THE NATIONAL ARCHIVES

# FEDERAL REGISTER

VOLUME 21 NUMBER 219

Washington, Friday, November 9, 1956

## TITLE 32—NATIONAL DEFENSE

### Chapter I—Office of the Secretary of Defense

#### Subchapter C—Military Personnel

PART 58—APPOINTMENT OF DOCTORS OF OSTEOPATHY AS MEDICAL OFFICERS

Sec.
58.1 Purpose.
58.2 Policy.

AUTHORITY: §§ 58.1 and 58.2 issued under 70 Stat. 608.

§ 58.1 *Purpose.* The purpose of this part is to implement the provisions of Public Law 763, 84th Congress (70 Stat. 608), relating to the appointment of doctors of osteopathy as medical officers.

§ 58.2 *Policy.* In the interest of obtaining maximum uniformity, the following criteria are established for the appointment of doctors of osteopathy as medical officers:

(a) To be eligible for appointment as Medical Corps officers in the Army and Navy or designated as medical officers in the Air Force, a doctor of osteopathy must:

(1) Be a citizen of the United States;

(2) Be a graduate of a college of osteopathy whose graduates are eligible for licensure to practice medicine or surgery in a majority of the States, and be licensed to practice medicine, surgery, or osteopathy in one of the States or Territories of the United States or in the District of Columbia;

(3) Possess such qualifications as the Secretary concerned may prescribe for his service, after considering the recommendations for such appointment by the Surgeon General of the Army or the Air Force or the Chief of the Bureau of Medicine and Surgery of the Navy;

(4) Have completed a minimum of (3) years college work prior to entrance into a college of osteopathy;

(5) Have completed a four-year course with a degree of Doctor of Osteopathy from a school of osteopathy approved by the American Osteopathic Association; and

(6) Have had subsequent to graduation from an approved school of osteopathy 12 months or more of intern or residency training approved by the American Osteopathic Association.

E. H. CUSHING, M. D.,
*Deputy Assistant Secretary of Defense (Health and Medical).*

[F. R. Doc. 56-9157; Filed, Nov. 8, 1956; 8:45 a. m.]

## TITLE 26—INTERNAL REVENUE, 1954

### Chapter I—Internal Revenue Service, Department of the Treasury

#### Subchapter E—Alcohol, Tobacco, and Other Excise Taxes

PART 245—BEER

On July 21, 1956, a notice of proposed rule making to revise and reissue 26 CFR Part 245 to effect administrative decisions modernizing and simplifying such regulations, was published in the FEDERAL REGISTER (21 F. R. 5487). After consideration of all relevant matter as was presented by interested persons regarding the rules proposed, the regulations as so published are hereby adopted subject to the changes set forth below:

PARAGRAPH 1. The third sentence of § 245.12 is stricken and the following two sentences are inserted in lieu thereof: "If the brewer desires to use the brewery for other purposes, not involving the production of alcoholic beverages, which (a) require the use of by-products or wastage from the production of beer, or utilize buildings, rooms, areas or equipment not fully employed in the production or bottling of beer, (b) are reasonably necessary to realize the maximum benefit from the premises and equipment and to reduce the overhead of the plant, (c) are in the public interest because of emergency conditions, or (d) involve experiments or research projects related to equipment, materials, processes, products, by-products, or wastage of the brewery, he may submit an application so to do to the Director, Alcohol and Tobacco Tax Division, through the assistant regional commissioner. The Director, Alcohol and Tobacco Tax Divi-

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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.



sion, will approve such application where he finds that such use will not jeopardize the revenue, impede the effective administration of this part, and is not contrary to the specific provisions of law."

PAR. 2. The proviso of § 245.13 is amended to read: *"Provided*, That such beer, if it is undelivered, repossessed from a purchaser, or removed from the market by the brewer before transfer of title thereto to any other person may be held temporarily pending disposition as provided in §§ 245.155, 245.156, and 245.158."

PAR. 3. The next-to-last sentence of § 245.66 is amended to read: "Plats shall be submitted on sheets of tracing cloth, sensitized linen, or standard reproduction or blueprint paper, and may be original drawings, or reproductions made by the ditto process, the ozalid process, or by lithoprint if such reproductions are clear and distinct."

PAR. 4. The first sentence of § 245.156 is amended to read: "Beer on which the tax has been determined or paid, and which is repossessed from the purchaser thereof, may be returned to the brewery bottling house (if bottled beer), or other portion of the brewery (if keg beer), and held in temporary storage pending its destruction, reconditioning, use as material, or consumption in the brewery."

PAR. 5. Immediately following the last sentence of § 245.225, a new sentence is added to read: "Except as provided in the first proviso of § 245.116, all entries in the records required by this part shall be made not later than the close of the business day next succeeding the day on which the transactions occur: *Provided*, That when the last day for making such entries falls on Saturday, Sunday, or a legal holiday (of the particular State or of the District of Columbia wherein the brewery is located), such entries shall be considered timely if they are made on the next succeeding day which is not a Saturday, Sunday, or a legal holiday (of the particular State or District of Columbia wherein the brewery is located)."

PAR. 6. The second and third sentences of § 245.229 are amended to read: "The original and two copies of the return shall be transmitted to the district director who will indicate thereon receipt of the remittance, retain the original, and forward to the assistant regional commissioner and the brewer the duplicate and triplicate copies, respectively. The brewer shall file the copy returned to him as a part of his records at the brewery."

[SEAL] RUSSELL C. HARRINGTON,
*Commissioner of Internal Revenue.*

Approved: November 6, 1956.

W. RANDOLPH BURGESS,
*Acting Secretary of the Treasury.*

*Preamble.* 1. The regulations in this part shall supersede the 1955 edition of 26 CFR Part 245 (19 F. R. 9874).

2. These regulations shall not affect any act done or any liability or right accruing or accrued; or any suit or proceeding had or commenced before the effective date of these regulations.

3. The regulations in this part shall be effective on the first day of the first month which begins not less than 30 days after the date of publication in the FEDERAL REGISTER.

### Subpart A—Scope of Regulations



### Subpart B—Definitions



### Subpart C—Location and Use of Brewery



### Subpart D—Construction



### Subpart E—Equipment



### Subpart F—Beer Meters

AUTHORITY: §§ 245.1 to 245.232 issued under sec. 7805, 68A Stat. 917; 26 U. S. C. 7805. Statutory provisions interpreted or applied are cited to text in parentheses.

## SUBPART A—SCOPE OF REGULATIONS

§ 245.1 *Beer.* The regulations in this part relate to beer and cereal beverages and cover the location, construction, equipment, and operations of breweries and the qualification of such establishments including the ownership, control, and management thereof.

§ 245.2 *Forms prescribed.* The Director, Alcohol and Tobacco Tax Division, is authorized to prescribe all forms required by this part, including bonds, applications, notices, reports, returns, and records. Information called for

shall be furnished in accordance with the instructions on the forms or issued in respect thereto.

SUBPART B—DEFINITIONS

§ 245.5 *Meaning of terms.* When used in this part, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms shall have the meanings ascribed in this subpart, as follows:

*Assistant regional commissioner.* "Assistant regional commissioner" shall mean an assistant regional commissioner (alcohol and tobacco tax) who is responsible to, and functions under the direction and supervision of, a regional commissioner of internal revenue.

*Beer.* "Beer" shall mean beer, ale, porter, stout and other similar fermented beverages (including sake or similar products) of any name or description containing one-half of 1 percent or more of alcohol by volume, brewed or produced from malt, wholly or in part, or from any substitute therefor.

(68A Stat. 612; 26 U. S. C. 5052)

*Bottle and bottling.* "Bottle" shall mean a bottle, can, or similar container, and "bottling" shall mean the filling of bottles, cans, and similar containers.

(68A Stat. 676; 26 U. S. C. 5416)

*Brewer.* "Brewer" shall mean every person who brews or produces beer for sale.

(68A Stat. 617; 26 U. S. C. 5092)

*Brewery.* "Brewery" shall mean the land and buildings described as such in the brewer's notice on Form 27–C, where beer is to be produced and bottled. "Brewery bottling house" shall mean that portion of the brewery set apart by the brewer, and so described on Form 27–C, where beer is to be bottled.

(68A Stat. 674, 675; 26 U. S. C. 5402, 5411)

*Brewing.* "Brewing" shall mean the production of beer for sale.

*Business day.* "Business day" shall mean the 24-hour cycle of operations in effect at the brewery, which, if other than the calendar day, is subject to the approval of the assistant regional commissioner. The business day, having been once established, shall be applicable to all records and operations of the brewery, and shall not be changed without approval of the assistant regional commissioner.

*Cereal beverage.* "Cereal beverage" shall mean malt beverage, either fermented or unfermented, which contains, when ready for consumption, less than one-half of 1 percent of alcohol by volume.

*Commissioner.* "Commissioner" shall mean the Commissioner of Internal Revenue.

*Director, Alcohol and Tobacco Tax Division.* "Director, Alcohol and Tobacco Tax Division" shall mean the Director, Alcohol and Tobacco Tax Division, Internal Revenue Service, Treasury Department, Washington, D. C.

*District director.* "District director" shall mean a district director of internal revenue.

*Gallon.* "Gallon" shall mean the liquid measure containing 231 cubic inches.

(68A Stat. 612; 26 U. S. C. 5052)

*Includes and including.* "Includes" and "including" shall not be deemed to exclude things other than those enumerated which are in the same general class.

*Inclusive language.* Words in the plural form shall include the singular and vice versa, and words in the masculine gender shall include the feminine as well as individuals, trusts, estates, partnerships, associations, companies, corporations, and other legal entities.

*I. R. C.* "I. R. C." shall mean the Internal Revenue Code of 1954.

*Person.* "Person" shall mean and include an individual, a trust, estate, partnership, association, company, and corporation.

(68A Stat. 911; 26 U. S. C. 7701)

*Region.* "Region" shall mean an internal revenue region.

*Regional commissioner.* "Regional commissioner" shall mean the regional commissioner in each of the internal revenue regions.

*U. S. C.* "U. S. C." shall mean the United States Code.

SUBPART C—LOCATION AND USE OF BREWERY

§ 245.10 *Restrictions.* A brewery may not be established or operated in any dwelling house or on board any vessel or boat; or in any building or on any premises where the revenue will be jeopardized or the effective administration of this part will be hindered.

§ 245.11 *Continuity of brewery.* The continuity of the brewery must be unbroken except where separated by public passageways, streets, highways, waterways, or carrier rights-of-way, or partitions. If parts of the brewery are separated they must abut on the dividing medium and be adjacent to each other: *Provided*, That where loading facilities under the control of a brewer are located away from the brewery but within reasonable proximity thereto, such facilities may be approved by the assistant regional commissioner as a part of such brewery if the revenue will not be jeopardized thereby.

§ 245.12 *Use of brewery.* The brewery shall be used exclusively, except as provided herein, for the purposes of producing and packaging or bottling beer, cereal beverages, soft drinks and other nonalcoholic beverages, vitamins, ice, malt, malt sirup, and other by-products; of drying spent grain from the brewery; of recovering carbon dioxide and yeast; and of storing bottles, packages, and supplies necessary or incidental to all such operations. All bottling shall be conducted in the brewery bottling house. If the brewer desires to use the brewery for other purposes, not involving the production of alcoholic beverages, which (a) require the use of by-products or wastage from the production of beer, or utilize buildings, rooms, areas, or equipment not fully employed in the production or bottling of beer, (b) are reasonably necessary to realize the maximum benefit from the premises and equipment and to reduce the overhead of the plant, (c) are in the public interest because of emergency conditions, or (d) involve experiments or research projects related to equipment, materials, processes, products, by-products, or wastage of the brewery, he may submit an application so to do to the Director, Alcohol and Tobacco Tax Division, through the assistant regional commissioner. The Director, Alcohol and Tobacco Tax Division, will approve such application where he finds that such use will not jeopardize the revenue, will not impede the effective administration of this part, and is not contrary to the specific provisions of law.

(68A Stat. 675; 26 U. S. C. 5411)

§ 245.13 *Storage of beer on which the tax has been paid or determined.* Beer on which the tax has been paid or determined may not be stored in the brewery: *Provided*, That such beer, if it is undelivered, repossessed from a purchaser, or removed from the market by the brewer before transfer of title thereto to any other person may be held temporarily pending disposition as provided in §§ 245.155, 245.156, and 245.158.

(68A Stat. 613, 675; 26 U. S. C. 5057, 5411)

SUBPART D—CONSTRUCTION

§ 245.15 *Brewery buildings.* Brewery buildings shall be so arranged and constructed as to afford adequate protection to the revenue and facilitate inspection by internal revenue officers.

§ 245.16 *Division of brewery.* The brewer shall designate the use of each building, cellar, room, or other division of the brewery where wort or beer is kept or handled by placing a plain and durable sign or legend (descriptive of its use) on or near the entrance thereto. If more than one building, room, etc., is used for the same purpose, alphabetical or numerical designations shall be used to further identify such divisions.

§ 245.17 *Empty container storage room.* If empty barrels, kegs, bottles, other containers, or other supplies are stored in the brewery, they must be so stored as to be completely segregated from filled containers.

§ 245.18 *Government cabinet.* The brewer shall provide a suitable cabinet for use in safeguarding Government property. Each such cabinet is subject to approval by the assistant regional commissioner.

PIPELINE TRANSFERS TO BOTTLING HOUSE

§ 245.19 *General.* All beer and cereal beverage transferred to the brewery bottling house must pass through authorized pipelines which must be fixed, unbroken, and of permanent character and be exposed to view throughout the entire length; no opening will be permitted therein except as provided in §§ 245.20 and 245.35.

(68A Stat. 680; 26 U. S. C. 5552)

§ 245.20 *Facilities for cleaning pipeline.* Where it is desired to clean the beer line to the brewery bottling house by the use of brush, ball, or similar de-

vice, a return line approved by the assistant regional commissioner must be provided. Petcocks not larger than one-eighth inch may be installed in pipelines to facilitate draining and cleaning.

(68A Stat. 680; 26 U. S. C. 5552)

SUBPART E—EQUIPMENT

§ 245.25 *Tanks and vats.* Each stationary tank, vat, cask, or other container used, or intended for use, as a receptacle for wort or beer shall be durably marked to show its designated use or uses, serial number, and capacity, and be equipped with a suitable measuring device: *Provided*, That in lieu of equipping each tank or container with an individual measuring device, the brewer may provide meters or other suitable portable devices.

(68A Stat. 680; 26 U. S. C. 5552)

SUBPART F—BEER METERS

§ 245.30 *Meters required.* Brewers shall be required to provide, at their own expense, approved meters for measuring beer to be packaged or transferred to the brewery bottling house, which meters shall be accessible to internal revenue officers at all hours during which the brewery is operating.

(68A Stat. 680; 26 U. S. C. 5552)

§ 245.31 *Notice of meter shipment.* On the date a meter is shipped to a brewery, the manufacturer shall so advise the assistant regional commissioner of the region wherein the brewery is located, stating the date of shipment and the manufacturer's serial number of the meter. The brewer shall notify the assistant regional commissioner when a meter has been received from a manufacturer or from another brewer and is ready for installation. The meter must not be used until it has been tested by an inspector and installed under his supervision. The manufacturer's or internal revenue seals on the meter must remain intact until removed by an inspector.

(68A Stat. 680; 26 U. S. C. 5552)

§ 245.32 *Location and installation.* Racking room and bottling meters shall be installed so that all beer to be racked or bottled, as the case may be, passes through the respective meters. The meters must be installed in appropriate locations in such manner that they are adequately secured and readily accessible to internal revenue officers for tests, adjustments, and inspections.

(68A Stat. 680; 26 U. S. C. 5552)

§ 245.33 *Strainers.* In order to protect meters from injury from foreign matter, a strainer must be placed in the pipeline ahead of each meter. In order that the strainer may be dismantled for cleaning without Government supervision, it shall not be located in the brewery bottling house.

(68A Stat. 680; 26 U. S. C. 5552)

§ 245.34 *Tests, repairs, and adjustments.* When necessary in the opinion of the assistant regional commissioner, he will assign an inspector to test a meter or supervise its dismantling and reassembling for the purpose of cleaning or repair. If a defective meter cannot be repaired without delay, its use must be discontinued. If a replacement meter is not installed immediately, the inspector will, on removal of the meter, cause the open beer line to be closed and secured. When the repairs are completed or a new meter is installed, the inspector will test the repaired or newly installed meter. Whenever a meter is tested a copy of the meter test report will be given to the brewer. If the continuous counter of the meter is advanced with water during the test, a report thereof will be made on Form 138. One copy thereof will be given to the brewer, one will be filed in the Government cabinet and one forwarded to the assistant regional commissioner. The use of any meter must be discontinued whenever it is not functioning properly or recording accurately.

(68A Stat. 680; 26 U. S. C. 5552)

§ 245.35 *Facilities for meter tests.* The brewer shall provide adequate facilities for master meter tests of all regularly installed meters. The pipelines to all meters will contain removable sections or other facilities, properly secured, to permit the installation of the master meter close to, and in series with, the brewer's meter. The pipelines will also contain an arrangement of valves and by-pass lines for inserting the Government meter and making the test without interfering with pumping operations, unless the brewer elects to stop operations for the meter tests in lieu of making such installations. All such installations must conform with the requirements of § 245.32.

(68A Stat. 680; 26 U. S. C. 5552)

SUBPART G—NOTICES

§ 245.40 *Notice on Form 27–C.* Every person shall, before commencing the business of a brewer, give notice of his intention on Form 27–C, in triplicate, to the assistant regional commissioner. Every brewer continuing business shall, as provided in § 245.44, give notice on Form 27–C, in triplicate, to the assistant regional commissioner. The notices shall be numbered serially, commencing with "1" for the original, and continuing in sequence for all amended, supplemental, or superseding notices thereafter filed. All data, written statements, affidavits, and other documents submitted in support of the notice shall be deemed to be a part thereof.

(68A Stat. 674; 26 U. S. C. 5401)

§ 245.41 *Data for notice.* Form 27–C shall include the following information:

(a) The serial number.

(b) The purpose stated as (1) to give notice of the brewer's intention to engage in the business of brewing; or (2) to give notice of the brewer's intention to continue business under a new bond; or (3) to amend or supplement previously furnished information as set forth in items ----------, ----------, and ----------.

(c) Name of brewer.

(d) Business address of brewer.

(e) Address of brewery affected by the notice (if other than the business address).

(f) Character of brewer, i. e., sole proprietorship, partnership, corporation, or other, supported by copies, in triplicate, of articles and amended articles of incorporation (and including the certificate of incorporation), partnership, or association, etc.

(g) Description of brewery, including (1) each tract of land comprising the brewery, (2) that portion of the land occupied by the brewery bottling house, and (3) description of brewery buildings, referring to each building by its designated number or letter and giving the approximate ground dimensions and the purposes for which ordinarily used. Description of land shall be by courses and distances, in feet and hundredths thereof or inches, with the particularity required in conveyances of real estate.

(h) A list of mash tubs, brewkettles, fermenting tanks, storage tanks, and similar tanks to be used in the production of beer, showing the quantity (number) of each type; their capacities in barrels; and the designated number or letter of the building in which located.

(i) A list of tanks and bottling lines in the bottling house, showing the quantity (number) of each type and, if applicable, their capacities in barrels. Bottling lines shall be listed separately as to use and serial number.

(j) A list of the trade names which the brewer is using or intends to use in doing business or in packaging or bottling, and the offices where such names are registered, supported by copies, in triplicate, of any certificates or other documents filed or issued in respect to such names.

(k) The name and address of the owner of the fee and of any mortgagee or other encumbrancer of the land, buildings, or equipment comprising the brewery.

(l) A statement setting forth the authorized, the issued, the classifications, and the par value of the capital stock or other evidence of ownership of a corporate brewer, or, in the case of an individual owner or partnership, a statement giving the name of every person interested in the brewery, whether such interest appears in the name of the interested party or in the name of another for him.

(m) A list of the names and addresses of all stockholders and other persons having an interest of not less than 10 percent in the corporation or similar legal entity and the nature and amount of the stockholding or other interest of each, whether such interest appears in the name of the interested party or in the name of another for him; also, a list of officers and directors.

(n) The date of the notice and name and signature of the brewer. The name of the brewer, if an individual, must be typed or written, preceded by the trade name, if any, and followed either by the signature of the brewer and the words "sole owner", or by the signature of a duly empowered attorney in fact and his title as such. In case of a partnership, the trade name of the firm shall be typed or written, followed by the word "By" and the signatures of all partners, or of any partner duly authorized to sign in behalf of the firm, or of a duly empowered attorney in fact. If a corporation, the form will be executed in the corporate name immediately followed by the

signature and title of the person duly authorized to act in its behalf. If the brewer is any other entity, the notice shall be signed by such person or persons as are duly authorized and empowered so to do.

(68A Stat. 674; 26 U. S. C. 5401)

§ 245.42 *Powers of attorney.* The brewer shall execute and file with the assistant regional commissioner a Form 1534, in triplicate, in accordance with the instructions on the form, for every person who is authorized to sign or act on behalf of the brewer.

§ 245.43 *Additional information.* The assistant regional commissioner may at any time require the brewer to furnish as a part of the notice such additional information as is necessary to protect and insure collection of the revenue.

(68A Stat. 674; 26 U. S. C. 5401)

§ 245.44 *Supplemental and superseding notices.* The brewer shall file an amended or supplemental Form 27–C, as provided in Subpart L of this part, covering changes in items of information recorded on the active Forms 27–C on file. Such amended or supplemental notices may be in skeleton form. The brewer shall file a new and complete notice, superseding those previously filed, once every 4 years, to be effective on the effective date of renewal of the brewer's bond as provided in § 245.45. Where a brewer files a new bond before expiration of the usual 4-year period, as provided in § 245.49, the assistant regional commissioner may require the filing of a new and complete notice, superseding those previously filed, to be effective on the effective date of the new bond, or he may postpone the filing of such new notice until such time as the new bond is renewed or superseded.

## SUBPART H—BONDS AND CONSENTS OF SURETY

§ 245.45 *General.* Every person intending to commence or continue the business of a brewer shall, in connection with filing his notice, Form 27–C, file a bond, Form 1566, in triplicate, in accordance with the provisions of this subpart. Consents of surety to a change in the terms of any bond filed under this part shall be manifested on Form 1533 by the principal and by the surety on the bond with the same formality and proof of authorization as required for the execution of the bond. Once every 4 years, or, as provided in § 245.49, the brewer shall execute and file with the assistant regional commissioner a new bond prepared in accordance with the provisions of this subpart. No person shall continue or commence the business of a brewer until he receives notice from the assistant regional commissioner of the approval of the bond or consent of surety required by this part.

(68A Stat. 674; 26 U. S. C. 5401)

§ 245.46 *Penal sum of bond.* The penal sum of the brewer's bond shall be equal to the maximum amount of tax which, in the opinion of the assistant regional commissioner, the brewer may become liable to pay during any one calendar month on beer (a) removed for transfer to the brewery from other breweries owned by him, (b) removed without payment of tax for export or use as supplies on vessels and aircraft, and (c) sold, or removed for consumption or sale, calculated at the rate of tax prescribed by law: *Provided*, That the penal sum of any such bond (or the total penal sums where original and strenthening bonds are filed) shall not exceed $150,000 nor be less than $1,000.

(68A Stat. 674; 26 U. S. C. 5401)

§ 245.47 *Conditions of bond.* The brewer's bond shall be conditioned that the brewer shall pay, or cause to be paid, to the United States according to the laws of the United States and this part, the taxes, including penalties and interest, for which the brewer shall become liable, on all beer, including all beer removed for transfer to the brewery from other breweries owned by the brewer, and all beer removed free of tax for export or removed for use as supplies on vessels or aircraft, which is not exported or otherwise accounted for, and shall in all respects comply without fraud or evasion with all requirements of law and this part relating to the production and sale of beer. The bond, Form 1566, may be drawn in such manner that if beer is not to be transferred to the brewery from other breweries owned by the brewer or withdrawn for export or for use as supplies on vessels or aircraft, either or both of those provisions may, at the time of execution of the bond, be stricken.

(68A Stat. 674; 26 U. S. C. 5401)

§ 245.48 *Strengthening bonds.* In all cases where the penal sum of the bond on file and in effect is not sufficient, computed as prescribed by this part, the principal may give a strengthening bond in a sufficient penal sum, provided the surety thereon is the same as on the bond already on file and in effect; otherwise a new bond covering the entire liability will be required. Such strengthening bonds, being filed to increase the bond liability of the principal and the surety, are in no sense substitute bonds, and the assistant regional commissioner will refuse to approve any strengthening bond where any notation is made thereon intended, or which may be construed, as a release of any former bond, or as limiting the amount of either bond to less than its full penal sum. Strengthening bonds must show the current date of execution and the effective date in the blank spaces provided therefor. Such bonds must have marked thereon, by the obligors at the time of execution, "Strengthening Bond".

§ 245.49 *New bond.* A new bond may be required at any time in the discretion of the assistant regional commissioner. A new bond shall be required immediately in the case of the insolvency of a surety. Executors, administrators, assignees, receivers, trustees, or other persons acting in a fiduciary capacity, continuing, or liquidating the business of the principal, must execute and file a new bond or obtain the consent of the surety or sureties on the existing bond or bonds. When the interests of the Government so demand, or in any case where the security of the bond becomes impaired in whole or in part for any reason whatever, the principal will be required to give a new bond. Where a bond is found to be not acceptable, the principal shall be required to file immediately a new and satisfactory bond, or discontinue business forthwith.

(68A Stat. 674; 26 U. S. C. 5401)

§ 245.50 *Superseding bond.* Where a new bond is submitted by the principal to supersede a bond or bonds then in effect, and such superseding bond has been approved, notice of termination of the superseded bond may be issued as provided in this subpart. Superseding bonds must show the current date of execution and the date they are to be effective, and each such bond shall have marked thereon, by obligors at the time of execution, "Superseding Bond".

§ 245.51 *Surety or security.* Bonds required by this part shall be given with corporate surety or collateral security.

(61 Stat. 646; 6 U. S. C. 6, 15)

§ 245.52 *Corporate surety.* Surety bonds may be given only with surety companies holding certificates of authority from the Secretary of the Treasury as acceptable sureties on Federal bonds, subject to the limitations prescribed by the Secretary in Treasury Department Form 356—Revised, and subject to such amendments as may be issued from time to time.

(61 Stat. 646; 6 U. S. C. 6)

§ 245.53 *Two or more corporate sureties.* A bond executed by two or more corporate sureties shall be the joint and several liability of the principal and the sureties: *Provided*, That each corporate surety may limit its liability in terms on the face of the bond in a definite, specified amount, which amount shall not exceed the limitations prescribed for such corporate surety by the Secretary, as set forth in Treasury Department Ferm 356—Revised. When the sureties so limit their liability, the aggregate of such limited liabilities must equal the required penal sum of the bond.

§ 245.54 *Powers of attorney to execute bonds.* Powers of attorney and other evidence of appointment of agents and officers to execute bonds or consent to a change in the terms of a bond on behalf of corporate sureties are required to be filed with, and passed on by, the Commissioner of Accounts, Surety Bonds Branch, Treasury Department. Such powers and other evidence of appointment need not be filed with, or submitted to, assistant regional commissioners.

§ 245.55 *Deposit of collateral security in lieu of corporate surety.* Bonds or notes of the United States, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States, may be pledged and deposited by principals as collateral security in lieu of corporate sureties in accordance with the provisions of 31 CFR Part 225: *Provided*, That United States Savings, Defense Savings, and

War Savings Bonds issued under the authority of section 22 of the Second Liberty Bond Act, as amended, and other bonds and notes of the United States, which are nontransferable or the hypothecation of which will not be recognized by the Treasury Department, may not be pledged and deposited as security in lieu of corporate sureties.

(61 Stat. 646, 68A Stat. 674; 6 U. S. C. 15, 26 U. S. C. 5401)

§ 245.56 *Disapproval of bonds or consents of surety.* Bonds or consents of surety submitted by an individual, firm, partnership, corporation, or association in respect to the business of a brewer may be disapproved if the individual, firm, partnership, corporation, or association giving the same, or owning, controlling, or actively participating in the management of such business of the individual, firm, partnership, corporation, or association giving the same, shall have been previously convicted in a court of competent jurisdiction of:

(a) Any fraudulent noncompliance with any provision of any law of the United States, if such provision related to internal revenue or customs taxation of distilled spirits, wines, or beer, or if such an offense shall have been compromised with the individual, firm, partnership, corporation, or association on payment of penalties or otherwise; or

(b) Any felony under a law of any State, Territory, or the District of Columbia, or the United States, prohibiting the manufacture, sale, importation, or transportation of distilled spirits, wine, beer, or other intoxicating liquor.

(68A Stat. 680; 26 U. S. C. 5551)

§ 245.57 *Appeal to Director, Alcohol and Tobacco Tax Division.* Where a bond or consent of surety is disapproved by the assistant regional commissioner, the person giving the bond may appeal from such disapproval to the Director, Alcohol and Tobacco Tax Division, who will grant a hearing in the matter if such is requested by the applicant or brewer.

(68A Stat. 680; 26 U. S. C. 5551)

§ 245.58 *Termination of surety's liability under bond.* The liability of a surety on any bond required by this part shall be terminated only as to liability arising on and after the date of approval of a superseding bond; or the date of approval of the discontinuance of the business of the brewer giving the bond; or pursuant to the giving of notice by the surety as provided in § 245.59.

§ 245.59 *Notice by surety for relief from liability under bond.* A surety may at any time, in writing, notify the principal and the assistant regional commissioner with whom the bond is filed, that he desires after a date named (which shall be at least 60 days after the date of service of such notice on the principal) to be relieved of any liability under the bond which is incurred by the principal after the date named in the notice. The copy of the notice filed by the surety with the assistant regional commissioner must be accompanied by proof of service of the notice on the principal. The notice must be executed for the surety by a duly authorized officer thereof. Unless withdrawn, in writing, before such date, the notice shall become effective on the date named therein. The surety on the bond shall remain liable under the bond in respect to any liability incurred by the principal while the bond is in force and effect.

§ 245.60 *Notice of bond termination.* On termination of the surety's liability under the bond, as provided in § 245.58, the assistant regional commissioner will notify the principal and sureties on Form 1490, where a superseding bond has been filed and approved, or Form 1491, where the principal has discontinued the business of brewing.

§ 245.61 *Release of collateral security.* Bonds, notes, and other obligations of the United States, pledged and deposited as security in connection with bonds required by this part, shall be released only in accordance with the provisions of 31 CFR Part 225. When the assistant regional commissioner who has accepted such security determines that there is no outstanding liability against the bond and that it is no longer necessary to hold such security, he shall fix the date or dates on which a part or all of such security may be released, which date or dates ordinarily will be not less than six months from the date of such termination. At any time prior to the release of such security the assistant regional commissioner may, for proper cause, extend the date of release of such security for such additional length of time as in his judgment may be appropriate.

(61 Stat. 646; 6 U. S. C. 15)

### SUBPART I—PLATS

§ 245.65 *Requirements.* Every person intending to engage in the business of a brewer must submit to the assistant regional commissioner as a part of his notice, Form 27–C, an accurate plat of the brewery, in triplicate, conforming to the requirements of this subpart.

(68A Stat. 674; 26 U. S. C. 5401)

§ 245.66 *Preparation.* Every plat shall be drawn to scale and each sheet thereof shall bear a distinctive title, enabling ready identification, and shall show the cardinal points of the compass. The minimum scale of any plat shall be not less than $\frac{1}{20}$ inch per foot. Each sheet of the plat shall be numbered, the first sheet being designated number 1, and the other sheets numbered in consecutive order. The dimensions of plat sheets shall be 15 by 20 inches, outside measurement, with a clear margin of at least 1 inch on each side of the drawing, lettering, and writing: *Provided,* That the assistant regional commissioner may authorize the use of larger sheets if they are folded to the 15- by 20-inch size and can be filed by the top margin (20-inch dimension) in such a manner that they may be used without removal from the file and will not unfold when the file is suspended in a cabinet. Plats shall be submitted on sheets of tracing cloth, sensitized linen, or standard reproduction or blueprint paper, and may be original drawings, or reproductions made by the ditto process, the ozalid process, or by lithoprint if such reproductions are clear and distinct. The Director, Alcohol and Tobacco Tax Division, may approve other materials and methods which he finds are equally acceptable.

§ 245.67 *Depiction of brewery.* The plat must show, in a manner reflecting the brewer's description on Form 27–C, the outer boundaries of the brewery and of the portion thereof comprising the brewery bottling house. The plat must also contain an accurate depiction of all brewery buildings and any driveway, public passageway, street, highway, waterway, or carrier right-of-way adjacent thereto or connecting therewith. The brewery bottling house must be plainly distinguished from the other portions of the brewery. If the parts of the brewery are separated as provided in § 245.11, the different parts will be depicted individually. If two or more buildings are used, the designated name or use of each (including its alphabetical or numerical designation, if any) will be indicated and all connecting pipelines used for the conveyance of beer between the same will be depicted. All pipelines and other connections for the conveyance of beer between the brewery bottling house and other areas of the brewery, or between the brewery and other premises must be indicated on the plat and identified as to use. The conduit or pipeline used for the transfer of beer to the brewery bottling house shall be shown in red, and the location of meters shall also be shown. The direction of flow of beer through pipelines must be indicated by arrows.

§ 245.68 *Certificate of accuracy.* The plat shall bear a certificate of accuracy in the lower right-hand corner of each sheet signed by the brewer, the draftsman, and the assistant regional commissioner, substantially in the following form:

---
(Name of brewer)

---
(Address)

Approved:

---
(Date)

---
(Assistant Regional Commissioner)

Accuracy certified by:

---
(Name and capacity—for the brewer)

---
(Draftsman)

Sheet No. ----

----------, 19--
(Date)

§ 245.69 *Revised plats.* A revised sheet of a plat shall bear the same number as the sheet superseded, but will be given a new date. Any additional sheet shall be given a new number in consecutive order, or will be otherwise numbered and lettered in such manner as will permit the filing of all sheets in proper sequence.

### SUBPART J—APPROVAL OF DOCUMENTS

§ 245.70 *Examination of documents.* All documents required by this part, of persons intending to qualify as brewers,

are subject to examination by the assistant regional commissioner to determine whether they have been properly executed. Such examination may include an inspection of the brewery to determine whether it is properly described and depicted in the notice and plat. Where discrepancies are found in the documents, the inaccurate or incomplete documents shall be returned to the brewer for correction. Where any required document has not been filed, or where errors or discrepancies are found in those filed, or where the documents filed do not show compliance with this part, action thereon shall be held in abeyance until the omission, or material errors or discrepancies, have been rectified and there has been full compliance with all requirements. Operation of the brewery shall not be commenced until the documents required by this part have been approved by the assistant regional commissioner.

§ 245.71 *Return of documents to brewer or applicant.* On approval of the documents the assistant regional commissioner shall forward one copy of the bond, notice, plat, and other documents to the brewer. The brewer shall file such approved documents on the premises, available for inspection by internal revenue officers. If the bond or consent of surety is disapproved by the assistant regional commissioner, all copies thereof and of the other documents shall be returned to the applicant or the brewer.

### SUBPART K—SPECIAL TAXES

§ 245.75 *Special tax.* Brewers are required to pay, within the calendar month in which they commence operations, the special tax required by section 5091, I. R. C. Special taxes shall become due on the first day of July in each year, or on commencing any trade or business on which such tax is imposed. In the former case, the tax is reckoned for 1 year, and in the latter, it is reckoned proportionately from the first day of the month in which the liability to special tax commenced, to and including the 30th day of June following.

(68A Stat. 624; 26 U. S. C. 5142)

§ 245.76 *Special tax return.* Every person liable to special tax shall render his return on Form 11 with remittance to the district director of the district in which the business is carried on, at such time within the calendar month in which the special tax liability commences as will enable the district director to receive such return and remittance not later than the last day of such month.

(68A Stat. 624; 26 U. S. C. 5143)

§ 245.77 *Execution of Form 11.* The return of an individual proprietor shall be signed by the proprietor; the return of a partnership shall be signed by any one of the partners; the return of a corporation shall be signed by any officer. In each case, the person signing the return shall designate his capacity as "individual owner," "member of firm," or in the case of a corporation the title of the officer. Receivers, trustees, assignees, executors, administrators, and other legal representatives who continue the business of a bankrupt, insolvent, deceased person, etc., will indicate the fiduciary capacity in which they act. When a return is signed by an agent or attorney in fact, his signature should be preceded by the name of the principal and be followed by his title. A return signed by a person as agent will not be accepted unless there is filed with the district director a power of attorney authorizing the agent to perform such act. Form 11 must contain or be verified by a written declaration that it has been executed under penalties of perjury.

