therefor without requiring the presentation of an individual license.

(b) Collectors of customs are authorized to permit rifles, carbines, revolvers, pistols, and parts of such weapons to leave the United States without a license, provided they are consigned to servicemen's clubs overseas or to individual members of the Armed Forces of the United States, accompanied by a written authorization from the commanding officer, and shipped through Army, Air Force, or Navy postal services (APO or FPO).

(c) Collectors of customs are authorized to permit parts, components and accessories of rifles, carbines, pistols, and revolvers to enter or leave the United States without a license when the shipment does not exceed $25 in value; is consigned to individual members of the Armed Forces of the United States through Army, Air Force, or Navy postal services (APO or FPO); and is for the consignee's own use and not for resale.

TECHNICAL DATA

LICENSE REQUIREMENTS

§75.110 *Exportation of technical data.* (a) A license issued by the Secretary of State is required in all cases for the export of unclassified technical data to any of the destinations referred to in § 75.140 (f). (See also § 75.2.)

(b) A license is also required for the export of such data to all other destinations except when otherwise exempted by §§ 75.111 to 75.160 or when it is in published form and is (1) sold at newsstands or bookstores; (2) available by subscription or purchase to any individual without restriction; (3) granted second class mailing privilege by the United States Government; or (4) freely available at public libraries. These exceptions do not apply to Armed Services publications.

(c) When classified technical data is involved, except for releases of classified military information made directly to a foreign government by the Department of Defense or one of its agencies, special clearance from the Department of State is required in each case. Full details should be submitted to the Department by letter, accompanied by any additional documents that might assist in the consideration of the proposal. All documents should be submitted in quadruplicate.

§ 75.111 *Shipment by or to the United States Government.* The exportation of technical data relating to arms, ammunition, and implements of war by a Defense agency of the United States Government is not subject to the provisions of section 414 of the Mutual Security Act of 1954, and therefore an export license is not required (see § 75.160).

§ 75.112 *Importation of technical data.* No license is required for technical data imports.

§ 75.113 *Canadian shipments.* Collectors of customs or postal authorities may permit unclassified technical data to be exported to Canada without the presentation of a license or release certificate.

§ 75.114 *Exportation of technical data with patent applications.* The exportation of technical data relating to arms, ammunition, and implements of war with any application for foreign patent is subject to the licensing requirements of the Secretary of State unless the subject matter is covered by a secrecy order or a license for foreign filing issued by the Patent Office.

SPECIAL EXEMPTIONS

§ 75.120 *Unclassified technical data relating to sales bulletins, operational manuals, etc.* Collectors of customs or postal authorities may permit the exportation without a license to any destination other than those listed in § 75.140 (f) of unclassified technical data in the form of sales bulletins, operational, maintenance and sales promotion manuals which relate to equipment previously approved for export.

§ 75.121 *Unclassified technical data on civil aircraft equipment.* Collectors of customs or postal authorities may permit the exportation without a license (subject to the provisions of § 75.140) of unclassified technical data relating to all civil aircraft, including components and parts therefor, except unclassified technical data containing advanced designs, processes and manufacturing techniques.

§ 75.122 *Unclassified technical data on small arms and ammunition.* Collectors of customs or postal authorities may permit exportation without a license (subject to the provisions of § 75.140) of unclassified technical data relating to small arms and machine guns not in excess of caliber .50 and ammunition for such weapons except unclassified technical data containing advanced designs, processes and manufacturing techniques.

§ 75.123 *Technical data imported from abroad.* Collectors of customs or postal authorities are authorized to permit exportation without a license of unclassified technical data which has been imported from abroad and is being returned to the country of origin.

§ 75.124 *Contracts with other Government agencies.* Collectors of customs or postal authorities may permit the exportation of unclassified technical data without a license when such shipment is directly in furtherance of a contract with an agency of the United States Government or a contract between an agency of the United States Government and a foreign manufacturer or other foreign entity, provided the contract specifically calls for transmission of relevant technical data.

§ 75.125 *Special licensing agreements.* (a) Collectors of customs or postal authorities may permit exportation without a license of unclassified technical data being exported directly in furtherance of a licensing agreement covering specific items which has been submitted to the Department of State for review and to which the Department of State has, in writing, expressed no objection unless a new design, process or manufacturing technique is involved.

(b) Collectors of customs and postal authorities may permit the exportation without a license of unclassified technical data being exported directly in furtherance of a licensing agreement covering specific items effective prior to February 1, 1954, whether or not previously submitted to the Department of State, unless a new design, process or manufacturing technique is involved.

STATEMENTS AND CERTIFICATIONS

§ 75.140 *Specific requirements relating to technical data exemptions.* The specific requirements relating to technical data exemptions in this section should be referred to in accordance with the procedure set forth in § 75.160.

(a) Under the exemption provided by § 75.120 the exporter must certify that the technical data being exported without a license does not contain advanced designs, processes and manufacturing techniques and that the type of equipment to which the technical data relates has previously been exported.

(b) Under the exemptions provided by §§ 75.121 and 75.122 the exporter must certify that the technical data being exported without a license does not contain advanced designs, processes and manufacturing techniques.

(c) Under the exemption provided by § 75.123 the exporter must certify that the technical data being exported without a license was imported from abroad and is being returned to the country of origin.

(d) Under the exemption provided by § 75.124 the exporter must certify that the technical data being exported without a license is being shipped directly in furtherance of a contract with an agency of the United States Government or a contract between an agency of the United States Government and a foreign manufacturer.

(e) Under the exemption provided by § 75.125 the exporter must certify that the technical data being exported without a license is being shipped directly in furtherance of a licensing agreement to which the Department of State has, in writing, expressed no objection and which does not pertain to a more recent design, process or manufacturing technique. If the shipment being exported without a license relates to a licensing agreement antedating February 1, 1954, the exporter must certify that the shipment does not pertain to a more recent design, process or manufacturing technique.

(f) A license is required in all cases for the export of technical data relating to arms, ammunition, and implements of war intended for the Soviet Union, Soviet bloc countries, Communist China, North Korea, and that part of Viet-Nam which lies north of approximately the 17th parallel and any of the territories of free Viet-Nam or Cambodia or Laos which are under de facto control of the Communists.

MAILING AND SHIPPING PROCEDURES

§ 75.160 *Procedures for mailing or shipping technical data.* (a) If a license is required in connection with the mailing or shipping of technical data, such a license must be presented to the customs or post office at the time of mailing or shipping.

(b) If the exemptive provisions apply, the exporter may comply with the special requirements as to certification by plainly marking the package or envelope "22 CFR 75.140 complied with". This would mean that he certifies that one of the exemptions referred to in § 75.140 applies and that he has complied with the conditions set forth therein.

VIOLATIONS AND PENALTIES

§ 75.180 *Violations in general.* It shall be unlawful for any person to export or attempt to export from the United States any of those articles designated by proclamation and/or regulations as arms, ammunition, and implements of war or to import or attempt to import such articles into the United States without first having complied with this part and having obtained a license therefor.

§ 75.181 *Penalties for violation.* Any person who willfully violates any provision of section 414 of the Mutual Security Act of 1954 or any rule or regulation issued under that section, or who willfully, in a registration or license application, makes any untrue statement of a material fact or omits to state a material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction be fined not more than $25,000 or imprisoned not more than two years, or both.

§ 75.182 *Authority of collectors of customs.* (a) Collectors of customs are authorized to take appropriate action to insure observance of this part as to the importation, or attempt to import, or exportation, or attempt to export, arms, ammunition, and implements of war, whether or not authorized by the licenses issued under this part, including but not limited to inspection and loading or unloading from carriers.

(b) When a license is presented to a collector of customs authorizing the exportation or importation of arms, ammunition, and implements of war, together with such other documents as may be required by customs regulations, the collector may require the production of other documents and information relating to the proposed exportation or importation, including invoices, orders, packing lists, shipping documents, correspondence, instructions, and other relevant information and documents.

(Sec. 1, 40 Stat. 223, as amended, R. S. 3062, as amended, secs. 510–512, 595, 46 Stat. 733, 734, 752, sec. 1, 62 Stat. 716; 22 U. S. C. 401, 19 U. S. C. 483, 1510–1512, 1595, 18 U. S. C. Sup. 545)

§ 75.183 *Seizure and forfeiture.* Whenever an attempt is made to import, or bring into the United States, or to export, or ship from, or take out of the United States, any arms, ammunition, and implements of war, in violation of law, the several collectors of customs may seize and detain any such arms, ammunition, and implements of war, and the vessel or vehicle containing the same, and retain possession thereof until released or disposed of as directed by law.

(Sec. 1, 40 Stat. 223, as amended, R. S. 3062, as amended, sec. 1, 62 Stat. 716; 22 U. S. C. 401, 19 U. S. C. 483, 18 U. S. C. Sup. 545)

ADMINISTRATIVE PROCEDURES

§ 75.195 *Administrative Procedures Act.* The functions conferred by section 414 of the Mutual Security Act of 1954 are excluded from the operation of the Administrative Procedures Act (60 Stat. 237), as contemplated by section 1003 thereof.

Dated: August 22, 1955.

For the Secretary of State.

ROBERT F. CARTWRIGHT,
Acting Administrator,
Bureau of Security and
Consular Affairs.

[F. R. Doc. 55-6928; Filed, Aug. 25, 1955; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

PART 552—REGULATIONS AFFECTING MILITARY RESERVATIONS

USE OF DEPARTMENT OF THE ARMY REAL ESTATE

Sections 552.5 through 552.16 are revoked and the following substituted therefor:

§ 552.5 *Purpose.* Sections 552.5 to 552.9 set forth the authority, policy, responsibility, and procedure for making real estate, under the control of the Department of the Army, available for temporary use by other Federal agencies, private individuals, and organizations.

§ 552.6 *Policy*—(a) *Surveillance.* Installation commanders will maintain constant surveillance over real estate under their jurisdiction to determine whether any of it may be made avail-

able for use for other than Army purposes.

(b) *Preference.* Any real estate under the control of the Department of the Army which is made available for use for other than Army purposes will be made available for use by other military departments, other Federal agencies, and parties other than Federal departments or agencies, in that order.

(c) *Competition.* The use of real estate under the control of the Department of the Army for private purposes will be granted only after reasonable efforts have been made to obtain competition, through advertising, for its use. Advertising is any method of public announcement intended to aid directly or indirectly in obtaining offers on a competitive basis. Advertising may be accomplished by circulation of notices among former owners, owners of adjacent property and others known to be interested, the posting of notices in public places, and the publication of notices in newspapers and trade journals. The purpose of seeking competition is to afford all qualified persons equal opportunity to bid for the use of the property, to secure for the Government the benefits which flow from competition, and to prevent criticism that favoritism has been shown by officers or employees of the Government in making public property available for private use. Exemptions to this policy are as follows:

(1) Leasing lands for agricultural purposes by negotiation with former owners (i. e., the Government's grantor) without competition or lessees of former owners who were occupying the property at the time of its acquisition by the Government, when practicable.

(2) Granting easements and licenses to public agencies and public utilities.

(3) Granting permits to other Federal agencies.