(68A Stat. 748, 749, 757, 846; 26 U. S. C. 6061, 6065, 6151, 7011)

§ 245.78 *Wholesale and reail special tax exemption.* A brewer is not required to pay special tax as a wholesale or retail dealer in beer if he sells only in hogsheads, barrels, or kegs, whether at the place of production or elsewhere, beer produced by him or purchased and procured by him in his own hogsheads, barrels, or kegs from another brewer, but the quantity of beer so purchased shall be included in calculating the liability to brewers' special tax of both the brewer who manufacturers and sells the same and the brewer who purchases the same.

(68A Stat. 619; 26 U. S. C. 5113)

§ 245.79 *Sale of bottled beer.* The special tax liability as brewer does not include the sale of beer in bottles, or the sale of beer produced by other brewers which is not in his own barrels. Brewers who sell such products are required to pay special tax as wholesale or retail dealers in beer, or both, according to the quantities sold.

(68A Stat. 618, 620; 26 U. S. C. 5111, 5121)

§ 245.80 *Wholesale dealer in beer.* Except as provided in Part 194 of this chapter, every person who sells, or offers for sale, beer in quantities of 5 gallons or more, to the same person at the same time, and who does not deal in distilled spirits or wines at wholesale, shall be regarded as a wholesale dealer in beer.

(68A Stat. 618; 26 U. S. C. 5112)

§ 245.81 *Retail dealer in beer.* Except as provided in Part 194 of this chapter, every person who sells, or offers for sale, beer in quantities of less than 5 gallons to the same person at the same time, and does not deal in distilled spirits or wines, shall be regarded as a retail dealer in beer.

(68A Stat. 621; 26 U. S. C. 5122)

§ 245.82 *Posting special tax stamp.* All stamps denoting payment of special tax shall be posted conspicuously in the place of business of the taxpayer.

(68A Stat. 831; 26 U. S. C. 6806)

§ 245.83 *Sale at purchaser's place of business.* Wholesale and retail dealers in beer who have paid special tax as such may, without incurring liability for additional special tax, sell beer to wholesale and retail dealers in beer or liquors at the purchaser's place of business.

(68A Stat. 621; 26 U. S. C. 5123)

§ 245.84 *Each place of business taxable.* Liability to special tax is incurred by a brewer at each and every place of business where he carries on any occupation subject to such tax: *Provided,* That by place of business is meant the entire office, plant or area of the business in any one location under the same proprietorship, and passageways, streets, highways, rail crossings, waterways, or partitions dividing the premises shall not be deemed sufficient separation to require additional special tax, if the various divisions of the premises are otherwise contiguous.

(68A Stat. 624; 26 U. S. C. 5144)

### SUBPART L—CHANGES IN NAME, PROPRIETORSHIP, CONTROL, LOCATION, PREMISES, AND EQUIPMENT

§ 245.85 *Amended or supplemental notices.* Where there is a change in any of the items of information reported on active Forms 27–C, the brewer shall immediately, except as provided in this subpart, submit to the assistant regional commissioner an amended or supplemental notice on Form 27–C, in triplicate, setting forth the new information. Items which remain unchanged shall be marked "No change since Form 27–C, Serial No. _____". Where there are changes in the items of information required by § 245.41 (h), (i), or (j), amended or supplemental notices shall be submitted within 30 days after completion of the change. The assistant regional commissioner may require the immediate filing of an amended Form 27–C and plat if the accuracy of existing documents has been materially affected by any change.

#### CHANGES IN PROPRIETORSHIP

§ 245.86 *Nonfiduciary successor.* If a change in proprietorship of the brewery is brought about otherwise than by appointment of an administrator, executor, receiver, trustee, assignee, or other fiduciary, the successor must qualify in the same manner as the proprietor of a new brewery, except that he may adopt the plat of the predecessor, as provided in this subpart. Such new proprietor must file a new notice and bond in his own name.

§ 245.87 *Fiduciary.* If the brewery is to be operated by an administrator, executor, receiver, trustee, assignee, or other fiduciary, the fiduciary may, in lieu of filing a new notice, bond, and plat, file an amended or supplemental notice, furnish a consent of surety extending the terms of his predecessor's bond, and adopt the plat of such predecessor. The fiduciary must also furnish certified copies, in triplicate, of the court order or other pertinent documents, showing his qualifications as such fiduciary. The effective date of the qualifying documents filed by a fiduciary must be the same as the date of the order, or the date specified therein, for him to assume control. If the fiduciary was not appointed by the court, the date of his appointment must coincide with the effective date of the qualifying documents filed by him.

§ 245.88 *Change in partnership.* The withdrawal of one or more members of a partnership or the taking in of a new partner, whether active or silent, shall constitute a change in proprietorship.

Likewise, except as provided in § 245.89, the death, bankruptcy, or adjudicated insolvency of one or more of the partners results in a dissolution of the partnership and, consequently, a change in proprietorship. Where such a change occurs, the successor must qualify in the same manner as a new applicant, except that the successor may adopt the plat of the predecessor as provided in § 245.92.

§ 245.89 *Exception, change in partnership.* Where, under the laws of the particular State, the partnership is not terminated on the death or insolvency of a partner, but continues until the termination of the partnership affairs is completed, and the surviving partner has the exclusive right to the control and possession of the partnership assets for the purpose of liquidation and settlement, such surviving partner may continue to operate the brewery for such purpose under the prior qualification of the partnership, and the bond already on file will be considered sufficient, provided a consent of surety, wherein the surety and the surviving partner agree to remain liable on the bond, is filed. If such surviving partner acquires the business on completion of the settlement of the partnership, he must qualify in his own name from the date of acquisition and give a new notice on Form 27–C and a new bond on Form 1566. The same rule shall apply where there is more than one surviving partner.

§ 245.90 *Changes in stockholders, officers, and directors of corporation.* The sale or transfer of capital stock of a corporation operating a brewery does not constitute a change in the proprietorship of the brewery. However, where the sale or transfer of capital stock results in a change in the control or management of the business, or where there is any change in the officers or directors, the brewer must give notice thereof on Form 27–C, in triplicate, to the assistant regional commissioner within 30 days of such change.

§ 245.91 *Reincorporation.* Where a corporation operating a brewery is reorganized and a new charter or certificate of incorporation is secured, the new corporation must qualify in the same manner as the new proprietor of a brewery, except that the new corporation may adopt the plat of the predecessor.

§ 245.92 *Plats.* The adoption by a successor of the plat of his predecessor shall be in the form of a certificate, in triplicate, to be made a part of the notice, in which shall be set forth the name of the predecessor, the address of the brewery, a description of the brewery, the number of each page comprising the plat covered by such certificate, and a statement that the brewery, including the buildings, connecting pipelines, and meters is correctly described and depicted on such plat.

(68A Stat. 674; 26 U. S. C. 5401)

§ 245.93 *Approval required.* Operations shall not be commenced by the successor until the qualifying documents required by the provisions of this subpart have been approved.

(68A Stat. 678; 26 U. S. C. 5551)

§ 245.94 *Transfer of business.* When a brewer's business, including the beer on hand, is transferred to a successor, the beer may be transferred without payment of tax and shall be accounted for by the successor brewer.

CHANGES IN LOCATION AND PREMISES

§ 245.95 *Change in location.* Where there is a change in the location of the brewery, the brewer must file an amended Form 27–C and a new plat and bond, except that in lieu of filing a new bond, Form 1566, the brewer may furnish a consent of surety, Form 1533, in accordance with § 245.45 extending the terms of the bond given for the former location to cover operation of the brewery at the new location. The new location may not be used for the business of brewing until the documents required by this part are approved by the assistant regional commissioner.

(68A Stat. 594, 616, 619, 624, 674, 846; 26 U. S. C. 4905, 5091, 5113, 5144, 5401, 7011)

§ 245.96 *Changes in premises.* Where the brewery (or brewery bottling house) is to be extended or curtailed, the brewer must file with the assistant regional commissioner an amended Form 27–C and amended plat. The additional facilities covered by an extension may not be used for the proposed purposes, and the portion to be excluded by a curtailment may not be used for other than the previously approved purposes, prior to approval of Form 27–C.

(68A Stat. 674; 26 U. S. C. 5401)

SPECIAL TAX STAMPS

§ 245.97 *Change in name; amended Form 11.* Where there is a change in the corporate name or firm name, or in the trade name, or names, the brewer must, within 30 days after such change is made, file with the district director of internal revenue an additional return on Form 11, covering the new corporate name, firm name, or trade name or names, as the case may be. The special tax stamp, or stamps, must be forwarded to the district director for appropriate notation with respect to such change.

(68A Stat. 846; 26 U. S. C. 7011)

§ 245.98 *Liability; change in proprietorship.* Where there is a change in proprietorship of the brewery, the successor must procure the required special tax stamps: *Provided*, That persons having right of succession as provided in § 245.99, may carry on the business for the remainder of the period for which the special tax was paid, if, within 30 days after the date on which such successor begins to carry on the business, a return on Form 11 showing the basis of the succession is filed with the district director. The person so succeeding to a business for which special tax has been paid and who fails to register such succession as provided in this subpart, is liable for special tax computed from the first day of the calendar month in which he began to carry on such business.

(68A Stat. 624, 846; 26 U. S. C. 5144, 7011)

§ 245.99 *Persons having right of succession.* Under the conditions indicated in § 245.98, the persons having right of succession are as follows:

(a) *Death.* The widowed spouse or child, or executor, administrator, or other legal representative of the taxpayer.

(b) *Husband and wife.* A husband or wife succeeding to the business of his or her spouse (living).

(c) *Insolvency.* A receiver or trustee in bankruptcy, or an assignee for benefit of creditors.

(d) *Withdrawal from firm.* The partner or partners remaining after death or withdrawal of a member.

(68A Stat. 624; 26 U. S. C. 5144)

§ 245.100 *Liability; change in location.* Where there is a change in location, the brewer must, within 30 days after such change is made, file with the district director an amended return on Form 11 covering the new location of the brewery; otherwise, new special tax stamps must be purchased. The special tax stamp, or stamps, must be forwarded to the district director for endorsement of the change in location.

(68A Stat. 594, 624, 846; 26 U. S. C. 4905, 5144, 7011)

SUBPART M—NOTICE OF DISCONTINUANCE OF BUSINESS

§ 245.105 *Form of notice.* Where a brewer desires to discontinue business permanently, he will file with the assistant regional commissioner notice thereof on Form 27–C, in triplicate, stating therein the purpose, "Discontinuance of business," and giving the date of the discontinuance. The assistant regional commissioner will, when operations have been properly completed, note his approval on the notice, retain one copy and forward one copy to the Director, Alcohol and Tobacco Tax Division, and one copy to the brewer.

SUBPART N—TAX ON BEER

§ 245.110 *Rate of tax.* All beer brewed or produced and sold, or removed for consumption or sale, is subject to the tax prescribed by section 5051, I. R. C., for every barrel containing not more than 31 gallons, and at a like rate for any other quantity, or for the fractional parts of a barrel authorized and defined by law.

(68A Stat. 611; 26 U. S. C. 5051)

§ 245.111 *Persons liable for tax.* The tax imposed by law on beer (including beer purchased or procured by one brewer from another) shall be paid by the owner, agent, or superintendent of the brewery in which the beer is made: *Provided*, That the tax on beer transferred to a brewery from other breweries owned by the same brewer shall be paid by the owner or his agent or superintendent at the brewery from which the beer is sold or removed for consumption or sale.

(68A Stat. 613, 675; 26 U. S. C. 5054, 5413, 5414)

§ 245.112 *Method of taxpayment.* The tax on beer shall be paid by return on Form 2034, as provided in §§ 245.227 to 245.229. The tax shall be paid by remittance to the district director at the time the tax return is rendered and the remittance shall be in cash, or by check or money order made payable to the

"Internal Revenue Service". In paying the tax a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

(68A Stat. 614, 777, 778; 26 U. S. C. 5061, 6311, 6313)

§ 245.113 *Determination of tax on keg beer.* In determining the tax on beer removed in kegs, a barrel shall be regarded as being a quantity of not more than 31 gallons. The authorized fractional parts of a barrel are halves, thirds, quarters, sixths, and eighths. Any keg containing one-eighth or less will be accounted and taxpaid as one-eighth; if more than one-eighth and not more than one-sixth, as one-sixth; if more than one-sixth and not more than one-fourth, as one-fourth; if more than one-fourth and not more than one-third, as one-third; if more than one-third and not more than one-half, as one-half; if more than one-half and not more than one barrel, as one barrel; and if more than one barrel and not more than 63 gallons, as two barrels or a hogshead. The provisions of this section requiring the accounting and tax payment of kegs at the next higher quantity shall not apply where the excess quantity of beer in any such container over the standard quantity does not exceed two percent by volume. The quantities of keg beer removed subject to tax shall be computed to 5 decimal places. The sum of the quantities so computed for any one day will be reduced to 3 decimal places by dropping the numerals in the 4th and 5th decimal places and the tax shall be calculated and paid on such reduced sum.

(68A Stat. 611; 26 U. S. C. 5051)

§ 245.114 *Determination of tax on bottled beer.* The quantities of bottled beer removed subject to tax shall be computed to 5 decimal places in accordance with the table and instructions in § 245.115. The sum of the quantities so computed for any one day will be reduced to 3 decimal places by dropping the numerals in the 4th and 5th decimal places and the tax shall be calculated and paid on such reduced sum.

(68A Stat. 611; 26 U. S. C. 5051)

§ 245.115 *Tax computations for bottled beer.* Barrel equivalents for various case sizes are as follows:

| Number of bottles per case | Fluid contents (ounces) of each bottle | Barrel equivalent |
|---|---|---|
| 4 | 64 | 0.06452 |
| 6 | 64 | .09677 |
| 12 | 6 | .01815 |
| 12 | 7 | .02117 |
| 12 | 8 | .02419 |
| 12 | 12 | .03629 |
| 12 | 14 | .04234 |
| 12 | 30 | .09073 |
| 12 | 32 | .09677 |
| 24 | 6 | .03629 |
| 24 | 7 | .04234 |
| 24 | 8 | .04839 |
| 24 | 9 | .05444 |
| 24 | 10 | .06048 |
| 24 | 11 | .06653 |
| 24 | 12 | .07258 |
| 24 | 13 | .07863 |
| 24 | 14 | .08468 |
| 24 | 15 | .09073 |
| 24 | 16 | 0.09677 |
| 36 | 6 | .05444 |
| 36 | 7 | .06351 |
| 36 | 8 | .07258 |
| 48 | 12 | .14516 |
| 60 | 12 | .15120 |

Since the determination of tax liability is based upon a count of cases of bottles, various sized bottles may not be indiscriminately mixed in a case. This shall not be construed as prohibiting cases or bottles of sizes other than those listed in the above table or cases which contain bottles of more than one size where such cases are uniformly filled with a specific number of bottles of each size: *Provided*, That if beer is to be removed in cases or bottles of sizes other than those listed in the above table, the brewer will notify the assistant regional commissioner in advance and request to be advised of the fractional barrel equivalent applicable to the proposed container.

§ 245.116 *Time of tax determination and payment.* The tax on beer shall be determined on sale or removal for consumption or sale. Except as provided in § 245.117, a brewer shall file the tax return with remittance not later than the close of the business day next succeeding that on which the beer was sold or removed for consumption or sale: *Provided*, That where the brewer has deposited with the district director an additional remittance equal to, or greater than, the maximum tax liability to be incurred during any one business day, the tax return may be filed not later than the close of the second business day next succeeding the day on which the beer was sold or removed for consumption or sale. If the tax liability for any one business day exceeds the additional remittance deposited, a return covering such liability filed later than the close of the business day next succeeding that on which the beer was sold or removed for consumption or sale will not be considered as having been timely filed, and further, the brewer will not be permitted to resume deferring the filing of his returns to the second business day unless the amount of the deposit has been appropriately increased. In no event will the filing of the return be delayed for more than one additional day because of the advance deposit. In any case in which the tax return is authorized to be filed not later than the close of the second business day next succeeding the day on which the beer was sold or removed for consumption or sale, entries in records and reports shall be made not later than the expiration of such time: *And provided further*, That when the last day for filing a tax return and remittance falls on Saturday or Sunday, or on a legal holiday (of the particular State or of the District of Columbia wherein the return is required to be filed), the performance of such acts shall be considered timely if they are performed on the next succeeding day which is not a Saturday, Sunday, or legal holiday (of the particular State or of the District of Columbia wherein the return is required to be filed): *And provided further*, That where the return and remittance are delivered by United States mail to the office of the district director, the official postmark of the United States Post Office stamped on the cover in which the return and remittance were mailed shall be deemed to be the date of delivery.

(68A Stat. 613, 614, 896; 26 U. S. C. 5055, 5061, 7503)

§ 245.117 *Handling of a day's gross tax liability of less than $100.* Notwithstanding the provision of § 245.116 regarding the filing of tax returns daily, a return need not be prepared (nor the remittance of tax made) until the total gross tax (for one or more days) reaches $100, when Form 2034 (with remittance) will be prepared and filed. Before the close of the first business day following the last day of each month, Form 2034 will be prepared and filed with remittance covering the last day or days of the next preceding month even though the amount of tax due is less than $100.

(68A Stat. 614, 675, 681; 26 U. S. C. 5061, 5415, 5555)

§ 245.118 *Evasion of or failure to pay tax.* Penalties are provided in sections 5671, 5673, and 5684 of title 26 of the United States Code, for evasion or failure to pay the tax on beer.

(68A Stat. 696, 699; 26 U. S. C. 5671, 5673, 5684)

### SUBPART O—MARKS, BRANDS, AND LABELS

§ 245.125 *Barrels and cases.* The brewer's name or trade name and the place of production must be embossed on, indented in, or otherwise permanently marked on (subject to the approval of the assistant regional commissioner) each metal barrel or keg of beer. The same information must be branded by burning on the side, across the staves, and extending over 60 percent, or more, of the circumference, of each wooden barrel or keg. Such branding must be of sufficient depth and size so that it may not be effaced without leaving traces of scraping or other erasure. The brewer's name or trade name and place of production (city and State) must be shown on each case or other shipping container for bottled beer. No statement concerning payment of internal revenue tax shall appear on such shipping container.

(68A Stat. 675; 26 U. S. C. 5412)

§ 245.126 *Bottles.* Where beer is bottled in the brewery bottling house, the bottle shall show by label or otherwise the name or trade name, the place of production (city and State), the net contents of the container and the nature of the product, such as beer, lager beer, ale, stout, etc. No statement as to payment of internal revenue taxes shall be shown. The labels used by the brewer must be covered by certificates of label approval where required by 27 CFR Part 7. The statement of net contents shall indicate exactly the volume of beer within the bottle except for such variations in measuring as may occur in filling

conducted in compliance with good commercial practice.

(68A Stat. 675; 26 U. S. C. 5412)

MORE THAN ONE BREWERY OWNED BY THE SAME PERSON

§ 245.127 *Barrels or kegs.* Where two or more breweries are owned and operated by the same person, firm, or corporation, barrels or kegs with the name of the brewer and the location of one or more of such breweries branded, embossed, or otherwise permanently marked thereon or indented therein may be used for the removal of beer subject to tax or for export from all such breweries: *Provided*, That whenever a barrel or keg so branded is filled with beer for such removal, the location (city and State) of the brewery at which the beer was produced, shall be marked on the bung or shown on a label securely affixed to the container. If more than one such brewery is located in the same city, such bung or label shall show the location by street number, city and State.

(68A Stat. 675; 26 U. S. C. 5412)

§ 245.128 *Cases.* The place of production (city and State) must be shown on each case: *Provided*, That where two or more breweries are owned and operated by the same person, firm, or corporation the cases may show the addresses (city and State) of all of such breweries and be used interchangeably.

§ 245.129 *Rebranding barrels or kegs.* No barrel or keg which bears the name of more than one brewer may be used as a container for beer: *Provided*, That where barrels or kegs are purchased by one brewer from another or obtained by other legitimate means, and after the assistant regional commissioner has been notified of the proposed action, the brands on such wooden barrels or kegs may be scraped and the barrels or kegs rebranded by the purchasing brewer, and in the case of metal barrels or kegs, the original marks may be covered by a metal plate so welded to the barrel as to become an integral part thereof, and the required marks may be embossed on, or indented in, such metal plates. The successor to a brewer who has discontinued business may place additional marks and brands on the barrels and kegs, in accordance with § 245.125, which indicate the successorship without removing the marks and brands of the predecessor.

(68A Stat. 675; 26 U. S. C. 5412)

§ 245.130 *Tanks, vehicles, and vessels.* Each tank, tank car, tank truck, tank ship, barge, or deep tank of a vessel, used for transferring beer from one brewery to another brewery belonging to the same brewer, as provided in § 245.141, must be plainly and durably marked with the brewer's name, the address of the brewery from which the beer was removed, the address of the brewery to which transferred, the date of shipment, and the quantity transferred (expressed in barrels). The marks may be placed on a suitable label securely affixed to the route board of such containers.

(68A Stat. 675; 26 U. S. C. 5414)

SUBPART P—REMOVAL OF BREWER'S YEAST AND OTHER ARTICLES

§ 245.135 *Containers and records.* Brewer's yeast, in liquid or solid form containing not less than 10 percent solids (as determined by the methods of analysis of the American Society of Brewing Chemists), may be removed from the brewery in barrels, tank trucks, or other suitable containers, or by pipeline. If removed in containers, the containers must bear labels giving the name and location of the brewery, and the words "Brewer's Yeast". If removed by pipeline, the pipeline will be indicated on the plat and described in the Form 27–C, and the premises receiving the product will be subject to inspection by internal revenue officers during ordinary business hours. The brewer must keep records open for inspection by internal revenue officers showing the quantity and date of removal, and the name and address of the consignee. Brewer's yeast may be removed for sale to other brewers for use in the production of beer and to other concerns for the preparation of stock foods and medicinal products, or for any other legitimate purposes.

(68A Stat. 675; 26 U. S. C. 5411)

§ 245.136 *Malt sirup.* Records shall be kept by the brewer of all malt and malt sirup removed from the brewery. Such records must show the quantity of each lot removed, together with the name and address of the person to whom shipped or delivered. The records must be available for inspection by internal revenue officers.

(68A Stat. 675; 26 U. S. C. 5411)

SUBPART Q—TRANSFERS TO ANOTHER BREWERY OF SAME OWNERSHIP

§ 245.140 *General.* In accordance with the provisions of this part, beer may be removed from one brewery for transfer to another brewery belonging to the same brewer, without payment of tax, and may be mingled with the beer of the second brewery.

(68A Stat. 675; 26 U. S. C. 5414)

§ 245.141 *Kinds of containers.* Beer may be transferred without payment of tax from one brewery to another brewery belonging to the same brewer (a) in bottles and cases; (b) in the brewer's hogsheads, barrels, or kegs; or (c) in tanks, tank cars, tank trucks, tank ships, barges, or deep tanks of vessels subject to such limitations and conditions as may be imposed by the assistant regional commissioner. All such containers shall be marked, branded, or labeled as provided in §§ 245.125 to 245.130.

(68A Stat. 675; 26 U. S. C. 5414)

§ 245.142 *Determination of quantity transferred.* The quantity of beer shipped will be determined by the brewer at the time of removal from the consignor brewery and the quantity received will be determined at the time of receipt at the consignee brewery. Before any beer is transferred by tank, tank car, tank truck, tank ship, barge, or deep tanks of vessels, the brewer must satisfy the assistant regional commissioner(s) that both the shipping and receiving breweries are so equipped that the quantities to be shipped and delivered in such bulk conveyances can be accurately determined.

(68A Stat. 675; 26 U. S. C. 5414)

§ 245.143 *Losses in transit.* The brewer is liable under the bond of the brewery to which the beer is transferred for the tax on beer lost in transit. Such liability may be remitted if such beer is lost other than by theft.

(a) *Losses allowable without claim.* Where such loss does not exceed 1 percent of the quantity shipped, application for allowance of the loss or report of loss will not be required provided there are no circumstances indicating that the beer lost, or any part thereof, was stolen or otherwise diverted to an unlawful purpose.

(b) *Losses requiring claim.* Where such loss exceeds 1 percent of the quantity shipped, the brewer shall submit an application under the penalties of perjury for remission of the tax on the entire loss to the assistant regional commissioner of the region in which the receiving brewery is located. Such application shall be prepared and submitted in accordance with the provisions of § 245.148.

(c) *Losses requiring immediate report.* A loss by fire or other casualty, or any other unusual loss, including a loss by theft, must be reported to the assistant regional commissioner immediately it becomes known.

(68A Stat. 613, 675; 26 U. S. C. 5057, 5414)

§ 245.144 *Mingling.* Beer transferred without payment of tax from one brewery to another brewery belonging to the same brewer may be mingled with beer of the receiving brewery: *Provided*, That (a) beer transferred in hogsheads, barrels, or kegs must be received in the racking room or keg beer storage room of the receiving brewery; (b) bottled beer must be received in the brewery bottling house; and (c) bulk beer transferred in tanks, vehicles, or vessels must be received in brewery tanks not located in the bottling department: *And provided further*, That such beer having been so received and accounted for in the records of the consignee brewery may be handled thereafter in accordance with the requirements of this part relating to beer produced in such brewery.

(68A Stat. 675; 26 U. S. C. 5414)

§ 245.145 *Report of transfers between breweries.* When beer is transferred without payment of tax from one brewery to another brewery belonging to the same brewer, the consignor brewery shall render noitce thereof on the day of shipment on Form 2035 as provided in §§ 245.146 and 245.147. The quantity transferred shall be reflected in the daily records and the total thereof reported on Form 103 of the shipping brewery. Similarly, the quantity received shall be reported in the records and on Form 103 of the receiving brewery. Any discrepancy between the quantity shipped and the quantity received shall be reported on Form 2035 in accordance with §§ 245.146 and 245.147.

(68A Stat. 675; 26 U. S. C. 5414)

§ 245.146 *Transfers in same region.* When beer is transferred from one brewery to another brewery belonging to the same brewer and located in the same region, the brewer shall prepare Form 2035, in quadruplicate, and forward, on the day of shipment, two copies to the receiving brewery. One of the remaining copies will be retained in the files of the shipping brewery and the other will be forwarded to the assistant regional commissioner with Form 103 for the month. When the beer is received, the receiving brewery will enter on the two copies of Form 2035 the actual quantity received and any discrepancy between the quantities shipped and received. One copy of the form will be forwarded to the assistant regional commissioner with Form 103 for the month and the other copy retained in the files of the receiving brewery.

(68A Stat. 675; 26 U. S. C. 5414)

§ 245.147 *Transfers to other regions.* When beer is transferred to a brewery located in another region, the brewer shall prepare Form 2035, in quintuplicate, and forward, on the day of shipment, three copies to the receiving brewery. One of the remaining copies will be retained in the files of the shipping brewery and the other will be forwarded to the assistant regional commissioner with Form 103 for the month. When the beer is received, the receiving brewery will enter on the three copies of Form 2035 the actual quantity received and any discrepancy between the quantities shipped and received. Two copies of the form will be attached to Form 103 when that form is forwarded to the assistant regional commissioner of the receiving region and the other retained in the files of the brewery. On receipt of the Forms 2035 showing the actual quantity received, the assistant regional commissioner of the receiving region will complete the forms and forward one of them to the assistant regional commissioner of the shipping region.

(68A Stat. 675; 26 U. S. C. 5414)

§ 245.148 *Application for remission of tax.* Application for remission of tax on beer lost in transit between breweries of the same ownership shall be prepared by the brewer or his duly authorized agent and submitted with Form 103 of the receiving brewery for the month in which the shipment is received. Where the loss is by casualty, the application shall be submitted with the Form 103 for the month in which the loss is discovered. Where, for valid reason, the required application cannot be submitted with such report, a statement shall be attached to the monthly report setting forth the reason why the application cannot be filed at that time and specifying when it will be filed. No claim shall be allowed unless such application is filed with the assistant regional commissioner within 6 months after the date of loss. The application shall set out:

(a) The date and serial number of the shipment (as shown on the transfer paper).

(b) The quantity of beer lost (number and size of packages and their equivalent in barrels).

(c) The percent of loss.

(d) The specific cause of the loss.

(e) The nature of the loss (leakage, breakage, casualty, etc.).

(f) Full information as to whether the applicant has been indemnified by insurance or otherwise in respect of the tax or has any claim for indemnification. Full details shall be furnished on losses due to casualty or accident, supported if possible, by statements of the carrier or other parties having personal knowledge of the loss.

(68A Stat. 613, 675; 26 U. S. C. 5057, 5414)

### SUBPART R—REMOVAL OF BEER UNFIT FOR BEVERAGE USE

§ 245.150 *Removal of sour or damaged beer.* When beer has become sour or damaged, so as to be incapable of use as such, brewer may remove such beer from his brewery without payment of tax, for manufacturing purposes, in accordance with the provisions of this subpart.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.151 *Packages.* A brewer may remove sour or damaged beer in casks, or other packages, containing not less than one barrel each and unlike those ordinarily used for packaging beer. The nature of the contents shall be marked on such casks or other packages.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.152 *Application.* Before removing sour or damaged beer, the brewer shall apply to the assistant regional commissioner for permission to make such removal, stating the quantity, type, condition, and proposed disposition of the beer. The assistant regional commissioner, before granting permission for removal, may assign an inspector to inspect and identify the spoiled beer and to secure samples thereof for submission to the Government chemist. If the chemist's report of analysis shows the beer to be unsuitable for use as such, the assistant regional commissioner will notify the brewer in writing that it may be removed. The assistant regional commissioner may authorize such removal without inspection and sampling where he is satisfied that the revenue will not be jeopardized thereby.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.153 *Entry on Form 103.* Sour or damaged beer shall be removed from the brewery without passing through the meter and racking machine. Appropriate entry therefor must be made in both the brewer's daily records and in the "Beer Summary" on Form 103.

(68A Stat. 612; 26 U. S. C. 5053)

### SUBPART S—BEER RETURNED TO BREWERY

§ 245.155 *Storage of undelivered beer.* Undelivered beer returned to the brewery may be held in storage pending its removal again for sale. Such beer must be kept completely segregated from all other beer and be immediately accessible for examination by internal revenue officers. Undelivered beer must be the first of its kind, type, and container size removed: *Provided*, That beer in barrels and kegs may be held for not more than 5 days for refrigeration, after which it must be the first of its kind, type, and container size removed. Entry will not be made on Form 2051 (if maintained) for such beer while in storage. However, the brewer must show in his records the quantity of such beer returned to the brewery each day and the quantity remaining on hand. Such records must be supported by credits against loading slips or other papers.

(68A Stat. 675; 26 U. S. C. 5411)

§ 245.156 *Temporary storage of repossessed beer.* Beer on which the tax has been determined or paid, and which is repossessed from the purchaser thereof, may be returned to the brewery bottling house (if bottled beer), or other portion of the brewery (if keg beer) and held in temporary storage pending its destruction, reconditioning, use as material, or consumption in the brewery. Such beer shall be completely segregated from all other beer, shall be identified as repossessed beer, and shall be immediately accessible for examination by internal revenue officers. No refund, credit, or remission of tax will be allowed on such beer; and such beer, after reconditioning, shall again be subject to the tax imposed by law. The brewer's daily records must reflect the receipt and disposition of repossessed beer and special entries must be made in the "Beer Summary" on Form 103.

(68A Stat. 675; 26 U. S. C. 5411)

§ 245.157 *Recasing or relabeling.* A brewer receiving bottled beer on which the tax has been paid or determined, for recasing or relabeling in the brewery bottling house, shall submit a statement to the assistant regional commissioner, showing the approximate quantity of beer and the date of receipt for recasing or relabeling. The beer must be recased or relabeled promptly after receipt at the brewery bottling house, shall be kept apart from all other beer, and must be immediately removed from the bottling house after completion of the recasing or relabeling. If a brewer desires to hold small quantities of beer returned for recasing or relabeling until a sufficient quantity has been accumulated for economical handling, or if it is not otherwise feasible to recase or relabel returned beer immediately, such beer shall not be stored in the brewery. The quantity of beer so received and disposed of shall not be entered on Form 103 but the brewer's daily records shall reflect such transactions. A copy of the statement shall be filed at the brewery.

(68A Stat. 675; 26 U. S. C. 5411)

§ 245.158 *Beer removed from market.* Beer on which the tax has been paid or determined, which is removed from the market before transfer of title thereto to any other person, may be returned to the brewery for destruction, reconditioning, or use as brewing material. All such beer received at the brewery may be stored temporarily therein pending its disposition but must be completely segregated from all other beer, be identified as beer removed from the market without transfer of title, and be immediately accessible for inspection by internal revenue officers. The destruction, reconditioning,

and use as material, of the beer, may be effected only in accordance with the provisions of §§ 245.161 and 245.162. The brewer's daily records and Form 103 shall properly reflect the receipt and disposition of such beer, and the bailing thereof if used as material.

(68A Stat. 675; 26 U. S. C. 5411, 5415)

SUBPART T—REFUND AND CREDIT OF TAX OR RELIEF FROM LIABILITY

§ 245.160 *Beer returned for reconditioning, use as material, or destruction.* The tax paid by a brewer on beer produced by him in the United States may be refunded or credited to him (without interest), or, if the tax has not been paid, he may be relieved of liability therefor, if such beer is removed from the market before the transfer of title thereto to any other person, and such beer is returned to the brewery for reconditioning, for use as material, or is destroyed, as required by this part. Such beer may be returned to the brewery and held in temporary storage as provided in § 245.158. The destruction of such beer or its reconditioning or use as material, may be effected only in accordance with the provisions of §§ 245.161 and 245.162.

(68A Stat. 613; 26 U. S. C. 5057)

§ 245.161 *Brewer's application; beer removed from market.* When a brewer possesses returned taxpaid beer (or beer on which the tax has been determined) in his brewery or elsewhere, which he desires to destroy, recondition, or use as material, and such beer was removed from the market by the brewer before transfer of title thereto to any other person, he shall make written application, in triplicate, to the assistant regional commissioner for permission so to do: *Provided*, That such application may be submitted directly to an inspector at the brewery who may thereupon supervise the destruction or removal of the beer from its containers for reconditioning or use as material. The application shall contain or be verified by a written declaration that it is made under the penalties of perjury and shall set forth the following information:

(a) The number and sizes of kegs and their total equivalent in barrels; or if in cases, the number of cases, the number and size in ounces of the bottles comprising the cases and the equivalent in barrels of the total contents of the cases.

(b) The date on which the beer was removed from the market.

(c) A statement that the tax on the beer has been fully paid or determined and that title to the beer has never passed to any other person.

(d) A notation with respect to each item or lot indicating whether the beer is to be destroyed, or whether it is to be returned for reconditioning or for use as brewing material.

(e) If to be destroyed, the location at which the brewer desires to accomplish destruction and, if not at the brewery, the reason for destruction elsewhere.

(68A Stat. 613; 26 U. S. C. 5057)

§ 245.162 *Assignment of inspector.* On receipt of the brewer's application, the assistant regional commissioner will assign an inspector to verify the statements therein and to witness the destruction of the beer or its removal from containers for reconditioning or use as material, unless the assistant regional commissioner determines that such supervision is unwarranted because of the small quantity of beer involved and such action will not jeopardize the revenue. In such case he shall approve the application without the assignment of an inspector. Special assignment of an inspector will not be made unless it is essential to return the beer for immediate reconditioning. If the brewer desires to destroy such beer at some place other than the brewery and such place is not readily accessible to an inspector, the assistant regional commissioner may require that the beer be moved to a more convenient location.

(68A Stat. 613; 26 U. S. C. 5057)

§ 245.163 *Beer lost or destroyed by fire, casualty, or act of God.* In accordance with the provisions of this part the tax paid by any brewer on beer produced in the United States may be refunded or credited (without interest), or, if the tax has not been paid, the liability may be remitted, if such beer is lost other than by theft, or is destroyed by fire, casualty, or act of God, before transfer of title thereto to any other person. A brewer who sustains such loss and desires to file a claim for refund, credit, or remission of tax, shall, on learning of such loss, immediately notify the assistant regional commissioner of the nature, cause, and extent of the loss, and the place where such loss occurred. Statements of witnesses or other supporting documents should be furnished, if available. When such notice, and supporting documents where furnished, are received by the assistant regional commissioner, he will examine the reasons for the described loss and will cause such investigation to be made or require such additional evidence to be submitted as he may deem necessary for use in connection with the claim when it is submitted. The tax liability on excessive losses of beer from transfers between breweries of the same ownership may be remitted as provided in § 245.143.

(68A Stat. 613; 26 U. S. C. 5057)

§ 245.164 *Claims for refund of tax.* A claim for refund of tax paid on beer removed from the market by the brewer before the transfer of title thereto to any other person, which beer has been returned to the brewery for reconditioning or for use as material, or destroyed, as provided in this part, will be made on Form 843. A claim for refund of tax paid on beer lost, other than by theft, or destroyed by fire, casualty, or act of God, before the transfer of title thereto to any other person, will also be filed on Form 843. Any such claim must be filed with the assistant regional commissioner having jurisdiction over the region in which the tax was paid, within 6 months after the date of such removal from the market, loss, or destruction by fire, casualty, or act of God. Such claims will not be allowed if filed after the prescribed time or if the claimant was indemnified by insurance or otherwise in respect of the tax.

(68A Stat. 613; 26 U. S. C. 5057)

§ 245.165 *Claims for allowance of credit for tax.* In lieu of filing a claim for refund of tax as provided in § 245.164, a brewer, under the circumstances enumerated in that section, may file with the assistant regional commissioner having jurisdiction over the region in which the tax was paid, a claim for allowance of credit for the tax paid. Any such claim shall be prepared in triplicate, be on the brewer's letterhead, and shall contain or be verified by a written declaration that it is made under the penalties of perjury. When feasible so to do, the claim should be made a part of the brewer's application (§ 245.161) or notification (§ 245.163). Where the claim concerns beer destroyed or returned to the brewery for reconditioning or for use as material, the claim shall contain the pertinent details in connection with the transaction and, if not combined therewith, shall make specific reference to the application filed pursuant to § 245.161. Where the claim concerns beer lost, other than by theft, or destroyed by fire, casualty, or act of God, the claim must likewise recite the pertinent details in connection with the loss or destruction and, if not combined therewith, make specific reference to the written notification to the assistant regional commissioner required by § 245.163. All such claims shall include a statement of the brewer's reasons for believing that the credit should be allowed. The brewer may not anticipate allowance of a credit or make an adjusting entry therefor in a tax return pending consideration and action on the claim by the assistant regional commissioner. When written notification of allowance of the credit or any part thereof is received from the assistant regional commissioner, the brewer may make a proper adjusting entry and explanatory statement in the next subsequent beer tax return (or returns) to the extent necessary to exhaust the credit. A claim for allowance of credit for tax paid on beer must be filed within 6 months after the date of removal from the market, loss, or destruction by fire, casualty, or act of God. A claim will not be allowed if filed after the prescribed time or if the brewer was indemnified by insurance or otherwise in respect of the tax.

(68A Stat. 613; 26 U. S. C. 5057)

SUBPART U—EXPORTATION

§ 245.170 *General.* An exportation is a severance of goods from the mass of things belonging to the United States with the intention of uniting them to the mass of things belonging to some foreign country. The export character of any shipment will be determined by the intention with which it is made, and it assumes an export character only when destined for use in a foreign country. Evidence of exportation, as provided in § 245.174, is required. In every case where a shipment is made, which is not a bona fide exportation, the tax due thereon will be assessed.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.171 *Exportation of taxpaid beer.* When beer brewed or produced in the United States is exported or used as supplies on the vessels and aircraft described

in section 309 of the Tariff Act of 1930, as amended (19 U. S. C. 1309), the brewer thereof shall be allowed a drawback, in accordance with the provisions of Part 252 of this chapter, equal in amount to the tax found to have been paid on such beer.

(68A Stat. 613; 26 U. S. C. 5056)

§ 245.172 *Exportation without payment of tax.* Beer may be removed from a brewery, without payment of tax, for export to a foreign country. The provisions of this part and the forms prescribed in respect to the removal of beer without payment of tax for exportation to foreign countries, apply to like removals and shipments to Puerto Rico, Guam, American Samoa, the Virgin Islands of the United States, and the Panama Canal Zone. Beer removed from a brewery for shipment to Hawaii, Alaska, Kingman Reef, the Midway Islands, or Wake Island must be taxpaid in the same manner as beer sold or removed for consumption or sale in the United States.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.173 *Foreign-trade zones.* Beer may be removed from a brewery without payment of tax for deposit in a foreign-trade zone and taxpaid beer, brewed or produced in the United States, may be so deposited with benefit of drawback, in accordance with the provisions of Part 253 of this chapter.

(48 Stat. 999, 68A Stat. 612, 613; 19 U. S. C. 81c, 26 U. S. C. 5053, 5056)

§ 245.174 *Evidence of exportation.* Exportation of beer may be evidenced by (a) a copy of the export bill of lading executed, as described in § 245.181, by the export carrier, or (b) a certificate by the agent or representative of the export carrier, or by a proper United States customs officer showing that the beer has been laden for export, or (c) a certificate signed by the port transportation officer or the commanding officer of a supply base showing that the beer will be delivered only for consumption or use by the Armed Forces of the United States outside the jurisdiction of the internal revenue laws of the United States: *Provided*, That where the evidence of exportation described above is not furnished, or where deemed necessary to protect the revenue, the assistant regional commissioner may require the submission of other evidence of exportation as provided in § 245.188.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.175 *Removal for exportation.* Beer to be exported pursuant to Form 1689 may be removed only for immediate exportation and may not be returned to a brewery unless authorized under the provisions of § 245.182.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.176 *Marks on containers.* In addition to the marks and brands prescribed in §§ 245.125 and 245.127 each keg, barrel, case, crate, or other package containing beer to be exported under the provisions of this part, without the payment of tax, must plainly and legibly show the words: "Beer for Export Without Payment of Tax", in letters and figures of not less than three-fourths of an inch in height.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.177 *Consignment to collector of customs.* Every shipping container of beer destined for foreign countries or the insular possessions beyond the territorial waters of the United States must be consigned to the collector of customs at the port of exportation, and the brewer should notify his agent of such shipment. Where such containers are destined for contiguous foreign territory the shipments shall be consigned to the foreign consignee at destination and must be marked in care of the collector or deputy collector of customs at the border port of exit: *Provided*, That beer removed for export and intended for the use of, or consumption by, the Armed Services of the United States will be consigned to the commanding officer or supply officer at the supply base or other place of delivery, as provided in § 245.179.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.178 *Notice, Form 1689.* The brewer shall prepare notice on Form 1689, in quadruplicate, for each withdrawal of beer intended for export without payment of tax. Each Form 1689 shall be given a serial number and the details shall be filled in completely and legibly by the brewer in accordance with the instructions on the form. The name or number of the vessel or vehicle on which the shipment will be carried from the exterior limits of the United States, if unknown to the brewer, will be filled in by the agent of the brewer at the port of exportation, who will sign the request for customs inspection as the agent for the exporter. On removing beer for export, the brewer shall file two copies of the notice with the collector of customs of the port of exportation, or of the border port through which a shipment is made to contiguous foreign territory, file one copy with the assistant regional commissioner of the region in which the brewery is located, and retain one copy in the files at the brewery. If the place of production is located at some place other than the port of exportation, and the shipment is to be exported by vessel immediately, the brewer shall forward two copies of the Form 1689 to his agent at the port of exportation. The two copies of the Form 1689 must reach the agent in sufficient time for him to file them with the collector of customs of the port at least six hours prior to lading. The agent shall see that the name of the exporting vessel is properly entered in the Form 1689 giving the location of the pier where it will be laden, and shall subscribe his name as agent for the exporter.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.179 *Shipment to Armed Services.* On removing beer without payment of tax for export to the Armed Services of the United States, the brewer shall consign the shipment to the commanding officer or supply officer at the supply base or other place of delivery. One copy of the notice on Form 1689 shall be transmitted to such officer and one copy shall be sent to the assistant regional commissioner of the region from which the beer is shipped. Form 1689 will be modified to show that the beer is consigned to a commanding officer or supply officer of the Armed Services of the United States and the location of the supply base or place of delivery. When the beer is received, the officer to whom consigned, or other authorized supply officer, at the supply base or other place of delivery, will, in the space designated "Certificate of Inspection and Lading," on Form 1689, receipt for the number of cases received, and state that "The beer will be shipped or delivered only for consumption or use outside the jurisdiction of the internal revenue laws of the United States." The commanding officer or supply officer will return the Form 1689 direct to the assistant regional commissioner who will credit the brewer's export account for the quantity of beer receipted for on Form 1689.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.180 *Change in consignee.* Where a change of consignee is desired after removal of the beer, the brewer shall notify the appropriate collector of customs and forward a copy of such notification to the appropriate assistant regional commissioner.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.181 *Delivery to carrier.* The brewer, on removal of beer for export without payment of tax, will deliver such beer either to the carrier or directly for customs inspection. If the place of production is located at the port of exportation, he will deliver the beer directly for customs inspection and supervision of lading, and will promptly forward a copy of the export bill of lading to the assistant regional commissioner. If the place of production is located elsewhere than at the port of exportation, he will deliver the beer to the carrier for transportation to the port of exportation and promptly forward one copy of the bill of lading covering such transportation to the assistant regional commissioner of the region from which the beer was shipped. After the beer has been delivered to the export carrier, the brewer, or his agent, will forward a copy of the export bill of lading to the assistant regional commissioner of the region from which the beer was shipped. The export bill of lading will not be accepted as evidence of exportation unless it has been executed by the export carrier to show that the beer has been accepted by such carrier for delivery to a foreign destination.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.182 *Return of beer.* Beer removed for export without payment of tax may be returned to the brewery from which removed if lading of the beer is delayed more than the period provided in § 245.185 or where the brewer has other good cause for such return. The brewer will request the collector of customs to release the beer for return to the brewery and, on such release, the collector of customs will endorse his approval of the action taken, on both copies of Form 1689 covering the beer, and return the forms to the brewer. On return of the beer to

the brewery, the brewer will record the quantity in his daily records, mark the two copies of Form 1689 returned by the collector of customs, "Cancelled—returned to brewery," and forward one copy to the assistant regional commissioner. The total quantity of beer involved in all export shipments returned during any calendar month shall be reported as a special entry on Form 103.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.183 *Exportation through border port.* In case of exportation through a border port to contiguous foreign territory, the bill of lading will cover transportation to the foreign destination and must show the routing, particularly the carrier which will deliver the shipment of beer for customs inspection at the border; and must also show that the beer was sent in care of the collector of customs or a deputy collector of customs at the border port: *Provided*, That where a through bill of lading is not obtainable, separate bills of lading covering the shipment from the place of production to the border port and from the border port to the foreign destination will be procured. A copy of the through bill of lading, or copies of the separate bills of lading, as the case may be, will be transmitted by the brewer or his agent immediately to the assistant regional commissioner of the region from which the beer was shipped. Where a copy of a separate bill of lading covering the shipment from the border port to the foreign destination, and executed by the export carrier, is not obtainable, the brewer may procure a certificate by an agent of such carrier, as described in § 245.184, and transmit such certificate to the assistant regional commissioner.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.184 *Certificate by export carrier.* A certificate, executed under the penalties of perjury, by an agent or representative of the export carrier, may be furnished by a brewer as evidence of exportation. The certificate must contain a description of the shipment, including the serial number of the Form 1689, the name of the exporter, the name of the consignee, the date received, the place where received by such carrier, and the name of the carrier from which received.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.185 *Delay in lading.* If beer to be exported without payment of tax arrives at the port of exportation before the vessel is prepared to receive it, such beer may remain in the custody of the transportation company, with the consent of such company, for a period of not more than 30 days until released by permit issued by the collector of customs. Storage elsewhere for like cause and not exceeding the same period must be with the approval of the collector of customs. In the event of any further delay, the facts shall be reported to the assistant regional commissioner of the region from which the shipment was made. If further delay is not approved by the assistant regional commissioner, he will request the collector of customs to release the beer for immediate return to the brewery from which removed. Such return shall be in accordance with the provisions of § 245.182, insofar as applicable.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.186 *Examination by customs officer.* The collector of customs with whom the Form 1689 has been filed shall fill in on each copy of such form the order for inspection and lading. The customs officer shall carefully examine the packages of the beer described in the form. He shall examine the contents of such packages as are found broken or tampered with, or which he is led to suspect do not contain the beer originally packed therein, and make a special report thereon. The customs officer shall note in his report any deficiency in quantity or discrepancy between the article inspected and that described in the form. After having complied with the order of inspection and after the beer has been duly laden on board the exporting vessel or car, the customs officer shall complete and sign the certificate of inspection and lading on each copy of the Form 1689. If the customs officer discovers any evidence of fraud, as distinguished from losses by leakage, minor pilferage or theft in transit, he shall detain the goods and notify the collector of customs, who shall inform the assistant regional commissioner of the region in which the port is located. The assistant regional commissioner shall take appropriate action to dispose of the matter in accordance with the provisions of § 245.187.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.187 *Losses in transit.* Where a large or unusual loss in transit is reported, the assistant regional commissioner will cause an immediate investigation to be made. Unless it is found that such loss resulted from fraud by the brewer or theft, it will be allowed as provided in § 245.192. Where the investigation discloses evidence that the loss resulted from theft or from fraud by the brewer, the assistant regional commissioner will propose an assessment against the brewer as provided in § 245.193.

(68A Stat. 611, 612; 26 U. S. C. 5051, 5053)

§ 245.188 *Other evidence of exportation required.* Where the data submitted as evidence of exportation are not satisfactory to the assistant regional commissioner, or where evidence of exportation as prescribed in § 245.174 is not filed, the assistant regional commissioner of the region from which the beer was shipped will require the brewer to furnish other evidence of exportation or proof of loss on land or at sea, as provided in §§ 245.189 and 245.190.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.189 *Application for relief.* When a brewer, from causes beyond his control, is unable to furnish the evidence of exportation required by § 245.174 within 90 days, he may file an application for relief setting forth the reasons why such evidence cannot be obtained. The application must recite the facts connected with the exportation, showing the date of the shipment, the serial number of the Form 1689, the kind and quantity of the beer shipped, the name of the consignee, the name of the port to which shipment was made, and the name of the export carrier. The application shall also show that failure to furnish the required evidence of exportation was not due to any lack of diligence on the part of the applicant or his agents, and that he is unable to produce any better evidence than that submitted with his application.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.190 *Evidence to support application.* Each application for relief shall be supported by such collateral evidence as the brewer is able to submit. The evidence may consist of original or verified copies of letters from consignees acknowledging receipt of the shipment; the sales accounts and payments for the shipments; copies of delivering carriers' bills whereon consignees have acknowledged receipt of shipments; affidavits of insurance companies, masters of vessels, railroad officials, and other having knowledge of losses on land or sea after exportation; or any other competent evidence the brewer is able to obtain. Letters and documents in a foreign language must be accompanied by sworn translations and when the letters fail to identify sufficiently the goods the original sales account must be produced.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.191 *Assistant regional commissioner's action on application.* The assistant regional commissioner receiving such application and evidence shall examine same and endorse thereon his approval or disapproval and, if satisfied as to its validity, will enter proper credit in the export account.

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.192 *Assistant regional commissioner's account.* The assistant regional commissioner will keep an account of all beer removed by a brewer for export without payment of tax. The brewer will be charged with the internal revenue tax at the rate imposed by law on beer for each lot of beer so removed. Credit will be given on beer for which satisfactory evidence of export is filed with the assistant regional commissioner and for losses of beer in transit where there is no evidence that such losses resulted from fraud by the brewer or theft.

(68A Stat. 611, 612; 26 U. S. C. 5051, 5053)

§ 245.193 *Tax assessed.* If losses which occur in transit are due to fraud by the brewer or theft, or if evidence of exportation or proof of loss on land or at sea, satisfactory to the assistant regional commissioner, is not furnished within a reasonable time (not to exceed 6 months), an assessment shall be made against the brewer in a sufficient amount to cover the tax on the quantity of beer not satisfactorily accounted for.

(68A Stat. 611, 612; 26 U. S. C. 5051, 5053)

§ 245.194 *Brewer's report.* The brewer's records shall reflect the quantity of beer removed for export without payment of tax, and he shall report the total quantity of beer so removed on Form 103.

(68A Stat. 612; 26 U. S. C. 5053)

SUBPART V—SUPPLIES FOR VESSELS AND AIRCRAFT

§ 245.195 *General.* Subject to the applicable provisions of this subpart, beer may be removed from breweries without payment of tax for use as supplies on vessels and aircraft as follows:

(a) Vessels or aircraft operated by the United States;

(b) Vessels of the United States employed in the fisheries or in the whaling business, or actually engaged in foreign trade or trade between the Atlantic and Pacific ports of the United States or between the United States and any of its possessions;

(c) Aircraft registered in the United States and actually engaged in foreign trade or trade between the United States and any of its possessions;

(d) Vessels of war of any foreign nation;

(e) Foreign vessels employed in the fisheries or in the whaling business, or actually engaged in foreign trade or trade between the United States and any of its possessions, where such trade by foreign vessels is permitted; or

(f) Aircraft registered in any foreign country and actually engaged in foreign trade or trade between the United States and any of its possessions, where trade by foreign aircraft is permitted, and where the Secretary of the Treasury shall have been advised by the Secretary of Commerce that he has found such foreign country allows, or will allow, substantially reciprocal privileges in respect to aircraft registered in the United States.

(46 Stat. 690 as amended; 68A Stat. 612; 19 U. S. C. 1309, 26 U. S. C. 5053)

§ 245.196 *Vessels employed in the fisheries.* Beer may be withdrawn free of tax under the provisions of paragraphs (b) and (e) of § 245.195 relating to vessels employed in the fisheries, only for use on vessels of the United States documented to engage in the fisheries and foreign fishing vessels of 5 net tons or over if the collector of customs is satisfied, by reason of the quantity requested in the light of (1) whether the vessel is employed in substantially continuous fishing activities, and (2) the vessel's complement, that none of the withdrawn beer is intended to be removed from the vessel in, or otherwise returned to, the United States. Such shipment and lading shall be conditioned on compliance with the applicable provisions of this subpart. Lading of such beer for use on such vessels shall be subject to approval by the collector of customs of a special written application, in duplicate, on customs Form 5125, of the exporter and designation by the applicant in part 1 of the notice, Form 1689, that the beer is to be laden for use as supplies on a vessel employed in the fisheries. The original application on customs Form 5125, after approval, shall be marked with the withdrawal number (brewer's serial number on Form 1689) and date thereof and shall be returned by the collector of customs to the exporter for use as prescribed below. Approval of each such application shall be subject to the condition that the original shall be presented thereafter by the exporter or the vessel's master to the collector of customs within 24 hours (excluding any period during which the customhouse is not open for general customs business), after each subsequent arrival of the vessel at a customs port or station and that an accounting shall be made at the time of such presentation of the disposition of the beer until the collector of customs is satisfied that it has been consumed on board, or landed under customs supervision, and takes up the authorization. The approval of customs Form 5125 shall be subject to the further condition that any such withdrawn beer remaining on board while the vessel is in port shall be safeguarded in the manner and to such extent as the collector for the port or place of arrival shall deem necessary. When such beer has been accounted for to the satisfaction of the collector of customs, he shall so certify on the completed customs Form 5125 taken up from the exporter or the vessel's master and forward the form to the assistant regional commissioner for the region in which the brewery from which the beer was withdrawn is located. In the event of a failure on the part of the exporter or the master of the vessel to comply with the conditions of the withdrawal, or on receipt of evidence that the beer was not lawfully used as supplies on the vessel, the collector of customs will advise the assistant regional commissioner for the region in which the brewery from which the beer was withdrawn is located of all the facts in the case for determination of any liability incurred. Assessment of tax liability found to have been incurred will be made against the brewer

(68A Stat. 612; 26 U. S. C. 5053)

§ 245.197 *Reciprocating foreign countries.* The Director, Alcohol and Tobacco Tax Division, will advise assistant regional commissioners concerning those foreign countries which will allow, to aircraft registered in the United States and engaged in foreign trade, privileges substantially reciprocal to the privileges allowed herein to aircraft of a foreign country. Where a brewer proposes to withdraw beer without payment of tax for use on aircraft of other foreign countries, which it is claimed reciprocate similar privileges to aircraft of the United States, the brewer must first establish to the satisfaction of the assistant regional commissioner the right of such withdrawal. In appropriate cases, the brewer should request the Secretary of Commerce to find and advise the Secretary of the Treasury that such foreign country or countries allow, or will allow, substantially reciprocal privileges to aircraft of the United States.

(46 Stat. 690 as amended; 19 U. S. C. 1309)

§ 245.198 *Procedure applicable.* The removal, shipment, examination by customs officers, and evidence of lading on vessels and aircraft, of beer from a brewery for use as supplies will, so far as applicable, follow the procedure of Subpart U of this part, concerning the exportation, without payment of tax, of beer.

(46 Stat. 690, as amended; 68A Stat. 612; 19 U. S. C. 1309, 26 U. S. C. 5053)

§ 245.199 *Form 1689.* Notice will be filed on Form 1689, for the removal of beer without payment of tax from a brewery for use as supplies on vessels and aircraft.

(46 Stat. 690, as amended; 68A Stat. 612; 19 U. S. C. 1309, 26 U. S. C. 5053)

§ 245.200 *Evidence of lading for use.* When beer has been laden on board a vessel or aircraft for use as ship's supplies or supplies for aircraft, there must be submitted promptly to the assistant regional commissioner a statement of the master or other officer of the vessel or aircraft on which the beer was laden, having knowledge of the facts, showing that the beer has been laden and will be used on board the vessel or aircraft, and that no portion thereof has been or will be unladen in the United States or any of its territories or possessions: *Provided,* That such statement will not be required, in the case of any shipment, where the beer has been laden on vessels of war, or, in cases other than supplies on vessels employed in the fisheries, where the amount of tax on the beer does not exceed $200. Such statement shall be signed by the master or other officer having knowledge of the facts and immediately above the signature there will appear the following statement: "I declare under the penalties of perjury that this statement has been examined by me and to the best of my knowledge and belief is true and correct." In the case of beer for use as supplies on vessels employed in the fisheries, compliance with the provisions of § 245.196 is required. On receipt of a satisfactory statement (if required) and the original of customs Form 5125, bearing final certification by the collector of customs as to proper accounting of the beer (if required), the assistant regional commissioner will enter proper credit in the export account. In the case of beer laden on vessels of war, or in cases other than supplies on vessels employed in the fisheries, where the amount of the tax on the beer does not exceed $200, credit will be given at the time of receipt of the certificate of inspection and lading executed by the inspector of customs, as provided in § 245.186.

(68A Stat. 612; 26 U. S. C. 5053)

SUBPART W—BEER PROCURED FROM ANOTHER BREWER

§ 245.205 *Notice to assistant regional commissioner.* On written notice to the assistant regional commissioner of his intention so to do, a brewer may obtain from another brewer beer finished and ready for sale. The brewer who procures such beer may furnish his own barrels and kegs, branded with his name and the place where his brewery is situated, to be filled with the beer so procured, and to be so removed. The tax on such beer shall be paid by the producing brewer as provided in Subpart N.

(68A Stat. 675; 26 U. S. C. 5413)

§ 245.206 *Producer's entries on Form 103.* The producer of the beer will show in red ink in a footnote on Form 103, or on an attachment thereto, for the month in which the beer is removed, the quantity involved and the name and address of the receiving brewer.

(68A Stat. 675; 26 U. S. C. 5413)

§ 245.207 *Receiving brewer's entries on Form 103.* The receiving brewer will show in a footnote on Form 103, or on an attachment thereto, for the month in which the beer is received, the quantity received and the name and address of the producing brewer. When the beer thus acquired, or any portion thereof, is disposed of, the receiving brewer will make appropriate entries in a footnote on Form 103, or on an attachment thereto, in red ink and in the following form:

Sold, in addition to the above, _____ barrels of beer received from _____

_____ _____ _____
(Name of brewer) (City) (State)

The transactions will not otherwise be taken into account on Form 103 of the receiving brewer. The details of each such transaction will be entered in the daily sales record of each of the brewers.

(68A Stat. 675; 26 U. S. C. 5413)

§ 245.208 *Form of notice.* A brewer who intends to procure beer from another brewer will furnish a notice of such intent to the assistant regional commissioner of the region in which the receiving brewery is located. If the brewer from whom the beer is procured is located in another region, an additional copy of the notice will be prepared and sent to the assistant regional commissioner of the region in which the producing brewer is located. Such notices shall be filed with the respective assistant regional commissioners sufficiently in advance to insure the receipt of the notices before such beer is removed from the producing brewery. The form of such notice should be as follows:

_____, _____, 19__
(City) (State)

To the Assistant Regional Commissioner (Alcohol and Tobacco Tax), _____ Region, Internal Revenue Service:

SIR: You are hereby notified that I intend to procure not more than _____ barrels of beer from _____

_____
(Name of brewer, city and State)

brewer, and that I intend to furnish my own barrels and kegs, branded with my name, for the reception of such beer, said barrels and kegs to be delivered from the premises of said brewer _____ 19__, and from time to time until _____, 19__.

_____
(Brewer)

(68A Stat. 675; 26 U. S. C. 5413)

### SUBPART X—CEREAL BEVERAGE

§ 245.210 *Beer removed to contiguous alcohol plants.* Beer may be conveyed by pipeline without taxpayment from the brewery to an industrial alcohol plant contiguous to the brewery. The storekeeper-gauger assigned to supervise the operations of the industrial alcohol plant will also supervise the removal of the beer from the brewery to such industrial alcohol plant and the transfer of any residue, which is to be used in making cereal beverage, from the alcohol plant to the brewery. The quantity of beer conveyed to a contiguous alcohol plant shall be included in the brewer's daily records of both production and removals. If any residue is returned from the alcohol plant to the brewery, the brewer's daily records of cereal beverage transactions shall reflect the quantity thereof. The totals of the various quantities involved shall be appropriately reported on Form 103.

(68A Stat. 658, 675; 26 U. S. C. 5309, 5412)

§ 245.211 *Production and removal of cereal beverage.* Brewers who produce cereal beverage may remove such beverage in packages or bottles without payment of tax. The method of production must be such that the alcohol content of the product will not increase while in the original container after being removed from the brewery. Cereal beverage must be kept separate from beer and when it is to be packaged or bottled must pass through the appropriate beer meters. Beer kegs or barrels may be used for packaging cereal beverage if the sides are durably painted at each end with a white stripe not less than four inches in width and the heads are durably painted in a solid color, with conspicuous lettering in a contrasting color reading: "Nontaxable under section 5051 I. R. C." The word "nontaxable" shall be not less than one inch high and of proportionate width, the remaining words shall be not less than one-half inch high and of proportionate width. The name or trade name and the address of the brewer must also be legibly marked on the package. Bottle labels shall show the name or trade name and address of the brewer, the distinctive name of the beverage, if any, and the legend "Nontaxable under section 5051 I. R. C." Other information, which is not inconsistent with the requirements of this section, may be shown on such labels. Cases or other shipping containers shall be marked to show the nature of the product contained therein, and the name or trade name and address of the brewer.

(68A Stat. 675, 680; 26 U. S. C. 5411, 5552)

### SUBPART Y—REMOVALS FOR ANALYSIS

§ 245.215 *Analytical purposes.* A brewer may remove beer, without payment of the tax thereon, to a laboratory for analytical purposes to determine the character or quality of the product. The brewer shall make daily entries in his records of all such removals showing the person to whom such beer was delivered, the location where delivered, the means of delivery, and the purpose of the analysis. The total quantity removed each month shall be reported on Form 103.

(68A Stat. 612; 26 U. S. C. 5053)

### SUBPART Z—MISCELLANEOUS PROVISIONS

§ 245.220 *Officer's right of entry and examination.* An internal revenue officer may enter, in the daytime, a brewery or any place where beer is stored, and when such premises are open at night, he may enter them while so open, in the performance of his official duties. Internal revenue officers will make inspections at such frequency and with such thoroughness as necessary to determine that operations are being conducted in accordance with the law and this part. The owner of any building or place where beer is produced, made, or kept, or person having the agency or superintendence of such premises, who refuses to admit an internal revenue officer acting under the authority of section 7606, I. R. C., or refuses to permit him to examine such beer, shall, for every such refusal, forfeit $500.

(68A Stat. 872, 903; 26 U. S. C. 7342, 7606)

#### VARIATIONS FROM REQUIREMENTS

§ 245.221 *Exceptions to construction, equipment, and methods requirements.* The Director, Alcohol and Tobacco Tax Division, may approve details of construction, equipment, and methods in lieu of those specified in this part where it is shown that it is impracticable to conform to the prescribed specifications, and the proposed construction, equipment, and methods (a) will afford the security and protection to the revenue intended by the specifications prescribed in this part, (b) will not hinder the effective administration of this part, and (c) will not be contrary to any provision of law. Where it is proposed to substitute construction, equipment, and methods for those for which specifications are prescribed, prior approval must be obtained in accordance with the provisions of § 245.222. Breweries heretofore established may continue to operate if the present construction and equipment afford adequate security and protection to the revenue. The Director, Alcohol and Tobacco Tax Division, or assistant regional commissioner may at any time require the brewer to conform construction, equipment, or methods of operation to the requirements of this part, if necessary to protect the revenue.

(68A Stat. 680; 26 U. S. C. 5552)

§ 245.222 *Application.* A brewer who proposes to employ methods of operation or construction or to install equipment, other than as provided in this part, shall submit a letterhead application so to do, in triplicate, to the assistant regional commissioner. Such application shall describe the proposed variations and state the need therefor. Where variations in construction and equipment cannot be adequately described in the application, drawings or photographs shall also be submitted. The assistant regional commissioner will make such inquiry as is necessary to determine the necessity for the variations and whether approval thereof will hinder the effective administration of this part or result in jeopardy to the revenue. On completion of the inquiry, the assistant regional commissioner will forward two copies of the application to the Director, Alcohol and Tobacco Tax Division, together with a report of his findings and his recommendation.

(68A Stat. 681; 26 U. S. C. 5556)

### SUBPART AA—RECORDS, REPORTS, AND RETURNS

§ 245.225 *Records.* The brewer shall maintain, at his brewery, daily records which will accurately and clearly reflect by quantity the following:

(a) Each kind of material received and used in the production of beer and cereal beverage.

(b) Beer and cereal beverage produced (including water added after production is ascertained).

(c) Beer and cereal beverage transferred to bottling house and racking room and any returned therefrom.

(d) Beer and cereal beverage bottled and racked.

(e) Beer and cereal beverage removed from the brewery.

(f) Beer consumed at the brewery.

(g) Beer returned to the brewery.

(h) Beer recased or relabeled.

(i) Beer reconditioned, used as material, or destroyed.

(j) Beer received from other breweries.

(k) Brewing materials, beer and cereal beverage in process, and finished beer and cereal beverage on hand.

(l) Beer and cereal beverage lost due to breakage, casualty, or other unusual cause.

The brewer shall also maintain a record reflecting shortages and overages of beer and cereal beverage disclosed by physical inventories taken at least once each calendar month; and he shall maintain a record of the ballings of the wort produced, and of the ballings and the alcohol content of beer and cereal beverage transferred (1) to the bottling house, (2) to the racking room, and (3) between breweries in bulk conveyances. The records reflecting ballings and alcohol content need not be consolidated and averaged daily unless the brewer desires. The brewer's records shall include all supplemental and auxiliary records of individual operations and transactions of the brewery needed for compilation purposes and for verification by internal revenue officers. The daily totals of transactions and operations of the brewery shall be recorded on Form 2051 unless alternate records showing the information required thereby are used by the brewer as provided herein. Specimen copies of Form 2051 will be furnished brewers by assistant regional commissioners. Form 2051, if maintained, will be provided by brewers at their own expense. Assistant regional commissioners may authorize brewers to modify Form 2051 to adapt its use to tabulating or other mechanical equipment, or to the brewer's special operations, or to provide additional information, where such modifications are not inconsistent with the general requirements of accuracy and clarity. Where a brewer's records show the required information in any other form of record or combination of records, the brewer may use such records in lieu of maintaining Form 2051. The Director, Alcohol and Tobacco Tax Division, may require the maintenance of Form 2051 by any brewer when the interests of the United States so demand. Except as provided in the first proviso of § 245.116, all entries in the records required by this part shall be made not later than the close of the business day next succeeding the day on which the transactions occur: *Provided*, That when the last day for making such entries falls on Saturday, Sunday, or a legal holiday (of the particular State or of the District of Columbia wherein the brewery is located), such entries shall be considered timely if they are made on the next succeeding day which is not a Saturday, Sunday, or a legal holiday (of the particular State or District of Columbia wherein the brewery is located).

(68A Stat. 675, 681, 896; 26 U. S. C. 5415, 5555, 7503)

§ 245.226 *Form 103.* A monthly report containing a summary of brewery operations shall be prepared by each brewer on Form 103. Such monthly report shall be prepared in duplicate and each copy signed by the brewer or his duly authorized agent. The original shall be forwarded to the assistant regional commissioner not later than the tenth day of the month succeeding that for which rendered. The duplicate copy will be retained by the brewer and filed at the brewery.

(68A Stat. 675, 681; 26 U. S. C. 5415, 5555)

§ 245.227 *Beer tax return, Form 2034.* The quantities of keg and bottled beer sold or removed for a taxable purpose and the aggregate quantity thereof must be reported in the tax return, Form 2034, prepared in triplicate. All entries in the return must be fully supported by accurate and complete records.

(68A Stat. 614, 681; 26 U. S. C. 5061, 5555)

§ 245.228 *Period for which return is filed.* A tax return on Form 2034 is required for each day on which beer is sold or removed for a taxable purpose: *Provided*, That where the gross tax liability for any one day is less than $100, the preparation of the tax return and the payment of the tax due may be delayed until such day as the total gross tax liability (for one or more days) reaches $100: *And provided further*, That where such gross tax liability is less than $100 at the close of the last business day of a calendar month, the tax return shall be prepared and transmitted to the district director (together with a remittance for the net tax then due).

(68A Stat. 614, 675, 681; 26 U. S. C. 5061, 5415, 5555)

§ 245.229 *Time and place of filing.* A tax return on Form 2034 must be rendered not later than the close of the business day next succeeding the period for which such return is rendered except as provided in § 245.116. The original and two copies of the return shall be transmitted to the district director who will indicate thereon receipt of the remittance, retain the original, and forward to the assistant regional commissioner and the brewer the duplicate and triplicate copies, respectively. The brewer shall file the copy returned to him as a part of his records at the brewery.

(68A Stat. 614, 675, 681; 26 U. S. C. 5061, 5415, 5555)

§ 245.230 *Disposition of unsalable beer in bottling house.* A brewer having in his bottling house, unsalable beer which has never been removed from the brewery, may destroy, recondition, or use such beer as material. The brewer shall report the quantity of such beer destroyed, reconditioned, or used as material, in his daily records and on Form 103. If the unsalable beer consists of first runs, dirty beer, leaking bottles, or other rejects from the bottling line, such beer may be destroyed without being included in bottling house production, and, when so destroyed, shall be so reported in the brewer's daily records and on Form 103. When such reject bottled beer is to be consumed at the brewery or sold to brewery employees, or is cased or otherwise accumulated pending other disposition, the quantity thereof must be included in bottling house production and be so reported in the brewer's daily records and on Form 103.

(68A Stat. 675, 681; 26 U. S. C. 5411, 5415, 5555)

§ 245.231 *Verification.* All records, reports, returns, and forms which require a signature shall contain or be verified by a written declaration that they are made under penalties of perjury.

(68A Stat. 748, 749; 26 U. S. C. 6061, 6065)

§ 245.232 *Retention of records.* A brewer shall retain all records required by this part at the brewery for a period of not less than two years. Such records shall be readily available during the brewer's regular business hours for examination and taking abstracts therefrom by internal revenue officers.

(68A Stat. 675; 26 U. S. C. 5415)

[F. R. Doc. 56-9246; Filed, Nov. 8, 1956; 8:53 a. m.]

# TITLE 6—AGRICULTURAL CREDIT

## Chapter I—Farm Credit Administration

### Subchapter B—Federal Farm Loan System

PART 10—FEDERAL LAND BANKS GENERALLY

PART 11—NATIONAL FARM LOAN ASSOCIATIONS

PART 19—FEES AND CHARGES ON LOANS

In order to reflect the current revisions of the "Federal Land Bank Manual" and the "National Farm Loan Association Manual", Parts 10, 11, and 19 of Title 6 of the Code of Federal Regulations are hereby revised in conformity with such manuals to read as follows:

## PART 10—FEDERAL LAND BANKS GENERALLY

ELIGIBILITY OF APPLICANTS



ELEGIBILITY OF PURPOSES



SECURITY AND BASIS FOR LOANS



AMOUNT LOANABLE



INSURANCE REQUIREMENTS AND APPLICATION OF LOSS PROCEEDS

INTEREST RATES



FUTURE PAYMENT FUNDS



RETIREMENT OF STOCK



DEFERMENTS



MINERAL RIGHTS



BONDS



AUTHORITY: §§ 10.1 to 10.122 issued under sec. 6, 47 Stat. 14, as amended; 12 U. S. C. 665.