(4) Leasing cable pairs.

(d) *Commercial advertising on reservations.* The Department of the Army will not authorize the posting of notices or erection of billboards or signs for commercial purposes on property under its control.

(e) *Grants which may embarrass the Department of the Army.* Unless specifically authorized by law, the Department of the Army will not authorize the use of property under its control by revocable license or lease for any purpose where the use contemplates permanent occupancy and revocation of the lease or license might prove embarrassing to the Department of the Army.

(f) *Public safety.* The Department of the Army will not authorize the use of lands or buildings and improvements which are contaminated with explosives or toxic materials, or other innately or potentially harmful elements, for nonmilitary purposes when such action will endanger the lives of individuals or the public.

(g) *Subleasing.* Army property leased to private enterprise or to local governmental units will not be subleased for direct or indirect use by another Federal Government agency without prior approval of the Secretary of the Army.

§ 552.7 *Authority and consideration for granting temporary use of real estate, Continental United States*—(a) *Lease authority*—(1) *Leases authorized by act of 5 August 1947.* The act of August 5, 1947 (61 Stat. 774; 10 U. S. C. 1270), authorizes the Secretary of the Army, whenever he shall deem it to be advantageous to the Government, to lease such real or personal property under his control as is not for the time required for public use, to such lessee or lessees and upon such terms and conditions as in his judgment will promote the national defense or will be in the public interest.

(i) *Term.* Each such lease shall be for a period not exceeding 5 years unless the Secretary of the Army shall determine that a longer period will promote the national defense or will be in the public interest.

(ii) *Revocation.* Each such lease shall contain a provision permitting the Secretary of the Army to revoke the lease at any time, unless the Secretary of the Army shall determine that the omission of such provisions from the lease will promote the national defense or will be in the public interest. In any event, each lease shall be revocable by the Secretary of the Army during a national emergency declared by the President, except as to Wherry housing leases as outlined in subparagraph (2) of this section.

(iii) *Consideration.* Notwithstanding section 321 of the act of June 30, 1932 (47 Stat. 412; 40 U. S. C. 303b), or any other provision of law, any such lease may provide for the maintenance, protection, repair, or restoration by the lessee, of the property leased or of the entire unit or installation where a substantial part thereof is leased, as a part or all of the consideration for the lease of such property. Except as outlined above, consideration for leases will provide for fair market rental value.

(iv) *Restriction against leasing for mineral purposes.* The authority granted does not permit the leasing for exploitation of oil, mineral, or phosphate lands, but does not prohibit the lease of lands that may contain oil, mineral, or phosphate provided the lease is granted for purposes not involving the use or taking of such substances.

(v) *Taxation.* The lessee's interest, made or created pursuant to the authority granted, shall be made subject to State or local taxation. Any such lease of property shall contain a provision that if and to the extent that such property is made taxable by State and local governments by act of Congress, the terms of such lease shall be renegotiated.

(2) *Wherry housing leases.* Under the provisions of Section 805 of Title VIII of the National Housing Act, as amended (12 U. S. C. 1748–1748h), the Secretary of the Army, whenever he determines that it is desirable to lease real property within the meaning of the act of August 5, 1947, to effectuate the construction of Wherry housing on Army installations, is authorized to lease such property under authority of said act upon such terms and conditions as in his opinion will best serve the national interest. Such lease may be entered into without regard to the limitations imposed by said act in respect to the term of duration of the lease. The power vested in the Secretary of the Army to revoke any lease made pursuant to said act in the event of a national emergency declared by the President shall not apply. The Chief of Engineers is responsible for the preparation of leases for Wherry housing projects.

(b) *Easement* — (1) *Authority* — (i) *Power lines and communication facilities.* The act of March 4, 1911 (36 Stat. 1253; 43 U. S. C. 961), as amended by the act of May 27, 1952 (66 Stat. 95), authorizes the Secretary of the Army to grant easements for rights-of-way for periods not exceeding 50 years, for electric power lines, communication lines, and for radio, television, and other forms of communication transmitting, relay, and receiving structures and facilities, over, across, and upon lands under his control, upon a finding that the grant will not be incompatible with the public interest.

(ii) *Pipe lines.* The act of May 17, 1926 (44 Stat. 562; 10 U. S. C. 1351), authorizes the Secretary of the Army to grant easements for rights-of-way for gas, water, and sewer pipe lines across lands under his control, provided that such grants will be in the public interest and will not substantially injure the interest of the United States in the property affected thereby.

(iii) *Act of July 24, 1946.* The act of July 24, 1946 (60 Stat. 643; 43 U. S. C. 931b) authorizes the Secretary of the Army to grant easements for rights-of-way across acquired lands under his control upon a finding that the grant will not be incompatible with the public interest, for the following purposes:

(*a*) Railroad tracks.

(*b*) Oil pipe lines.

(*c*) Substations for electric power transmission lines, telephone lines, and telegraph lines, and pumping stations for gas, water, sewer, and oil pipe lines.

(*d*) Canals.

(*e*) Ditches.

(*f*) Flumes.

(*g*) Tunnels.

(*h*) Dams and reservoirs in connection with fish and wildlife programs, fish hatcheries, and other fish-cultural improvements.

(*i*) Roads and streets.

(iv) *Ferries, bridges, livestock.* The act of July 5, 1884 (23 Stat. 104; 10 U. S. C. 1348) authorizes the Secretary of the Army to allow the landing of ferries and erection of bridges on, and the driving of livestock across military reservations.

(2) *Consideration.* Although no provision in the statutes authorizing such grants requires compensation for privileges granted in accordance therewith, all such grants will reserve an adequate consideration not less than that charged by private interests in the vicinity, except grants to states, counties, municipalities, or political subdivisions thereof, which are for a public purpose.

(c) *License* — (1) *Authority* — (i) *Grants under administrative power.* The Secretary of the Army may, by

revocable license terminable at his discretion as the public interest may require, permit the use of real estate belonging to the United States which is under his control, provided the property is not for the time required for public use, the license conveys no interest therein, and the proposed use will be of direct benefit to the United States (see 35 Op. Atty. Gen. 485, 489 and 22 Comp. Gen. 563). This authority is not to be invoked if there is statutory authority for granting the permission desired. Examples of types of uses for which it has been determined that licenses may be issued under the administrative authority of the Secretary of the Army are as follows:

(a) *Exploration for minerals.* Permission to explore for minerals may be granted by license.

(b) *Army Reserve training centers.* Army Reserve training centers located on land owned by an educational institution may be used by ROTC units of that institution under the following conditions:

(1) Use of "common space" in the training center may be granted to the educational institution concerned by license, revocable at will, and without rental charge.

(2) Such licenses will be restricted to such periods as will not cause any interference with the use of the training center by the Army Reserve and will be on a "noninterference" and "as available" basis.

(3) Licenses will not include technical, office, administrative, or storage facilities.

(4) The educational institution concerned will be required to reimburse the Army for utilities and services furnished by the Army.

(ii) *Express statutory authority—(a) Archaeological excavations.* The act of June 8, 1906 (34 Stat. 255; 16 U. S. C. 432) authorizes the Secretary of the Army to grant permits for the excavation of ruins, the excavation of archaeological sites and the gathering of objects of antiquity upon Army lands to institutions which are deemed properly qualified to conduct such examination, excavation, or gathering, and gatherings must be undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects and the gatherings shall be made for permanent preservation in public museums.

(b) *American National Red Cross.* The act of June 3, 1916, as amended by the act of June 4, 1920 (41 Stat. 785; 10 U. S. C. 1347) authorizes the Secretary of the Army to grant revocable licenses permitting the erection and maintenance on military reservations by the American National Red Cross of buildings suitable for the storage of supplies for the aid of the civilian population in case of serious national disaster, or the occupation for that purpose of buildings erected by the United States.

(c) *Young Men's Christian Association.* The act of May 31, 1902 (32 Stat. 282; 10 U. S. C. 1346) authorizes the Secretary of the Army to grant revocable licenses permitting the erection and maintenance on military reservations by the Young Men's Christian Association of such buildings as their work for the promotion of the social, physical, intellectual, and moral welfare of the garrisons may require.

(d) *Post offices.* The Secretary of the Army shall assign proper and suitable room or rooms for post office purposes at all military posts where post offices have been established. See section 1, act of August 1, 1914 (38 Stat. 629; 10 U. S. C. 1345). Space assignment will be accomplished by arrangement between the postmaster and installation commander concerned.

(e) *National Guard purposes.* Pursuant to authority contained in the National Defense Act, June 3, 1916 (39 Stat. 166; 32 U. S. C. 1 et seq.), as amended, the Secretary of the Army is authorized to grant revocable licenses to the States and territories for the use and occupancy of installations or portions thereof by the National Guard. Such licenses do not authorize the States to assign or sublet the property, or use the property for any purpose other than National Guard purposes. A license may not be granted for the erection of a permanent National Guard armory without specific congressional authority.

(2) *Consideration.* When a license is granted under the authority of an easement or leasing statute, the same rule will apply in regard to consideration as is applicable to the granting of an easement or lease under the statute. Since the administrative power may be relied upon for the grant of a license only when such grant is of a direct benefit to the Government, such grants may be made without consideration.

(d) *Permits to other Federal agencies—(1) Authority.* The Secretary of the Army may, under his administrative powers, authorize other Federal Government agencies to use property under his control. If a statute authorizes the Secretary of the Army to transfer property to a Federal agency, he may permit the use of such property by the agency as a lesser interest than that authorized by the statute on a revocable or irrevocable basis.

(2) *Consideration.* No consideration will be reserved in instruments authorizing other Federal Government agencies to use Government-owned property under the control of the Army. The permittee will be required to reimburse the Army for utilities and services furnished by the Army, and, if the property is leased by the Army, the permittee will be required to reimburse the Army for its proportionate share of the rental paid by the Army.

(e) *Grants requiring enabling legislation.* Except as indicated in §§ 552.5 to 552.9, enactment of enabling legislation is required to authorize the Secretary of the Army to grant an interest in real estate under his control for the following purposes:

(1) Mining, except for uranium and minerals similar thereto which are under the control of the Atomic Energy Commission pursuant to act of August 30, 1954.

(2) Sinking of oil wells, or sale of oil or other minerals, except as may be authorized within the scope of 40. Op. Atty. Gen. 41, 2 April 1941.

§ 552.8 *Responsibility for granting use of real estate, Continental United States—(a) Chief of Engineers.* The Chief of Engineers, under authority of the Secretary of the Army, is charged with the issuance of licenses in connection with Government reservations. See act December 1, 1941 (55 Stat. 787; 10 U. S. C. 181b). Except as provided in this section, the Chief of Engineers is charged with sole responsibility for arranging for the use of real estate within the scope of §§ 552.5 to 552.9 by lease, license, easement, permit, or otherwise. In the performance of this function, the Chief of Engineers is authorized to obtain such technical assistance of the using service in the course of advertisement and/or negotiation for such grants as he may deem necessary to assure a fully coordinated and effective grant. This responsibility extends to and includes the granting of temporary use of the Department of the Army real estate declared excess to the General Services Administration, to the extent authorized by regulations issued pursuant to the Federal Property and Administrative Services Act of 1949, as amended.

(b) *Uses which may be authorized locally.* The following uses may be authorized by the army commanders, the Commanding General, Military District of Washington, chiefs of military districts, and installation commanders or their contracting officers, as herein provided, without reference to higher authority.

(1) *Uses authorized by army commanders or Commanding General, Military District of Washington.* (i) Army commanders or the Commanding General, Military District of Washington, may lend certain real property of the Army (including the use of unoccupied barracks) to national veterans organizations for use at State and national conventions in accordance with § 621.1 of this chapter.

(ii) Army commanders or the Commanding General, Military District of Washington, may approve local agreements with appropriate Air Force or naval commands, covering temporary use of existing Army Reserve facilities by the Air Force Reserve or Naval Reserve.

(iii) Army commanders may make arrangements for part-time use of recruiting service facilities by the Selective Service System where such usage is possible without increasing recruiting costs, and full-time joint use of single facilities by the recruiting service and Selective Service System where such usage will result in economy to one service without increase of cost to the other.

(2) *Uses authorized by Chiefs of Military Districts.* Licenses to local, civic, and other nonprofit organizations to use Army Reserve armories constructed

from general appropriations for the Army Reserve during such hours as will not interfere with training purposes will be accomplished by chiefs of military districts or their duly authorized representatives.

(3) *Uses authorized by installation commanders*—(i) *Transportation licenses.* Installation commanders are authorized to grant revocable licenses and to revoke such licenses, in the name of and by authority of the Secretary of the Army, for bus and taxicab service on installations. The following policy will be observed in granting such licenses.

(*a*) One or more licenses (revocable at will and for a period not to exceed 5 years) may be granted, based upon the free competitive proposals of all available companies or individuals.

(*b*) Prior approval of army commanders, the Commanding General, Military District of Washington, or heads of Department of the Army staff agencies will be obtained, provided, however, the army commanders, the Commanding General, Military District of Washington, or heads of Department of the Army staff agencies, in their discretion, may authorize installation commanders to make final selection of licensees without obtaining prior individual approvals.

(*c*) DD Form 694 (Transportation License (Military Reservation)) will be used for this purpose.

(*d*) Only duly licensed operators will be permitted to operate on installations.

(*e*) No distinction will be drawn between taxicab and bus transportation.

(*f*) If use of Government property is desired for such purposes as bus station, waiting rooms, storage space, offices, etc., in connection with the proposed transportation service, application for a lease will be forwarded to the appropriate division or district engineer, Corps of Engineers, for processing in accordance with § 552.9.

(*g*) Licenses may be revoked for breach of any condition or conditions of the license and for military necessity, as determined by the authority making final selection of the licensee in accordance with (*b*) of this subdivision.

(ii) *Structures erected incident to contracts for construction and related work.* (*a*) Installation commanders are authorized to permit the erection of temporary structures for use incident to a contract for construction and related work for the period of the contract and with provision for removal and restoration of the premises upon expiration of the contract: *Provided,* That, in the interest of the United States, any structure suitable for military use may, in lieu of removal, be relinquished to the United States.

(*b*) *Structures erected with unappropriated funds.* Buildings and structures erected on military installations with proper authority of the installation commander and with post exchange funds or other nonappropriated funds and solely at the expense of the unit or activity concerned remain their property and may be sold by such unit or activity when no longer needed, upon written authorization by the installation commander. If such property is not desired by the nonappropriated funds activity, ownership of the property may, with the approval of the installation commander, be transferred to the Government. If, however, such buildings or structures are erected wholly or in part with the use of troop labor, and Government materials, tools and facilities, ownership of the buildings or structures will be retained by the Government.

(iii) *Red Cross activities.* Installation commanders will furnish office space and quarters for Red Cross activities and personnel when assigned to duty with the Armed Forces in accordance with pertinent Army regulations.

(iv) *Licenses of a minor character.* Installation commanders may grant orally, or in writing, licenses of a minor character, which in the absence of permission would amount to a trespass, incident to post administration; as, for example, permits to merchants to enter the reservation to make deliveries. This authority does not include the granting of any interest in real estate included in §§ 552.5 to 552.8.

§ 552.9 *Procedure for granting use of real estate, Continental United States*—(a) *Applications.* Applications for use of real estate will ordinarily consist of a narrative written request and no particular form is required.

(b) *Preparation and execution of instruments.* Instruments for granting temporary use of real estate in accordance with authorities set forth in the preceding paragraphs will be prepared in accordance with procedures prescribed by the Chief of Engineers. To the extent authorized by the Secretary of the Army, the Chief of Engineers or his representative will approve, execute, and distribute such instruments; otherwise, they will be prepared and submitted through The Judge Advocate General for execution by direction of the Assistant Secretary of the Army (Financial Management).

(c) *Rights of entry.* No right of entry, pending the execution of a formal instrument, will be granted without first obtaining authorization from the office wherein the instrument will be executed, unless contrary instructions are issued by the Department of the Army. When authorized, rights of entry will be granted by division or district engineers, Corps of Engineers.

(d) *Unauthorized use.* Whenever it is observed that property under the control of the Department of the Army is being used and/or occupied by private parties without proper authority, corrective action should be taken to cause such unauthorized use to be discontinued or to formalize such use and occupancy in accordance with §§ 552.5 to 552.9. In either event, compensation should be obtained for the unauthorized use of such property.

(R. S. 161; 5 U. S. C. 22) [AR 405-80, 29 July 1955]

[SEAL] JOHN A. KLEIN,
Major General, USA,
The Adjutant General.

[F. R. Doc. 55-6915; Filed, Aug. 25, 1955; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order VII-7, Supp. 1]

DMO VII-7, SUPP. 1—EMERGENCY ACTION FOR MAINTENANCE OF THE MOBILIZATION BASE UNDER DISASTER CONDITIONS

By virtue of the authority vested in me by Executive Order 10480 of August 15, 1953, as amended, it is hereby ordered as follows:

1. It is essential to the national defense that productive facilities located in areas damaged by a major disaster as defined and determined under the provisions of Public Law 875, 81st Congress (42 U. S. C. 855 (b)), be currently utilized to the maximum practicable extent in order that the mobilization base, including manpower resources, in such areas may be maintained.

2. To accomplish this objective, procurement agencies shall use their best efforts to award procurement contracts to contractors located in disaster areas and to encourage prime contractors to award subcontracts to firms in those areas.

3. Preference in the award of contracts for supplies and services to contractors in disaster areas is considered to be in the public interest and in the interest of national defense.

4. The procedure authorized in this supplement shall remain in effect only for such period of time as the areas in question are classified as disaster areas under the authority of Public Law 875, 81st Congress.

5. This supplement to Defense Mobilization Order VII-7 shall take effect immediately and shall remain in force until withdrawn.

OFFICE OF DEFENSE MOBILIZATION,
ARTHUR S. FLEMMING,
Director.

[F. R. Doc. 55-6994; Filed, Aug. 25, 1955; 10:44 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—VETERANS CLAIMS

COMPUTATION OF ANNUAL INCOME

In § 3.228, paragraphs (a) (2), (b) (1), (c) (9), and (k) are amended to read as follows:

§ 3.228 *Computation of annual income for the purposes of Part III, Veterans Regulation 1 (a), (38 U. S. C. ch. 12A), or section 1 (c) of Public Law 198, 76th Congress (act of July 19, 1939), as amended by section 11, Public Law 144, 78th Congress, and Public Law 357, 82d Congress*—(a) *Application of annual income limitation.* * * *

(2) *Basic rule.* Annual income will be computed on the basis of the total income for the entire calendar year. Where the equities indicate, however, such annual income may be computed

proportionately. Under any method of calculation, the question is whether the actual income exceeds the statutory income limitations.

* * * * *

(b) *Benefits excluded from computation.* In determining annual income, benefits received from the following sources will not be considered:

(1) Any payments by the United States Government because of disability or death, and proceeds of matured endowment policies and dividends (including special and termination dividends) of Government insurance under laws administered by the Veterans Administration.

* * * * *

(c) *Income included in computation.* In determining annual income, payments and benefits received from the following sources will be considered: * * *

(9) Proceeds of bequests and inheritances received in the settlement of estates: *Provided,* That property received by inheritance or otherwise will not be considered as "annual income" until such property, or other property acquired in lieu thereof by exchange or barter, has been converted into cash: *Provided further,* That where such property is converted into cash, the amount of the claimant's personal contribution will be deducted in determining the net income.

* * * * *

(k) *State property laws.* In determining the income of a claimant, the real property laws of the several States are not for application.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective August 26, 1955.

[SEAL] JOHN S. PATTERSON,
Deputy Administrator.

[F. R. Doc. 55-6962; Filed, Aug. 25, 1955; 8:55 a. m.]

PART 36—SERVICEMEN'S READJUSTMENT ACT OF 1944

SUBPART A—TITLE III; LOAN GUARANTY

MISCELLANEOUS AMENDMENTS

1. In § 36.4501, paragraph (f) is amended to read as follows:

§ 36.4501 *Definitions.* * * *

(f) "Farm residence" means a dwelling located on a farm which is to be occupied by the veteran as his home.

* * * * *

2. Section 36.4502 is revised to read as follows:

§ 36.4502 *Use of guaranty entitlement.* The guaranty entitlement of the veteran obtaining a direct loan which is closed on or after June 21, 1955, shall be charged with an amount which bears the same ratio to $7,500 as the amount of the loan bears to $10,000.

3. In § 36.4503, paragraphs (a), (b), and (c) are amended to read as follows:

§ 36.4503 *Amount and amortization.* (a) The original principal amount of any loan made on and after June 21, 1955, shall not exceed an amount which bears the same ratio to $10,000 as the amount of guaranty to which the veteran is entitled under section 501 of the act at the time the loan is made bears to $7,500, nor may any veteran obtain direct loans aggregating more than $10,000. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Loans made by Veterans Administration shall bear interest at the rate of 4½ percent per annum, except where a commitment to make the loan was issued prior to June 30, 1953, in which case the rate of interest shall be 4 percent per annum.

(b) Each loan shall be repayable on the basis of approximately equal monthly installments; except that in the case of loans made for any of the purposes described in clause (B), (C), or (D) of paragraph (1) of subsection (a) of section 512, such loans may provide for repayment in quarterly, semi-annual or annual installments provided that such plan of repayment corresponds to the present and anticipated income of the veteran.

(c) The first installment payment on a loan to construct, alter or improve a farm residence or other dwelling may be postponed for a period not exceeding 12 months from the date of the loan instruments. The first installment payment for a loan for the purchase of a dwelling or farm on which there is a farm residence may not be postponed more than 60 days from the date of loan closing: *Provided,* That if the loan is repayable in quarterly, semi-annual or annual installments, the first installment payment date may be postponed for not more than 12 months from the date of the loan instruments.