NOTE: Where the word "bank" appears alone, it refers to a Federal land bank; the word "association" refers to a national farm loan association; the word "Administration" refers to the Farm Credit Administration.

ELIGIBILITY OF APPLICANTS

§ 10.1 *Eligible persons.* An eligible person as used in section 12 Sixth of the Federal Farm Loan Act (12 U. S. C. 771 Sixth) is one who is engaged, or shortly to become engaged, in farming operations or who derives the principal part of his income from farming operations.

§ 10.2 *Farming operations.* A person will be deemed to be engaged in farming operations if, in the capacity of owner, lessee, or tenant of a farm, he actively participates personally or through an agent to a substantial degree in the management and conduct of the farming operations on any farm land.

§ 10.3 *Farming corporations with other operations.* The term "person" includes farming corporations. Loans may be made to corporations engaged in farming operations but, if the corporation engages in any secondary operations not strictly incidental to farming operations, such secondary operations may constitute only a minor part of the corporation's activities.

§ 10.4 *Farming corporations generally.* In any case where a loan to a corporation engaged in farming operations is otherwise authorized and eligible, the permission of the Administration is given to make the loan, notwithstanding all the stock of the corporation is not owned by individuals themselves personally actually engaged in farming operations on the farm to be mortgaged as security for the loan, if at least 75 percent in value and number of shares of the stock of the corporation is owned by individuals personally actually so engaged.

§ 10.5 *Joint owners.* An application offering jointly held property as security may be accepted if it is signed by one or more of the joint owners, on behalf of all of the joint owners, provided it is understood that all of the owners will join in a mortgage if a loan is approved.

§ 10.6 *Fiduciaries.* Loans may be made to an executor, administrator, trustee, or guardian if (a) the fiduciary, as such, or the beneficiary or ward is engaged, or shortly to become engaged, in farming operations, or derives the principal part of his income from farming operations; (b) a valid lien can or will be given on the property on which the loan is sought; and (c) an individual sufficiently interested to do so, can and will incur personal liability for the loan.

ELIGIBILITY OF PURPOSES

§ 10.7 *Statutory provisions.* The statutory provision as to the purposes for which loans may be made is as follows (12 U. S. C. 771 Fourth):

> Such loans may be made for general agricultural purposes and other requirements of the owner of the land mortgaged, under rules and regulations of the Farm Credit Administration.

While many of them might be placed in either category, the recognized purposes are as hereafter listed under the headings "General agricultural purposes" and "Other requirements of the owner."

§ 10.8 *General agricultural purposes.* (a) Purchase and improvement of farm real estate;

(b) Purchase of livestock, equipment, and supplies;

(c) Payment of farm operating expenses, including taxes and insurance;

(d) Provide a home for use in connection with farm operation;

(e) Removal of a lien from farm land;

(f) Refinance indebtedness incurred for any of the foregoing purposes or reimburse applicant for amounts spent out of his own funds for such purposes.

§ 10.9 *Other requirements of owner.* (a) Provide a home for the owner or his family;

(b) Pay family living expenses, including premiums on life insurance, educational, medical, and funeral expenses;

(c) Provide facilities for processing, storage, and marketing of farm products, and the handling of farm equipment and supplies, even though not located on the mortgaged farm;

(d) Discharge any bona fide liability of the owner, including income and other taxes, judgments, liens, liability as endorser or surety for the debt of another, etc.;

(e) If the owner is personally actually engaged in farming operations or receives the principal part of his income from farming operations, assist him or other family members in establishing and maintaining themselves, together or separately, on or off the farm.

SECURITY AND BASIS FOR LOANS

§ 10.11 *Security standards.* To be acceptable security for a loan, a property must meet each of the following minimum standards:

(a) It must be sufficiently desirable to be readily salable or rentable under normal agricultural conditions.

(b) It must be sufficiently durable to maintain satisfactory production during the loan term specified.

(c) It must have sufficient stability of value to assure that, on a loan that would be proper to a typical owner of the property, the bank could recover its investment if unforeseen difficulties should result in acquirement of the property.

(d) It must be capable of producing, under typical operation, sufficient normal agricultural earnings to pay farm operating expenses, including taxes and other fixed charges, maintain the property, and meet family living expenses and installments on a loan that would be proper to a typical operator; provided that, where income from dependable sources other than farm earnings is available to a typical operator, such income may be relied upon to meet loan installments and family living expenses including that part of the taxes, insurance, and maintenance costs chargeable to the dwelling.

§ 10.12 *Normal agricultural value.* The normal agricultural value of a farm is the amount a typical purchaser would, under usual conditions, be willing to pay and be justified in paying for the property for customary agricultural uses, including farm home advantages, with the expectation of receiving normal net earnings from the farm and from other dependable sources.

§ 10.13 *Basis of loan and appraisal.* The normal agricultural value of a farm shall be the basis for a loan. In making the appraisal the net earnings of the farm shall be determined by using normal commodity prices and the related level of farm operating costs. Normal prices and related costs shall be determined on the basis of the long-term economic outlook and be approved by the Administration. Likewise, the net earnings from other dependable sources shall be on a normal level that reflects the same long-term economic outlook.

AMOUNT LOANABLE

§ 10.34 *Computing amount loanable to applicant*—(a) *Statutory authority.* "The amount of loans to any one borrower shall in no case exceed a maximum of $200,000" (12 U. S. C. 771 Seventh).

(b) *Individuals.* (1) In determining the amount loanable to an individual applicant, within such $200,000 limitation, there shall be charged against his borrowing capacity, except as otherwise provided herein, the total unpaid principal of all indebtedness to any bank of the system which is secured by property presently owned or being acquired by the applicant, or for which the applicant is personally liable.

(2) Indebtedness secured by property owned by two or more persons shall be prorated against the borrowing capacity of each in accordance with their interest

in the property, whether or not all of such persons assume personal liability for the loan.

(3) The amount of any loan to a corporation engaged in farming operations shall be charged against the individual borrowing capacity of the stockholders in the proportion that the stock owned by each bears to the total stock of the corporation, whether or not all of the stockholders assume personal liability for the loan to the corporation.

(4) The following shall not be charged against the borrowing capacity of the applicant:

(i) Indebtedness in connection with which no association or bank stock has been issued;

(ii) Indebtedness which is secured by property the applicant no longer owns and which has been assumed with the permission of the bank by a subsequent owner of the property;

(iii) Indebtedness which is secured by property the applicant no longer owns and for which liability was incurred otherwise than by agreement with the bank;

(iv) Indebtedness which is secured by property in which the applicant has not had any ownership interest other than an interest of dower or curtesy since the liability was incurred (but see third paragraph of section 10.34 (b)); and

(v) Indebtedness which is secured by property in which the applicant has only a partial interest acquired by inheritance and for which indebtedness the applicant has not assumed payment by agreement with the bank.

(c) *Joint owners.* The amount of loan on the security of property owned by two or more indivduals may not be such as will cause the amount chargeable against the borrowing capacity of any such individual to exceed $200,000; nor may a loan on any one security exceed $200,000.

(d) *Farming corporations.* In determining the amount loanable to a corporation engaged in farming operations, within such $200,000 limitations, there shall be charged against the borrowing capacity of the applicant corporation, any amounts which are chargeable against the borrowing capacity of any other farming corporation which is a subsidiary of, or affiliated (either directly or through substantial identity of stock ownership) with, the applicant corporation (12 U. S. C. 771 Sixth). A substantial identity of stock ownership shall be deemed to exist if a substantial amount of the stock in each corporation is owned by the same individual or group of individuals. The amount of loan to the corporation may not be such as will cause the amount chargeable against the borrowing capacity of any stockholder to exceed $200,000.

INSURANCE REQUIREMENTS AND APPLICATION OF LOSS PROCEEDS

§ 10.40 *Insurance*—(a) *General requirements.* (1) Insurance on buildings shall be required against such risks and in such amounts as the bank may determine to be necessary for adequate protection of the interests of the bank and the endorsing association, and shall afford the same protection provided under the New York standard mortgage clause.

(2) Insurance requirements on existing loans may be reduced or discontinued upon the request of the borrower or on the initiative of the bank or association when such action is not prejudicial to the interest of the bank and the association.

(3) A bank may delegate to associations full or limited authority with respect to the determination of insurance requirements.

(b) *Application of loss proceeds.* (1) The bank may, in its discretion, permit individual losses not in excess of an amount fixed by the bank with due regard to adequate protection of the mortgagee to be paid directly to the mortgagor for use in the prompt reconstruction of the buildings destroyed.

(2) At the option of a mortgagor and subject to the provisions of these regulations any sum received in settlement of a loss covered by insurance required by these regulations may be used to pay for the reconstruction of the buildings involved. Upon giving notice of the exercise of such option or within 30 days thereafter, unless such time for good cause be extended, the mortgagor shall furnish information in such form as shall be satisfactory covering the plans of the mortgagor for the reconstruction of the building involved in sound and serviceable form and condition, at least equal to that which existed immediately prior to the loss. Within said 30 days the mortgagor shall also furnish satisfactory assurance that such reconstruction will be completed within a reasonable time, and that there will be no unsatisfied liens for labor, materials, and/or other expenses that will have priority over the mortgage when such reconstruction shall have been completed or when the said sum received shall have been paid to or for the account of the mortgagor. If the mortgagor desires to use the insurance money in whole or in part in order to replace the building involved with an insurable building of a less expensive type, or to substitute any other insurable building, the funds may be used for such purpose provided the bank or association is satisfied that the proposed building will be suitable and adequate to the agricultural needs of the farm.

(3) If the mortgagor fails or refuses to exercise his option in accordance with these regulations, or to comply with all of the conditions of these regulations with respect thereto, or if the mortgage be in process of foreclosure, or if the mortgagor be in default in such manner that the mortgage is subject to foreclosure, the sum received may be retained for application upon the indebtedness secured by such mortgage or as collateral security therefor. Any portion of the sum received which is not used for reconstruction may also be retained for application upon the indebtedness or as collateral security therefor.

INTEREST RATES

§ 10.41 *Interest rates on loans through associations.* Notwithstanding such loan interest rates may exceed by more than 1 percent per annum the interest rate on the Federal farm loan bonds of the last series issued prior to the making of any such loans, approval is given to an interest rate of 4 percent per annum on loans made by banks through associations generally, except that higher interest rates are approved for the following banks as indicated:

| Federal land bank: | *Interest rate (percent)* |
|---|---|
| Springfield | 5 |
| Baltimore | 5 |
| Columbia | 5 |
| New Orleans | 4½ |
| St. Louis | 4½ |
| St. Paul | 4½ |
| Berkeley | 4½ |
| Spokane | 4½ |

§ 10.42 *Special interest rates.* Approval is given to an interest rate one-half of 1 percent per annum in excess of the interest rate provided in the preceding section for bank loans through associations secured by first mortgages on the following farm property in the continental United States:

(a) Land that is employed primarily in the production of naval stores as defined by section 2 of the Naval Stores Act (Sec. 2, 42 Stat. 1435; 7 U. S. C. 92);

(b) Land used for the raising of livestock, in estimating the earning power and in establishing the value of which leases or permits for the use of other lands were taken into consideration and were a factor in determining the amount of the loan; and

(c) Land, a substantial part of the earnings from which is derived from orchard crops.

FUTURE PAYMENT FUNDS

§ 10.47 *Held for subsequent credit upon indebtedness.* Future payment funds shall be held for subsequent credit upon indebtedness to the bank except in cases of unusual circumstances where the release of the funds is justified.

§ 10.48 *Future payment funds (effective January 1, 1954).* Future payment funds accepted prior to January 1, 1954, for subsequent credit upon indebtedness to the bank shall continue to be held under such terms and conditions as were agreed upon at the time of their acceptance. As to future payment funds accepted on or after January 1, 1954, the agreement with the borrower shall specify the rate of interest to be allowed on such funds at a rate determined by the board of directors of the bank, and such agreement shall include and be consistent with the terms and conditions prescribed by statute for such funds (12 U. S. C. 781 Eighteenth). The form of such agreement, its conformity with the terms and conditions prescribed by statute, and the procedure for making it effective with the borrower shall have the approval of the district general counsel.

RETIREMENT OF STOCK

§ 10.53 *General policy.* It is the general policy of the Administration that the bank stock issued in connection with a loan made through an association shall not be retired in whole or in part until the loan has been paid in full except in

individual cases where unusual circumstances are involved. Within the limitations and restrictions of section 7 (12 U. S. C. 722) and section 14 (12 U. S. C. 791 Fourth) of the Federal Farm Loan Act and applicable regulations of the Administration, and subject to authorization being given by the bank's board of directors by appropriate resolution, the Administration approves, under section 7 of the Federal Farm Loan Act (12 U. S. C. 721), the retirement of bank stock held as collateral for the payment of a loan, in the following cases or circumstances:

(a) Where the amount of bank stock held as security for a loan is substantially in excess of 5 percent of the unpaid balance of the loan and the bank determines that retirement of the excess stock is advisable;

(b) If the terms and conditions under which a bank holds future payment funds so permit, then, when the amount of stock and the future payment funds held in connection with a loan are sufficient to pay off the loan in full, they may be so applied and the stock may be retired for that purpose;

(c) When the amount of bank stock held as security for a loan is sufficient to complete payment of the loan, the bank may retire its stock and, with the consent of the association, credit an amount equal to the par value thereof as a last payment on the retiring borrower's loan;

(d) When a loan is called for foreclosure, or when a loan has been declared due and payable for the purpose of accepting deed, the bank may retire the related stock and apply the proceeds to the indebtedness concurrently with the transfer of the loan to the loans called for foreclosure account or at any time thereafter, not later than the date of recording the acquisition of the underlying security on the books of the bank;

(e) Where the mortgaged security for a land bank loan is transferred and the present owner thereof assumes the mortgage indebtedness, but either fails to acquire ownership of the stock interest on such loan or does not qualify for membership in the association endorsing the loan;

(f) The bank stock may be retired so that the proceeds thereof may be applied to the related bank loan in any case where the bank finds that there is not sufficient equity in the security or probability of recovery from the borrower to justify further expenditure in connection therewith.

DEFERMENTS

§ 10.59 *New and outstanding loans*—(a) *Statutory authority.* The statutory provision as to deferments is as follows (12 U. S. C. 781 Nineteenth):

> To permit any borrower to defer payment of the principal portions of installments on his loan in order that he may pay, in whole or in part, any indebtedness which is secured by a lien junior to the lien of the bank upon the farm land mortgaged to secure his loan. Such a deferment may be permitted for other purposes for a period not exceeding 5 years under regulations prescribed by the Farm Credit Administration.

(b) *New loans.* Deferments may be granted as a part of making a loan and the original amortization plan may be drawn accordingly. However, no deferment shall be granted or promised when a loan is made which would have the effect of extending the period of repayment for more than 40 years or for more than the maximum term for which the land bank appraiser states the security is suitable.

(c) *Outstanding loans.* The total period of deferment for purposes other than to pay off a junior lien shall not exceed 5 years during the life of the loan, although the deferment may be for a longer period if the purpose is to pay off a junior lien. Only in exceptional cases should deferments be granted which would extend the repayment of the term for more than 40 years from its making or beyond the term for which the land bank appraiser stated the security is suitable. Deferments exceeding the limitations indicated herein may be granted in certain circumstances when necessary to work out a delinquency situation.

MINERAL RIGHTS

§ 10.64 *Holding mineral rights for more than 5 years.* In cases where, in connection with a sale of bank-owned real estate, the bank has retained royalty or other rights in or to minerals, and desires to hold such rights for a period in excess of 5 years, it is not considered that the bank has both "title and possession" of real estate within the meaning of section 13 Fourth (b) of the Federal Farm Loan Act (12 U. S. C. 781 Fourth (b)). However, retention of such minerals and mineral rights for periods in excess of 5 years, when in the bank's opinion it is in the bank's interest to do so, has the approval of the Administration.

BONDS

§ 10.119 *Method of calling consolidated Federal farm loan bonds.* When any Federal land bank shall desire to call for redemption any consolidated Federal farm loan bonds outstanding on its behalf, it shall, pursuant to appropriate authorization of the 12 Federal land banks, file with the Administration, at least 20 days prior to the date on which the call is to become effective, a certified copy of a resolution of its board of directors authorizing such call. The Administration shall, at least 15 days prior to the date on which the call is to become effective, approve or disapprove the call and, if the call is approved, shall cause formal notice thereof to be published, at least 15 days prior to the effective date of the call, in the FEDERAL REGISTER and through any other facilities that the Administration may elect. Such notice shall describe the bonds so called for redemption and shall designate the place or places where and the date on and after which they will be payable. Approval of the call and publication of notice as herein required shall be deemed a complete call. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

§ 10.120 *Call for less than entire issue of consolidated Federal farm loan bonds.* In any case in which it is desired to call for redemption less than all of the outstanding bonds of any issue or issues, the bonds to be so called shall be selected in such manner as the Administration shall prescribe.

§ 10.120a *Exchanges and assignments of consolidated bonds.* Consolidated bonds issued by the 12 Federal land banks may be exchanged for bonds of the same issue, and assignments of registered consolidated bonds of all issues may be effected, under and in accordance with the regulations of the United States Treasury Department governing exchanges and transfers of United States bonds.

§ 10.120b *Basis of relief on account of lost, stolen, destroyed, mutilated, or defaced consolidated bonds or coupons.* The statutes of the United States, now or hereafter in force, and the regulations of the Treasury Department, now or hereafter in force, governing relief on account of the loss, theft, destruction, mutilation, or defacement of United States securities, and the regulations of the Treasury Department, now or hereafter in force, governing the payment of mutilated or defaced coupons of United States securities, so far as such statutes and regulations may be applicable, and as modified to relate to consolidated Federal farm loan bonds, and coupons of such bonds, shall govern the granting of relief on account of lost, stolen, destroyed, mutilated, or defaced consolidated Federal farm loan bonds, and mutilated or defaced coupons of such bonds.

§ 10.120c *Claims and proof for lost, stolen, destroyed, mutilated, or defaced consolidated bonds or coupons.* Claims shall be presented, and proof shall be made, by applicants for relief on account of the loss, theft, destruction, mutilation, or defacement of consolidated Federal farm loan bonds, and the mutilation or defacement of coupons of such bonds, in accordance with the statutes of the United States, now or hereafter in force, and the regulations of the Treasury Department, now or hereafter in force, with respect to securities of the United States, and coupons of such securities.

§ 10.121 *Lost or stolen bonds and coupons issued by a bank individually.* Whenever it appears by clear and satisfactory evidence that any interest-bearing bond or any coupon thereof issued by any Federal land bank has, without bad faith on the part of the owner, been lost, stolen, or destroyed, and is not lawfully held by any person as his own property, or has been so mutilated or defaced as to impair its value to the owner, and is identified by number and description, the bank of issue may make payment (upon approval of the proofs of loss, etc., bonds of indemnity and related papers filed with the banks of issue in such cases, detailed information as to which has been furnished the banks) without requiring the issuance of any new bonds for record purposes.

§ 10.122 *Owner of lost bond to file bond of indemnity.* The owner of any such lost, stolen, or destroyed bond or coupon shall file with the bank of issue a bond of indemnity in a penal sum equal to the face amount of the bond or coupon, plus an amount sufficient to protect the bank from any loss on account of interest which may be payable on such lost, stolen, or destroyed bond. A corporate surety to be approved by the bank of issue shall be required for the bond of indemnity when the penal sum exceeds $50.

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## PART 11—NATIONAL FARM LOAN ASSOCIATIONS

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AUTHORITY: §§ 11.163 to 11.1079 issued under sec. 6, 47 Stat. 14, as amended; 12 U. S. C. 665.

NOTE: Where the word "bank" appears alone, it refers to a Federal land bank; the word "association" refers to a national farm loan association; the word "Administration" refers to the Farm Credit Administration.

CLASSIFICATION OF ASSOCIATIONS

§ 11.163 *Classification.* The banks shall make such review of the financial condition of national farm loan associations as is necessary to ascertain when the capital stock of an association becomes impaired. The stock of an association shall be considered impaired, and the association shall be classified as "impaired," if the total of its liabilities (including estimated losses on contingent liabilities) and capital stock is in excess of its total assets and such excess may not reasonably be regarded, under all circumstances, as negligible in amount or percentage, as apparent rather than real, or as temporary only.

CONSOLIDATION OF ASSOCIATIONS

§ 11.1010 *Action by directors.* The board of directors of each association to be consolidated shall take appropriate action to authorize the execution of a consolidation agreement and articles of association for each association to be created as a result of the agreement. The board may designate one or more of its members to serve with representatives of each of the boards of the other associations involved as an organization committee for the formation of the new association or associations. Each board of directors, or the representatives of each association on the organization committee pursuant to authority by the association board of directors, shall execute on behalf of such associations the agreement of consolidation and articles of association on forms prescribed by the Administration. Also, they shall appoint not less than five nor more than seven qualified persons to serve as directors for each association to be created as a result of the agreement. Such persons will constitute the board of directors for the period intervening from the date of organization to the date fixed in the bylaws for the first annual meeting of stockholders or until their successors are elected and have qualified.

§ 11.1011 *Action by members.* Meetings of association members shall be called in accordance with the provisions of the bylaws of the association. Notices of the meetings, containing a brief statement of the proposal, shall be mailed to each stockholder of record. A favorable vote of a majority of the members present and voting at each separate meeting shall be necessary for the approval of the proposed consolidation, and such members shall adopt resolutions ratifying and approving the execution of the agreement of the consolidation and articles of association in the name of the association. The secretary-treasurer shall certify to the action taken at the meetings of members, and his certificate shall set out the resolution adopted by the members ratifying the execution of the consolidation agreement.

§ 11.1012 *Completing consolidation.* Upon completion of the association action, one set of organization papers for each association being organized, with the bank's recommendation, and a financial statement for each constituent association and a tentative financial statement for each consolidated association being created as a result of the agreement, shall be submitted to the Farm Credit Administration for consideration. Upon approval by the Administration, notice of such approval and the effective date of the consolidation will be sent to the bank and each consolidated association, and a charter will be issued to the new association or associations which will be forwarded to the association or associations through the bank. Upon receipt of the approval notice, the bank should provide assistance in transferring all assets in accordance with the consolidation agreement, setting up the new books and establishing such other procedures as may be found necessary. The transfer of assets should be made the day following the effective date of the consolidation, if possible. The secretary-treasurer of each new association should take appropriate action to effect changes in stock issues, and should notify promptly each of the members that the consolidation has been approved. The charters of the constituent associations should be surrendered and sent to the Administration for cancellation. The Administration should be notified by the bank of the completion of the consolidation upon the issuance of new bank stock to the new association or associations in exchange for the stock held by the constituent associations.

§ 11.1013 *Legal reserve.* The legal reserve requirement for the new association or associations at the time of completion of the consolidation shall be the total of the unimpaired legal reserves of the constituent associations.

VOLUNTARY LIQUIDATION OF ASSOCIATIONS

§ 11.1014 *Action by directors.* The board of directors of any association desiring to enter into voluntary liquidation shall develop a complete plan of liquidation setting forth in detail the reasons why it is considered advisable for the benefit and best interests of the association members that the association should be liquidated, containing a current financial statement of the association, and specifically providing:

(a) That the association should be liquidated and its charter canceled;

(b) That all liabilities of the association, including contingent liabilities incurred by the association by reason of its endorsement of mortgages, shall be paid in full, or the payment thereof provided for to the satisfaction of the Administration;

(c) That the amount of contingent liabilities shall be mutually agreed upon by the association and the Federal land bank, but in the event such agreement cannot be reached, the amount of such liabilities shall then be determined by the Administration;

(d) In the event the association does not have sufficient assets to pay all its liabilities without creating an impairment of its capital stock, the manner in which the necessary funds will be raised; (In this connection an association may by unanimous action of its members levy an assessment on the members in proportion to the amount of stock held by each to raise the required funds, or it may accept voluntary contributions from its members for the purpose of restoring the stock to an unimpaired condition after making provision for all liabilities of the association.)

(e) That funds in an amount equal to the net legal reserve of the association after provision for all its liabilities shall be transferred to the bank of the district:

(f) That the remaining assets of the association, other than its capital stock in the Federal land bank, shall be distributed among its stockholders, or their successors in interest, of record on the books of the association as of the effective date of liquidation, pro rata according to their respective shareholdings;,

(g) That the plan of liquidation shall not become effective until consent, in writing, is obtained from the Administration; and

(h) That the effective date of liquidation shall be the date specified by the Administration in the written consent to liquidation.

A copy of such plan shall be submitted to the stockholders of the association as provided in § 11.1015.

§ 11.1015 *Action by members.* A special meeting of the association members shall be called. Notice of the meeting shall be mailed to each stockholder of record at least 20 days prior to the date of such meeting, and shall contain a full statement of the voluntary liquidation proposal or shall have incorporated in it by reference and attached thereto a complete copy of the plan of liquidation developed by the directors of the association. A favorable vote of at least two-thirds of the stockholders of the association, at the special meeting called as herein provided, shall be necessary for the approval of the proposed liquidation. Such approval shall be evidenced by a resolution of the stockholders approving in its entirety the plan of liquidation developed by the directors and authorizing and instructing the officers of the association to do all things necessary to carry into effect the liquidation and render the plan of liquidation effective. The secretary-treasurer shall certify to the action taken at the meeting of the stockholders, and his certificate shall set out the resolution adopted by the stockholders authorizing the liquidation of the association and the fact that the number of stockholders voting for the motion in the assembled meeting constituted at least two-thirds of the stockholders of record of the association on the date of the meeting.

§ 11.1016 *Procedure for obtaining consent of Administration.* Upon completion of the stockholder action, two certified true copies of the resolution and two copies of the plan, together with the charter of the association, should be forwarded to the bank. The association shall be examined by a farm credit examiner as soon as possible following receipt by the bank of the liquidation plan. After the examination is made, the bank should forward to the Administration one copy of the resolution and plan, together with the charter of the association, and its recommendations in the matter with the supporting reasons for such recommendations. If the Administration consents to the plan, notices of such consent, setting forth the effective date of the liquidation and any other requirements of the Administration, will be sent to the bank and to the association.

§ 11.1017 *Completing liquidation.* Upon receipt of notice of consent from the Administration, the association shall immediately take the necessary action to liquidate its affairs, as required by the plan of liquidation and the consent thereto. When the necessary action has been completed, evidence thereof in the form required by the Administration in its written consent to the liquidation shall be transmitted to the bank and, if the bank is satisfied that all requirements of the plan have been carried out, such evidence shall be forwarded to the Administration. If the Administration is satisfied that all liquidation steps have properly been taken, it will advise the bank, and the bank upon receipt of such advice shall cancel the stock held by the association in the bank and thereupon issue its stock to the borrowers through the association pursuant to the provisions of 12 U. S. C. 966. The Administration should be notified when the cancellation and reissuance of stock have been completed by the bank.

§ 11.1018 *Disposition of association records.* Upon completion of liquidation, the books and records of the association shall be forwarded to the office of the resident farm credit examiner for final examination: *Provided, however,* That upon the written request of the secretary-treasurer of the association, such final examination shall be made at the association's office prior to the release of the books and records by the association. Upon completion of the examination, the books and records will be forwarded to the Administration by the resident farm credit examiner.

INVOLUNTARY LIQUIDATION OF ASSOCIATIONS

§ 11.1019 *Method of liquidation.* Any association may be liquidated by the retirement by a bank, with the approval of the Administration, of all the stock held by the association in the bank and the retirement of the corresponding shares of stock in the association. In the absence of special circumstances, approval will not be given to a liquidation by this method unless the association has less than 10 members and it appears to the satisfaction of the Administration that the association cannot or will not function and that its continuance will not serve a useful purpose.

§ 11.1020 *Action by bank.* The board of directors of the bank shall adopt a resolution requesting approval of the Administration to pay off at par and retire all stock held by the association in the bank. The resolution should specifically state that, in the judgment of the board, it is advisable for the benefit and best interests of the association members and those engaged in agriculture in the territory of such association that all stock held by the association in the bank and all corresponding shares of stock in the association held by borrowers through it should be retired and the association liquidated. In the event an association is unable to pay its indebtedness in full, the resolution should further state the consideration the bank has given to the enforcement of the liability of the stockholders for the payment of the association's debts and the conclusion reached.

§ 11.1021 *Certification by officer of bank.* The appropriate bank officer shall certify to the action taken at the meeting of the board of directors, and his certificate shall set out the resolution adopted by the board.

§ 11.1022 *Approval by Administration.* Upon completion of the board's action, a certified copy of the resolution, accompanied by a detailed statement of facts concerning the condition, operations, and prospects of the association, should be forwarded to the Administration. Upon approval or disapproval of the bank's request by the Administration, notice of such decision will be sent to the bank. Upon receipt of approval notice, the bank shall take the necessary action to pay off at par and retire the stock held by the association in the bank, and when such action has been completed, the bank shall notify the Administration.

§ 11.1023 *Distribution of assets; completing liquidation.* The Administration will advise the association of the retirement by the bank of its stock. Upon receipt of this information the association shall have recorded on its books the retirement of the corresponding stock of the association held by the borrowers; determine by agreement with the bank of the amount of contingent liabilities incurred by the association on account of endorsed mortgages and include such amount in the liabilities of the association; apply all assets of the association to the extent necessary to the payment of its liabilities; distribute any remaining assets to its stockholders, or their successors in interest, of record on the books of the association as of the effective date of liquidation, pro rata according to their respective shareholdings; and return the charter of the association to the bank for transmittal to the Administration for cancellation.

§ 11.1024 *Examination; disposition of books and records.* Upon completion of liquidation the books and records of the association shall be forwarded to the office of the resident farm credit examiner for final examination: *Provided, however,* That upon the written request of the secretary-treasurer of the association, such final examination shall be made at the association's office prior to the release of the books and records by the association. Upon completion of the examination, the books and records will be forwarded to the Administration by the resident farm credit examiner.

ELIGIBLE MEMBERS

§ 11.1035 *Eligibility determined by location of land.* A farm owner shall be eligible to membership in the national farm loan association within whose chartered territory any part of the land to be mortgaged is located, regardless of the applicant's place of residence. If the farm to be mortgaged lies within the territory of two or more associations, the

applicant shall be eligible to join any one of the associations, but if the lands to be mortgaged are not adjoining, they will be treated as a single farm for loan purposes only if the separate units are under common management and are in such proximity to each other as to constitute practically one operative agricultural unit.

§ 11.1036 *Husband or wife as sole owner.* When husband and wife both sign a mortgage but one or the other is sole owner, only the one in whose name the title stands is eligible to membership in the association.

§ 11.1037 *Joint owners.* In cases of joint ownership, each owner who assumes personal liability for a loan must be elected to membership in the association through which the loan is made and the association stock must be issued jointly to all such owners.

§ 11.1038 *Farming corporations.* A corporation engaged in farming operations which obtains or properly assumes a loan should be elected to membership and the association stock issued in its name. The corporation must authorize, by power of attorney, one of its shareholders to act for it in all association matters. The person so authorized to act for the corporation may be elected a director of the association, provided he is a bona fide resident of the territory within which the association is authorized to do business. The power of attorney referred to should be so drawn that it will continue in full force and effect until the association has received another power of attorney to supersede the old one or until the old power has been revoked.

§ 11.1039 *Voting by proxy.* Voting by proxy shall not be permitted at stockholders' meetings of associations unless the proxy holder is (a) the person authorized to act for a farming corporation owning the stock, (b) a joint owner of the stock, or (c) the husband or wife of the owner of the stock. In the latter case, said husband or wife shall not be eligible to any office in the association.

CONDUCT OF EMPLOYEES

§ 11.1073 *Prohibition against fee splitting.* No officer, director, or employee of a national farm loan association shall receive, directly or indirectly, any part of any fee, commission, or other consideration paid to any other person for or in connection with abstracts prepared for applicants for loans, insurance on security for such loans, the sale of farms mortgaged to a land bank, or any services performed on behalf of applicants for loans or borrowers from a land bank.

§ 11.1074 *Prohibition against officers, directors, and employees acquiring certain stock or claims based thereon.* No officer, director, or employee of a national farm loan association shall acquire any interest in the stock of such association or any other such association, or in any claim arising from the retirement of such stock, by voluntary transfer or assignment, except such interests as he may acquire in connection with the transfer to him of land mortgaged to a Federal land bank.

§ 11.1075 *Prohibition against secretary-treasurers making farm loans for any other company or agency.* Section 7 of the Federal Farm Loan Act, as amended (12 U. S. C. 714), in describing the powers and duties of secretary-treasurers of national farm loan associations, provides in part:

> No such secretary-treasurer shall engage in the making of land mortgage loans eligible at a Federal land bank through or for any other land mortgage company or agency, and the making of any such loan by any secretary-treasurer shall forthwith work a forfeiture of his office.

§ 11.1076 *Administrative interpretation of provision.* This provision is construed by the Administration as prohibiting a secretary-treasurer from participating in, or having a part in, the making of land mortgage loans through or for any land mortgage company or agency whose business consists, in whole or in part, in making land mortgage loans, where the applicant, the security, and the purpose or purposes are eligible at a Federal land bank for a loan in any amount or where any proceeds of the loan are to be used to pay a Federal land bank loan.

§ 11.1077 *Secretary-treasurer should not divert to other agencies business acceptable to land bank.* The secretary-treasurer, as the principal administrative officer of the association, holds a position of trust. He should not divert to other lending agencies business which would be acceptable to the land bank. It is the duty of the board of directors of every national farm loan association to enforce compliance with this provision of the law.

§ 11.1078 *Political activity of employees.* Employees of national farm loan associations are expected to so conduct themselves as to avoid criticism on the grounds of political activities. It is imperative that the services of association employees be rendered impartially and not be influenced by political considerations. No individual shall be eligible to become or be a salaried officer or employee of a national farm loan association if he is or becomes a candidate for or is elected or appointed to any remunerative public office, unless prior to his employment or as a condition to his continued employment the board of directors of the association, after a full consideration of all the facts involved, shall find that such candidacy or the holding of such public office would not in any manner adversely affect the best interests of the borrowers or the operations and public relations of the association and the bank, and said finding is approved by the Federal land bank of the district. Any individual who is or becomes ineligible for employment by a national farm loan association by reason of the foregoing provision shall not be paid any compensation for services rendered to the association during the period of such ineligibility.

§ 11.1079 *Other restrictions on activities.* The secretary-treasurer and other employees of a national farm loan association shall not accept any fee, commission, gratuity, or compensation in any form from any other lending agency in connection with a land mortgage loan made by it even though the loan would not be eligible at a Federal land bank. Officers and employees of the banks and corporations under the supervision of the Administration who are employed on a full-time basis are required to devote their full business time to the duties assigned them in connection with the activities and operations of the organizations in which they are employed. They are also expected to refrain from accepting employment or compensation for activities, even for services rendered outside of business hours, which might embarrass the Administration or cast reflection upon their ability to take an unbiased and impartial view of its problems.

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## PART 19—FEES AND CHARGES ON LOANS

BANK FEES

Sec.
19.67 Applications.
19.68 Applications on specialized farms.
19.69 Appraisals.
19.70 Additional and refunding loans.
19.71 Divisions of loans.
19.72 Nonresident investigations.
19.73 Partial releases.
19.74 Release of personal liability.
19.75 Forbearance agreements.
19.76 Reamortizations.
19.77 Reinstatement of loans.

ASSOCIATION FEES

19.78 Applications.
19.79 Closed loans.
19.80 Additional and refunding loans.

AUTHORITY: §§ 19.67 to 19.80 issued under secs. 11 "Third", 13 "Ninth", 39 Stat. 369, 372, as amended; 12 U. S. C. 761 "Third", 781 "Ninth".

NOTE: Where the word "bank" appears alone, it refers to a Federal land bank; the word "association" refers to a national farm loan association; the word "Administration" refers to the Farm Credit Administration.

BANK FEES

§ 19.67 *Applications.* The banks may collect an application fee of not to exceed $10 on each application, except that in cases wherein the association application fee exceeds $5 the bank's application fee shall be limited to the difference between such association fee and $15.

§ 19.68 *Applications on specialized farms.* In the case of applications for loans (or increased loans or divisions of loans) on specialized farms of certain types, such as turpentine farms, timber farms, ranches, and orchards, where appraisal costs are unusually high, the banks may establish, subject to the approval of the Administration, special additional fees in recognition of the higher costs of appraisal of such property.