* * * * *

4. In § 36.4504, paragraph (d) is amended to read as follows:

§ 36.4504 *Loan closing expenses.* * * *

(d) With respect to a loan to construct, repair, alter, or improve a farm residence or other dwelling, the veteran will deposit with Veterans Administration, or in an escrow satisfactory to Veterans Administration, 10 percent of the estimated cost thereof or such alternative sum, in cash or its equivalent, as Veterans Administration may determine to be necessary in order to afford adequate assurance that sufficient funds will be available, from the proceeds of the loan or from other sources, to assure completion of the construction, repair, alteration or improvement in accordance with the plans and specifications upon which Veterans Administration based its loan commitment.

5. In § 36.4507, the introductory paragraph and paragraph (d) are amended to read as follows:

§ 36.4507 *Refunding of outstanding indebtedness.* Advances made by the veteran-applicant or obligations incurred by him, incident to the purchase, construction, repair, alteration or improvement of a farm residence or other dwelling which is to be financed further through the direct loan, may be reimbursed to him or paid for his out of the proceeds of such loan: *Provided,* * * *

(d) That with respect to a loan for the construction of a dwelling or farm residence on land owned by the veteran a portion of the proceeds of the loan may be expended to liquidate an indebtedness which is secured by a lien against such land, but only if the reasonable value of the land is equal to or in excess of the amount of the lien and if the liquidation of such indebtedness will permit the loan to be secured by a first lien.

6. In § 36.4509, paragraph (b) is amended to read as follows:

§ 36.4509 *Joint loans.* * * *

(b) Notwithstanding that an applicant and his spouse both be eligible veterans and will be jointly and severally liable as borrowers, the original principal amount of the loan may not exceed the maximum permissible under § 36.4503 (a). The loan may not exceed $10,000 in any event.

7. In § 36.4510, paragraph (b) (1) is amended to read as follows:

§ 36.4510 *Prepayment, acceleration, and liquidation.* * * *

(b) * * *

(1) The right of the borrower to prepay at any time without premium or fee, the entire indebtedness or any part thereof: *Provided,* That any such prepayment, other than payment in full, may not be made in any amount less than the amount of one installment, or $100, whichever is less: *And provided further,* That any prepayment made on other than an installment due date will not be credited until the next following installment due date, but not later than 30 days after such prepayment.

* * * * *

8. In § 36.4514, paragraph (c) is deleted and former paragraphs (d) and (e) are amended and redesignated paragraphs (c) and (d) respectively; former paragraph (f) is redesignated paragraph (e), so that the amended and redesignated material reads as follows:

§ 36.4514 *Eligibility requirements.* Prior to making a loan, or a commitment therefor Veterans Administration shall determine that: * * *

(c) The applicant is a satisfactory credit risk and has the ability to repay the obligation proposed to be incurred by him and that the proposed payments on such obligation bear a proper relationship to his present and anticipated income and expenses.

(d) Private capital is not available in the area at an interest rate not in excess of the rate authorized for guaranteed home loans for a loan for which the veteran is qualified under section 501 of Title III of the act.

(e) The applicant is unable to obtain a loan for such purpose from the Secretary of Agriculture, under the Bankhead-Jones Farm Tenant Act, as amended, or under the Housing Act of 1949.

9. In § 36.4516, paragraph (a) is amended, former paragraph (b) is redesignated paragraph (c), and a new

paragraph (b) is added so that § 36.4516 reads as follows:

§ 36.4516 *Lien requirements.* (a) Loans for the purchase of a dwelling or for the purchase of a farm on which there is a farm residence shall be secured by a first lien on the property or estate. Loans for the construction of a farm residence or other dwelling shall also be secured by a first lien.

(b) Loans for the repair, alteration or improvement of a farm residence or other dwelling shall be secured by a first lien except as may be approved by the Administrator or the Deputy Administrator for Veterans Benefits in an individual case: *Provided,* That if the Veterans Administration is the holder of a first lien on the property such loans may be secured by a second lien.

(c) Tax or special assessment liens or ground rents not due and payable on the date of loan closing shall be disregarded with respect to any requirement that loans shall be secured by a lien of specified dignity.

10. Section 36.4519 is revised to read as follows:

§ 36.4519 *Eligible purposes and reasonable value requirements.* (a) A loan may be made only for the purposes set forth in this paragraph, and the purchase price or cost of the property, construction, repairs, alterations, or improvements to be financed with the loan proceeds may not exceed the reasonable value of the same as established by a proper appraisal made by an appraiser designated by Veterans Administration:

(1) To purchase or construct a dwelling to be owned and occupied by the veteran as a home;

(2) To purchase a farm on which there is a farm residence to be occupied by the veteran as his home;

(3) To construct on land owned by the veteran a farm residence to be occupied by him as his home;

(4) To repair, alter, or improve a farm residence or other dwelling owned by the veteran and occupied by him as his home.

(b) In the case of a loan for the construction of a farm residence or other dwelling on land owned by the veteran, a portion of the loan proceeds may be expended to liquidate an indebtedness secured by a lien against such land, but only if the reasonable value of the land is equal to or in excess of the amount of the indebtedness secured by such lien and if the liquidation of such indebtedness will permit the loan to be secured by a first lien. Except as provided in § 36.4507, no portion of the proceeds of a loan for repairs, alterations or improvements to a farm residence or other dwelling may be expended to liquidate a prior lien against the property.

11. Section 36.4523 is revised to read as follows:

§ 36.4523 *Geographical limits.* Any real property purchased, constructed, or improved with the proceeds of a loan under section 512 of the act shall be situated in the United States, defined in the act as the several States, Territories and possessions, and the District of Columbia: *Provided,* That no loan shall be made pursuant to section 512 unless the real property is located in one of the areas designated from time to time by Veterans Administration as an area in which private capital is not available under Title III of the act to eligible veterans for financing of the purchase, construction, repairs, alterations, or improvement of a farm residence or other dwelling, as the case may be.

(Sec. 504, 58 Stat. 293, as amended; 38 U. S. C. 694d)

This regulation is effective August 26, 1955.

[SEAL] JOHN S. PATTERSON,
Deputy Administrator.

[F. R. Doc. 55-6963; Filed, Aug. 25, 1955; 8:55 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF COMMERCE

Maritime Administration

[46 CFR Part 222]

CARGO AND PASSENGER REPORTS TO BE FILED BY COMMON CARRIERS BY WATER

STATEMENTS REQUIRED TO BE FILED PURSUANT TO MERCHANT MARINE ACT, 1936

Notice is hereby given that pursuant to sections 204 and 807 of the Merchant Marine Act, 1936, as amended (46 U. S. C. 1114 and 1225) and section 4 of the Administrative Procedure Act (5 U. S. C. 1003) the Maritime Administrator has authorized an informal rule making proceeding in connection with a proposed revision of General Order No. 9 (46 CFR 222.1).

The substance of the proposed General Order No. 9, Revised, follows:

1. The proposed order requires shipbuilders or ship operators holding or applying for a contract under the provisions of the Merchant Marine Act, 1936, or any subsidiary, affiliate, associate or holding company thereof to file with the Secretary, Maritime Administration, a statement in the form and detail prescribed therein, identifying any person employed or retained to present, advocate, or oppose before the Congress or any committee thereof or before the Secretary of Commerce, the Federal Maritime Board, or the Maritime Administration any matter within the scope of the Shipping Act, 1916, as amended (46 U. S. C. 801 et seq.), the Merchant Marine Act, 1920, as amended (46 U. S. C. 861 et seq.), the Merchant Marine Act, 1928, as amended (46 U. S. C. 891 et seq.), the Intercoastal Shipping Act, 1933, as amended (46 U. S. C. 843 et seq.), and the Merchant Marine Act, 1936, as amended (46 U. S. C. 1101 et seq.), the subject matter in respect of which such person is retained or employed, the nature and character of such retainer or employment, and the amount of compensation to be received by such person, directly or indirectly, in connection therewith;

2. The proposed order requires any person so employed or retained to file with the Secretary, Maritime Administration, during such retainer or employment a statement in the form and detail prescribed therein of expenses incurred and compensation received by such person in connection therewith; and

3. The proposed order requires associations (as defined in the said proposed order) to file with the Secretary, Maritime Administration, a statement, in the form and detail prescribed therein, of expenses incurred and compensation received by such association, and of compensation or reimbursement paid by such associations to persons retained or employed by the association to present, advocate, or oppose on behalf of the association or any of its members any matter within the scope of section 807, Merchant Marine Act, 1936, as amended (46 U. S. C. 1225), as outlined in paragraph No. 1 above.

Copies of the proposed General Order No. 9, revised, and copies of the form of the statements, required thereby to be filed, may be obtained from the Secretary, Maritime Administration, Washington 25, D. C.

Interested persons may submit written data, views or arguments in connection with said proposed General Order No. 9, revised, on or before thirty (30) days from date of publication hereof.

Dated: August 12, 1955.

By order of the Maritime Administrator.

[SEAL] GEORGE A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 55-6926; Filed, Aug. 25, 1955; 8:49 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Treasury Department Order No. 180-3]

COMMISSIONER OF NARCOTICS

DELEGATION OF FUNCTIONS

By virtue of the authority vested in me by Reorganization Plan No. 26 of 1950, there are hereby transferred to the Commissioner of Narcotics all the functions of the Secretary of the Treasury under Public Law No. 362, 84th Congress, 1st Session.

The functions herein transferred may be delegated by the Commissioner of Narcotics to subordinates as he deems necessary.

Dated: August 22, 1955.

[SEAL] DAVID W. KENDALL,
Acting Secretary of the Treasury.

[F. R. Doc. 55-6940; Filed, Aug. 25, 1955; 8:52 a. m.]

United States Coast Guard

[CGFR 55-41]

STANDARD KAPOK BUOYANT CUSHIONS AND NON-STANDARD BUOYANT CUSHIONS FOR UNINSPECTED MOTORBOATS

TERMINATION OF APPROVALS

All the outstanding approvals in the 160.007 series for standard kapok buoyant cushions and all the outstanding approvals in the 160.008 series for non-standard buoyant cushions are terminated, effective October 1, 1955. These terminations of approvals are in accordance with the changes in the regulations published in the FEDERAL REGISTER dated December 18, 1954 (19 F. R. 8691-8708), and described as follows:

The amendments to 46 CFR 25.25-5 (e), 160.007-1 to 160.007-7, 160.008-1 to 160.008-7, and new regulations designated 160.048-1 to 160.048-7, and 160.049-1 to 160.049-7, deal with buoyant cushions for use on uninspected vessels. These amendments will require that after October 1, 1955, all buoyant cushions shall be constructed of kapok or fibrous glass or unicellular plastic foam in accordance with new specifications designated as 160.048 and 160.049. The specifications for kapok buoyant cushions designated 160.007 and 160.008 are canceled with an effective date of October 1, 1955, but existing buoyant cushions previously approved and manufactured under these specifications may be continued in service so long as in good and serviceable condition.

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 in compliance with R. S. 4405, as amended, 4462, as amended, and sections 6 and 17, 54 Stat. 164, 166, as amended (46 U. S. C. 375, 416, 526e, 526p): *It is ordered,* That:

(a) All the approvals in the 160.007 series and published under the heading "Buoyant Cushions, Kapok, Standard," are terminated, effective October 1, 1955.

(b) All the approvals in the 160.008 series and published under the heading "Buoyant Cushions, Non-Standard," are terminated, effective October 1, 1955.