§ 19.69 *Appraisals.* The fee deposits authorized by these regulations should be retained by the bank if an appraisal is made of the property, but in any such case where an appraisal is not made, the fee should be refunded in its entirety to the applicant. Where a reappraisal is required because of delay of the appli-

cant or is made at his request, the applicant may be required to pay a second fee.

§ 19.70 *Additional and refunding loans.* In connection with applications for additional or refunding loans, whether or not additional security is offered, the bank may require that a fee of not more than $10 be submitted with the application.

§ 19.71 *Divisions of loans.* A fee of $5 may be charged in connection with each application for the division of an existing loan.

§ 19.72 *Nonresident investigations.* Where, in connection with an application for a new loan, an increased loan, or the division of an existing loan, it appears necessary for the bank to make a nonresident personal investigation, the applicant may be required to pay a fee of $7.50, such fee to be refunded in its entirety to the applicant if the investigation is not made.

§ 19.73 *Partial releases.* In connection with applications for a partial release of the mortgaged security, the bank may charge reasonable fees not exceeding the actual cost of appraisal by a land bank appraiser and determination of title. For cases involving appraisal, the fees charged may be based on estimated average cost of appraisal and determination of title so long as, in the aggregate, the fees collected for such cases do not exceed such actual cost. For cases not involving appraisal, the fees charged may be based on estimated average cost of determination of title so long as, in the aggregate, the fees collected for such cases do not exceed such actual cost. In any case, though, the fee charged may be in the amount of the actual cost of appraisal and determination of title involved in the particular case.

§ 19.74 *Release of personal liability.* Where, upon transfer of title to the mortgaged property, an application is made for release from personal liability, the bank may require a fee of $10 in connection with each application, such fee to be refunded in its entirety to the applicant in the event an appraisal of the property is not made.

§ 19.75 *Forbearance agreements.* No fees may be charged in connection with forbearance agreements but borrowers may be charged with direct outlays for determination of title including filing or notarial expense.

§ 19.76 *Reamortizations.* An amount not to exceed actual costs, such as abstract, notarial, recording and necessary incidental items, incurred in connection with a reamortization, may be charged the borrower.

§ 19.77 *Reinstatement of loans.* When a bank has instituted foreclosure or has taken necessary steps preliminary to foreclosure, it may require a borrower who wishes to reinstate such defaulted loan to reimburse it for any items of actual expense which it legally could include in its foreclosure fee; but no fee may be charged upon a reinstatement for any items of expense which legally could not be included in the foreclosure fee (such as purely collection costs), even though the amount of such outside items is less than the charges which could lawfully be imposed were the foreclosure to be completed.

ASSOCIATION FEES

§ 19.78 *Applications.* Associations may collect an association application fee of not more than $5 in connection with each application, except that in cases wherein the appraisal is made by association personnel acting as the bank designee, an application fee of not more than $15 may be collected: *Provided, however,* That the amount of any such fee shall not exceed 1 percent of the amount of the loan applied for. If the property offered as security is subject to any outstanding mortgage loan or loans held by the bank, regardless of the amount stated in the application, the application fee shall be based on an amount applied for which includes the unmatured principal, as of the date of the application, of such outstanding mortgage loan or loans. The application fee may be collected at the time the application is filed. It may be retained by the association regardless of whether the loan is rejected or closed as a new, additional, or refunding bank loan: *Provided, however,* That if no association investigation or appraisal by association personnel as designee is made after a fee provided for in this section has been collected, the amount of such fee shall be refunded.

§ 19.79 *Closed loans.* Except as hereinafter provided when a bank loan is closed, associations may collect a closed loan fee in an amount which, when added to the association application fee already collected, will equal but not exceed 1 percent of the amount of the bank loan closed.

§ 19.80 *Additional and refunding loans.* Where, upon the basis of an application in which there is offered as security property which is mortgaged in whole or in part to a bank, a loan is closed through an association which endorsed the outstanding bank loan, the association may, whether the transaction is completed by way of a supplemental loan or a rewriting of the outstanding loan, collect a closed loan fee, which when added to the association application fee already collected will not exceed 1 percent of the amount which represents other than unmatured principal of the outstanding bank loan as of the date of the application. Where, upon the basis of such an application, a bank loan is closed through a different association than that which endorsed the outstanding loan, the association may collect a closed loan fee which, when added to the association application fee already collected, will not exceed 1 percent of the amount for which it endorses the bank loan or purchase money mortgage.

[SEAL] R. E. NOWLAN,
*Acting Director,*
*Land Bank Service.*

[F. R. Doc. 56-9164; Filed, Nov. 8, 1956; 8:46 a. m.]

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

### Subchapter B—Loans, Purchases, and Other Operations

[Amdt. 2]

### PART 472—WOOL

SUBPART A—1956 INCENTIVE PAYMENT PROGRAM FOR SHORN WOOL

SUBPART B—1956 PAYMENT PROGRAM FOR UNSHORN LAMBS (PULLED WOOL)

MISCELLANEOUS AMENDMENTS

The regulations issued by Commodity Credit Corporation and the Commodity Stabilization Service, containing the requirements of the 1956 Incentive Payment Program for Shorn Wool and the 1956 Payment Program for Unshorn Lambs (Pulled Wool), as amended (21 F. R. 1877, 5311), are further amended as follows:

1. In § 472.708, the last sentence of paragraph (a) is deleted and the following is substituted therefor: "Applications by producers located in Alaska shall be filed with the Alaska ASC State Office, University of Alaska, Box B, College, Alaska, and applications filed by producers located in Hawaii shall be filed with the Hawaiian Area ASC Office, 303 Dillingham Building, Honolulu 13, Territory of Hawaii."

2. In § 472.718, paragraph (a) is deleted and the following is substituted therefor:

§ 472.718 *Death, incompetency, or other disability*—(a) *Death, disappearance, or incompetency.* (1) Except as provided in paragraph (b) of this section, in case any person who is entitled to a payment under this subpart dies, disappears, or is declared incompetent, before receiving such payment, whether before or after making application therefor, payment may be made upon proper application, without regard to claims of creditors other than the United States, in accordance with the regulations contained in 7 CFR Part 1108, Payments of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent, except as follows: References in 7 CFR 1108.1 to section 8 of the Soil Conservation and Domestic Allotment Act, as amended, and to statutes authorizing parity payments, shall be deemed to refer to the National Wool Act of 1954. The reference in the last sentence of 7 CFR 1108.2 to the Agricultural Conservation Program Service shall be deemed to refer to Commodity Credit Corporation. The reference in 7 CFR 1108.7 to Standard Form 1055 shall be deemed to be a reference to Standard Form 1055—Revised, Claim Against the United States for Amounts Due in the Case of a Deceased Creditor.

(2) In case any person entitled to payment under this subpart dies, disappears, or is declared incompetent before applying for payment and therefore the application is made by a person listed in 7 CFR Part 1108 in the order of precedence, such application shall be made on

CCC Wool Form 55 and, if necessary, 55–1 and 56–1 and shall also include Standard Form 1055—Revised. The application shall be filed with the ASC county office serving the county which includes the headquarters of the farm, ranch, or feed lot owned or operated by the person that died, disappeared or was declared incompetent.

(3) When CCC Wool Form 55 is part of an application described in subparagraph (2) of this paragraph and refers to delivery of wool by, or sale of wool for the account of, the applicants; or states that they ranged, pastured, or fed sheep and lambs; or that they purchased, owned, or had beneficial interest in, wool; or that they agreed as to the weight of animals in certain cases; or the marketing agency states therein that it has not furnished sales documents to any person other than the applicants and that as agent for the applicants it complied with the program; or when it is stated in CCC Wool Form 55–1 and 56–1 that the applicants purchased unshorn lambs, in all those statements the words "the applicants" or "the undersigned" shall be deemed to refer to the applicants; or, to the best of the knowledge, information and belief of the applicant or marketing agency making the statement, to the person that died, disappeared or was declared incompetent; or to both. The reference in section A of CCC Wool Form 55 to the headquarters of applicant's farm, ranch or feed lot shall be deemed to refer to the headquarters of the farm, ranch, or feed lot owned or operated by the person that died, disappeared, or was declared incompetent. The statements in section D (b), (c), (d), and (e) of CCC Wool Form 55 about shearing the wool and ownership of the wool and lambs and in section F (2) about marketing in a particular marketing year shall be deemed to be made to the best of the knowledge, information, and belief of the applicants.

3. In § 472.756, the last sentence of paragraph (a) is deleted and the following is substituted therefor: "Applications by producers located in Alaska shall be filed with the Alaska ASC State Office, University of Alaska, Box B, College, Alaska, and applications filed by producers located in Hawaii shall be filed with the Hawaiian Area ASC Office, 303 Dillingham Building, Honolulu 13, Territory of Hawaii."

4. In § 472.765, paragraph (a) is deleted and the following is substituted therefor:

§ 472.765 *Death, incompetency, or other disability*—(a) *Death, disappearance, or incompetency.* (1) Except as provided in paragraph (b) of this section, in case any person who is entitled to a payment under this subpart dies, disappears, or is declared incompetent, before receiving such payment, whether before or after making application therefor, payment may be made, upon proper application, without regard to claims of creditors other than the United States, in accordance with the regulations contained in 7 CFR Part 1108, Payments of Amounts Due Persons Who Have Died, Disappeared, or Have Been Declared Incompetent, except as follows: References in 7 CFR 1108.1 to section 8 of the Soil Conservation and Domestic Allotment Act, as amended, and to statutes authorizing parity payments, shall be deemed to refer to the National Wool Act of 1954. The reference in the last sentence of 7 CFR 1108.2 to the Agricultural Conservation Program Service shall be deemed to refer to Commodity Credit Corporation. The reference in 7 CFR 1108.7 to Standard Form 1055 shall be deemed to be a reference to Standard Form 1055—Revised, Claim Against the United States for Amounts Due in the Case of a Deceased Creditor.

(2) In case any person entitled to payment under this subpart dies, disappears or is declared incompetent before applying for payment and therefore the application is made by a person listed in 7 CFR Part 1108 in the order of precedence, such application shall be made on CCC Wool Form 56, and if necessary, 55–1 and 56–1 and shall also include Standard Form 1055—Revised. The application shall be filed with the ASC county office serving the county which includes the headquarters of the farm, ranch, or feed lot owned or operated by the person that died, disappeared, or was declared incompetent.

(3) When CCC Wool Form 56 or CCC Wool Form 55–1 and 56–1 is part of an application described in subparagraph (2) of this paragraph and states that the applicants ranged, pastured, or fed sheep and lambs; purchased unshorn lambs; or owned such lambs for not less than 30 days, the words "the applicants" or "the undersigned" shall be deemed to refer to the applicants; or, to the best of their knowledge, information, and belief, to the person that died, disappeared, or was declared incompetent; or to both. The reference in section A of CCC Wool Form 56 to the headquarters of applicant's farm, ranch, or feed lot shall be deemed to refer to the headquarters of the farm, ranch, or feed lot owned or operated by the person that died, disappeared, or was declared incompetent. The statements in section D (c) and (e) of CCC Wool Form 56 about shearing the animals and purchases of unshorn lambs shall be deemed to be made to the best of the knowledge, information, and belief of the applicants.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 702–709, 68 Stat. 910–912; 15 U. S. C. 714c, 7 U. S. C. 1781–1787, 1446)

Issued this 5th day of November 1956.

[SEAL] TRUE D. MORSE,
*Acting Secretary of Agriculture and President, Commodity Credit Corporation.*

[F. R. Doc. 56–9226; Filed, Nov. 8, 1956; 8:52 a. m.]

# TITLE 7—AGRICULTURE

## Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

### Subchapter G—Determination of Proportionate Shares

[Sugar Determination 850.30, Amdt. 4]

### PART 850—DOMESTIC BEET SUGAR PRODUCING AREA—1956 CROP

### AMENDMENT OF ELIGIBILITY FOR PAYMENT REQUIREMENTS

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended, paragraph (l) of § 850.30 of the Determination of Proportionate Shares for the Domestic Beet Sugar Producing Area—1956 Crop, issued September 21, 1955 (20 F. R. 7159), as amended November 30, 1955 (20 F. R. 8772), February 11, 1956 (21 F. R. 986), and May 25, 1956 (21 F. R. 3670), is hereby amended to read as follows:

(l) *Eligibility for payment under the act.* For any producer of 1956-crop sugar beets on the farm to be eligible for payment under the act, the acreage of sugar beets grown on the farm and marketed (or processed) for the production of sugar or liquid sugar shall not exceed the proportionate share determined for the farm in accordance with this section, except that any sugar beets grown on acreage in excess of such proportionate share may be marketed (or processed) for the extraction of sugar or liquid sugar for livestock feed or for the production of livestock feed, if the operator-producer on the farm furnishes to the county committee weight tickets evidencing that such sugar beets were sold by him, or were processed by or for him, for the extraction of sugar or liquid sugar for livestock feed, or the production of livestock feed, and if so sold, were purchased by the processor for such purpose. Also, the requirements of the act with respect to child labor shall have been met, except that such requirements shall not be applicable to any sugar beets marketed (or processed) from an acreage in excess of the proportionate share for the farm for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed if the producer furnishes proof which the county committee finds acceptable and adequate that the work performed by any child subject to such requirements was related solely to such sugar beets. In addition, the requirements of the act and of the regulations issued pursuant thereto with respect to wage rates and, in the case of the processor-producer (a producer who is also a processor), prices paid for sugar beets, shall have been met.

*Statement of bases and considerations.* Pursuant to the amendment to section 301 (b) of the act by Public Law 545, 84th Congress, approved May 29, 1956, and effective January 1, 1956, regarding sugar for livestock feed, this amendment

establishes the procedure under which sugar beets may be marketed for the extraction of sugar for livestock feed or for the production of livestock feed from an acreage in excess of the proportionate share for the farm without disqualifying the producer for payment. Since sugar beet producers who are not processor-producers do not control the processing of sugar beets, the responsibility of such producers regarding the disposition of sugar beets from excess acreage for such use will be considered as having been fulfilled upon the submission of satisfactory evidence that such sugar beets were sold by them and purchased by the processor for the extraction of sugar for livestock feed or for the production of livestock feed. This amendment also provides that the child-labor requirements of the act shall not be applicable with respect to sugar beets from such excess acreage which are used for such purpose, if appropriate proof is submitted.

Accordingly, I hereby find and conclude that the aforestated amendment to the determination will effectuate the applicable provisions of the act.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended; secs. 13, 14, Pub. Law 545, 84th Cong.; 7 U. S. C. 1131, 1132)

Issued this 5th day of November 1956.

[SEAL] TRUE D. MORSE,
*Acting Secretary of Agriculture.*

[F. R. Doc. 56-9224; Filed, Nov. 8, 1956; 8:52 a. m.]

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[Sugar Determination 855.3, Revised, Amdt. 1]

PART 855—MAINLAND CANE SUGAR AREA—1956 CROP

AMENDMENT OF ELIGIBILITY FOR PAYMENT REQUIREMENTS

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended, paragraph (b) of § 855.3 of the Determination of Proportionate Shares for the Mainland Cane Sugar Area—1956 Crop, Revised, issued July 9, 1956 (21 F. R. 5211), is hereby amended to read as follows:

(b) *Eligibility for payment under the act.* The eligibility of any producer of sugarcane for payment under the act shall be subject to the following conditions:

(1) The acreage of sugarcane grown on the farm and marketed (or processed) for the production of sugar or liquid sugar shall not exceed the proportionate share determined for the farm in accordance with this section, except that any sugarcane grown on acreage in excess of such proportionate share may be marketed (or processed) for the extraction of sugar or liquid sugar for livestock feed or for the production of livestock feed, if the operator-producer on the farm furnishes to the county committee weight tickets evidencing that such sugarcane was sold by him, or was processed by or for him, for the extraction of sugar or liquid sugar for livestock feed or the production of livestock feed, and if so sold, was purchased by the processor for such purpose.

(2) The number of share tenants or sharecroppers engaged in the production of sugarcane of the 1956 crop on the farm shall not be reduced below the number so engaged with respect to the previous crop, unless such reduction is approved by the State Committee. In considering such approval, the State Committee shall be guided by whether the reduction was the result of a voluntary action of the share tenant or sharecropper, or whether the reduction was beyond the control of the producer;

(3) The producer shall not have entered into any leasing or cropping agreement for the purpose of diverting to himself or any other producer any payments to which share tenants or sharecroppers would be entitled if their leasing or cropping agreements for the previous crop were in effect;

(4) The producer shall have met the requirements of the act with respect to child labor, except that such requirements shall not be applicable to any sugarcane marketed (or processed) from an acreage in excess of the proportionate share for the farm for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed if the producer furnishes proof which the county committee finds acceptable and adequate that the work performed by any child subject to such requirements was related solely to such sugarcane. In addition, the producer shall have met the requirements of the act and of the regulations issued pursuant thereto with respect to wage rates and, in the case of a processor-producer (a producer who is also a processor), prices paid for sugarcane.

*Statement of bases and considerations.* Pursuant to the amendment to section 301 (b) of the act by Public Law 545, 84th Congress, approved May 29, 1956, and effective January 1, 1956, regarding sugar for livestock feed, this amendment establishes the procedure under which sugarcane may be marketed for the extraction of sugar for livestock feed or for the production of livestock feed from an acreage in excess of the proportionate share for the farm without disqualifying the producer for payment. Since the sugarcane producers who are not processor-producers do not control the processing of sugarcane, the responsibility of such producers regarding the disposition of sugarcane from excess acreage for such use will be considered as having been fulfilled upon the submission of satisfactory evidence that sugarcane was sold by them and purchased by the processor for the extraction of sugar for livestock feed or for the production of livestock feed. This determination also provides that the child-labor requirements of the act shall not be applicable with respect to sugarcane from such excess acreage which is used for such purpose.

Accordingly, I hereby find and conclude that the aforestated determination will effectuate the applicable provisions of the act.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies secs. 301, 302, 61 Stat. 929, 930, as amended, secs. 13, 14, Pub. Law 545, 84th Cong.; 7 U. S. C. 1131, 1132)

Issued this 5th day of November 1956.

[SEAL] TRUE D. MORSE,
*Acting Secretary of Agriculture.*

[F. R. Doc. 56-9225; Filed, Nov. 8, 1956; 8:52 a. m.]

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**Subchapter H—Determination of Wage Rates**

[Sugar Determination 863.9, Amdt. 1]

PART 863—SUGARCANE; FLORIDA

FAIR AND REASONABLE WAGE RATES; JULY 1, 1956–JUNE 30, 1957

Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948, as amended (herein referred to as "act"), the determination of fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Florida during the period of July 1, 1956 through June 30, 1957 issued July 9, 1956 as Part 863, § 863.9 (21 F. R. 5213) is hereby amended by changing the designation of § 863.9 (b) to (c), and (c) to (d), and substituting in lieu thereof a new (b) as follows:

§ 863.9 *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Florida during the period July 1, 1956 through June 30, 1957.* * * *

(b) *Applicability.* The requirements of this section are applicable to all persons employed on the farm in the production, cultivation, or harvesting of sugarcane grown on the farm for the extraction of sugar or liquid sugar: *Provided*, That such requirements shall not apply to any person engaged in such work with respect to sugarcane grown on acreage in excess of the proportionate share for the farm, which is marketed (or processed) for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed, if the producer furnishes to the appropriate Agricultural Stabilization and Conservation County Committee acceptable and adequate proof which satisfies the committee that the work performed was related solely to such sugarcane.

*Statement of bases and considerations.* This amendment provides that the wage requirements applicable to sugarcane grown for the extraction of sugar or liquid sugar, are not applicable to sugarcane grown in excess of the proportionate share for the farm, if it is established to the satisfaction of the County ASC Committee that such sugarcane is marketed (or processed) for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed. During the last two or three years quantities of non-quota sugar have been imported into the United States for use as livestock feed. This sugar has been marketed at price levels substantially below the price levels which prevailed for quota sugar. The use of sugar for livestock feed is a further development to find alternative uses for sugar. Section 212 of the act speci-

fies that the quota provisions of Title II are not applicable to sugar imported or produced in the United States for this purpose.

In view of the acreage restrictions in effect for domestic sugar-producing areas in recent years, some domestic producers appeared to be interested in the production of sugar for livestock feed or for the production of livestock feed so as to cushion the impact of restrictions whenever it became necessary to reduce production and to allow domestic areas to participate in the market for livestock feed with foreign areas. Recently, section 301 (b) of the Sugar Act of 1948 was amended to permit producers to market (or process) sugarcane in excess of the proportionate share for the farm for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed. However, sugar produced from sugarcane in excess of the proportionate share for the farm is not eligible for Sugar Act payments. Prior to this amendment, the wage requirements were applicable to all sugarcane grown on the farm and marketed (or processed) for the extraction of sugar or liquid sugar in order to qualify for a Sugar Act payment.

Since the act now permits the producer to market sugarcane in excess of the proportionate share for the farm and remain eligible for a Sugar Act payment with respect to sugarcane within the proportionate share, and as no Sugar Act payment is made with respect to such excess sugarcane, it is determined that the wage provisions, as a condition for payment, shall not apply to persons engaged in the production, cultivation, or harvesting of such excess sugarcane. To assure, however, that the wage requirements of the determination will apply to all persons engaged in the production, cultivation, or harvesting of sugarcane, other than excess sugarcane for the production of sugar for livestock feed or production of livestock feed, it is required that a producer, to be exempt from the requirements of the determination must furnish proof that the work performed related solely to sugarcane marketed (or processed) for the production of sugar for livestock feed or the production of livestock feed.

Accordingly, I hereby find and conclude that the foregoing amendment to the wage determination will effectuate the wage provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. 1131)

Issued this 5th day of November 1956.

[SEAL] TRUE D. MORSE,
*Acting Secretary of Agriculture.*

[F. R. Doc. 56-9228; Filed, Nov. 8, 1956; 8:52 a. m.]

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### Subchapter I—Determination of Prices

[Sugar Determination 871.9, Amdt. 1]

### PART 871—SUGAR BEETS

#### FAIR AND REASONABLE PRICES FOR 1956 CROP

Pursuant to the provisions of section 301 (c) (2) of the Sugar Act of 1948, as amended (herein referred to as "act") the determination of fair and reasonable prices for sugar beets of the 1956 crop, issued July 9, 1956 as Part 871 § 871.9 (21 F. R. 5215) is hereby amended by changing the designation of § 871.9 (b) to (c) and substituting in lieu thereof a new (b) as follows:

§ 871.9 *Fair and reasonable prices for the 1956 crop of sugar beets.* * * *

(b) The requirements of this section are applicable to all sugar beets grown by a producer and processed by the processor for the extraction of sugar or liquid sugar: *Provided*, That such requirements shall not apply with respect to sugar beets grown on acreage in excess of the proportionate share for the farm if such sugar beets are marketed (or processed) for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed.

*Statement of bases and considerations.* This amendment provides that the fair price requirements of the determination are applicable to sugar beets grown for the extraction of sugar or liquid sugar, but are not applicable to sugar beets grown in excess of the proportionate share for the farm, if such sugar beets are marketed (or processed) for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed. During the last two or three years quantities of non-quota raw sugar have been imported into the United States for use as livestock feed. This sugar has been marketed at price levels substantially below the price levels which prevailed for quota sugars. The use of sugar for livestock feed is a further development to find alternative uses for sugar. Section 212 of the act specifies that the quota provisions of Title II are not applicable to sugar imported into or produced in the United States for this purpose.

In view of the acreage restrictions in effect for domestic sugar-producing areas in recent years, some domestic producers appeared to be interested in the production of sugar for livestock feed or for the production of livestock feed so as to cushion the impact of restrictions whenever it became necessary to reduce production and to allow domestic areas to participate in the market for livestock feed with foreign areas. Recently, section 301 (b) of the act was amended to permit producers to market (or process) sugar beets in excess of the proportionate share for the farm for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed. However, sugar produced from these excess sugar beets are not eligible for a Sugar Act payment. Prior to this amendment to the act the fair price requirements were applicable to all sugar beets delivered by producers and processed for the extraction of sugar or liquid sugar, including sugar beets produced on acreage in excess of the proportionate share for the farm.

The producer is relieved from compliance with the conditions for a Sugar Act payment with respect to sugar beets in excess of the proportionate share for the farm which are marketed (or processed) for the extraction of sugar for livestock feed or for the production of livestock feed, without causing such producer to become ineligible for payment with respect to sugar beets marketed from the acreage within the proportionate share for the farm. In view of the foregoing, it has been determined that with respect to any sugar beets in excess of the proportionate share for the farm of a producer who marketed such sugar beets for the extraction of sugar for livestock feed or for the production of livestock feed, the fair price condition shall not be applicable. The determination remains unchanged in all other respects.

Accordingly, I hereby find and conclude that the foregoing amendment to the determination will effectuate the price provisions of the act.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 301, 61 Stat. 929; 7 U. S. C. 1131)

Issued this 5th day of November 1956.

[SEAL] TRUE D. MORSE,
*Acting Secretary of Agriculture.*

[F. R. Doc. 56-9227; Filed, Nov. 8, 1956; 8:52 a. m.]

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

[Navel Orange Reg. 90]

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

#### LIMITATION OF HANDLING

§ 914.390 *Navel Orange Regulation 90*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914; 21 F. R. 4707), regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held

an open meeting on November 1, 1956, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., November 11, 1956, and ending at 12:01 a. m., P. s. t., July 7, 1957, no handler shall handle any Navel oranges, grown in District 1, in District 3, or in District 4, which are of a size smaller than 2.31 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided*, That not to exceed 5 percent, by count, of the oranges contained in any type of container may measure smaller than 2.31 inches in diameter.

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

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

Dated: November 6, 1956.

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

[F. R. Doc. 56-9219; Filed, Nov. 8, 1956; 8:51 a. m.]

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

DETERMINATION RELATIVE TO EXPENSES AND FIXING OF RATE OF ASSESSMENT FOR 1956–1957 FISCAL PERIOD

On October 18, 1956, notice of proposed rule making was published in the FEDERAL REGISTER (21 F. R. 7992) regarding the expenses and rate of assessment for the 1956–1957 fiscal period under Marketing Agreement No. 96, as amended, and Order No. 55, as amended (7 CFR Part 955), regulating the handling of grapefruit grown in the State of Arizona; in Imperial County, California; and in that part of Riverside County, California, situated south and east of the San Gorgonio Pass. This regulatory program is effective pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Administrative Committee (established pursuant to the amended marketing agreement and order), it is hereby found and determined that:

§ 955.210 *Expenses and rate of assessment for the 1956–1957 fiscal period.* (a) The expenses necessary to be incurred by the Administrative Committee, established pursuant to the provisions of the aforesaid amended marketing agreement and order, for its maintenance and functioning during the fiscal period beginning August 1, 1956, will amount to $22,500.00; and the rate of assessment to be paid by each handler who first ships grapefruit shall be one and one-half cents ($0.015) per standard box of fruit shipped by such handler as the first handler thereof during the said fiscal period. Such rate of assessment is hereby fixed as each such handler's pro rata share of the aforesaid expenses.

(b) As used in this section, "handler," "ship," "fruit," "fiscal period," and "standard box" shall each have the same meaning as is given to each such term in said amended marketing agreement and order.

(c) The provisions of this section shall become effective 30 days after publication in the FEDERAL REGISTER.

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

Dated: November 5, 1956.

[SEAL] F. R. BURKE,
*Acting Deputy Administrator.*

[F. R. Doc. 56-9220; Filed, Nov. 8, 1956; 8:51 a. m.]

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# TITLE 16—COMMERCIAL PRACTICES

## Chapter I—Federal Trade Commission

[Docket 6535]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

NIKIDES & LAKIS

Subpart—*Invoicing products falsely:* § 13.1108 *Invoicing products falsely:* Fur Products Labeling Act. Subpart—*Misrepresenting oneself and goods*—Goods: § 13.1590 *Composition:* Fur Products Labeling Act; § 13.1623 *Formal regulatory and statutory requirements:* Fur Products Labeling Act; § 13.1680 *Manufacture or preparation.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1852 *Formal regulatory and statutory requirements:* Fur Products Labeling Act; § 13.1865 *Manufacture or preparation:* Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U. S. C. 45, 69f) [Cease and desist order, Nikides & Lakis, New York, N. Y., Docket 6535, Oct. 23, 1956]

*In the Matter of Stergios Nikides, and John Lakis, Individually and as Copartners Trading as Nikides & Lakis*

This proceeding was heard by a hearing examiner on the complaint of the Commission—charging a New York furrier with false invoicing in violation of the Fur Products Labeling Act, through failing to show on invoices when its fur products contained bleached or artificially colored fur—and an agreement between the parties containing consent order to cease and desist.

On this basis, the hearing examiner made his initial decision, including order to cease and desist which became, on October 23, the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That respondents Stergios Nikides and John Lakis, individually and as copartners trading as Nikides & Lakis, or trading under any other name or names, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce, of fur products, or in connection with the sale, advertising, offering for sale, transportation, or distribution of fur products which have been made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur", and "Fur products" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product, as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(b) That the fur product contains or is composed of used fur, when such is a fact;

(c) That the fur product contains or is composed of bleached, dyed or otherwise artificially colored fur, when such is a fact;

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is a fact;

(e) The name and address of the person issuing such invoice;

(f) The name of the country of origin of any imported furs contained in a fur product;

B. Falsely and deceptively invoicing fur products as being made of "natural" furs when they are in fact bleached, dyed, or otherwise artificially colored.

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

*It is ordered*, That respondents Stergios Nikides and John Lakis, individually and as copartners trading as Nikides & Lakis, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing set-

ting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: October 23, 1956.

By the Commission.

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

[F. R. Doc. 56-9247; Filed, Nov. 8, 1956; 8:54 a. m.]

# TITLE 19—CUSTOMS DUTIES

## Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54239]

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

CRUDE PETROLEUM IMPORTED BY PIPELINE IN BULK; INVOICE REQUIREMENTS AND EXEMPTIONS

An exemption from special customs and commercial invoices for crude petroleum imported by pipeline is provided for in § 8.15 (c) (31) of the Customs Regulations because no duties based upon or regulated by the value of the oil are involved and the import tax is assessed on the exact quantity imported as determined by customs. There is no significant difference generally in the case of crude petroleum imported in bulk. Section 8.15 (c) (31) of the Customs Regulations is hereby amended by adding after the word "pipeline" the words "or in bulk".

(Secs. 484, 624, 46 Stat. 722, as amended, 759; 19 U. S. C. 1484, 1624)

[SEAL] D. B. STRUBINGER, *Acting Commissioner of Customs.*

Approved: November 1, 1956.

A. N. OVERBY, *Acting Secretary of the Treasury.*

[F. R. Doc. 56-9243; Filed, Nov. 8, 1956; 8:53 a. m.]

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[T. D. 54240]

PART 26—DISCLOSURE OF INFORMATION

DISCLOSURE OF INFORMATION IN FINE, PENALTY, AND FORFEITURE CASES

In order to make available to the public information concerning closed fine, penalty, and forfeiture cases arising under the customs and navigation laws administered by the Customs Service and which was the subject of Bureau of Customs Collectors Circular No. 31, dated September 27, 1956, § 26.3 (b) of the Customs Regulations is amended by substituting "public" for "press" and by substituting "customs and navigation laws" for "customs laws" in the second sentence.

(R. S. 161, 251, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624)

[SEAL] RALPH KELLY, *Commissioner of Customs.*

Approved: November 2, 1956.

A. N. OVERBY, *Acting Secretary of the Treasury.*

[F. R. Doc. 56-9244; Filed, Nov. 8, 1956; 8:53 a. m.]

# TITLE 22—FOREIGN RELATIONS

## Chapter II—International Cooperation Administration

PART 202—OCEAN SHIPMENTS OF SUPPLIES BY VOLUNTARY NONPROFIT RELIEF AGENCIES

The regulations contained in Part 202, Chapter II, Title 22 of the Code of Federal Regulations are hereby amended to read as follows, effective October 15, 1956.

Sec.
202.1 Definition of terms.
202.2 Shipments eligible for payment of ocean freight charges.
202.3 Applications for payment or reimbursement of ocean freight charges.
202.4 Manner of payment of ocean freight charges.
202.5 Refund by agencies.
202.6 Saving clause.

AUTHORITY: §§ 202.1 to 202.6 issued under sec. 521, 68 Stat. 855; 22 U. S. C. 1781. Interpret or apply secs. 409, 525, 68 Stat. 845, 856; 22 U. S. C. 1928, 1785. E. O. 10575, 19 F. R. 7249, 3 CFR, 1954 Supp. E. O. 10610, 20 F. R. 3179.

§ 202.1 *Definition of terms.* For the purposes of this part:

(a) "The Director" means the Director of the International Cooperation Administration.

(b) "The Committee" means the Advisory Committee on Voluntary Foreign Aid of the International Cooperation Administration.

(c) "Supplies" means relief and rehabilitation supplies shipped in support of programs registered with the Committee as well as administrative supplies and equipment shipped in support of such programs. In no case shall such supplies include items for the personal use of representatives of the registered agncy.

(d) "Agency" or "agencies" means the American Red Cross and any United States voluntary nonprofit relief agency registered with, and approved by, the Committee.

(e) "Duty free" means exempt from all customs duties, and other duties, tolls, and taxes of any kind.

§ 202.2 *Shipments eligible for payment of ocean freight charges.* The Director, in order to further the efficient use of United States voluntary contributions for relief in nations or areas designated by him from time to time, may pay ocean freight charges from United States ports to initial foreign ports of entry of such nations or areas on shipments by agencies of supplies donated to, or purchased by, such agencies.

§ 202.3 *Applications for payment or reimbursement of ocean freight charges.* Any agency may make application for payment or reimbursement of ocean freight charges on shipments of supplies donated to or purchased by it for distribution within foreign nations and areas designated by the Director pursuant to § 202.2, provided:

(a) An agreement for duty-free entry and defrayment of inland transportation costs of relief supplies within the scope of the regulations in this part has been concluded between the United States and the recipient country, or in the case of supplies of surplus agricultural commodities made available pursuant to the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480, 83d Congress), as amended, the agency concerned has submitted evidence satisfactory to the Committee that the recipient country in fact accords duty-free entry and defrays the inland transportation costs of the commodities.

(b) The general program and projects, by countries of operation of the agency, and the supplies in support thereof, have been approved by the Committee and by the recipient country.

§ 202.4 *Manner of payment of ocean freight charges.* By means of an equitable apportionment of the funds available for this purpose the Director will pay or reimburse agencies for ocean freight on shipments made in conformity with the regulations in this part: *Provided*, That application for such payment or reimbursement is submitted to the Director of the International Cooperation Administration, Attention: Advisory Committee on Voluntary Foreign Aid, International Cooperation Administration, Washington 25, D. C., within forty-five days of date of shipment, together with receipted invoices for such charges, supported by ocean bills of lading, showing that such charges are limited to the actual cost of transportation of the supplies from end of ship's tackle at the United States port of loading to end of ship's tackle at port of discharge, correctly assessed at the time of loading by the carrier for freight on a weight, measurement, or unit basis, and free of any other charges.

§ 202.5 *Refund by agencies.* Any agency to or for whom ocean freight charges have been paid or reimbursed under this part will refund promptly to the Director upon demand the entire amount, or any lesser amount specified, of ocean freight charges paid or reimbursed, and to the recipient country upon demand the entire amount, or any lesser amount specified, of inland transportation costs paid or reimbursed, (a) whenever the Director determines that the payments or reimbursements were improper as being in violation of any of the provisions of the Mutual Security Act of 1954 (Public Law 665, 83d Congress), any acts amendatory thereof or supplemental thereto, any relevant appropriation acts, or any rules, regulations or procedures of the International Cooperation Administration, or (b) unless such agency files, within ninety days after reimbursement has been made, a certificate stating that all supplies for which such reimbursement was made have been accorded duty free status by the recipient country.

§ 202.6 *Saving clause.* The Director may waive, withdraw, or amend at any time or from time to time any or all of the provisions of the regulations in this part.

JOHN B. HOLLISTER, *Director, International Cooperation Administration.*

NOVEMBER 1, 1956.

[F. R. Doc. 56-9165; Filed, Nov. 8, 1956; 8:46 a. m.]

# TITLE 29—LABOR

## Chapter V—Wage and Hour Division, Department of Labor

REGULATIONS PERTAINING TO CERTAIN INDUSTRIES IN PUERTO RICO

On August 17, 1956, pursuant to section 5 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), the Secretary of Labor by Administrative Order No. 466 (21 F. R. 6198) appointed, convened, and gave notice of the hearings of Industry Committee No. 24-A for the Metal, Machinery, Transportation Equipment, and Allied Products Industry in Puerto Rico, Industry Committee No. 24-B for the Plastic Products Industry in Puerto Rico, and Industry Committee No. 24-C for the Electrical, Instrument, and Related Products Industry in Puerto Rico. Each committee was directed to recommend the minimum rate or rates to be paid under section 6 (c) of the act to employees in its industry who are engaged in commerce or in the production of goods for commerce.