(c) Notwithstanding the terminations of approvals as set forth in paragraphs (a) and (b) above, buoyant cushions manufactured prior to October 1, 1955, under approvals in the 160.007 and 160.008 series may be continued in use so long as in good and serviceable condition.

Dated: August 22, 1955.

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

[F. R. Doc. 55-6939; Filed, Aug. 25, 1955; 8:51 a. m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

ASSISTANT SECRETARY OF DEFENSE FOR PROPERTIES AND INSTALLATIONS

DELEGATION OF AUTHORITY WITH RESPECT TO APPLICATION OF CERTAIN STATUTORY LIMITATIONS ON UNIT COSTS FOR CONSTRUCTION OF WAREHOUSING, BARRACKS AND BACHELOR OFFICER QUARTERS

By virtue of the authority vested in me as Secretary of Defense, the following delegation of authority is hereby made:

1. There is hereby delegated to the Assistant Secretary of Defense for Properties and Installations the authority of the Secretary of Defense to determine that, because of special circumstances, it is impracticable to apply to a building construction project the limitations on unit costs of cold-storage warehousing, regular warehousing, permanent barracks, ten-year-life barracks, and bachelor officer quarters, which are imposed by Section 508 of the Act of August 7, 1953 (Pub. Law 209, 83d Congress; 67 Stat. 440, 452), Section 508 of the Act of July 27, 1954 (Pub. Law 534, 83d Congress; 68 Stat. 535, 561), and Section 510 of the Act of July 15, 1955 (Pub. Law 161, 84th Congress; 69 Stat. 324, 351) and which may be similarly imposed by future statutes.

2. This delegation of authority supersedes and cancels the delegation of authority to the Assistant Secretary of Defense for Properties and Installations dated April 16, 1954, which was published at 19 F. R. 2522 on April 30, 1954.

[SEAL] C. E. WILSON,
Secretary of Defense.

AUGUST 18, 1955.

[F. R. Doc. 55-6914; Filed, Aug. 25, 1955; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

PEANUTS

REDELEGATION OF FINAL AUTHORITY BY THE VIRGINIA STATE AGRICULTURAL STABILIZATION AND CONSERVATION COMMITTEE

The Marketing Quota Regulations for the 1955 Crop of Peanuts (19 F. R. 6134) (20 F. R. 3819), issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1393), provide that any authority delegated to the State Agricultural Stabilization and Conservation Committee by the regulations may be redelegated by the State committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)), which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein the redelegations of final authority which have been made by the Virginia State Agricultural Stabilization and Conservation Committee of authority vested in such committee by the Secretary of Agriculture in the regulations referred to above. There are set out below the sections of the regulations in which such authority appears and the person of the Agricultural Stabilization and Conservation to whom the authority has been redelegated.

VIRGINIA

1023 (Peanuts—1955)-1.

Section 729.611 (i)—W. T. Powers, State Administrative Officer and J. S. Shackleton, Jr., Program Specialist, of the Office of the State ASC Committee.

1026 (Peanuts—1955)-1.

Section 729.653 (b) & (c), 729.657 (b) & (c), and 729.661 (b) (2)—W. T. Powers, State Administrative Officer; J. S. Shackleton, Jr., Program Specialist; and H. O. Simpson, Marketing Quota Specialist, of the Office of the State ASC Committee.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361-368, 372, 373, 374, 376, 388, 52 Stat. 38, 62, 63, 64, 65, 66, 68, as amended; 55 Stat. 88, as amended, 66 Stat. 27; 7 U. S. C. 1301, 1358, 1359, 1361-1368, 1372, 1373, 1374, 1376, 1388)

Issued at Washington, D. C., this 23d day of August 1955.

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

[F. R. Doc. 55-6953; Filed, Aug. 25, 1955; 8:53 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 7006]

UNITED STATES OVERSEAS AIRLINES, INC.; ENFORCEMENT PROCEEDING

NOTICE OF HEARING

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled

proceeding is assigned to be held on September 13, 1955, 2:00 p. m., e. d. s. t., in Room 5132, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D. C., August 23, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-6956; Filed, Aug. 25, 1955; 8:54 a. m.]

[Docket No. 6580]

ACTA-IMATA COMMERCIAL CHARTER EXCHANGE INVESTIGATION

NOTICE OF ORAL ARGUMENT

In the matter of the disapproval or approval of the commercial charter resolutions filed by the Aircoach Transport Association (Agreement No. CAB 7594) and the Independent Military Air Transport Association (Agreement Nos. CAB 4838-A8 and CAB 6943) pursuant to Section 412 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on September 28, 1955, 10:00 a. m., local time, in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., August 23, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-6957; Filed, Aug. 25, 1955; 8:54 a. m.]

[Docket No. 6927, et al.]

ERIE-DETROIT SERVICE CASE

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Erie Municipal Airport Authority for an investigation as to the need of air transportation between Erie, Pennsylvania, and Detroit, Michigan.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding, now assigned for September 27, 1955, is postponed to September 29, 1955, 10:00 a. m., local time, in Grand Jury Room 302, U. S. Court House Building, South Park Row at State Street, Erie, Pennsylvania, before Examiner Barron Fredricks.

Dated at Washington, D. C., August 23, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-6958; Filed, Aug. 25, 1955; 8:54 a. m.]

[Docket No. 6804, et al.]

OZARK AIRLINES, INC.; DAVENPORT-MOLINE AIRPORT CASE

NOTICE OF ORAL ARGUMENT

In the matter of the transfer of operations by Ozark Airlines, Inc., from the Quad-City Airport to Mt. Joy Airport, and in the matter of the petition of Metropolitan Airport Authority, Rock Island County, Illinois, et al., under section 401 (h) of the Civil Aeronautics Act of 1938, as amended, for the alteration, amendment or modification of the temporary certificate of public convenience and necessity of Ozark Airlines, Inc., for route No. 107.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on September 21, 1955, 10:00 a. m., e. d. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., August 23, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-6959; Filed, Aug. 25, 1955; 8:54 a. m.]

[Docket No. 7197]

CONTINENTAL AIR LINES, INC.; PERMANENT CERTIFICATE CASE

NOTICE OF HEARING

In the matter of the application of Continental Air Lines, Inc., under Section 401 (e) (3) of the Civil Aeronautics Act of 1938, as amended, for a certificate of public convenience and necessity of unlimited duration for route No. 64.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding is assigned to be held on September 8, 1955, 10:00 a. m., e. d. s. t., in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Ferdinand D. Moran.

Dated at Washington, D. C., August 22, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-6960; Filed, Aug. 25, 1955; 8:54 a. m.]

[Docket No. 6093]

INTRA-ALASKA ROUTE INVESTIGATION

POSTPONEMENT OF PREHEARING CONFERENCE

Notice is hereby given that prehearing conference in the above-entitled proceeding, now assigned to be held on September 8, 1955, is postponed to September 22, 1955, 10:00 a. m., e. d. s. t., in Room E-206, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Herbert K. Bryan.

Dated at Washington, D. C., August 22, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-6961; Filed, Aug. 25, 1955; 8:54 a. m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dept. Order 152, Amdt. 2]

BUSINESS AND DEFENSE SERVICES ADMINISTRATION

ORGANIZATION AND FUNCTIONS; MISCELLANEOUS AMENDMENTS

The material appearing in 18 F. R. 6503-6505 is amended as follows:

The functions relating to area development are hereby transferred from the Office of Technical Services to the Office of Area Development which is hereby established as an organization unit of the Business and Defense Services Administration, and Department Order No. 152 dated October 1, 1953, as amended, is further amended as follows to reflect this action:

1. Section 2 is amended by adding subsection (d) Office of Area Development.

2. Section 6 (b) is amended to read:

(b) The Office of Technical Services shall collect and compile scientific and technical information on technological productivity for dissemination to business enterprises; assist industries to develop and agree upon commercial standards as to quality, testing, and ratings; shall serve as the point of contact with trade associations and other nonprofit trade groups for the purpose of encouraging their cooperation and obtaining recommendations with respect to the domestic commerce programs and activities of the Department; and bring to the attention of American inventors, in cooperation with the National Inventors Council and representatives of the Department of Defense and such other Federal agencies as may wish representation, the technical programs of Government groups.

3. Section 6 is further amended by adding subsection (e) which reads as follows:

(e) The Office of Area Development shall work with and assist State and local development groups to increase employment opportunities through (1) technical assistance on establishing new industries based on local resources, (2) technical assistance on expanding existing industries by new product assistance and by market expansion information, (3) stimulating one-industry communities to work on economic diversification before distress conditions become apparent, (4) encouraging and assisting state development agencies and state institutions to give special attention to areas of need, (5) act as a clearing house on all types of Federal assistance to area problems on request, (6) encouraging private industry to locate new expan-

sions in local areas of need, and (7) conduct such research and publication programs as required by the above.

All of the personnel, funds, records, and equipment pertinent to the functions transferred by this amendment, are hereby transferred to the Office of Area Development.

Effective date: August 12, 1955.

SINCLAIR WEEKS,
Secretary of Commerce.

[F. R. Doc. 55-6916; Filed, Aug. 25, 1955; 8:47 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[Administrative Order 447]

PUERTO RICO

NOTICE OF RESIGNATION FROM AND APPOINTMENT TO SPECIAL INDUSTRY COMMITTEES NOS. 17-A THROUGH 17-E

David W. Louisell of Minneapolis, Minnesota, having resigned as member of Special Industry Committees Nos. 17-A, 17-B, 17-C, 17-D and 17-E for Puerto Rico, the Secretary of Labor, pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. and Sup. 201 et seq.), hereby appoints Maynard Pirsig of Minneapolis, Minnesota to serve as representative of the public in the industries for which said Committees were appointed.

Signed at Washington, D. C., this 19th day of August 1955.

ROCCO C. SICILIANO,
Acting Secretary of Labor.

[F. R. Doc. 55-6938; Filed, Aug. 25, 1955; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-6081]

SHARPLES OIL CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 22, 1955.

Take notice that The Sharples Oil Corporation (Applicant), a Delaware corporation whose address is Suite 1001, 1700 Broadway, Denver 2, Colorado, filed on November 26, 1954, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service 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 produces natural gas (Casing Head) from 4 wells on the TXL "E" lease and 4 wells on the TXL "F" lease, both leases located in the Spraberry Field, Midland County, Texas. Applicant sells the raw Casing Head gas from the TXL "E" lease after separation from the oil to the Phillips Petroleum Company which, after processing, sells the residue gas to the Permian Basin Pipe Line Company for transportation in interstate commerce for resale. Applicant sells the raw Casing Head gas from the TXL "F" lease after separation from the oil to the Texas Gas Products Corporation which, after processing, sells the residue gas to the El Paso Natural Gas Company for transportation in interstate commerce for resale.

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 Wednesday, September 21, 1955, at 9:50 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 section 1.30 (c) (1) or (c) (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 September 1, 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] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-6909; Filed, Aug. 25, 1955; 8:46 a. m.]

[Docket No. G-9108]

HAYS AND ANDERSON

NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 22, 1955.