Subsequent to an investigation and a hearing, conducted pursuant to the notice, each committee filed with the Administrator a report containing its findings with respect to the matters referred to it. Accordingly, as authorized and required by section 8 of the act and General Order No. 45-A of the Secretary (15 F. R. 3290), (1) the recommendations of these committees are hereby published in the following amendments to the Code of Federal Regulations, and (2) effective November 25, 1956, Parts 711, 712, and 713 of Title 29, Code of Federal Regulations, are hereby amended to read as follows:

### PART 711—ELECTRICAL, INSTRUMENT, AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

Sec.
711.1 Definition of the industry.
711.2 Wage rates.
711.3 Notices.

AUTHORITY: §§ 711.1 to 711.3 issued under section 8, 52 Stat. 1064, as amended; 29 U. S. C. 208. Interpret or apply section 5, 52 Stat. 1064, as amended; 29 U. S. C. 205.

§ 711.1 *Definition of the industry.* The electrical, instrument, and related products industry in Puerto Rico, to which this part shall apply, is defined as follows: The manufacture, assembly, and repair of machinery, apparatus, equipment and supplies for the generation, storage, transmission, transformation and utilization of electrical energy; and the manufacture, assembly, and repair of instruments, apparatus, and equipment for scientific, professional, industrial measurement, photographic, musical and horological purposes: *Provided, however,* That the definition shall not include (a) industrial and commercial machinery powered by electric motors; (b) measuring-and-dispending pumps; and (c) any activity included in the clay and clay products industry, the jewel cutting and polishing industry, or the stone, glass, and related products industry, as defined in the wage orders for those industries in Puerto Rico.

§ 711.2 *Wage rates.* (a) Wages at a rate of not less than $1.00 an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the electrical, instrument, and related products industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce and who is engaged in the shaver, storage battery, drafting machine, electrical terminal and connector, and television antenna and lead-in cable classification, which is defined as the manufacture of electric shavers; storage batteries and parts, except carbon-type dry cell batteries; mechanical drafting machines; solderless electric terminals and connectors; and television antennas and lead-in cables.

(b) Wages at a rate of not less than 80 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the electrical, instrument, and related products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the radio and television components classification, which is defined as the manufacture of parts and components for radio and television equipment and apparatus (except tubes and tube parts, transistors, and rectifiers), including, but without limitation, capacitors, coils and coil forms, hermetic seals, condensers, transformers, crystal units, and resistors.

(c) Wages at a rate of not less than 75 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the electrical, instrument, and related products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the resistance-type household appliance classification, which is defined as the manufacture of household electrical appliances of the resistant type and parts therefor, used for heating, cooking, and other purposes (except illumination), including, but without limitation, electric ranges, stoves, hotplates, cooking casseroles, roasters, toasters, heaters, irons, and percolators.

(d) Wages at a rate of not less than 70 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the electrical, instrument, and related products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the lens classification, which is defined as the grinding and manufacture of optical and ophthalmic lenses and prisms.

(e) Wages at a rate of not less than 60 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the electrical, instrument, and related products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the thermometer classification, which is defined as the manufacture of glass thermometers and hydrometers.

(f) Wages at a rate of not less than 85 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the electrical, instrument, and related products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the general classification, which is defined to include all products and activities of the electrical, instrument, and related products industry in Puerto Rico as defined in § 711.1, except the products and activities included in the shaver, storage battery, drafting machine, electrical terminal and connector, and television antenna and lead-in cable classification, the radio and television components classification, the resistance-type household appliance classification, the lens classification, and the thermometer classification.

§ 711.3 *Notices.* Every employer subject to the provisions of § 711.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 711.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour Division, United States Department of Labor, and shall give such other notice as the Administrator may prescribe.

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### PART 712—METAL, MACHINERY, TRANSPORTATION EQUIPMENT, AND ALLIED PRODUCTS INDUSTRY IN PUERTO RICO

Sec.
712.1 Definition of the industry.
712.2 Wage rates.
712.3 Notices.

AUTHORITY: §§ 712.1 to 712.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U. S. C. 208. Interpret or apply section 5, 52 Stat. 1064, as amended; 29 U. S. C. 205.

§ 712.1 *Definition of the industry.* The metal, machinery, transportation equipment, and allied products industry in Puerto Rico, to which this part shall apply, is defined as follows: The mining and other extraction of metal ore and the processing of such ore into metal; the manufacture (including repair) of any product or part made wholly or chiefly of metal; and the manufacture from any material of machinery, tools, transportation equipment, and ordnance: *Provided, however,* That the definition shall not include (a) the production of any basic material other than metal even when incident to the production of a product within this definition; (b) the processing of any basic material other than metal except when done by an establishment producing from such materials a product of this industry or subassembly of such product; (c) the manufacture of metal bobby pins, hair clips, hair curlers, and hair wavers; and (d) any activity included within the button, buckle, and jewelry industry, or the electrical, instrument, and related products industry, as defined in the wage orders for these industries in Puerto Rico.

§ 712.2 *Wage rates.* (a) Wages at a rate of not less than $1.00 an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer

to each of his employees in the metal, machinery, transportation equipment, and allied products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the primary metal products, machinery, transportation equipment, and ball point pen classification, which is defined as the mining and other extraction of metal ore and the processing of such ore into metal; the smelting, refining, rolling, drawing, and alloying of metals; the manufacture of metal castings and forgings; the manufacture of structural steel, ornamental iron work, boiler shop products, sheet metal products, metal shipping barrels, drums, kegs, and pails, safes and vaults, nuts, bolts, washers and rivets, screw machine products, and ordnance and accessories; the manufacture of industrial, commercial, and service industry machinery and equipment; the manufacture of transportation equipment, parts, and supplies, including the building and repairing of ocean-going ships when performed in drydocks or shipyards; and the manufacture of ball point pens and parts for ball point pens.

(b) Wages at a rate of not less than 80 cents an hour shall be paid under section 6 of the Fair Labor Standards Act by every employer to each of his employees in the metal, machinery, transportation equipment, and allied products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the fabricated wire products, steel spring, and slide fastener classification, which is defined as the drawing of wire and rod and the fabrication of wire and wire products including, but without limitation, nails, brads, spikes, staples, chain, fencing, bare wire rope and cable, barbed wire, bale ties, and garment hangers; the manufacture of steel springs; and the manufacture of slide fasteners.

(c) Wages at a rate of not less than 90 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the metal, machinery, transportation equipment, and allied products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the general classification, which is defined as the manufacture of tin cans and other tinware, cutlery, hand tools and general hardware, and metal doors, sash, frames, molding, and trim; metal stamping, coating and engraving; the manufacture of small home craftsmen's equipment, small office devices, and household cleaning, polishing, and heating equipment; the manufacture of collapsible tubes, metal foil, silverware and plated ware, metal toys, sporting and athletic goods, pens, pencils, and other office and artists materials, except ball point pens and parts, and notions; and all products and activities in the metal, machinery, transportation equipment, and allied products industry except the products and activities included within the primary metal products, machinery, transportation equipment, and ball point pen classification, and the fabricated wire products, steel spring, and slide fastener classification.

§ 712.3 *Notices.* Every employer subject to the provisions of § 712.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 712.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour Division, United States Department of Labor, and shall give such other notice as the Administrator may prescribe.

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PART 713—PLASTIC PRODUCTS INDUSTRY IN PUERTO RICO

Sec.
713.1 Definition of the industry.
713.2 Wage rates.
713.3 Notices.

AUTHORITY: §§ 713.1 to 713.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U. S. C. 208. Interpret or apply section 5, 52 Stat. 1064, as amended; 29 U. S. C. 205.

§ 713.1 *Definition of the industry.* The plastic products industry in Puerto Rico, to which this part shall apply, is defined as follows: The molding, extrusion, lamination, other forming, and the fabrication of plastic products: *Provided, however,* That the definition shall not include (a) the manufacture of primary plastic material such as sheets, rods, tubes, granules, powders, and liquids, and other products of the chemical, petroleum, rubber, and related products industry in Puerto Rico; (b) the manufacture of buttons, buckles, jewelry (including rosaries), and jewelry findings (including beads); (c) the manufacture from pliable plastics in sheet or film form of ornaments and decorations for Christmas and other holidays, party favors and souvenirs, and similar items primarily ornamental or decorative in nature; (d) the manufacture from plastic materials of footwear and cut stock and findings for footwear; (e) the manufacture of apparel, apparel furnishings and accessories, and miscellaneous fabricated textile products made from pliable plastics in sheet or film form; and (f) any activity included in the leather, leather goods, and related products industry, as defined in the wage order for that industry in Puerto Rico.

§ 713.2 *Wage rates.* (a) Wages at a rate of not less than $1.00 an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the plastic products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the sprayer and vaporizer classification which is defined as the manufacture of plastic sprayers, vaporizers, and atomizers.

(b) Wages at a rate of not less than 80 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the plastic products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the dinnerware and phonograph records classification, which is defined as the manufacture of plastic dinnerware and phonograph records.

(c) Wages at a rate of not less than 70 cents an hour shall be paid under section 6 of the Fair Labor Standards Act by every employer to each of his employees in the plastic products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the wall tile classification, which is defined as the manufacture of plastic wall tile.

(d) Wages at a rate of not less than 63 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the plastic products industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the general classification, which is defined as the amnufacture of all products included in the plastic products industry except products and activities included in the sprayer and vaporizer classificaas the manufacture of all products intion, the dinnerware and phonograph records classification, and the wall tile classification, as defined herein.

§ 713.3 *Notices.* Every employer subject to the provisions of § 713.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 713.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour Division, United States Department of Labor, and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D. C., this 6th day of November 1956.

NEWELL BROWN,
*Administrator,*
*Wage and Hour Division.*

[F. R. Doc. 56-9255; Filed, Nov. 8, 1956; 8:55 a. m.]

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# TITLE 33—NAVIGATION AND NAVIGABLE WATERS

## Chapter I—Coast Guard, Department of the Treasury

### Subchapter A—General

[CGFR 56-42]

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

SUBSISTENCE AND RATIONS

By virtue of the authority contained in section 280, Title 10, U. S. Code, and the act of October 12, 1949, as amended (63 Stat. 802), and Title 14, U. S. Code, the following amendment is hereby prescribed and shall become effective upon publication in the FEDERAL REGISTER.

Paragraphs (b) and (c) of § 8.7110 are hereby amended to read as follows:

§ 8.7110 *Subsistence and rations.*

* * *

(b) Officers and enlisted personnel while serving on inactive duty training without pay for periods of eight or more hours in any one calendar day shall be

entitled to a ration in kind or a portion thereof.

(c) Enlisted personnel while serving on inactive duty training with pay for periods of eight or more hours in any one calendar day shall be entitled to a ration in kind or a portion thereof.

(Sec. 204, 55 Stat. 11; 14 U. S. C. 304)

Approved: October 10, 1956.

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

Concurred in: October 19, 1956.

ALBERT PRATT,
*Acting Secretary of the Navy.*

[F. R. Doc. 56-9242, Filed, Nov. 8, 1956; 8:53 a. m.]

## TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

### Chapter I—Veterans Administration

PART 5—COMMITTEE ON WAIVERS AND FORFEITURES AND FIELD COMMITTEES ON WAIVERS

MISCELLANEOUS AMEDMENTS

1. In Part 5, the headnote is amended to read as above.

2. In § 5.0, paragraphs (a) and (c) are amended to read as follows:

§ 5.0 *Overpayments that may be considered.* (a) The Committee on Waivers and Forfeitures and the field Committees on Waivers including the Committees on Waivers in the Veterans Benefits Office, District of Columbia, have jurisdiction to determine whether there will be a waiver of recovery of overpayments, any indebtedness of the kind specified in paragraph (d) of this section, and erroneous payments (hereinafter referred to as overpayments) under the General Law, the acts providing for service pension, the War Risk Insurance Act, the Vocational Rehabilitation Act, the World War Veterans' Act, 1924, Public Law 2, 73d Congress, including World War I emergency officers' retirement pay thereunder, Public Laws 78, 141, and 484, of the 73d Congress, Public Law 746, 76th Congress, the National Service Life Insurance Act of 1940, the Servicemen's Readjustment Act of 1944, Public Law 28, 82d Congress, Title II of Public Law 550, 82d Congress; Public Law 634, 84th Congress, Public Law 881, 84th Congress; or under an amendment of any of those statutory provisions; where such overpayments are submitted by the finance activity for consideration under the statutory provisions cited in § 5.1; except (1) those cases that are under the jurisdiction of the Loan Guaranty Committees on Waivers and Compromises, §§ 36.4381 and 36.4382 of this chapter; (2) those cases in which an overpayment of compensation or pension is made to a person because of his having entered on active duty; (3) readjustment allowance paid under Title V of the Servicemen's Readjustment Act of 1944 during the lifetime of the veteran; (4) National Service life insurance overpayments resulting from an authorized change in option; (5) World War I adjusted compensation overpayments; (6) and those cases in which there is not in effect an award of benefits other than insurance and the overpayment resulted from payment to an insured under a United States Government life insurance or a National Service life insurance contract.

* * * * *

(c) In any case where the provisions of secion 266 of the Veterans' Readjustment Assistance Act of 1952 (Pub. Law 550, 82d Cong.) or section 506 of the War Orphans' Educational Assistance Act of 1956 (Pub. Law 634, 84th Cong.) are applicable the liability of the educational institution or training establishment will be determined according to the provisions of § 21.2304 of this chapter. These committees have jurisdiction to consider all overpayments of education and training allowance and educational assistance allowance and are authorized to determine under section 271 of the Readjustment Assistance Act of 1952 or section 511 of the War Orphans' Educational Assistance Act of 1956, as the case may be, whether recovery of the overpayment or any part thereof, may be waived as to the veteran or eligible person, as the case may be. The finance activity in submitting such cases for consideration and the Committee on Waivers or the Committee on Waivers and Forfeitures in its decision will be guided by established procedure and policy in regard to overpayments. As to the liability of the educational institution or training establishment, a field Committee on Waivers may make a determination irrespective of amount, subject to the procedure and principles prescribed by § 21.2304 of this chapter.

3. In § 5.1, paragraph (a) is amended to read as follows:

§ 5.1 *Legislation authorizing relief.* (a) The legislation under which relief from overpayments may be granted provides that there shall be no recovery of payments from any person who in the judgment of the Administrator is without fault on his part and where in the judgment of the Administrator such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience (sec. 28, World War Veterans' Act, 1924, as amended, 38 U. S. C. 453). (See also sec. 4, Pub. Law 323, 71st Cong., as preserved and continued by Pub. Law 536, 71st Cong., 38 U. S. C. 33; sec. 7, Pub. Law 2, 73d Cong., 38 U. S. C. 707; Pub. Law 324, 76th Cong., 38 U. S. C. 36; sec. 609, Pub. Law 801 76th Cong. 38 U. S. C. 809; sec. 1, Pub. Law 866, 76th Cong., 38 U. S. C. 507a; sec. 1, Pub. Law 144, 78th Cong., 38 U. S. C. 727; sec. 1500, Pub. Law 346, 78th Cong., 38 U. S. C. 697; sec. 1 (G), Pub. Law 662, 79th Cong., 38 U. S. C. 739; sec. 7, Pub. Law 610, 81st Cong., 38 U. S. C. ch. 12A, as limited by Pub. Law 149, 83d Cong.; sec. 271, Pub. Law 550, 82d Cong., 38 U. S. C. 981; sec. 511, Pub. Law 634, 84th Cong., and sec. 209 (f), Pub. Law 881, 84th Cong.)

4. Section 5.2 is revised to read as follows:

§ 5.2 *Scope of decisions.* The jurisdiction of Committees on Waivers, including the Committee on Waivers and Forfeitures, is limited to consideration of waiver or nonwaiver and to questions of liability on the part of educational institutions or training establishments as provided in § 5.0 (b) and (c). A decision of nonwaiver by a committee leaves to the finance or accounting officers the manner of recovery or collection. It is within the discretion of such committees to waive recovery as to certain persons and decline to waive recovery as to certain other persons whose claims are based on the same veteran's service. It is also within the discretion of the committees to waive or decline to waive recovery from specific benefits or sources, except that a committee shall not waive recovery out of insurance of an indebtedness sceured thereby, i. e., an insurance overpayment or illegal payment made to the insured, although in appropriate cases it is proper to waive recovery of any or all of such indebtedness out of benefits other than insurance benefits then or thereafter payable to the insured.

5. Section 5.4 is revised to read as follows:

§ 5.4 *Jurisdiction.* The Committee on Waivers and Forfeitures has exclusive jurisdiction to consider questions of forfeiture relating to the submission of false or fraudulent evidence, or mutiny, treason, sabotage, or rendering assistance to an enemy of the United States or of its allies. (See sec. 504, World War Veterans' Act, 1924, as amended, 38 U. S. C. 555, as preserved and continued by sec. 11, Pub. Law 2, 73d Cong., 38 U. S. C. 711; sec. 15, Pub. Law 2, 73d Cong., 38 U. S. C. 715; sec. 9, Pub. Law 304, 75th Cong., 38 U. S. C. 510; sec. 4, Pub. Law 144, 78th Cong., 38 U. S. C. 728; sec. 1500, Pub. Law 346, 78th Cong., 38 U. S. C. 697; sec. 9, Pub. Law 23, 82d Cong., 38 U. S. C. 858; sec. 270, Pub. Law 550, 82d Cong., 38 U. S. C. 980; sec. 510, Pub. Law 634, 84th Cong., and sec. 501 (n), Pub. Law 881, 84th Cong.) This jurisdiction does not include questions of forfeiture under the National Service Life Insurance Act of 1940 (Pub. Law 801, 76th Cong.), as amended, or under Title V of the Servicemen's Readjustment Act of 1944, as amended. The field Committees on Waivers have no jurisdiction over forfeiture questions.

6. In § 5.5 the introductory paragraph immediately preceding paragraph (a) is amended to read as follows:

§ 5.5 *When forfeiture questions arise.* When an employee of the Veterans Administration discovers what is thought to be a false or fraudulent affidavit, declaration, certificate, statement, voucher, paper, or writing purporting to be such, concerning any claim or the approval of any claim for compensation, maintenance and support allowance, pension, World War I emergency officers' retirement pay, burial allowance, gratuitous indemnity under the Servicemen's Indemnity Act of 1951, hospital or domiciliary care, subsistence allowance, benefits under the Servicemen's Readjustment Act of 1944, as amended, except Title V thereof, benefits under Title II or III of the Veterans' Readjustment Assistance Act of 1952, benefits

under the War Orphans' Educational Assistance Act of 1956, or benefits under Title II of the Servicemen's and Veterans' Survivor Benefits Act; or discovers evidence tending to show that any person who might be entitled to benefits under laws administered by the Veterans Administration, including gratuitous indemnity under the Servicemen's Indemnity Act of 1951, benefits under Title II or III of the Veterans' Readjustment Assistance Act of 1952, benefits under the War Orphans' Educational Assistance Act of 1956, and benefits under Title II of the Servicemen's and Veterans' Survivor Benefits Act, has been guilty under section 4 of Public Law 144, 78th Congress, of mutiny, treason, sabotage, or rendering assistance to an enemy of the United States or of its allies, such employee shall refer the case through channels to:

7. In § 5.6, paragraph (a) is amended to read as follows:

§ 5.6 *Actions preliminary to submissions.* (a) Where the question relates to what is thought to be false or fraudulent evidence, it shall be the duty of the official designated in § 5.5 to review the alleged false or fraudulent evidence and authorize an investigation when in his opinion there is reasonable assumption that such evidence is fraudulent, and when in his opinion any prior investigation is inadequate. Where the question involved is one of possible guilt of an offense mentioned in section 4, Public Law 144, 78th Congress, such official shall not request an investigation but shall refer the folder or folders to the Committee on Waivers and Forfeitures for development, with a letter or memorandum stating the known facts. However, the Manager, Veterans Administration Regional Office, Republic of the Philippines, may authorize an investigation in the Philippines for the purpose of procuring evidence of an offense named in said section 4, Public Law 144, as well as in those cases involving what is thought to be false or fraudulent evidence; and may also as to the latter class, suspend or in death cases recommend suspension of payments if warranted by the circumstances.

8. Section 5.7 is revised to read as follows:

§ 5.7 *Submission of forfeiture questions.* (a) When an investigation has been completed or the evidence considered as provided in § 5.6 (a) and (b), the appropriate official designated in § 5.5 shall determine whether a submission to the Committee on Waivers and Forfeitures is warranted; and, if he determines that it is, shall forward the evidence and the folder or folders to said committee for a decision as to whether there is a forfeiture of rights under the statutory provisions specified in § 5.4. A submission may also be made to the Committee on Waivers and Forfeitures by the director of a service (or the Chairman, Board of Veterans Appeals, the Chief Medical Director, or the General Counsel) for the office concerned if the facts warrant. Prior to the submission of the folder or folders to the Committee on Waivers and Forfeitures for consideration of what is thought to be false or fraudulent evidence, payments shall be suspended as of the date of last payment, pending final action by that committee. Where the question is one of possible guilt of one of the offenses mentioned in section 4, Public Law 144, 78th Congress, payments in an active case shall not be suspended prior to a declaration of forfeiture.

(b) In view of the drastic nature of the provisions for forfeiture prescribed by section 504, World War Veterans' Act, 1924, as amended; by section 15, Public Law 2, 73d Congress; by section 9, Public Law 304, 75th Congress; by section 1500, Public Law 346, 78th Congress; by section 270, Public Law 550, 82d Congress; by section 510, Public Law 634, 84th Congress, and by section 501 (n), Public Law 881, 84th Congress, it is the duty of the Veterans Administration to apply them only in those cases wherein it is established beyond a reasonable doubt that fraud has been committed. In submitting cases for consideration as to forfeiture, it shall be the duty of the official designated in § 5.5 or paragraph (a) of this section to specify the nature of the fraud charged or suspected and to point out the documentary evidence upon which the charge is based. While the adequacy of evidence is in any case for the final determination of the Committee on Waivers and Forfeitures, cases should not be submitted on issues that are trivial or that do not fall within the purview of the statutory forfeiture provisions, or where the evidence is clearly insufficient to support the charge, or the file fails to show that the person charged has been afforded opportunity, when possible, for explanation or defense. In connection with the foregoing, it is to be borne in mind that the statutes relating to fraud are without retroactive application. The first statute prescribing forfeiture of rights as penalty for fraudulent claims was the act of August 9, 1921, which amended the War Risk Insurance Act.

9. Section 5.9 is revised to read as follows:

§ 5.9 *Decisions and actions pursuant thereto.* (a) When it is determined that a forfeiture is in order, the Committee on Waivers and Forfeitures shall render a decision to that effect. In cases involving section 4, Public Law 144, 78th Congress, a declaration of forfeiture must be approved by the Director, Compensation and Pension Service, and by the General Counsel. The decision shall be final unless appeal therefrom to the Administrator of Veterans' Affairs is made in accordance with existing appeals regulations and procedure. In any case where there has been a forfeiture of rights, the claims folder and the R & E folder shall be retained in the Veterans Benefits Office, District of Columbia, during the lifetime of the person whose rights are forfeited, except that in the event entitlement to Veterans Administration benefits is claimed on the basis of service in the Armed Forces subsequent to the commission of the offense on which forfeiture determination was based, veterans records will, upon request, be permanently transferred to the regional office of jurisdiction. It is the duty of the division having jurisdiction over the benefits affected by the forfeiture to discontinue payments by stop-payment notice as of the proper definite date, i. e., the date of the commission of the offense, or in section 4, Public Law 144, 78th Congress cases, the date of the decision of forfeiture, or where appropriate, date of last payment.

(b) When it is determined by the Committee on Waivers and Forfeitures that the evidence presented is insufficient to justify a forfeiture of rights, said committee shall render a decision to that effect, which decision shall be final, subject to an administrative appeal by the director of a service or the General Counsel. Any such appeal must be filed within 1 year from the date of the decision of the Committee on Waivers and Forfeitures.

10. In § 5.10, the headnote and paragraphs (a), that portion of (b) preceding subparagraph (1), (c) and (e) are amended to read as follows:

§ 5.10 *Committee on Waivers and Forfeitures.* (a) The committee is established in central office under a chairman and section chairmen. The chairman is responsible to the Director, Compensation and Pension Service.

(b) The committee has original jurisdiction to consider:

* * * * *

(c) The chairman of the committee is authorized by the Administrator to certify waivers of recovery of overpayments or of collection of indebtedness specified in § 5.0 (a), (b), (c), and (d). The section chairmen are authorized to perform this function in the absence of the chairman, or when directed by him.

* * * * *

(e) Three members of the committee, including the chairman or a section chairman, must concur in a forfeiture decision. These three members will be the same group to whom a case was assigned for consideration, hearing and decision. In case of nonconcurrence by any one member, the case will be assigned to the entire committee for majority decision after full and impartial consideration. A decision shall, in other than section 4, Public Law 144, 78th Congress, cases, be final. In the excepted cases, a declaration of forfeiture shall be subject to the approval or disapproval of the Director, Compensation and Pension Service, and the General Counsel. Except as to the determinations specified in § 5.13 (b), all declarations of forfeiture shall be subject to an appeal to the Board of Veterans Appeals in accordance with existing appeals regulations and procedure. The committee shall render a final decision on any request for an administrative review of a determination that an educational institution or training establishment is liable under section 7, Public Law 610, 81st Congress, section 266, Public Law 550, 82d Congress, or section 506, Public Law 634, 84th Congress, for an overpayment of subsistence allowance, educational and training allowance, or educational assistance allowance; and any such decision shall be valid if it is concurred in and

signed by any two members of the specially constituted review section that is designated in § 5.13 (b).

11. In § 5.11 paragraph (a) is amended to read as follows:

§ 5.11 *Committees on Waivers in field offices.* (a) In each district office and regional office there is established a field Committee on Waivers, consisting of three members designated from among the employees of that field office, whose service on the committee is in addition to their regular duties. In the Veterans Benefits Office, District of Columbia, there are established two field Committees on Waivers, of three members each, whose service on the committee is in addition to their regular duties as employees of the Veterans Benefits Office. No authorized certifying officer of the finance activity shall serve as a member of any of these committees. The Manager of the field office shall designate the members of the committee. In regional offices, the committee shall function directly under, and be administratively responsible to, the adjudication officer, in district offices, the committee shall function directly under, and be administratively responsible to, the Director, Claims Service. In the Veterans Benefits Office, District of Columbia, the two committees shall function directly under, and be administratively responsible to, the Chief, Veterans Claims Division, and the Chief, Dependents Claims Division, respectively. If the Manager of the field office considers that a larger committee is necessary because of unusual conditions, he may appoint additional members for the period during which such conditions prevail, but the membership of the committee shall not exceed seven. Questions of the jurisdiction of the committee and the assignment of cases to its members shall be determined by the chairman. The Manager of the field office shall report to the Chairman, Committee on Waivers and Forfeitures, the name of each person designated as a member of the Committee on Waivers and the name of each person appointed as chairman or section chairman.

12. Section 5.12 is revised to read as follows:

§ 5.12 *Jurisdiction of committees in field offices.* (a) Where the amount involved is not more than $800 and the case is properly before the committee under applicable Veterans Administration regulations and administrative issues, the field Committee on Waivers has authority to render a decision on an overpayment or other indebtedness. Such decision is final, subject however, to the right of the committee to reverse or modify its own decisions upon the receipt of new and material evidence or upon a showing of clear and unmistakable error; and subject further to the administrative review jurisdiction of the Committee on Waivers and Forfeitures when a request for administrative review is duly filed and except as to determinations under paragraph (c) of this section to an appeal to the Board of Veterans Appeals by a veteran or his dependent, or one so claiming, pursuant to established appeal procedure. No Committee on Waivers is authorized to reverse or modify a decision rendered by a Committee on Waivers of another field office or by the Committee on Waivers and Forfeitures.

(b) Except as to the cases referred to in paragraph (c) of this section, where the amount of the overpayment or other indebtedness is more than $800, it shall be referred by the Committee on Waivers to the Committee on Waivers and Forfeitures, without rendering a decision, but such Committee on Waivers shall furnish a brief setting forth a complete statement of facts and its recommendations as to the decision, with reasons supporting the recommendations.

(c) Determinations as to the liability of educational institutions or training establishments under section 7, Public Law 610, 81st Congress, section 266, Public Law 550, 82d Congress, or section 506, Public Law 634, 84th Congress, shall be made by the field Committees on Waivers where the question has been properly submitted regardless of whether the amount of the overpayment is more than $800, but where the amount is more than $2,500 there must be an administrative review as prescribed by §§ 21.113 and 21.2304 of this chapter.

13. In § 5.13, the introductory paragraph and paragraphs (a), (b), (b) (1), (b) (1) (iv), and (b) (2) are amended to read as follows:

§ 5.13 *Administrative reviews.* The Committee on Waivers and Forfeitures has authority to make administrative reviews of decisions of Committees on Waivers.

(a) Except as provided in paragraph (b) of this section, a request for an administrative review of a decision of a Committee on Waivers may be made by (1) the claimant, his guardian, his agent duly authorized over the claimant's signature, or (2) on the part of the Veterans Administration, by the Manager of the field office. The request must be in writing and, unless the committee extends the time, shall be presented within 60 days from receipt of notice of the field committee's action. An additional period of 30 days may be granted when, in the committee's judgment, exceptional circumstances justify. The committee may make an administrative review, on its own motion, of any decision of a field Committee on Waivers. A decision rendered upon administrative review by the Committee on Waivers and Forfeiture shall be subject to the right of any chief director or service director concerned or the General Counsel to appeal to the Administrator of Veterans' Affairs within 1 year from the date thereof with decisions to be made by the Board of Veterans Appeals.

(b) The Committee on Waivers and Forfeitures has authority to act for the Administrator of Veterans' Affairs in making administrative reviews of determinations by a Committee on Waivers that an educational institution or training establishment is, or is not, liable under section 7, Public Law 610, 81st Congress, as limited by Public Law 149, 83d Congress, section 266, Public Law 550, 82d Congress, or section 506, Public Law 634, 84th Congress, for an overpayment to a veteran or to a dependent of a veteran.

(1) There is established in the Committee on Waivers and Forfeitures a specially constituted review section which will be comprised of three members, one of whom is to be designated by the Chairman, Committee on Waivers and Forfeitures, one by the Director, Vocational Rehabilitation and Education Service, and one by the General Counsel. This section will function under the jurisdiction of the Chairman of the Committee on Waivers and Forfeitures who will preside over the meetings of said section or will designate one member to preside in his stead to be known as a section chairman. An administrative review decision under this paragraph will be valid if it is concurred in and signed by any two members of the review section. The section that is constituted herein will have jurisdiction to conduct administrative reviews of decisions of the field Committee on Waivers in: * * *

(iv) Any case in which the Committee on Waivers and Forfeitures determines on its own motion that an administrative review is warranted.

* * * * *

(2) The review section will notify the Veterans Administration field office of original jurisdiction and the school or training establishment of its decision. The decision of the review section will serve as authority for the finance activity to institute collection proceedings, if appropriate, or to discontinue collection proceedings instituted on the basis of the original decision of the field Committee on Waivers in any case where the review section of the Committee on Waivers and Forfeitures reverses a finding made by the field committee that the school or training establishment was liable.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707. Interpret or apply secs. 28, 504, 43 Stat. 615, 629, as amended, sec. 4, 46 Stat. 529, as amended, secs. 11, 15, 48 Stat. 10, 11, sec. 9, 50 Stat. 662, sec. 1, 53 Stat. 1252, secs. 1, 609, 54 Stat. 1193, 1013, secs. 1, 4, 57 Stat. 554, 555, sec. 1500, 58 Stat. 300, sec. 1, 60 Stat. 903, sec. 9, 65 Stat. 35, Vet. Reg. 1 (a), Part VIII, as amended, secs. 270, 271, 66 Stat. 681, 67 Stat. 192; secs. 510, 511, 70 Stat. 422, secs. 209, 501, 70 Stat. 857; 38 U. S. C. 33, 36, 453, 507a, 510, 555, 697, 715, 717 note, 727, 728, 739, 809, 858, 980, 981, ch. 12A)

This regulation is effective November 9, 1956.

[SEAL] J. C. PALMER,
*Assistant Deputy Administrator.*

[F. R. Doc. 56-9241; Filed, Nov. 8, 1956; 8:53 a. m.]

# TITLE 43—PUBLIC LANDS: INTERIOR

## Chapter I—Bureau of Land Management, Department of the Interior

### Appendix—Public Land Orders

[Public Land Order 1355]

[Nevada 016774]

NEVADA

RESERVING LANDS WITHIN NEVADA NATIONAL FOREST FOR USE OF FOREST SERVICE AS ADMINISTRATIVE AND RECREATIONAL AREAS

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the Nevada National Forest in Nevada are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as administrative sites and recreational areas as indicated.

MOUNT DIABLO MERIDIAN

Kyle Canyon Ranger Station Administrative Site:
T. 19 S., R. 57 E.,
Sec. 32, N½ lot 3 and N½ lot 4.
The areas described aggregate 44.98 acres.
Dog Springs Administrative Site:
T. 17 N., R. 69 E., unsurveyed,
Sec. 32, NE¼NE¼.
The area described contains 40 acres.
Snake Creek Pasture Administrative Site:
T. 12 N., R. 69 E., unsurveyed,
Sec. 8, NE¼NE¼NW¼NW¼.
The area described contains 2.5 acres.
Baker Creek Administrative Site:
T. 13 N., R. 69 E.,
Sec. 14, SE¼SE¼, unsurveyed.
The area described contains 40 acres.
Murphy Wash Pasture Administrative Site:
T. 11 N., R. 68 E.,
Sec. 25, SE¼SE¼NW¼NW¼, unsurveyed.
The area described contains 2.5 acres.
Cedar Cabin Pasture Administrative Site:
T. 11 N., R. 69 E., unsurveyed,
Sec. 26, NW¼NE¼NE¼NE¼.
The area described contains 2.5 acres.
Berry Creek Administrative Site:
T. 17 N., R. 65 E., part surveyed.
Sec. 4, SW¼SW¼SW¼;
Sec. 5, SE¼SE¼;
Sec. 9, NW¼NW¼NW¼.
The areas described aggregate 60 acres.
Cave Creek Pasture Administrative Site:
T. 15 N., R. 65 E.,
Sec. 10, N½SE¼NW¼.
The area described contains 20 acres.
North Creek Pasture Administrative Site:
T. 19 N., R. 65 E.,
Sec. 4, S½SW¼SE¼, unsurveyed.
The area described contains 20 acres.
Ellison Ranger Station Administrative Site:
T. 14 N., R. 59 E.,
Sec. 28, W½SW¼SW¼SE¼.
The area described contains 5 acres.
Camp Bonanza Boy Scout Recreation Area:
T. 18 S., R. 55 E.,
Sec. 13, S½SE¼;
Sec. 24, N½NE¼.
The areas described aggregate 160 acres.
Lee Canyon Recreation Area:
T. 19 S., R. 56 E.,
Sec. 2, lot 7;
Sec. 3, lot 9 and SW¼SE¼;
Sec. 10, lots 1 and 2;
Sec. 15, lots 1, 2, and Tract 57.
The areas described aggregate 203.6 acres.
Deer Creek Recreation Area:
T. 19 S., R. 57 E.,
Sec. 7, S½ lot 8, lot 9, SE¼ lot 10, and N½ lot 11;
Sec. 8, SW¼ lot 5, NW¼ lot 12, W½ lot 9, lots 10 and 15.
The areas described aggregate 196.09 acres.
Kyle Canyon Recreation Area:
T. 19 S., R. 57 E.,
Sec. 29, S½SE¼, S½N½SE¼, E½SE¼SW¼, and SE¼NE¼SW¼;
Sec. 32, N½ lot 1 and N½ lot 2.
The areas described aggregate 195.07 acres.
Kyle Canyon Campground Recreation Area:
T. 19 S., R. 56 E.,
Sec. 36, lots 1, 4, SW¼NE¼NE¼, SW¼NE¼, NE¼SW¼NW¼, and SE¼NW¼.
T. 19 S., R. 57 E.,
Sec. 31, W½ lot 7, lots 8, 9, 11, and 12.
The areas described aggregate 353.17 acres.
Lehman Creek Recreation Area:
T. 13 N., R. 69 E.,
Sec. 8, E½SE¼NW¼ and W½SW¼NE¼, unsurveyed.
The areas described aggregate 40 acres.
Sagehen Recreation Area:
T. 16 N., R. 64 E., part surveyed;
Sec. 1, S½SW¼SE¼;
Sec. 12, N½NW¼NE¼.
The areas described aggregate 40 acres.
Ward Mountain Recreation Area:
T. 16 N., R. 62 E.,
Sec. 35, SE¼NW¼NW¼, SE¼NE¼NW¼, NW¼SE¼NW¼, and NE¼SW¼NW¼.
The areas described aggregate 40 acres.
Duck Creek Recreation Area:
T. 16 N., R. 65 E.,
Sec. 17, SW¼NE¼ and the unpatented portion of SE¼NW¼.
The areas described aggregate approximately 50 acres.
Cleve Creek Recreation Area:
T. 16 N., R. 66 E.,
Sec. 28, E½NW¼SW¼, S½NE¼SW¼, and N½SE¼SW¼, unsurveyed.
The areas described aggregate 60 acres.
Bird Creek Recreation Area:
T. 18 N., R. 65 E., part surveyed;
Sec. 3, W½NE¼, N½NW¼, and N½SE¼NW¼;
Sec. 4, NE¼NE¼NE¼.
T. 19 N., R. 65 E., part surveyed;
Sec. 33, SE¼SE¼SE¼;
Sec. 34, S½S½SW¼.
The areas described aggregate 240 acres.
Berry Creek Recreation Area:
T. 17 N., R. 65 E., part surveyed;
Sec. 10, S½S½SE¼;
Sec. 15, W½NE¼NE¼, NW¼NE¼, E½SW¼NW¼, and W½SE¼NE¼.
The areas described aggregate 140 acres.
Timber Creek Recreation Area:
T. 18 N., R. 65 E., part surveyed;
Sec. 26, S½NW¼ and S½SW¼NE¼.
The areas described aggregate 100 acres.
East Creek Recreation Area:
T. 19 N., R. 65 E.,
Sec. 22, S½NW¼SW¼, S½NE¼SW¼, N½SE¼, N½N½SW¼SW¼SW¼, and N½N½NW¼SE¼SW¼, unsurveyed.
The areas described aggregate 135 acres.
Kalamazoo Recreation Area No. 1:
T. 20 N., R. 66 E.,
Sec. 29, S½SW¼SE¼ and SW¼SE¼SE¼;
Sec. 32, N½NE¼NW¼NE¼ and N½NW¼NE¼NE¼.
The areas described aggregate 40 acres.
Kalamazoo Recreation Area No. 2:
T. 20 N., R. 66 E.,
Sec. 30, S½S½NE¼SW¼, S½S½NW¼SE¼, N½SE¼SW¼, and N½SW¼SE¼.
The areas described aggregate 60 acres.
Boy Scout Organization Camp Recreation Area:
T. 16 N., R. 65 E.,
Sec. 7, lot 4 and SE¼SW¼;
Sec. 18, lot 1 and NE¼NW¼.
The areas described aggregate 118.39 acres.
Ward Mountain Winter Sports Recreation Area:
T. 15 N., R. 63 E.,
Sec. 6, lots 2, 3, 4, 5, SW¼NE¼, and SE¼NW¼.
T. 16 N., R. 63 E.,
Sec. 31, SW¼SE¼SE¼ and SE¼SW¼SE¼.
The areas described aggregate 279.64 acres.
White River Recreation Area No. 1:
T. 12 N., R. 59 E., unsurveyed;
Sec. 1, SW¼NW¼NW¼ and N½NW¼SW¼NW¼;
Sec. 2, SE¼NE¼NE¼ and N½NE¼SE¼NW¼.
The areas described aggregate 80 acres.
White River Recreation Area No. 2:
T. 13 N., R. 59 E.,
Sec. 34, W½NE¼SE¼SW¼ and E½NW¼SE¼SW¼.
The areas described aggregate 10 acres.
White River Recreation Area No. 3:
T. 13 N., R. 59 E.,
Sec. 33, S½NW¼NW¼SE¼ and N½SW¼NW¼SE¼.
The areas described aggregate 10 acres.
Currant Creek Recreation Area:
T. 11 N., R. 59 E.,
Sec. 16, SW¼SW¼NW¼NW¼ and W½NW¼SW¼NW¼;
Sec. 17, NE¼SE¼NE¼.
The areas described aggregate 17.5 acres.

This order shall take precedence over, but not otherwise affect the existing reservation of the lands for national forest purposes.

FRED G. AANDAHL,
*Assistant Secretary of the Interior.*

NOVEMBER 5, 1956.

[F. R. Doc. 56-9159; Filed, Nov. 8, 1956; 8:45 a. m.]

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[Public Land Order 1356]

[Washington 0911]

WASHINGTON

WITHDRAWING PUBLIC LANDS FOR USE OF DEPARTMENT OF THE ARMY IN CONNECTION WITH CHIEF JOSEPH DAM PROJECT

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Washington are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for use in connection with the Chief Joseph Dam Project, under the supervision of the Department of the Army as authorized by the Rivers and Harbors Act of July 24, 1946 (60 Stat. 634): *Provided*, That the lands may be used for grazing purposes under the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976; 43 U. S. C. 315 et seq.), at such times and in such manner as may be agreed upon by the Secretary of the Army and the Secretary of the Interior:

WILLAMETTE MERIDIAN

T. 29 N., R. 26 E.,
Sec. 3, Lots 3, 4, and 5.
T. 30 N., R. 26 E.,
Sec. 24, Lot 6;
Sec. 25, Lots 3 and 4;
Sec. 34, Lot 4;
Sec. 35, Lots 4, 5, 6 and 7.

T. 30 N., R. 27 E.,
Sec. 19, Lot 7;
Sec. 20, Lot 5;
Sec. 27, Lot 4;
Sec. 28, Lots 2, 3, 4, 5 and 6;
Sec. 29, Lots 1 and 2;
Sec. 34, Lots 3, 4, 5 and 6;
Sec. 35, Lot 5.
T. 30 N., 28 E.,
Sec. 9, Lot 2;
Sec. 13, Lot 2;
Sec. 14, Lots 1, 2, 3, and NW¼SE¼;
Sec. 17, Lots 1 and 2;
Sec. 20, Lots 1, 2, 3, and 4;
Sec. 21, NW¼NW¼;
Sec. 29, Lots 1, 2, 3 and 4;
Sec. 31, Lots 7, 8 and 9;
Sec. 32, Lots 1, 2 and 3.
T. 30 N., R. 29 E.,
Sec. 7, Lots 7 and 9.
T. 31 N., R. 30 E.,
Sec. 31, Lot 7.

The areas described aggregate 1,816.54 acres.

The reservation made by this order shall be subject to existing withdrawals for power purposes so far as they affect any of the lands.

FRED G. AANDAHL,
*Assistant Secretary of the Interior.*

NOVEMBER 5, 1956.

[F. R. Doc. 56-9160; Filed, Nov. 8, 1956; 8:45 a. m.]

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[Public Land Order 1357]

SOUTH DAKOTA AND WYOMING

RESERVING LANDS WITHIN NATIONAL FORESTS FOR USE OF FOREST SERVICE AS ADMINISTRATIVE SITES AND RECREATION AREAS

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the national forests hereinafter designated are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as administrative sites and recreation areas as indicated:

SOUTH DAKOTA

Montana 021270 (S. D.)

BLACK HILLS PRINCIPAL MERIDIAN

*Black Hills National Forest*

Spring Creek Recreation Area:
T. 2 S., R. 4 E.,
Sec. 17, SW¼SW¼ and S½S½SE¼;
Sec. 20, N½N½;
Sec. 21, S½NW¼NW¼ and N½SW¼NW¼.
The areas described aggregate 280 acres.

WYOMING

Wyoming 035477

SIXTH PRINCIPAL MERIDIAN

*Teton National Forest*

Huckleberry Mountain Administrative Site:
T. 48 N., R. 114 W.,
Sec. 31, NW¼NW¼.
T. 48 N., R. 115 W.,
Sec. 36, NE¼NE¼.
The areas described aggregate 80 acres.

Munger Mountain Administrative Site:
T. 39 N., R. 116 W.,
Sec. 17, E½SE¼.
The area described contains 80 acres.
Bryan Flat Game Enclosure Administrative Site:
T. 39 N., R. 115 W.,
Sec. 33, E½SW¼ and NW¼SW¼.
The areas described aggregate 120 acres.
Four Mile Meadows Recreation Area:
T. 45 N., R. 112 W.,
Sec. 35, E½NW¼ and W½NE¼.
The areas described aggregate 160 acres.
Crystal Creek Recreation Area:
T. 42 N., R. 113 W.,
Sec. 8, S½SE¼.
The area described contains 80 acres.
Jack Pine Recreation Area:
T. 39 N., R. 113 W.,
Sec. 20, W½SE¼ and E½SW¼.
The areas described aggregate 160 acres.

This order shall take precedence over but not otherwise affect the existing reservation of the lands for national forest purposes.

FRED G. AANDAHL,
*Assistant Secretary of the Interior.*

NOVEMBER 5, 1956.

[F. R. Doc. 56-9161; Filed, Nov. 8, 1956; 8:46 a. m.]

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[Public Land Order 1358]

IDAHO

RESERVING LANDS WITHIN PAYETTE NATIONAL FOREST FOR USE OF FOREST SERVICE AS ADMINISTRATIVE SITES AND PUBLIC SERVICE SITES

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the Payette National Forest in Idaho are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as administrative and public service sites as indicated:

[Idaho 05154]

BOISE MERIDIAN

Mountain Sheep Administrative Site:
T. 23 N. R 8 E., unsurveyed,
Sec. 7, NE¼NE¼, NW¼NE¼, E½SW¼NE¼, SE¼NE¼, N½NE¼SE¼, and the unpatented portions of NW¼SW¼NE¼, NE¼NW¼SE¼.
The areas described aggregate approximately 180 acres.
Cougar Basin Administrative Site:
T. 20 N., R. 10 E., unsurveyed,
Sec. 19, SE¼SE¼.
The area described contains 40 acres.
Chamberlain Basin Administrative Site:
T. 24 N., R. 10 E., unsurveyed,
Sec. 23, SE¼NE¼, SE¼SW¼, SE¼;
Sec. 24, SW¼NE¼, NW¼NW¼, S½NW¼, N½S½, SW¼SW¼, the unpatented portions of N½NE¼, SE¼NE¼, NE¼NW¼, the unwithdrawn portions of the SE¼SW¼, S½SE¼;
Sec. 25, NW¼NW¼, the unpatented and unwithdrawn portions of the N½NE¼, NE¼NW¼;
Sec. 26, N½N½.
The areas described aggregate approximately 840 acres.

[Idaho 05883]

Red Top Meadow Public Service Site:
T. 23 N., R. 9 E., unsurveyed,
Sec. 1, SE¼SE¼;
Sec. 12, N½NE¼.
The areas described aggregate 120 acres.
Moose Meadows Public Service Site:
T. 23 N., R. 11 E., unsurveyed,
Sec. 28, NW¼.
The area described contains 160 acres.
Dillinger Meadow Public Service Site:
T. 25 N., R. 10 E., unsurveyed,
Sec. 24, SW¼.
The area described contains 160 acres.
Meadow of Doubt Public Service Site:
T. 24 N., R. 11 E., unsurveyed,
Sec. 6, N½NW¼.
The area described contains 80 acres.
Whitebird Meadow Public Service Site:
T. 25 N., R. 10 E., unsurveyed,
Sec. 11, SE¼SE¼.
The area described contains 40 acres.
Cottonwood Lower Meadow Public Service Site:
T. 23 N., R. 13 E., unsurveyed,
Sec. 28, N½NW¼, N½NE¼.
The areas described aggregate 160 acres.
Cottonwood Middle Meadow Public Service Site:
T. 23 N., R. 13 E., unsurveyed,
Sec. 31, SE¼SE¼;
Sec. 32, W½SW¼.
The areas described aggregate 120 acres.
Coyote Spring Public Service Site:
T. 22 N., R. 13 E., unsurveyed,
Sec. 22, NW¼NE¼, NE¼NW¼.
The areas described aggregate 80 acres.

This order shall be subject to existing withdrawals for other than national forest purposes so far as they affect any of the above-described lands, and shall take precedence over, but not otherwise affect the existing reservation of the lands for national forest purposes.

FRED G. AANDAHL,
*Assistant Secretary of the Interior.*

NOVEMBER 5, 1956.

[F. R. Doc. 56-9162; Filed, Nov. 8, 1956; 8:46 a. m.]

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# PROPOSED RULE MAKING

## DEPARTMENT OF THE INTERIOR

### Bureau of Indian Affairs

### [ 25 CFR Part 130 ]

CHARGES; FORT HALL IRRIGATION PROJECT, FORT HALL INDIAN RESERVATION, IDAHO

OPERATION AND MAINTENANCE CHARGES

NOVEMBER 2, 1956.

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238 U. S. C. 1001), and pursuant to the acts of August 11, 1914, and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387), and by virtue of authority delegated by the Commissioner of Indian Affairs to the undersigned Area Director, Portland Area Office, Portland, Oregon, by Order No. 551, Amendment No. 1, approved June 5, 1951 (16 F. R. 3456-3457), a notice is hereby given of intention to modify § 130.32 *Charges*, of Title 25, Code of Federal

Regulations, dealing with the operation and maintenance assessments against the area benefited by the irrigation systems on the Fort Hall Irrigation Project, Fort Hall Indian Reservation, Idaho, as follows:

To establish a basic water charge for the Minor Units, Fort Hall Project, of $1.25 per acre per annum. The basic water charge for the Fort Hall Unit is to remain at $3.25 per acre per annum.

Interested parties are hereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or arguments in writing to Don C. Foster, Area Director, Bureau of Indian Affairs, Post Office Box 4097, Portland 8, Oregon, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

PERRY SKARRA,
*Acting Area Director.*

[F. R. Doc. 56-9229; Filed, Nov. 8, 1956; 8:52 a. m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

### [ 7 CFR Part 937 ]

[Docket No. AO-289]

MILK IN BATTLE CREEK-KALAMAZOO, MICH., MARKETING AREA

NOTICE OF HEARING ON PROPOSED MARKETING AGREEMENT AND ORDER REGULATING THE HANDLING OF MILK IN THE BATTLE CREEK-KALAMAZOO, MICHIGAN, MARKETING AREA

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the opening of a public hearing to be held in Room 401, Kalamazoo County Court House, Corner Ross Street and Michigan Avenue, Kalamazoo, Michigan, beginning at 10:00 a. m., e. s. t., on November 26, 1956. The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the handling of milk in the Battle Creek-Kalamazoo, Michigan, marketing area and to the issuance of a marketing agreement and order regulating the handling of milk in such marketing area.

The hearing on the proposed marketing agreement and proposed order is to determine whether, (1) the handling of milk in the area proposed to be regulated is in the current of interstate commerce or directly burdens, obstructs, or effects interstate commerce, (2) the issuance of a marketing agreement or order regulating the handling of milk in the area is justified, and (3) the provisions specified in the proposals or some other provisions, appropriate to the terms of the Agricultural Marketing Agreement Act, will best tend to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended. The proposals set forth below have not received the approval of the Secretary of Agriculture and at the hearing evidence will be received relative to all aspects of the marketing conditions which are dealt with by the proposals and any modification thereof.

Proposal No. 1: The following marketing agreement and order has been proposed by Kalamazoo Milk Producers Cooperative, Inc., and the Michigan Milk Producers' Association:

DEFINITIONS

§ 937.1 *Act.* "Act" means Public Act No. 10, 73d Congress, as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

§ 937.2 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States, or any other officer or employee of the United States, authorized to exercise the powers or to perform the duties of the Secretary of Agriculture.

§ 937.3 *U. S. D. A.* "U. S. D. A." means the United States Department of Agriculture.

§ 937.4 *Person.* "Person" means any individual, partnership, corporation, association, or any other business unit.

§ 937.5 *Battle Creek-Kalamazoo, Michigan, marketing area.* "Battle Creek-Kalamazoo, Michigan, marketing area" means Gun Plain and Otsego Townships in Alegan County; all of Kalamazoo County; all of Calhoun County; Sherwood and Union Townships in Branch County; Bellevue and Kalamo Townships in Eaton County; Assyria, Baltimore and Johnstown Townships in Barry County; and Lockport Township in St. Joseph County, and all incorporated municipalities within the above defined area.

§ 937.6 *Pool plant.* "Pool plant" means a plant (except one which is exempted pursuant to § 937.101) from which either (a) 20 percent or more of the total milk received at such plant during the month is disposed of in the marketing area as Class I other than to another pool plant: *Provided*, That the total quantity distributed on all routes operated inside or outside the marketing area is equal to 50 percent or more of producer receipts, or (b) 20 percent or more of the total milk received from dairy farmers at such plant during the month is moved to a pool plant(s) as described in paragraph (a) of this section.

§ 937.7 *Handler.* "Handler" means:

(a) A person who operates a pool plant or a plant in which milk is pasteurized or packaged and from which Class I milk is disposed of in the marketing area.

(b) A cooperative association with respect to milk customarily received by a handler as described under paragraph (a) of this section, which is diverted to a non-handler for the account of the association.

§ 937.8 *Producer.* "Producer" means any dairy farmer whose milk is delivered from his farm to a pool plant, or to any other plant by diversion from a pool plant for the account of a handler.

§ 937.9 *Producer-handler.* "Producer-handler" means a person who is a handler and who produces milk, but receives no milk from other producers or from a cooperative association.

§ 937.10 *Other source milk.* "Other source milk" means all skim milk and butterfat in any form received at a handler's plant other than from producers or from a pool plant.

§ 937.11 *Cooperative association.* "Cooperative association" means any cooperative marketing association of producers, duly organized as such under the laws of any State, which the Secretary determines:

(a) Is qualified under the standards set forth in the act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act";

(b) Has full authority in the sale of milk of its members; and

(c) Is engaged in making collective sales on marketing milk or its products for its members.

§ 937.12 *Base.* "Base" means a quantity of milk, expressed in pounds per day, determined for each producer as provided in § 937.70.

§ 937.13 *Base milk.* "Base milk" means milk delivered by a producer each month which is not in excess of his base multiplied by the number of days on which milk is delivered during the month, and all milk delivered by a producer prior to February 1, 1957.

§ 937.14 *Excess milk.* "Excess milk" means milk delivered by a producer each month in excess of his base milk.

MARKET ADMINISTRATOR

§ 937.20 *Designation.* The agency for the administration of this subpart shall be a market administrator, selected by the Secretary who shall be entitled to such compensation as may be determined by, and shall be subject to removal by, the Secretary.

§ 937.21 *Powers.* The market administrator shall have the following powers with respect to this subpart:

(a) To administer its terms and provisions;

(b) To receive, investigate, and report to the Secretary complaints of violation;

(c) To make rules and regulations to effectuate its terms and provisions; and

(d) To recommend amendments to the Secretary.

§ 937.22 *Duties.* The market administrator shall perform all duties necessary to administer the terms and provisions of this subpart, including, but not limited to, the following:

(a) Within 30 days following the date on which he enters upon his duties, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon such duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety

thereon covering each emyployee who handles funds entrusted to the market administrator;

(d) Pay, out of the funds provided by § 937.85:

(1) The cost of his bond and of the bonds of his employees,

(2) His own compensation, and

(3) All other expenses, except those incurred under § 937.86, necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided in this subpart, and upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Publicly announce, unless otherwise directed by the Secretary, the name of any person who, within 10 days after the day upon which he is required to perform such acts, has not made (1) reports pursuant to §§ 937.30 and 937.31 or (2) payments to §§ 937.80 and 937.83;

(g) Calculate a base for each producer in accordance with § 937.70 and advise the producer and the handler receiving the milk of such base;

(h) Submit his books and records, to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(i) Audit records of all handlers to verify the reports and payments required pursuant to the provisions of this subpart; and

(j) Publicly announce the prices determined for each month as follows:

(1) On or before the 5th working day of each month, the minimum class prices for the preceding month computed pursuant to §§ 937.51 and 937.52, and the handler butterfat differential computed pursuant to § 937.53, and

(2) On or before the 11th day of each month the uniform price, the price for base milk and the price for excess milk for the preceding month, computed pursuant to §§ 937.63, 937.64, and 937.65, and the producer butterfat differential computed pursuant to § 937.81.

### REPORTS, RECORDS AND FACILITIES

§ 937.30 *Monthly reports of receipts and utilization.* On or before the 5th working day of each month, each handler who operates a pool plant shall report to the market administrator, for the preceding month, in the detail and on forms prescribed by the market administrator, the receipts at his pool plant from each of the following sources and the quantities of butterfat and skim milk contained in such receipts; the utilization of such receipts; and such other information with respect to such receipts and utilization as the market administrator may prescribe;

(a) All producer milk received, including diverted producer milk;

(b) All skim milk and butterfat in any form received from each other handler; and

(c) All other source milk received except any nonfluid milk product which is disposed of in the same form as received.

§ 937.31 *Other reports.* (a) Each producer-handler and each handler who does not operate a pool plant shall make reports at such time and in such manner as the market administrator may request.

(b) On or before the 20th day of each month each handler who received milk from producers shall report his producer payroll for the preceding month which shall show:

(1) The pounds of base milk and pounds of excess milk received from each producer and the percentage of butterfat contained therein;

(2) The amount and date of payment to each producer, or to a cooperative association;

(3) The nature and amount of each deduction or charge involved in the payments referred to in subparagraph (2) of this paragraph.

§ 937.32 *Records and facilities.* Each handler shall maintain and make available to the market administrator during the usual hours of business, such accounts and records of all of his operations and such facilities as are necessary to verify reports or to ascertain the correct information with respect to (a) the receipts and utilization or disposition of all skim milk and butterfat received including all milk products received and disposed of in the same form; (b) the weights and tests for butterfat, skim milk and other contents of all milk and milk products handled; and (c) payments to producers and cooperative associations.

§ 937.33 *Retention of records.* All books and records required under this subpart to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the month to which such books and records pertain: *Provided,* That, if within such three-year period, the market administrator notifies a handler in writing that the retention of such books and records is necessary in connection with a proceeding under section 8c (15) (A) of the act or a court action specified in such notice, the handler shall retain such books and records until further written notification from the market administrator. The market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

### CLASSIFICATION

§ 937.40 *Skim milk and butterfat to be classified.* All skim milk and butterfat received at a pool plant (a) in milk from producers or from a cooperative association, (b) in any form from other handlers and (c) in other source milk required to be reported pursuant to § 937.30, shall be classified (separately as skim milk and butterfat), in the classes set forth in § 937.41.

§ 937.41 *Classes of utilization.* Subject to the conditions set forth in §§ 937.42 and 937.43 the classes of utilization shall be as follows:

(a) Class I utilization shall be all skim milk and butterfat (1) disposed of for consumption in fluid form as milk, skim milk, buttermilk, flavored milk, half and half, sweet or sour cream, eggnog, and (2) not accounted for as Class II utilization.

(b) Class II utilization shall be all skim milk and butterfat, (1) used to produce ice cream, ice cream mix, or cottage cheese, whole or skimmed condensed or evaporated milk (sweetened or unsweetened) in bulk or in hermetically sealed cans, cheese, dried whole milk, nonfat dry milk solids, or butter; (2) in actual shrinkage of skim milk and butterfat in milk received from producers, but not to exceed 2 percent of such receipts; (3) in actual shrinkage in other source milk; and (4) in skim milk authorized by the market administrator to be dumped or accounted for as disposed of as livestock feed.

§ 937.42 *Shrinkage.* (a) If producer milk is utilized in conjunction with other source milk, the shrinkage shall be allocated pro rata between the receipts of skim milk and butterfat in producer milk and in other source milk.

(b) Shrinkage on producer milk shall be computed on that quantity of milk received directly from producers. Shrinkage shall be computed on diverted producer milk at the plant receiving such milk.

§ 937.43 *Transfers.* (a) Skim milk and butterfat disposed of from a pool plant to another pool plant in the form of milk, skim milk or cream shall be Class I utilization unless Class II utilization is indicated by the operators of both plants in their reports submitted pursuant to § 937.30: *Provided,* That in no event shall the amount so classified as Class II be greater than the amount of producer milk used in such class in the pool plant of the transferee handler after allocating other source milk in such plant in series beginning with the lowest priced utilization.

(b) Skim milk and butterfat moved in the form of milk, skim milk or cream from a pool plant to a handler described in § 937.101 or to a plant not a pool plant shall be Class I utilization unless all of the following conditions are met:

(1) Class II utilization is indicated by the operator of the pool plant in his report submitted pursuant to § 937.30.

(2) The operator of such nonpool plant in the month of such movement had actually used an equivalent amount of skim milk and butterfat in Class II or moved such amount to another nonpool plant which meets the requirements of subparagraph (3) of this paragraph and utilized in the month an equivalent amount of skim milk and butterfat in Class II.

(3) The operator of the nonpool plant maintains books and records which are made available for examination upon request by the market administrator and which are adequate for the verification of such Class II utilization.

§ 937.44 *Responsibility of handlers.* All skim milk and butterfat shall be classified as Class I utilization unless the handler who first receives such skim milk or butterfat proves to the market administrator that such skim milk or butterfat should be classified otherwise.

§ 937.45 *Computation of skim milk and butterfat in each class.* For each

month the market administrator shall correct for mathematical and obvious errors the monthly report submitted by each handler and compute the total pounds of skim milk and butterfat respectively, in Class I and Class II utilization for each handler.

§ 937.46 *Allocation of butterfat classified.* The pounds of butterfat remaining after making the following computations shall be the pounds in each class allocated to milk received from producers:

(a) Subtract from the total pounds of butterfat in Class I utilization, the pounds of butterfat shrinkage allowed pursuant to § 937.41 (b) (2);

(b) Subtract from the total pounds of butterfat remaining in each class, in series beginning with the lowest priced utilization, the pounds of butterfat in other source milk;

(c) Subtract from the pounds of butterfat remaining in each class, the pounds of butterfat received from other handlers in such classes pursuant to § 937.43 (a);

(d) Add to the remaining pounds of butterfat in Class II utilization the pounds subtracted pursuant to paragraph (a) of this section; and

(e) If the remaining pounds of butterfat in both classes exceed the pounds of butterfat in milk received from producers, subtract such excess from the remaining pounds of butterfat in each class in series, beginning with the lowest priced utilization.

§ 937.47 *Allocation of skim milk classified.* Allocate the pounds of skim milk in each class to milk received from producers in a manner similar to that prescribed for butterfat in § 937.46.

MINIMUM PRICES

§ 937.50 *Basic formula price.* The basic formula price to be used in determining the price for hundredweight of Class I utilization shall be the highest of the prices computed pursuant to paragraphs (a), (b) and (c) of this section:

(a) The average of the basic or field prices per hundredweight reported to have been paid, or to be paid, for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the U. S. D. A.:

*Present Operator and Location*

Borden Company, Mt. Pleasant, Mich.
Carnation Company, Sparta, Mich.
Pet Milk Company, Hudson, Mich.
Pet Milk Company, Wayland, Mich.
Pet Milk Company, Coopersville, Mich.
Borden Company, Orfordville, Wis.
Borden Company, New London, Wis.
Carnation Company, Richland Center, Wis.
Carnation Company, Oconomowoc, Wis.
Pet Milk Company, New Glarus, Wis.
Pet Milk Company, Belleville, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(b) The price per hundredweight computed by adding together the plus values computed pursuant to subparagraph (1) and (2) of this paragraph;

(1) From the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade A (92-score) bulk creamery butter per pound at Chicago as reported by the U. S. D. A. during the month; subtract 3 cents, add 20 percent thereof and multiply by 3.5.

(2) From the simple average as computed by the market administrator, of the weighted averages of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f. o. b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the U. S. D. A. deduct 5.5 cents and then multiply by 8.2.

(c) The average of the prices per hundredweight reported to have been paid, or to be paid, for milk of 3.5 percent butterfat content received from farmers during the month at the following plants for which prices have been reported to the market administrator:

Carnation Milk Co., Sparta, Mich.
Pet Milk Company, Wayland, Mich.
M & R Dietetics Co., Sturgis, Mich.

§ 937.51 *Class I milk price.* (a) The minimum price per hundredweight to be paid by each handler f. o. b. his pool plant, for milk of 3.5 percent butterfat content received from producers or from cooperative associations during the month, which is classified as Class I utilization shall be the basic formula price plus $1.35 in the months of January, February, March and July; $1.25 in April; $1.20 in May and June; $1.50 in August; $1.60 in September; $1.65 in October and November, and $1.55 in December.

§ 937.52 *Class II milk price.* The minimum price per hundredweight to be paid by each handler f. o. b. his pool plant, for milk of 3.5 percent butterfat content received from producers or from a cooperative association, during the month, which is classified as Class II utilization shall be the price per hundredweight computed pursuant to § 937.50 (c).

§ 937.53 *Handler butterfat differentials.* If the average butterfat content of the milk of any handler allocated to any class is more or less than 3.5 percent there shall be added to the prices of milk for each class as computed pursuant to §§ 937.51 and 937.52, for each one-tenth of one percent that the average butterfat content of such milk is above 3.5 percent, or subtracted for each one-tenth of one percent that such average butterfat content is below 3.5 percent, an amount equal to the producer butterfat differential, determined pursuant to § 937.81.

DETERMINATION OF UNIFORM PRICE

§ 937.60 *Handler operating a plant which is not a pool plant.* Each handler who operates a plant which is not a pool plant during the month shall pay to the market administrator for the producer equalization fund, on or before the 25th day after the end of such month any amount resulting from the following computation:

(a) Compute an amount equal to the net pool obligation which would be computed pursuant to § 937.61 for milk received from dairy farmers at such plant for such month if such handler operated a pool plant;

(b) Deduct the gross payments, inclusive of any premiums but exclusive of deductions, made by the handler to dairy farmers for milk received at such plant during such month;

(c) Divide the remainder, if any, by the number of hundredweights of milk received from dairy farmers and utilized for Class I purposes: *Provided*, That in no event shall the resulting amount per hundredweight exceed the difference between the Class I and Class II prices; and

(d) Multiply the amount per hundredweight determined pursuant to paragraph (c) of this section by the number of hundredweights of Class I milk disposed of from such plant in the marketing area.

§ 937.61 *Computation of value of producer milk for each handler.* The value of producer milk received during the month by each handler who operates a pool plant shall be a sum of money computed by the market administrator by multiplying by the applicable class price (including that provided in § 937.102), adjusted pursuant to § 937.53, the total combined hundredweight of skim milk and butterfat received from producers allocated to each class pursuant to §§ 937.46 and 937.47, adding together the resulting amounts, and if such handler has a utilization greater than has been accounted for as received from all sources add an amount computed by multiplying any such excess utilization classified pursuant to § 937.46 (e) and § 937.47 by the applicable class prices.

§ 937.62 *Computation of the 3.5 percent value of all producer milk.* For each month, the market administrator shall compute the 3.5 percent value of producer milk by:

(a) Combining into one total the individual values of milk of all handlers computed pursuant to § 937.61, adjusted by any charges or credits pursuant to § 937.90 (a) and (b).

(b) Adding, if the weighted average butterfat test of all producer milk represented in paragraph (a) of this section is more than 3.5 percent, or subtracting if the weighted average butterfat test of such milk is less than 3.5 percent, an amount computed by multiplying the total pounds of butterfat represented by the difference of such average butterfat test from 3.5 percent by the butterfat differential provided in § 937.81 multiplied by 10.

(c) Adding not less than one-half of the unobligated balance in the producer equalization.

§ 937.63 *Uniform price.* For each month the uniform price shall be computed by:

(a) Dividing the amount computed pursuant to § 937.62 by the hundredweight of milk received from producers represented by the values included in § 937.62 (a); and

(b) Subtracting not less than 6 cents or more than 7 cents.

§ 937.64 *Excess milk price.* For each month the excess milk price shall be the

price of Class II utilization determined pursuant to § 937.52, rounded off to the nearest full cent.

§ 937.65 *Computation of the base milk price.* (a) Multiply the total pounds of excess milk and milk to be paid for at the excess milk price pursuant to § 937.70 (b) by the excess milk price for the month:

(b) Multiply the total amount of milk to be paid for at the uniform price by the uniform price for the month.

(c) Subtract the total values arrived at in paragraphs (a) and (b) of this section from the total 3.5 percent value of all producer milk arrived at in § 937.62.

(d) Divide the resultant value by the total hundredweight of base milk and milk to be paid for at the base price pursuant to § 937.70 (b); and

(e) Subtract not less than 6 cents nor more than 7 cents. The resultant hundredweight price shall be the price of base milk of 3.5 percent butterfat content received at pool plants described in § 937.6.

§ 937.66 *Notification.* On or before the 12th day after the end of each month the market administrator shall notify each handler of:

(a) The amounts and values of his milk in each class and the total of such amounts and values;

(b) The base of any producer delivering milk to the handler which was not used in making payments for the previous month;

(c) The amount due such handler from the producer-equalization fund or the amount to be paid by such handler to the producer-equalization fund, as the case may be; and

(d) The totals of the minimum amounts to be paid by such handler pursuant to §§ 937.80, 937.83, 937.85, 937.86, and 937.90.

BASE RULES

§ 937.70 *Determination of base.* (a) A producer who delivered milk on at least 122 days during the period August 1, through December 31, inclusive, shall have a base computed by the market administrator to be applicable, subject to paragraph (c) of this section, for the 12 months' period beginning the following February 1, equal to his daily average milk deliveries from the date on which milk was first delivered in the period to the end of such period: *Provided,* That a producer who had a base previous to August 1, and whose average of daily deliveries for the August 1–December 31 period is less than such base shall have a base computed by subtracting from his previous base any amount by which 90 percent of his previous base exceeds such average of daily deliveries.

(b) A producer who has no base by reason of having delivered less than 3 full months shall be paid, until such time as he has been a producer 3 full months, the uniform price in each of the months of August through December and in other months the price applicable to base milk for the following percentages of his milk deliveries and the price applicable to excess milk for the remainder of his deliveries: 75 percent for January and February, 70 percent for March, 60 percent for April and July and 40 percent for May and June. At the conclusion of the first 3 full months' delivery a base shall be established in the following manner: Multiply the total deliveries in the months of August through December by 0.8, in January and February by 0.75, in March by 0.7, in April and July by 0.6, and in May and June by 0.4. Add the amounts so computed and divide by the number of days in which milk was delivered during the three months.

(c) A producer with a base, by notifying the market administrator that he relinquishes such base, may establish a new base pursuant to paragraph (b) of this section once during the 12-month period ending December 31, the period for establishing a new base to begin the first day of the month in which such notification is received by the market administrator.

(d) From the effective date of the subpart until bases are established pursuant to this section, all milk delivered by producers shall be considered to be base milk.

§ 937.71 *Application of bases.* (a) A base shall apply to deliveries of milk by the producer for whose account milk was delivered during the base period and upon death may be transferred to a member or members of the deceased producer's immediate family.

(b) Bases may be transferred under the following conditions upon written notice by the holder of the base to the market administrator on or before the last day of the month that such base is to be transferred:

(1) Upon retirement or entry into military service of a producer, the entire base may be transferred to a member or members of his immediate family.

(2) Bases may be held jointly and if such joint holding is terminated the bases may be transferred as specified in writing to the market administrator.

(c) A producer who does not deliver milk to a handler for 45 consecutive days shall forfeit his base.

PAYMENT FOR MILK

§ 937.80 *Time and method of payment.* Except as provided in paragraph (b) of this section, on or before the 15th day after the end of each month each handler who received milk from producers shall pay for milk received during such month to each producer: the uniform price as provided in § 937.70 (b), or the base price for base milk and for milk to be paid for at the base price pursuant to § 937.70 (b) and the excess price for excess milk and milk to be paid for at the excess price pursuant to § 937.70 (b) adjusted by the butterfat differential pursuant to § 937.81: *Provided,* That if by such date such handler has not received full payment for such month pursuant to § 937.84 he shall not be deemed to be in violation of this section if he reduces uniformly to all producers and cooperative associations his payments per hundredweight by a total amount not in excess of the reduction in payments due from the market administrator; however, the handler shall make such balance of payment uniformly to those producers to whom it is due on or before the date for making payments pursuant to this section next following that on which such balance of payment is received from the market administrator.

(b) (1) Upon receipt of a written request from a cooperative association which the Secretary determines is authorized by its members to collect payment for their milk and receipt of a written promise to reimburse the handler the amount of any actual loss incurred by him because of any improper claim on the part of the Association, each handler shall pay to the cooperative association on or before the 15th day of each month, in lieu of payments pursuant to paragraph (a) of this section an amount equal to the gross sum due for all milk received from certified members less amounts owing by each member-producer (i) the total pounds of milk received from him during the preceding month, (ii) the total pounds of butterfat contained in such milk, (iii) the number of days on which milk was received, and (iv) the amounts withheld by the handler in payment for supplies sold. The foregoing payment and submission of information shall be made with respect to milk of each producer whom the cooperative association certifies is a member, which is received on and after the first day of the calendar month next following receipt of such certification through the last day of the month next preceding receipt of notice from the cooperative association of a termination of membership or until the original request is rescinded in writing by the association.