Take notice that Hays and Anderson, Applicant, a partnership whose address is Lee District, Calhoun County, West Virginia, filed on July 6, 1955 an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service 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 to produce natural gas from 110 acres of the Lowe Metz Lease, Lee District, Calhoun County, West Virginia, which it proposes to sell to Hope Natural Gas Company under contract dated June 16, 1955 at 20 cents per Mcf for transportation in interstate commerce for resale.

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 Tuesday, September 20, 1955 at 9:40 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 section 1.30 (c) (1) or (c) (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 August 31, 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] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-6910; Filed, Aug. 25, 1955; 8:46 a. m.]

[Docket No. G-9148]

ROBINSON OIL & GAS CO.

NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 22, 1955.

Take notice that the Robinson Oil & Gas Company, Applicant, an individual whose address is Box 211, Grantsville, West Virginia, filed on July 18, 1955, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service 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 to produce natural gas from 50 acres of the Sycamore Field, Sherman District, Calhoun County, West Virginia, which it proposes to sell at 12 cents per Mcf to Godfrey L. Cabot, Inc., (1) for transportation in interstate commerce for resale and (2) for resale to the Hope Natural Gas Company for transportation in interstate commerce for resale.

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 Tuesday,

September 20, 1955, at 9:50 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 section 1.30 (c) (1) or (c) (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 August 31, 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] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-6911; Filed, Aug. 25, 1955; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 23, 1955.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the General Rules of Practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 30992: Pipe—Galveston and Houston, Tex., to Illinois. Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on pipe, steel or wrought iron, welded or seamless from Galveston and Houston, Tex., to Lemont, Lockport, McCook, Romeo, and Willow Springs, Ill.

Grounds for relief: Barge competition and circuitous routes.

Tariff: Supplement 87 to Agent Kratzmeir's I. C. C. 4139.

FSA No. 30993: Grain and grain products—Southwest to Texas. Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on grain and grain products, and seeds, carloads from specified points in Arkansas, Kansas, Louisiana, and Oklahoma to specified points in Texas, applicable on shipments transited enroute at Shereveport, La.

Grounds for relief: Circuitous routes via transit points, Shreveport, La.

Tariff: Supplement 106 to Agent Kratzmeir's I. C. C. 3941.

FSA No. 30994: Fertilizer solution—La Platte, Nebr., to Illinois Territory. Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on fertilizer ammoniating solution and nitrogen fertilizer solutions, tank-car loads from La Platte, Nebr., to base points in Illinois territory and points grouped therewith in the National Rate Basis tariff as taking same rates.

Grounds for relief: Short-line distance scale, market competition and circuity.

Tariff: Supplement 10 to Agent Prueter's I. C. C. A-4090.

FSA No. 30995: Lumber—North Pacific Coast to Michigan and Wisconsin. Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on lumber, shingles, and related articles, carloads from specified points in California and Oregon to specified points in Michigan and Wisconsin.

Grounds for relief: Circuitous routes, through higher-rated to lower-rated destination groups.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 55-6913; Filed, Aug. 25, 1955; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3403]

INTERSTATE POWER CO. AND EAST DUBUQUE ELECTRIC CO.

NOTICE OF FILING REGARDING LIQUIDATION OF WHOLLY-OWNED SUBSIDIARY

AUGUST 19, 1955.

Notice is hereby given that Interstate Power Company ("Interstate"), a Delaware corporation and a registered holding company, and East Dubuque Electric Company ("East Dubuque"), its wholly owned public-utility subsidiary company and an Illinois corporation, have filed an application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") and have designated sections 9 (a), 10, 12 (b) and 12 (f) of the act and Rules U-23, U-24, U-42, U-44 and U-46 promulgated thereunder, as applicable to the proposed transactions, which are summarized as follows:

Applicants-declarants propose the dissolution and complete liquidation of East Dubuque and the acquisition by Interstate as sole stockholder of all of the property and assets of East Dubuque, subject to the assumption by Interstate of all the liabilities of East Dubuque.

It is stated that upon consummation of the proposed transactions Interstate will have ceased to be a holding company and will by supplemental application request a declaration to that effect pursuant to section 5 (d) of the act.

It is further stated that certain of the proposed transactions are subject to the approval of the Illinois Commerce Commission.

Notice is further given that any interested person may, not later than September 19, 1955, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application-declaration as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the Rules and Regulations promulgated under the Act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100 or take such other action as it deems appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 55-6917; Filed, Aug. 25, 1955; 8:47 a. m.]

[File No. 812-945]

EQUITY CORP. ET AL.

NOTICE OF FILING OF APPLICATION FOR ORDER EXEMPTING CERTAIN TRANSACTIONS BETWEEN AFFILIATES INCIDENT TO A MERGER

In the matter of The Equity Corporation, Commercial Controls Corporation, Electromode Corporation.

Notice is hereby given that The Equity Corporation ("Equity"), a registered closed-end non-diversified investment company, and Comercial Controls Corporation ("Commercial") and Electromode Corporation ("Electromode"), affiliated companies of Equity, have filed a joint application pursuant to section 17 (b) of the Investment Company Act of 1940 ("Act") for an order exempting from the provisions of section 17 (a) of the act certain transactions described below incident to a proposed merger of Commercial and Electromode.

Commercial, organized under the laws of Delaware, is engaged in the manufacture and sale of tape controlled and tape producing automatic typing machines, mail room equipment, and production control machines and systems; the rental of postal meters and other machines; and the performance of contracts for the manufacture of office machine parts. Its principal plant and property is located at Rochester, New York. Commercial has outstanding $2,410,650 of 3 percent notes due 1962 to 1970, of which Equity owns $1,192,950 and International Business Machines Corporation the balance of $1,217,700. Commercial also has outstanding 100,000 shares of common stock, of which Equity owns 54,000 shares and officers of Commercial the balance of 46,000 shares.

Electromode, organized under the laws of Delaware, is engaged in the manufacture and sale of electric space heaters. Its operations, conducted at the plant owned by Commercial in Rochester, New York, are primarily of an assembling and finishing nature; the manufacture of heating elements and other parts are performed by sub-contractors. Electromode has outstanding 2,000 shares of common stock of which 1,001 shares (50.05 percent) are owned by Commercial, 868.06 shares (43.40 percent) are owned by Equity, and the balance of 130.94 shares (6.55 percent) are owned by individual stockholders, some of whom

are affiliated persons of companies controlled by Equity. The only other securities which Electromode has outstanding are 600 shares of 80 cents preferred stock owned in equal amounts by Equity and Commercial.

Prior to the merger of Commercial and Electromode, it is proposed that Commercial amend its Certificate of Incorporation so as to authorize the issuance of 23,859 shares of 4½ percent cumulative convertible preferred stock, $50 par value, convertible into 1.3 shares of common stock of Commercial. This new preferred stock would be offered for cash at a price of $50 per share to all of the holders of Commercial's common stock, i. e., 54 percent to Equity and 46 percent to officers of Commercial. Equity would purchase any preferred stock not purchased by the management group. Commercial would use the proceeds of $1,192,950 from the sale of the preferred stock to retire the notes in that amount owned by Equity. It is also proposed that prior to the merger Electromode would redeem its outstanding 600 shares of preferred stock at the redemption price of $20 per share.

Following the above steps, Electromode would be merged with and into Commercial, pursuant to the General Corporation Law of the State of Delaware, with Commercial the surviving corporation. In the merger, the holders of the common stock of Electromode (other than Commercial) would receive 20.19 shares of the common stock of Commercial for each share of Electromode held by them. The shares of common stock of Electromode owned by Commercial would be cancelled. The merger exchange ratio is based upon a valuation of $35.29 per share for the common stock of Commercial and $712.50 per share for the common stock of Electromode. These valuations were recommended by Ebasco Services Incorporated, New York, N. Y., which was retained by Commercial and Electromode to prepare an independent report in connection with the formulation of the plan of merger. Any common stockholder of Electromode who dissents from the merger would be offered for each share of his stock cash of $712.50 per share, the valuation under the plan of merger. Any dissenting stockholder would also have the right to have his shares appraised and paid in cash under the laws of the State of Delaware.

Equity would receive, pursuant to the above plan of merger, 17,525 shares of common stock of Commercial, and the other stockholders of Electromode would receive 2,645 shares of common stock of Commercial, assuming the exchange of all shares. Upon consummation of the merger, Equity would then own 71,525 shares (59.5 percent) of the common stock of Commercial, the officers of Commercial would own 46,000 shares (38.3 percent), and the other stockholders would own 2,645 shares (2.2 percent).

The application states that the proposed recapitalization and merger of Commercial would make feasible a public offering of Commercial securities or a merger of Commercial with another corporation in the event that should become desirable. The application states that in order to accomplish either objective, it is believed that the indebtedness of Commercial should be reduced as proposed and its position strengthened by the merger with Electromode, which would thereafter be operated as a division of Commercial.

Section 17 (a) of the Act prohibits an affiliated person of a registered investment company, or an affiliated person of such a person, from selling to or purchasing from such registered investment company or any company controlled by such registered investment company, any security or other property, subject to certain exceptions, unless the Commission upon application pursuant to section 17 (b) grants an exemption from the provisions of section 17 (a), after finding that the terms of the proposed transaction, including the consideration to be paid, 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 is consistent with the general purposes of the act.

Since Commercial and Electromode are affiliated companies of Equity, and certain individual stockholders of Electromode are affiliated persons of companies controlled by Equity, certain of the proposed transactions are subject to the provisions of section 17 (a) of the act. The application requests an order under section 17 (b) exempting these transactions and the conversion from time to time by Equity, or any successor or affiliated person, of the 4½ percent convertible preferred stock of Commercial into common stock of Commercial.

Notice is further given that any interested person may, not later than September 6, 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. 55-6918; Filed, Aug. 25, 1955; 8:47 a. m.]

[File No. 54-132, etc.]

ENGINEERS PUBLIC SERVICE CO. ET AL.

SUPPLEMENTAL ORDER APPROVING PAYMENT OF ADDITIONAL SUMS IN SETTLEMENT OF CLAIM FOR ADDITIONAL FEES AND DISBURSEMENTS

AUGUST 19, 1955.

In the matter of Engineers Public Service Company, File No. 54-132; El Paso Electric Company, File No. 70-1149; Gulf States Utilities Company, File No. 70-1150; Virginia Electric and Power Company, File No. 70-1419.

The Commission having by a supplemental order dated June 14, 1955 (Holding Company Act Release No. 12921), amended its Findings, Opinion and Order of March 26, 1952 (Holding Company Act Release No. 11096), so as to direct the payment by Engineers Public Service Company, a registered holding company, to Guggenheimer & Untermyer of $50,000 and to Louis Boehm and Raymond L. Wise of $35,892 as legal fees, and reimbursement of expenses in the respective amounts of $7,031.89 and $1,220.67, less any amounts theretofore paid, such order stating, however, that it was to be without prejudice to whatever rights said applicants would otherwise have to make application thereafter for supplemental allowances of compensation and reimbursement of expenses covering services rendered and expenses incurred by said applicants subsequent to the filing in 1949 of their original fee applications.

Engineers Public Service Company having now advised the Commission that Guggenheimer & Untermeyer and others have asserted claims for fees and disbursements in connection with services rendered subsequent to the filing of their original fee applications; that Engineers Public Service Company and Guggenheimer & Untermyer have entered into a stipulation that, subject to the approval of the Commission, Engineers will promptly pay to Guggenheimer & Untermyer the amount of its actual cash disbursements subsequent to the filing of its 1949 application, in the amount of $2,546.45 in full settlement of all claims of Guggenheimer & Untermyer for supplemental allowances and reimbursement of expenses since the filing of its original application for fees and disbursements, and having requested that the Commission enter a supplemental order authorizing Engineers Public Service Company to make such additional payment of $2,546.45 to Guggenheimer & Untermyer pursuant to the terms of said stipulation; and it appearing to the Commission that such settlement is fair and reasonable and that the request of Engineers Public Service Company should be granted:

It is ordered, That Engineers Public Service Company be and it hereby is authorized and directed to pay to Guggenheimer & Untermyer the sum of $2,546.45 in full satisfaction of all claims of Guggenheimer & Untermyer against Engineers Public Service Company in connection with the reorganization proceedings of Engineers Public Service Company under Section 11 (e) of the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 55-6919; Filed, Aug. 25, 1955; 8:48 a. m.]

[File No. 70-3407]

AMERICAN GAS AND ELECTRIC CO. AND OHIO POWER CO.

NOTICE OF FILING REGARDING ISSUE AND SALE OF BONDS, PREFERRED STOCK AND COMMON STOCK, ACQUISITION OF COMMON STOCK BY PARENT HOLDING COMPANY, AND PREPAYMENT OF NOTES BY SUBSIDIARY

AUGUST 22, 1955.

Notice is hereby given that American Gas and Electric Company ("American Gas"), a registered holding company, and Ohio Power Company ("Ohio"), a subsidiary public utility company of American Gas, have filed with this Commission an application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act") and have designated the third sentence of section 6 (b), section 10 and section 12 (c) of said Act and Rule U-42 and Rule U-50 promulgated thereunder as applicable to the proposed transactions, which are summarized as follows:

Ohio proposes to issue and sell $17,000,000 aggregate principal amount of its First Mortgage Bonds, __ percent Series due 1985, to be secured by a Mortgage and Deed of Trust, dated as of October 1, 1938, between Ohio and The Hanover Bank and James T. Harrigan, Trustees, and Indentures supplemental thereto, including a Supplemental Indenture to be dated as of September 1, 1955. Such bonds will be sold pursuant to the competitive bidding requirements of Rule U-50. The coupon rate (which shall be expressed in a multiple of ⅛ of 1 percent) and the price to be paid to Ohio, which shall be not less than 100 and shall not exceed 102¾, will be determined by the competitive bidding.

Ohio further proposes to issue and sell 60,000 shares of __ percent Cumulative Preferred stock, par value $100 per share. Such shares of preferred stock will be sold pursuant to the competitive bidding requirements of Rule U-50. The dividend rate (which shall be expressed in a multiple of 0.04 of 1 percent) and the price to be paid to Ohio, which shall be not less than $100 per share nor more than $102.75 per share, will be determined by the competitive bidding.

Ohio further proposes to issue and sell, prior to or concurrently with the sale of the bonds or preferred stock, 60,000 shares of its common stock, no par value, to American Gas, its sole common stockholder, for $6,000,000 cash, and American Gas proposes to acquire such stock.

Ohio further proposes that the proceeds of the sales of bonds, preferred stock and common stock are to be applied, to the extent available, to the prepayment without premium of notes payable to banks. At the present time notes payable to banks are outstanding in the amount of $11,900,000; it is expected that a further additional amount of $4,000,000 may be issued, making an aggregate amount of $15,900,000 to be outstanding at the time of issuance and delivery of the securities described above. Any remaining proceeds will be added to Ohio's treasury fund and will be applied to extensions, additions and improvements to its properties. The cost of Ohio's construction program for the period July 1, 1955, to December 31, 1956, is estimated to be $80,474,000.

The application-declaration further states that such of the proposed transactions as are to be effected by Ohio will be expressly authorized by The Public Utilities Commission of Ohio, in which State Ohio is organized and doing business, and that no commission other than The Public Utilities Commission of Ohio and the Securities and Exchange Commission has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 9, 1955, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on this matter, stating the nature of his interest, the reason for such request, and the issues of fact or law, if any, raised by such filing which he proposes to controvert, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application-declaration, as filed or as it may hereafter be amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100 or take such other action as it may deem appropriate.

By the Commission.

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

[F. R. Doc. 55-6920; Filed, Aug. 25, 1955; 8:48 a. m.]

[File No. 70-3369]

COLUMBIA GAS SYSTEM, INC., ET AL.

ORDER AUTHORIZING ISSUE AND SALE OF INSTALLMENT NOTES AND COMMON STOCK BY TWO SUBSIDIARIES, AND ACQUISITION THEREOF BY PARENT

AUGUST 22, 1955.

In the matter of The Columbia Gas System, Inc., Virginia Gas Distribution Corporation, Central Kentucky Natural Gas Company et al.

The Columbia Gas System, Inc. ("Columbia"), a registered holding company, and certain of its wholly owned subsidiaries, including Virginia Gas Distribution Corporation ("Virginia Distribution") and Central Kentucky Natural Gas Company ("Central Kentucky"), have filed a joint application-declaration and amendments thereto pursuant to sections 6 (b), 9, 10, 12 (b), and 12 (f) of the Public Utility Holding Company Act of 1935 ("Act") and Rules U-43 and U-45 thereunder, including therein, inter alia, the following proposed transactions:

Virginia Distribution will issue and sell and Columbia will purchase at par not to exceed 8,000 shares of common stock, $25 par value. Thereafter Virginia Distribution will issue and sell and Columbia will purchase at the principal amount thereof not to exceed $650,000 principal amount of installment promissory notes.

Central Kentucky will issue and sell and Columbia will purchase at par not to exceed 24,000 shares of common stock, $25 par value. Thereafter Central Kentucky will issue and sell and Columbia will purchase at the principal amount thereof not to exceed $1,600,000 principal amount of installment promissory notes.

The aforesaid installment notes will mature in equal annual installments on February 15 of the years 1957 through 1981; and they will bear interest at the rate of 3 percent per annum, payable semiannually, subject to adjustment, as of the date of Columbia's next issue of debentures under the Indenture dated as of June 1, 1950, between Columbia and Guaranty Trust Company of New York, Trustee, as from time to time amended and supplemented, to the interest rate borne by said issue.

The issue and sale of its common stock and installment notes by Virginia Distribution as aforesaid have been authorized by the State Corporation Commission of Virginia, in which State said subsidiary is organized and doing business; and the issue and sale of its common stock and installment notes by Central Kentucky as aforesaid have been authorized by the Public Service Commission of Kentucky, in which State said subsidiary is organized and doing business.

Certain other transactions proposed in said joint application-declaration have heretofore been authorized by orders of the Commission entered herein on May 12, June 17, June 24, and July 1, 1955. The record remains incomplete with respect to still other transactions proposed therein.

Due notice having been given of the filing of said joint application-declaration, and a hearing not having been requested of or ordered by the Commission; and the Commission finding with respect to the transactions described herein, that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that the joint application-declaration as amended be granted and permitted to become effective forthwith, to the extent of the transactions described herein:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the Act, that said joint application-declaration as amended, with respect to the transactions specifically described above be, and hereby is, granted and permitted to become effective forthwith, subject to the conditions prescribed in Rule U-24.

It is further ordered, That jurisdiction be, and hereby is, continued with respect to those transactions proposed in said joint application-declaration as to which the record is still incomplete.

By the Commission.

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

[F. R. Doc. 55-6921; Filed, Aug. 25, 1955; 8:48 a. m.]

[File No. 812-954]

LEHMAN CORP.

NOTICE OF FILING OF APPLICATION REGARDING THRIFT PLAN FOR EMPLOYEES

AUGUST 22, 1955.

The Lehman Corporation (the "Corporation"), a registered investment company, has filed an application pursuant to Rule N-17D-1 of the Rules and Regulations promulgated under the Investment Company Act of 1940 ("Act"), for an order under that Rule granting such application in respect of a Thrift Plan for employees.

The purpose of the Thrift Plan is to encourage employees in the habit of thrift and to provide an opportunity for employees, at no cost to themselves, to become stockholders of the Corporation or the holders of obligations of the United States Government.

All employees with at least 12 months of service with the Corporation will be eligible to participate in the Plan. Directors as such are excluded. Participation will be entirely voluntary.

Each employee who elects to participate in the Plan may contribute 2 percent to 5 percent of his regular compensation by payroll deduction.

The Corporation will contribute for the account of each participant an amount equal to 50 percent of the participant's contributions during the first 48 months in which he contributes, and an amount equal to 100 percent of his contributions thereafter. In the case of an employee who is eligible to participate as of the effective date of the Plan, each month in excess of 12 months of employment with the Corporation prior to the effective date will be counted toward 48 months indicated above.

Contributions will be paid to a Trustee selected by the Corporation, which is proposed to be City Bank Farmers Trust Company. The Trustee will invest a participant's contributions in a common fund consisting of United States Government obligations, or in a common fund consisting of The Lehman Corporation capital stock, as directed by the participant. Corporation contributions will be invested in the latter fund. The Trustee will purchase securities in the open-market. Income from each fund will be reinvested in the same fund.

Upon termination of a participant's employment with the Corporation as a result of retirement, total and permanent disability, death, or dismissal by the Corporation other than by reason of an act of the participant, the Trustee will transfer to the participant, his legal representative or designated beneficiary, the value of his accounts in the common funds. Payment may be made in cash or in securities held by the funds, at the Corporation's election. Upon termination of a participant's employment under other circumstances, or upon a participant electing to withdraw from the Plan, the Trustee will transfer to the participant the value of his accounts, as above, except that value attributable to Corporation contributions during the 3 years prior to withdrawal will be forfeited by the participant and credited against future Corporation contributions under the Plan.

A participant who has participated in the Plan for at least 3 years may withdraw up to one-half of the value of his accounts in the common funds which is attributable to his own contributions.

The Corporation shall have the right to change or discontinue the Plan at any time, but no change or discontinuance may impair rights which have accrued at the time of such change or discontinuance. It is not expected to present any proposed changes to the Plan to the stockholders for their approval, except for changes which would materially increase the cost of the Plan to the Corporation.

If the proposed Plan had been in effect throughout the Corporation's fiscal year ended June 30, 1955, and if all of the approximately 46 Corporation employees (including officers) had participated in the Plan during such year and had made the maximum contribution thereunder, and if the Corporation had contributed an equal amount, Corporation contributions for such year would have totalled approximately $18,780, of which $6,340 would have been for the benefit of officers and directors and $12,440 for the benefit of other employees.

Rule N-17D-1 provides, among other things, that it shall be unlawful, with certain exceptions not applicable here, for an affiliated person of a registered investment company or of any company controlled by any such registered investment company to participate in, or effect any transaction in connection with any bonus, profit-sharing or pension plan in which any such registered investment company or controlled company is a participant unless an application regarding such plan has been granted by the Commission prior to adoption thereof if not submitted to stockholders for approval.

Since affiliated persons of the Corporation would be eligible to participate, the Thrift Plan is subject to the provisions of Rule N-17D-1.

Notice is further given that any interested person may, not later than September 7, 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. 55-6922; Filed, Aug. 25, 1955; 8:48 a. m.]

[File No. 70-3405]

NATIONAL FUEL GAS CO.

NOTICE OF FILING REGARDING ACQUISITION BY PARENT OF MINORITY HOLDINGS OF COMMON STOCK OF SUBSIDIARY AND ISSUANCE BY PARENT OF COMMON STOCK IN EXCHANGE, AND ORDER FOR HEARING

AUGUST 22, 1955.

Notice is hereby given that National Fuel Gas Company ("National"), a registered holding company, has filed with this Commission an application-declaration, pursuant to the Public Utility Holding Company Act of 1935 ("Act"). Applicant-declarant has designated sections 6 (a), 7, 9 (a), 10 and 12 (e) of the Act and Rules U-23, U-43, U-50, and U-62 as applicable to the proposed transactions.

All interested persons are referred to the application-declaration on file in the offices of the Commission for a statement of the transactions therein proposed, which are summarized as follows:

National owns 387,308 shares (62.26 percent) of Pennsylvania Gas Company's ("Penn") 622,080 shares of common stock, no par value, the remaining 234,772 shares of Penn's stock being held by approximately 850 minority stockholders.

National proposes to offer to all the minority stockholders of Penn an opportunity to exchange their shares of Penn's common stock for shares of National's common stock on the basis of 1 share of Penn's stock for 1.45 shares of National's stock. If the exchange is accepted by all Penn stockholders, National will be required to issue 340,419 shares of its common stock, $10 par value. National requests an exemption from the competitive bidding requirements of Rule U-50, because of the nature of the transaction which National asserts is incompatible with competitive bidding under the Rule.

The offer is to be made within a period of 15 days after approval of the Commission is obtained, and will remain open for a period of 30 days thereafter.

National will not issue any fractional shares in connection with the exchange, nor will it pay cash or issue scrip in lieu of fractional shares. However, Warren National Bank of Warren, Pennsylvania, will be appointed as Agent of the exchanging Penn stockholders, and the fractional interests in shares of National stock will be consolidated and full shares therefor will be issued to such Agent. Upon receipt of orders from Penn stockholders, the Agent will buy or sell the fractional interests, matching buy and sell orders as far as possible, and selling on the market any remaining shares for the account of such exchanging stockholders of Penn. The fees and expenses of the Agent will be paid by National.

Original issue taxes on the new shares of National issued in connection with the exchange will be paid by National, but Federal or State transfer taxes will be paid by the exchanging stockholders.

National has secured a tax ruling from the U. S. Treasury Department to the effect that in the event National acquires sufficient shares of Penn's stock (110,356 shares) to increase its ownership of Penn

to 80 percent, the acquisition of such shares will constitute a non-taxable reorganization under the 1954 Internal Revenue Code.

National anticipates that some stockholders of Penn may be unwilling to make the exchange unless the transaction becomes a non-taxable reorganization and will afford Penn's stockholders an opportunity to signify their intentions on this aspect of the transaction. If the offer is accepted by holders of less than 110,356 shares of Penn's stock, National nevertheless proposes to make the exchange with such stockholders as indicate a willingness to proceed with the exchange on a taxable basis.

According to the filing Horace Crary, a director of Penn, and an affiliate thereof under the act, is the holder of 5,721 shares of Penn's common stock and probably will not make the exchange unless a tax-free reorganization is accomplished.

National proposes to record its investment in the common stock of Penn at an amount equal to the average selling price of National's stock on the New York Stock Exchange over a period of 30 days prior to the original exchange offering date. The common stock of National issued in the exchange will be recorded in its common capital stock account at the par value of $10 per share and the excess of the market value over the par value will be credited to paid-in capital surplus.

It is stated that no State or Federal commission, other than this Commission has any jurisdiction over the proposed transactions.

National requests that a hearing be held in respect of this matter and proposes to send a copy of the Commission's Notice of Filing and Order for Hearing to each stockholder of Penn, together with a covering letter.

National also proposes, in the event its application-declaration is granted and permitted to become effective by the Commission, to send to each Penn stockholder a letter transmitting a copy of the Commission's Findings, Opinion and Order and to solicit an acceptance of the proposed exchange offer.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to the application-declaration, and that said application-declaration should not be granted or permitted to become effective except pursuant to further order of the Commission:

It is ordered, That, pursuant to the applicable provisions of the act and the rules and regulations promulgated thereunder, a hearing with respect to the application-declaration be held on September 20, 1955, at 10:00 a. m., at the offices of the Commission, 425 Second Street NW., Washington 25, D. C. On said date the Hearing Room Clerk in Room 193 will advise as to the room in which such hearing will be held.

Any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary, Securities and Exchange Commission, Washington 25, D. C., on or before September 15, 1955, a request relative thereto as provided by Rule XVII of the Commission's Rules of Practice and shall state the reasons for wishing to participate, the nature and extent of his interest in the proceeding, and the issues of fact or law raised by the application-declaration which he desires to controvert.

It is further ordered, That James G. Ewell, or any other officer of the Commission designated by it for that purpose, shall preside at such hearing, and that the officer so designated to preside at such hearing is hereby authorized to exercise all of the powers granted to this Commission under section 18 (c) of the Act, and to a hearing officer under the Commission's Rules of Practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of the application-declaration and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice to the designation of additional matters and questions upon further examination:

1. Whether the issue and sale by National of its common stock satisfies the standards of section 7 of the Act.

2. Whether the proposed acquisition by National of the common stock of Penn satisfies the standards of section 10 of the Act and particularly the requirements of sections 10 (b) (2), 10 (c) (1) and 10 (c) (2).

3. Whether the proposed offer of exchange is fair to the common stockholders of National and to the common stockholders of Penn.

4. Whether exemption from the provisions of Rule U-50 should be granted.

5. Whether the accounting entries to record the proposed transactions are proper, conform with sound accounting principles and meet the requirements of the Act.

6. Whether the fees, commissions and other remuneration to be incurred in connection with the proposed transactions are for necessary services and are reasonable in amounts.

7. Generally, whether the proposed transactions are in all respects compatible with the provisions and standards of the applicable Sections of the Act and of the Rules and Regulations promulgated thereunder; and what, if any, terms and conditions should be imposed in connection therewith.

It is further ordered, That particular attention be directed at the hearing to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve a copy of this notice and order, by registered mail, on National and Penn; that this notice and order be published in the FEDERAL REGISTER; and that a general release of the Commission in respect of this notice and order shall be distributed to the press and mailed to the persons appearing upon the Commission's mailing list for releases under the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 55-6923; Filed, Aug. 25, 1955; 8:49 a. m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 63 Amdt. 1]

MASSACHUSETTS

AMENDMENT TO DECLARATION OF DISASTER AREA

1. Declaration of Disaster Area 63 dated August 22, 1955, for the State of Massachusetts is hereby amended by adding the County of Norfolk to the counties referred to in paragraph 1 of said Declaration.

Dated: August 24, 1955.

W. NORBERT ENGLES,
Deputy Administrator.

[F. R. Doc. 55-6993; Filed, Aug. 25, 1955; 11:20 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

IRMGARD HORN ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Irmgard Horn, New York, New York, Claim No. 38468, $2,394.62 in the Treasury of the United States; Alfredo Archenhold, San Luis 3415, Buenos Aires, Argentina, Claim No. 46964, $1,496.65 in the Treasury of the United States; Alma Hirschland, nee Archenhold, 3 Avenue Jupiter, Forest-Brussels, Belgium, Claim No. 57890, $1,347.39 in the Treasury of the United States; Vesting Orders Nos. 3438 and 3439.

Executed at Washington, D. C., on August 19, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-6929; Filed, Aug. 25, 1955; 8:50 a. m.]

MRS. HILDEGARD RESSLER BRANDSTETTER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mrs. Hildegard Ressler Brandstetter, St. Georgen am Reith, N. D., Austria, Claim No.

36712, Vesting Order No. 1813; $156.88 in the Treasury of the United States. An undivided 1/13th interest in the following securities located in the Office of Alien Property, Department of Justice, 101 Indiana Avenue NW., Washington 25, D. C. Fifty (50) shares of Aztec Silver-Gold Mining Company $1.00 par value capital stock, evidenced by certificate No. 141 for 50 shares. Two hundred and fifty (250) shares of Transvaal Copper Mines Company of Utah $5.00 par value common stock, evidenced by certificate No. 637 for 250 shares. Two hundred (200) shares of The Arizona Consolidated Mines Company $10.00 par value capital stock, evidenced by certificate No. 1102 for 200 shares.

Executed at Washington, D. C., on August 19, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-6930; Filed, Aug. 25, 1955; 8:50 a. m.]

FRANZ HERZMANN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Franz Herzmann, Klagenfurt, Austria, Claim No. 59974, Vesting Order No. 9068; $1,314.36 in the Treasury of the United States.

Executed at Washington, D. C., on August 19, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-6931; Filed, Aug. 25, 1955; 8:50 a. m.]

HEDWIG ASMUS

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Hedwig Asmus, Vienna, Austria, Claim No. 66636, Vesting Order No. 19299; all right, title, interest and claim of any kind or character whatsoever of Hedwig Asmus, acquired by the Attorney General pursuant to Vesting Order No. 19299, in and to the Estate of Anna M. Behn, deceased. Such property is in the process of administration by Hyman Wank, Public Administrator, acting under the judicial supervision of the Surrogate's Court, Kings County, New York.

Executed at Washington, D. C., on August 19, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-6932; Filed, Aug. 25, 1955; 8:50 a. m.]

FELIX EPSTEIN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Felix Epstein, Hamburg, Germany, Claim No. 42030; $75.73 in the Treasury of the United States.

Executed at Washington, D. C., on August 19, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-6933; Filed, Aug. 25, 1955; 8:50 a. m.]

DOMINIK SLOKAR

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Dominik Slokar, Lokavec, Yugoslavia, Claim No. 29540, Vesting Order No. 2121; $4,829.15 in the Treasury of the United States.

Executed at Washington, D. C., on August 19, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-6934; Filed, Aug. 25, 1955; 8:51 a. m.]

MRS. JOHANNA SCHABRODT

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mrs. Johanna Schabrodt, nee Schlamm, Berlin, Germany, Claim No. 40104, Vesting Order No. 5027; $2,154.27 in the Treasury of the United States.

Executed at Washington, D. C., on August 19, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-6935; Filed, Aug. 25, 1955; 8:51 a. m.]

OFFICE DES FABRICANTS D'OUTRE MER

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Office Des Fabricants D'Outre Mer, 21 Avenue de l'Astronomie, Brussels, Belgium, Claim No. 35856; $2589.45 in the Treasury of the United States.

Executed at Washington, D. C., on August 19, 1955.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 55-6936; Filed, Aug. 25, 1955; 8:51 a. m.]