(2) A copy of each such request promise to reimburse, and a certified list of members shall be filed simultaneously with the market administrator by the association and shall be subject to verification at his discretion, through audit of the records of the cooperative association pertaining thereto. Exceptions, if any, to the accuracy of such certification by a producer claimed to be a member, or by a handler shall be made by written notice to the market administrator, and shall be subject to his determination.

§ 937.81 *Producer butterfat differential.* In making payments pursuant to § 937.80, the uniform price, base price and excess price shall be increased or decreased for each one-tenth of one percent of butterfat content in the milk received from each producer or a cooperative association above or below 3.5 percent, as the case may be, by a butterfat differential or 7 cents when the average price of butter as described in § 937.50 (b) (1) is 60 cents, which differential shall be increased one-half cent for each full 5 cents variance in such price of butter above 60 cents and decreased one-half cent for each full 5 cents variance in such price of butter below 64.99 cents.

§ 937.82 *Producer-equalization fund.* The market administrator shall establish and maintain a separate fund, known as the "producer-equalization fund" into which he shall deposit all payments received pursuant to § 937.83 and out of which he shall make all payments pursuant to § 937.84.

§ 937.83 *Payments to the producer-equalization fund.* (a) On or before the 13th day after the end of each month, each handler whose value of milk is required to be computed pursuant to § 937.61 shall pay to the market administrator any amount by which such value for such month is greater than the minimum amount required to be paid by him pursuant to § 937.80.

(b) On or before the 25th day after the end of each month each handler who is required to make payment pursuant to § 937.60 shall pay such amount to the market administrator.

§ 937.84 *Payments out of the producer-equalization fund.* On or before the 14th day after the end of each month, the market administrator shall pay to each handler any amount by which the value of milk for such handler for the month pursuant to § 937.61 is less than the total minimum amount required to be paid by him pursuant to § 937.80, less any unpaid obligations of such handler to the market administrator pursuant to § 937.83: *Provided*, That if the balance in the producer-equalization fund is insufficient to make all payments to all such handlers pursuant to this paragraph, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the necessary funds become available.

§ 937.85 *Expense of administration.* As his pro rata share of the expense of administration of this subpart, each handler shall pay to the market administrator on or before the 13th day after the end of each month four cents per hundredweight, or such amount not exceeding four cents per hundredweight as the Secretary may prescribe with respect to all receipts within the month of milk from producers and to other source milk which is sold in the marketing area as Class I.

§ 937.86 *Marketing services.* (a) Except as set forth in paragraph (b) of this section, each handler, in making payments pursuant to § 937.80 for milk received from each producer, at a plant not operated by a cooperative association of which such producer is a member, shall deduct seven cents per hundredweight or such amount not exceeding seven cents per hundredweight as the Secretary may prescribe, with respect to all such milk received during the month and on or before the 13th day after the end of each month, shall pay such deductions to the market administrator. Such monies shall be used by the market administrator to verify weights, samples, and tests of milk received from producers and to provide producers with market information, such services to be performed by the market administrator or by an agent engaged by and responsible to him.

(b) In the case of producers whose milk is received at a plant not operated by a cooperative association of which such producers are members, and for whom a cooperative association is actually performing the services described in paragraph (a) of this section, as determined by the Secretary, each handler shall make, in lieu of the deductions specified in paragraph (a) of this section, such deductions from payments required pursuant to § 937.80 as may be authorized by such producers, and pay such deductions on or before the 13th day after the end of the month to the cooperative association rendering such services of which such producers are members.

ADJUSTMENT OF ACCOUNTS

§ 937.90 *Payments.* Whenever audit by the market administrator of any handler's reports, books, records, or accounts discloses adjustments to be made, for any reason, which result in monies due:

(a) To the market administrator from such handler;

(b) To such handler from the market administrator, or;

(c) To any producer or cooperative association from such handler, the market administrator shall notify such handler promptly of any such amount due; and payment thereof shall be made on or before the next date, following the 5th day after such notice, for making payment set forth in the provision under which such error occurred.

§ 937.91 *Overdue accounts.* Any unpaid obligations of a handler or of the market administrator pursuant to §§ 937.83, 937.85, 937.86, and 937.90 shall be increased one-half of one percent on the first day of the month next following the due date of such obligation and on the first day of each month thereafter until such obligation is paid.

APPLICATION OF PROVISIONS

§ 937.100 *Milk caused to be delivered by cooperative associations.* Milk referred to in this subpart as received from producers by a handler shall include milk of producers caused to be delivered to such handlers by a cooperative association.

§ 937.101 *Handler exemption.* A handler who operates a plant located outside the marketing area from which an average of less than 300 points (one point being defined as one-half pint of cream or one quart of any other Class I product) of Class I milk per day is disposed of during the delivery period on a route(s) operating wholly or partly within the marketing area.

§ 937.102 *Milk subject to other Federal orders.* Class I milk sold by a handler within the marketing area of another Federal Order shall be computed pursuant to § 937.61 at no less than the Class I price applicable in the area where sold. *Provided*, That this section shall not be effective unless there is a corresponding provision in the Federal Order regulating prices in the other area.

§ 937.103 *Producer-handler.* A producer-handler shall be exempt from all provisions of this subpart except that he shall make reports to the market administrator at such time and in such manner as the market administrator may request.

TERMINATIONS OF OBLIGATIONS

§ 937.110 *Termination of obligations.* (a) The obligation of any handler to pay money required to be paid under the terms of this subpart shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the month during which the market administrator receives the handler's report of utilization of the milk involved in such obligation, unless within such two-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to a cooperative association, the name of such producers or associations, or if the obligation is payable to the market administrator, the account for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this subpart, to make available to the market administrator or his representatives all books or records required by this subpart to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the month following the month during which such books and records pertaining to such obligation are made available to the market administrator or his representative.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler's obligation under this subpart to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact material to the obligation, on the part of the handler against whom the obligation is sought to be imposed.

(d) Any obligation on the part of the market adminstrator to pay a handler any money which such handler claims to be due him under the terms of this subpart shall terminate two years after the end of the month during which the milk involved in the claim was received if an underpayment is claimed, or two years after the end of the month during which the payment (including deduction or set off by the market administrator) was made by the handler if a refund on such payment is claimed unless such handler, within the applicable period of time, files pursuant to section 8 (c) (15) (a) of the act, a petition claiming such money.

Proposed by Ashley Dairy Company, Battle Creek, Michigan:

Proposal No. 2: That sweet cream and sour cream be in Class II instead of Class I.

Proposal No. 3: That a processor of milk be permitted to process milk for themselves or another dairy, and the same milk sold outside the designated area, this milk not to be controlled by Federal pricing.

Proposal No. 4: No reports should be required from any dairies before the tenth of each month.

Proposal No. 5: Pricing should not vary to the farmer according to the amount of surplus on the market.

Proposed by Dutch Maid Dairy Farms, Kalamazoo, Michigan:

Proposal No. 6: That Watervliet Township in Berrien County be included in the marketing area.

Proposed by Constantine Cooperative Creamery Company:

Proposal No. 7: The marketing area for the Battle Creek-Kalamazoo, Michigan marketing area should include all of St. Joseph County, Michigan.

Proposed by Producers Creamery, Benton Harbor, Michigan:

Proposal No. 8: Make all the necessary provisions in the proposed marketing order to establish an individual handler pool in the Battle Creek-Kalamazoo, Michigan, area.

Copies of this notice of hearing may be procured from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Issued at Washington, D. C., this 5th day of November 1956.

[SEAL] F. R. BURKE,
*Acting Deputy Administrator.*

[F. R. Doc. 56-9221; Filed, Nov. 8, 1956; 8:51 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

### [ 47 CFR Part 3 ]

[Docket No. 11532, etc.; FCC 56-1080]

TELEVISION BROADCAST STATIONS

TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606, Table of Assignments, Television Broadcast Stations. (Springfield, Illinois-St. Louis, Missouri; Hartford, Connecticut-Providence, Rhode Island; Peoria, Illinois-Davenport, Iowa-Rock Island-Moline, Illinois; Norfolk-Portsmouth-Newport News, Virginia-New Bern, North Carolina; Albany-Schenectady-Troy, Vail Mills, New York; New Orleans, Louisiana-Mobile, Alabama; Charleston, South Carolina; Madison, Wisconsin; Duluth, Minnesota-Superior, Wisconsin; Miami, Florida; Evansville, Indiana; Elmira, New York; Fresno-Santa Barbara, California; Columbia, South Carolina), Docket Nos. 11532, 11747—11759, 11799.

1. On June 26, 1956, the Commission issued its Report and Order in the general television allocation proceeding in Docket No. 11532, outlining a long-range program designed to improve the television allocation structure and at the same time specifying the bases on which it would consider interim channel changes to improve the immediate television situation in individual communities. As a part of this interim program rule making proceedings were instituted in the above-entitled proceedings to consider channel changes in a number of communities. The time for filing comments in these proceedings has been extended to November 15, 1956.

2. In order that the Commission might have information with which to evaluate the various assignment proposals, parties were requested to submit coverage data in accordance with procedures set out in paragraphs 38, 39 and 40 and Appendix A accompanying the above Report and Order. New propagation data available to the Commission were presented in the form of tables included in Appendix A, and the parties were requested to employ the tables in computing coverage and interference.

3. Several parties, including the Association of Federal Communications Consulting Engineers, raised problems concerning the proposed methods for computing coverage data. Accordingly, the Commission in a Public Notice adopted September 4, 1956, invited all interested parties to submit written comments with respect to this matter before September 15, 1956 (subsequently extended to October 1, 1956). The Commission has carefully considered the comments submitted.

4. The comments of the Association of Federal Communications Consulting Engineers can be summarized as follows: Any method which purports to predict the extent of television service through the use of average curves will fail when applied to many areas of the United States. Average curves of a type used as a basis for Appendix A are not suitable for estimating coverage of VHF and UHF stations in specific areas such as contemplated in the interim revision of the Table of Assignments. The departures from the average in many areas are so great, particularly in the UHF portion of the spectrum, as to lead to entirely erroneous conclusions. Where signals of comparable frequencies are available in specific areas, the best evidence will be actual measurements in the area made by an acceptable method. While questions may be raised as to the practicability of extrapolating such measurements to different antenna heights and different frequencies, it is certain that the gross terrain effects would be disclosed. Resultant predictions would provide a better estimate of comparative service in that area than would any present or proposed set of curves. However, average propagation curves for VHF are considered acceptable to serve as a technical basis for estimating interference-free coverage except in deeply shadowed areas. When using such curves, it would be desirable to take into account variations in terrain conditions among specific areas. With respect to UHF, departures from the averages may be so great in specific areas that conclusions based thereon may be substantially in error. A conservative approximation to UHF service can be made by assuming that the service area would be that area which can be "seen" from the transmitting antenna. Where optical shadow areas occur, there are recognized techniques available for estimating shadow-loss to determine whether service is to be expected. With respect to tropospheric service fields the Association has no information that the Commission's F (50, 90) curves are unrealistic when compared with the F (50, 50) values. With respect to tropospheric interference fields, F (50, 10), account should be taken of the higher levels of tropospheric propagation in certain areas of the country, particularly the Gulf Coast area. The assumed receiving antenna gains are acceptable for the conditions stated in Appendix A; however, receiving antenna discrimination for the high VHF should be modified to be consistent with values assumed for other bands. The Association believes that the new values of noise figure for VHF receivers are realistic and in accordance with the present state of the art for the best receivers of the type normally used in areas where the service fields are of the order of magnitude of the Grade B service fields arrived at from the methods of Appendix A. It is the further opinion of the Association that the new figures for UHF receivers do not represent the present state of the art for any production receivers and converters; in fact, it is felt that the old figure of 15 db is more realistic. The Association has no number to suggest as to a reasonable noise figure to be anticipated in future receivers and submits that any such figure should come from the Television Allocation Research Committee study program now being contemplated. The assumption of 1000 foot transmitting antenna heights for comparative purposes is an over-simplification. Individual cases will require separate consideration to take account of local conditions including existing facilities. Appendix A omits reference to certain interference considerations which have heretofore been reflected in television allocations. These considerations involve adjacent channel interference and certain restrictions (taboos) on UHF channel assignments. The Association believes that adjacent channel interference should be considered. In addition to the above, the Association stated that it is desirable to permit showings based upon assumptions and data other than those specified when it is believed that technical facts may be better presented thereby.

5. These and the additional comments of the AFCCE and other interested parties point up a number of the difficulties that are invariably encountered when attempts are made to over simplify considerations and concepts which are inherently and unavoidably complicated. As is implied by these comments the number and complexity of the factors that affect the final acceptance or rejection of either a UHF or VHF television signal as satisfactory or unsatisfactory may be such that a simple method or means for depicting "coverage" with any degree of realism is impossible. In many cases it may be necessary to deal with complex matters in their full complexity and not in some abbreviated manner that is meant to simplify consideration of the basic problems involved but actually serves only to obscure the really pertinent factors. The probability of erroneous conclusions under such circumstances is obvious. Although the comments of AFCCE and others point out the problems and deficiencies in the Commission's directive regarding pres-

entation of coverage data no completely satisfactory alternative was proposed. Indeed it is suggested that there may not be any realistic short cut method. In view of this and the urgent need for prompt resolution of the questions concerning deintermixture, the Commission will accept for consideration in each of the individual cases concerned, coverage estimates based on and supported by such engineering facts, judgments and assumptions as may be logically demonstrated as pertinent. However, in addition to the foregoing, parties are requested to make a showing pursuant to the method prescribed by §§ 3.683–3.685 of the rules.

6. In view of the foregoing, paragraphs 38, 39 and 40 and Appendix A of the June 26 Report and Order are hereby withdrawn. The references to these matters contained in the individual Notices of rule making in the above-entitled proceedings are also withdrawn. Data with respect to coverage in the above-entitled proceedings should be submitted in accordance with the foregoing.

7. In view of the foregoing, the time for filing comments in the above-entitled proceedings is hereby extended to December 3, 1956, with reply comments to be filed by December 18, 1956.

Adopted: November 5, 1956.

Released: November 6, 1956.

FEDERAL COMMUNICATIONS COMMISSION[1]
MARY JANE MORRIS,
*Secretary.*

[F. R. Doc. 56-9248; Filed, Nov. 8, 1956; 8:54 a. m.]

# NOTICES

## DEPARTMENT OF THE TREASURY

### Bureau of Customs

CUSTOMS SIMPLIFICATION ACT OF 1956

REQUEST FOR COMMENT RELATING TO PUBLICATION OF PRELIMINARY LIST

NOVEMBER 2, 1956.

Section 6 (a) of the Customs Simplification Act of 1956 (Public Law 927, 84th Congress, 70 Stat. 943) provides as follows:

SEC. 6. (a) The Secretary of the Treasury shall determine and make public a list of the articles which shall be valued in accordance with section 402a, Tariff Act of 1930, as amended by this Act, as follows:

As soon as practicable after the enactment of this Act the Secretary shall make public a preliminary list of the imported articles which he shall have determined, after such investigation as he deems necessary, would have been appraised in accordance with section 402 of the Tariff Act of 1930, as amended by this Act, at average values for each article which are 95 (or less) per centum of the average values at which such article was actually appraised during the fiscal year 1954. If within sixty days after the publication of such preliminary list any manufacturer, producer, or wholesaler in the United States presents to the Secretary his reason for belief that any imported articles not specified in such list and like or similar to articles manufactured, produced, or sold at wholesale by him would have been appraised in accordance with such section 402 at average values which are 95 (or less) per centum of the average values at which they were or would have been appraised under section 402a, Tariff Act of 1930, as amended by this Act, the Secretary shall cause such investigation of the matter to be made as he deems necessary. If in the opinion of the Secretary the reason for belief is substantiated by the investigation, the articles involved shall be added to the preliminary list and such list, including any additions so made thereto, shall be published as a final list. Every article so specified in the final list which is entered, or withdrawn from warehouse, for consumption on or after the thirtieth day following the date of publication of the final list shall be appraised in accordance with the provisions of section 402a, Tariff Act of 1930, as amended by this Act.

The Treasury Department is now in the process of preparing the preliminary list of imported articles which would have been appraised in accordance with section 402 of the Tariff Act of 1930, as amended by Public Law 927, at average values for each article which are 95 (or less) per centum of the average value at which such articles imported during the fiscal year 1954 were actually appraised. In preparation of this preliminary list consideration will be given to any relevant views as to why particular imported articles should appear on this preliminary list or as to why certain imported articles should not appear on the preliminary list even though closely related imported articles may properly appear on the list. It has been concluded that, under the provisions of Public Law 927, this affords the only opportunity for interested parties to bring their views to the attention of the Treasury prior to publication of the preliminary list. These views should be submitted to the Bureau of Customs, Washington 25, D. C., in writing. To assure consideration, communications relative to the above must be received in the Bureau not later than 60 days from the date of publication of this notice in the FEDERAL REGISTER.

[SEAL] RALPH KELLY,
*Commissioner of Customs.*

[F. R. Doc. 56-9245; Filed, Nov. 8, 1956; 8:53 a. m.]

## DEPARTMENT OF DEFENSE

### Office of the Secretary

ASSISTANT SECRETARY OF DEFENSE AND SECRETARIES OF MILITARY DEPARTMENTS

DELEGATION OF AUTHORITY FOR ACQUISITION OF WHERRY FAMILY HOUSING PROJECTS

Pursuant to the authority vested in the Secretary of Defense by section 202 (f) of the National Security Act of 1947, as amended, and section 5 of Reorganization Plan No. 6 of 1953, the authority conferred on the Secretary of Defense by section 404 of the Housing Amendments of 1955 (69 Stat. 652) as amended by section 512 of the Housing Act of 1956 (70 Stat. 1111) is hereby delegated as set forth below:

I. *Delegation of authority to Assistant Secretary of Defense (Properties and Installations).* The Assistant Secretary of Defense (Properties and Installations) is delegated the authority to:

1. Review, and after coordination with the Assistant Secretary of Defense (Comptroller), approve recommendations by the Secretaries of the military departments for the acquisition, by purchase, donation, condemnation, or other means of transfer under section 404 of the Housing Amendments of 1955 (69 Stat. 652) as amended by section 512 of the Housing Act of 1956 (70 Stat. 1111), of any housing (including land and related property), financed with mortgages insured under the provisions of Title VIII of the National Housing Act as in effect prior to the enactment of the Housing Amendments of 1955.

2. Issue instructions for the guidance of the military departments in taking action necessary for negotiation and acquisition of such housing.

3. It is the policy of the Department of Defense that housing acquired under the authority of section 404 of the Housing Amendments of 1955 (69 Stat. 652) as amended by section 512 of the Housing Act of 1956 (70 Stat. 111) shall be administered as public quarters. Exceptions to the application of this policy may be made with the approval of the Assistant Secretary of Defense (Properties and Installations) until such housing can be rehabilitated, altered, improved, or otherwise properly assigned as public quarters.

4. Perform such functions under section 404 of the Housing Amendments of 1955 (60 Stat. 652) as amended by section 512 of the Housing Act of 1956 (70 Stat. 1111) as are not otherwise specifically delegated to the Secretaries of the military departments; except functions to be performed by the Assistant Secretary of Defense (Comptroller) relating to establishment and administration of the working-capital fund provided for in subsections (g) and (h) of section 404 of the Housing Amendments of 1955 (69 Stat. 652) as amended by section 512 of the Housing Act of 1956 (70 Stat. 1111) and such other functions required by Title IV of the National Security Act to be performed by or under the supervision of the Assistant Secretary of Defense (Comptroller).

[1] Commissioner Lee concurring in result but would not be for extension of time; statement of Commissioner Doerfer dissenting in part, filed as part of original document.

II. *Delegation of authority to the military departments.* The Secretary of each military department, or his designee, is hereby delegated the authority to:

1. Negotiate for the acquisition of any housing (including land and related property), at or near military installations, financed with mortgages insured under the provisions of Title VIII of the National Housing Act as in effect prior to the enactment of the Housing Amendments of 1955; and, subject to the approval of the Assistant Secretary of Defense (Properties and Installations), acquire such housing by purchase, donation, condemnation, or other means of transfer.

2. Where such approved acquisition is being effected through condemnation proceedings which do not utilize the procedures under the act of February 26, 1931 (46 Stat. 1421), pay, after final judgment of the court, or agree to pay in a lump sum or, in accordance with stipulations executed by the parties to the proceedings, over a period not exceeding five years, the difference between the outstanding principal obligation, plus accrued interest, and the price for the property fixed by the court.

3. Make arrangements with the mortgagee whereby such mortgagee will agree to release and waive all requirements of accruals for reserves for replacement, taxes, and hazard insurance provided for under the corporate charter and indenture agreement with respect to such housing, and execute a written agreement that the purposes for which such reserves and other funds were accrued will be carried out.

III. *Cancellation of prior delegation of authority.* 1. The authority delegated to the Assistant Secretary of Defense (Properties and Installations) under paragraph 3, of delegation of authority published at 20 F. R. 6797, is hereby cancelled.

2. The authority designated and delegated to the Secretaries of the military departments (or their respective designees) by paragraph 12 of delegation of authority published at 20 F. R. 6798 is hereby cancelled.

REUBEN B. ROBERTSON, Jr.,
*Deputy Secretary of Defense.*

[F. R. Doc. 56-9158; Filed, Nov. 8, 1956; 8:45 a. m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Public Health Service

COMPREHENSIVE PROGRAMS FOR WATER POLLUTION CONTROL

TREATMENT WORKS NEEDS OF STATES, MUNICIPALITIES, INTERSTATE AND INTERMUNICIPAL AGENCIES

Notice is hereby given that treatment works needs for the locations listed below are included in comprehensive programs prepared or developed pursuant to section 2 of the Federal Water Pollution Control Act (70 Stat. 498, 33 U. S. C. 466a). This list may be revised from time to time by the Surgeon General of the Public Health Service. Copies of such comprehensive programs are available for inspection at the Regional Offices of the Department of Health, Education, and Welfare.

Dated: October 19, 1956.

[SEAL] L. E. BURNEY,
*Surgeon General.*

Approved: November 2, 1956.

M. B. FOLSOM,
*Secretary.*

ALABAMA

Abbeville.
Aliceville.
Andalusia.
Arab.
Ashland.
Ashville.
Athens.
Atmore.
Attalla.
Auburn.
Bemiston.
Brantley.
Brewton.
Bridgeport.
Brundidge.
Butler.
Calera.
Camden.
Camp Hill.
Carbon Hill.
Carrollton.
Centre.
Clanton.
Clayton.
Clio.
Columbia.
Columbiana.
Cordova.
Cordova (Mill Village).
Dadeville.
Decatur.
Demopolis.
Dothan.
East Brewton.
East Tallassee.
Elba.
Enterprise.
Eufaula.
Eutaw.
Evergreen.
Fairfax.
Farley.
Fayette.
Fiomaton.
Florala.
Foley.
Gadsden.
Geneva.
Georgiana.
Glencoe.
Goodwater.
Gordo.
Gorgas.
Greensboro.
Greenville.
Guin.
Guntersville.
Haleyville.
Hamilton.
Hartford.
Hartselle.
Headland.
Huntsville.
Hurtsboro.
Jackson (Clarke County).
Jefferson County.
Lafayette.
Lanett.
Langdale.
Linden.
Lister Hill.
Livingston.
Lockhart.
Luverne.
Mobile.
Monroeville.
Montevallo.

ALABAMA—Continued

Montevallo (Alabama College).
Montgomery.
Moulton.
Moundville.
Mount Vernon (Searcy Hospital).
Northport.
Northport (State Negro Colony).
Northport (State Colony for Boys).
Opp.
Parrish.
Pell City.
Phenix City.
Piedmont.
Prattville.
Prison No. 4 (Kilby).
Riverview.
Roanoke.
Robertsdale.
Samson.
Selma.
Shawmut.
Sheffield.
Siluria.
Slocomb.
Speigner (Draper State Prison).
Springville.
Sulligent.
Sycamore.
Tallassee.
Thomasville.
Thorsby.
Troy.
Troy State Teachers College.
Tuscaloosa.
Tuscaloosa (Bryce Hospital).
Tuscaloosa (Partlow School).
Tuscumbia.
Tuskegee.
Tuskegee Institute.
Union Springs.
Uniontown.
Vernon.
Wetumpka.
Wetumpka (Tutwiler Prison).
Winfield.
York.

ARIZONA

Ajo.
Avondale-Goodyear.
Bagdad.
Bullhead City.
Cameron.
Camp Verde.
Casa Grande.
Chandler.
Claypool.
Cottonwood.
Duncan.
Eagar.
El Mirage.
Fredonia.
Gila Bend.
Gilbert.
Glendale.
Globe.
Hayden.
Hilltop.
Holbrook.
Humboldt.
Joseph City.
Kingman.
Lakeside.
McNary.
Miami.
Morenci.
Parker.
Patagonia.
Payson.
Peoria.
Phoenix.
Pima.
Saint David.
Saint Johns.
Salome.
Scottsdale.
Sedona Lodge.
Seligman.
Show Low.
Sierra Vista.
Snowflake.

ARIZONA—Continued

Somerton.
Sonora-Ray.
Springerville.
Sunnyside.
Superior.
Surprise.
Tempe.
Tiger.
Tolleson.
Tombstone.
Tucson.
Warren.
Wickenburg.
Willcox.
Winslow.
Yuma.

ARKANSAS

Alexander Girls Reformatory.
Alma.
Altheimer.
Amity.
Arkansas city.
Ashdown.
Atkins.
Barling.
Bay.
Bearden.
Beebe.
Benton State Hospital.
Berryville.
Black Rock.
Bradford.
Bradley.
Cabot.
Calico Rock.
Calion.
Camden.
Caraway.
Carlisle.
Carthage.
Charleston.
Cherry Valley.
Clarendon.
Clarksville.
Clinton.
Coal Hill.
Cotter.
Cotton Plant.
Crawfordsville.
Cummins Prison Farm (State).
Danville.
Dardanelle.
Delight.
Dermott.
De Valls Bluff.
Dierks.
Dover.
Earle.
Elaine.
El Dorado.
Emerson.
England.
Fargo Girls Reformatory.
Fayetteville.
Flippin.
Fordyce.
Foreman.
Fort Chaffee.
Fort Smith.
Gentry.
Gillett.
Glenwood.
Gould.
Grady.
Greenwood (Sebastian County).
Hamburg.
Hampton.
Hardy.
Harrisburg.
Hartford.
Heber Springs.
Helena.
Holly Grove.
Horatio.
Hughes.
Humphrey.
Huntington.
Huntsville.
Huttig.
Jacksonville.

ARKANSAS—Continued

Joiner.
Jonesboro.
Judsonia.
Junction City.
Keiser.
Kensett.
Lake City.
Lake Village.
Lamar.
Lepanto.
Leslie (Searcy County).
Lewisville.
Little Rock.
Lockesburg.
Lonoke.
Luxora.
Madison.
Magazine.
Magnolia.
Mammoth Spring.
Mansfield.
Marmaduke.
Marshall.
McCrory.
McGehee.
McNeil.
Melbourne.
Mena.
Mineral Springs.
Monticello A & M College (State).
Morrilton.
Mountain Pine.
Mountain View.
Mount Ida.
Mulberry.
Murfreesboro.
Newark.
Newport.
Norphlet.
North Little Rock.
Ola.
Osceola.
Ozark.
Pangburn.
Paragould.
Paris.
Parkin.
Perryville.
Piggott.
Pine Bluff.
Pine Bluff Boys Industrial School (State).
Plainview (Yell County).
Plummerville.
Pocahontas.
Portland.
Prescott.
Rector.
Rison.
Russellville.
Salem (Fulton County).
Searcy.
Sheridan.
Sherwood.
Smackover.
Sparkman.
Springdale.
Stamps.
Star City.
Stephens.
Strong.
Stuttgart.
Sulphur Springs (Benton County).
Swifton.
Sylvan Hills.
Thornton.
Tuckerman.
Tucker Prison Farm (State).
Turrell.
Tyronza.
Van Buren.
Waldo.
Waldron.
Walnut Ridge.
Warren.
Weiner.
West Helena.
West Memphis.
Wildcat T. B. Sanitarium (State).
Wilmar.
Wilmot.
Wilson.

ARKANSAS—Continued

Wrightsville Industrial School (State).
Wynne.
Yellville.

CALIFORNIA

Acampo.
Adin.
Alameda County (Unincorporated).
Alameda County Water District.
Alhambra.
Alleghany.
Alleghany County Water District.
Alta.
Alta Acres Community Services District.
Altadena (State School for Cerebral Palsy).
Al Tahoe.
Altaville Sanitary District.
Alturas.
Alvarado Sanitary District.
Alviso.
Amador County Water District No. 1.
American Canyon County Sanitary District.
American River Industrial Sewer Maintenance District.
Anderson.
Anderson Grove County Water District.
Angels.
Antioch.
Applegate.
Arcade County Water District.
Arcata.
Arden Gold Sewer Maintenance District.
Arden Manor Sewer Maintenance District.
Arden Watt Sewer Maintenance District.
Arlington Heights Sewer Maintenance District.
Arlington Oaks.
Arnold.
Aromas Sewer Maintenance District.
Arroyo Grande.
Arroyo Sanitorium and Del Valle Farm (Alameda County).
Artois.
Arvin County Sanitary District.
Arvin Farm Labor.
Atascadero Sewer Maintenance District.
Atwater.
Auberry.
Auburn.
Avenal Heights Sanitary District.
Avila Sanitary District.
Ayers Ranch County Water District.
Bagby.
Baker Community Services District.
Bakersfield.
Bangor.
Banning.
Bartlett Colony.
Bay Point Sewer Maintenance District.
Bayshore Sanitary District.
Bayside.
Bear Creek.
Beaumont.
Beckwourth.
Belden.
Bella Vista Sanitary District.
Belltown.
Bellview.
Belmont County Water District.
Belmont and San Carlos (Emerald Lake Heights Sewer Maintenance District, Harbor Industrial Sewer Maintenance District).
Belvedere.
Benicia.
Ben Lomond.
Berkeley Municipal Camp.
Beverly Hills.
Bieber.
Big Bear Lake Sanitation District.
Big Bend.
Big Creek.
Biggs.
Big Oak Flat.
Biola.
Blairsden.
Bloomington.
Blue Canyon.
Blythe.
Bodega.
Bodega Bay.

CALIFORNIA—Continued

Bodfish.
Bolinas Public Utilities District.
Bolinas Sanitary District No. 3.
Bolinas Beach Public Utilities District.
Bonita (San Diego County).
Bonney View Area.
Boonville.
Boron Community Services District.
Borrego Springs.
Boulder Creek.
Bowman.
Branscomb.
Brawley.
Brentwood Sanitary District.
Briceburg.
Bridgeport Public Utilities District.
Brisbane Sewer Maintenance District.
Brisbane County Water District.
Broderick.
Brookdale.
Brooks.
Browns Valley.
Brownsville.
Brytle Sanitary District.
Buckeye.
Buckingham Park.
Buellton.
Burbank.
Burlingame (Burlingame Hills Sewer Maintenance District, Hillsborough).
Burney.
Burton.
Butte City.
Buttonville County Water District.
Buttonwillow Sanitary District.
Byron.
Cabazon.
Calabassas.
Calaveras Public Utilities District.
Calaveras County Water District.
Calavo Gardens (San Diego County).
Calestoga.
Calexico.
Calipatria.
Callahan.
Calpella.
Calpine.
Caliva County Water District.
Camanche.
Cambria.
Camino.
Camp Meeker.
Campo Seco.
Camp Ukiah.
Canby.
Capay.
Capistrano Beach Sanitary District.
Capitola County Sanitation District.
Cardiff Sanitation District.
Carlsbad.
Carmel Sanitary District.
Carmichael.
Carson Flat.
Caruthers.
Casa de Oro (San Diego County).
Casitas Springs.
Castella.
Castle Rock County Water District.
Cathedral Sanitation District.
Cazadero.
Centerville.
Central Contra Costa Sanitary District (Southern Public Utilities District, City of Walnut Creek).
Central Valley.
Ceres.
Challenge.
Cherokee.
Chester Sanitary District.
Chico.
Chico Airport.
Chico Suburban Area.
Chinese Camp.
Chino (California Institute for Men).
Chino (California Institute for Women).
Chowchilla.
Chualas.
Chula Vista.
Citrus Heights.
Clarksburg.

CALIFORNIA—Continued

Clear Creek.
Clearing House.
Clear Lake Highlands.
Clear Lake Lassen County Water District.
Clearlake Oaks.
Clearlake Park.
Clements.
Clio Public Utilities District.
Clipper Mills.
Cloer Community Services District.
Cloverdale.
Clovis.
Coachella.
Coachella Sanitary District.
Coalinga.
Coarsegold.
Coatside County Water District.
Colfax.
College City.
Collinsville.
Coloma.
Colonial Heights Sewer Maintenance District.
Coluba.
Comptche.
Concord.
Congress Valley County Water District.
Contra Costa County Water District.
Contra Costa County (Unincorporated).
Contra Costa County Flood Control and Water Conservation District.
Contra Costa County Sanitation District No. 3.
Contra Costa County Sanitation District No. 7A.
Contra Costa County Sanitation District No. 7B.
Contra Costa County Farm.
Contra Costa Junior College.
Copperopolis.
Corcoran.
Cordelia Sanitary District.
Cordova Sewer Maintenance District.
Corning.
Coronado.
Coss.
Cottonwood.
Coulterville.
Country Club Sanitary District (Stockton).
Courtland.
Coutolene.
Covelo Community Services District.
Crescent City.
Crescent Mills.
Cressey.
Crestmore.
Crockett.
Crows Landing.
Cucamonga.
Culver City.
Cunningham.
Cupertino Sanitary District (City of Cupertino).
Curry-Bidwell State Park.
Cutler.
Cutler Public Utilities District.
Daggett Community Services District.
Dana Point Sanitary District.
Danville Community Services District.
Davenport Sewer Maintenance District.
Delano.
Delhi.
Del Mar Sanitary Company.
Del Paso Manor Water District.
Del Ray Sanitary District.
Denair.
Descanso (San Diego County).
Desert Hot Springs.
DeWitt State Hospital.
Diablo Public Utilities District.
Diablo Vista County Water District.
Diamond Springs.
Dillons Beach.
Dimond Public Utilities District.
Dinuba.
Dixon.
Doheney Beach State Park.
Doheney Palisades.
Donner Summit Public Utilities District.
Dorris.
Dos Palos Sanitary District.

CALIFORNIA—Continued

Dos Palos (Eagle Field).
Douglas Flat.
Downieville Public Utilities District.
Doyle.
Ducor.
Dunnigan.
Dunsmuir.
Durham.
Dusel Court Sewer Maintenance District.
Dutch Flat.
East Bakersfield.
East Bay Municipal Utilities District, Special District No. 1 (Alameda, Albany, Berkeley, Emoryville, Oakland, Port of Oakland, Piedmont).
East Blythe Sanitary District.
East Modesto Sanitation District.
East Niles Community Services District.
Easton.
East Orosi Community Services District.
East Quincy.
East San Bernardino County Water District.
Ecinitas Sanitary District.
Eden Township County Water District.
Edgemont.
Edison.
El Cajon (Fletcher Hills Sanitation District).
El Centro.
El Dorado.
El Granada Sewer Maintenance District.
Elk Grove Sanitary District.
Elmira.
El Nido.
El Portal.
El Rio.
El Segundo.
El Sobrante County Water District.
Elverta.
Emigrant Gap.
Empire Sanitary District.
Enterprise Public Utilities District.
Erlimart Public Utilities District.
Escalon Sanitary District.
Escondido.
Esparto.
Etna.
Eucalyptus Hills (San Diego County).
Eureka.
Evergreen Sewer Maintenance District.
Exeter.
Fairfield-Suisun Sewer District.
Fair Tract.
Fallbrook Sanitary District.
Fall River Mills.
Famosa.
Fanita Ranch (San Diego County).
Farmerville County Water District.
Farmington.
Feather Falls.
Felton.
Ferndale.
Fiddletown.
Fields Landing.
Figarden.
Finley.
Firebaugh.
Florin.
Florin Community Services District.
Folsom.
Folsom Prison.
Fontana.
Forbestown.
Ford City Sanitary District.
Forest City.
Forest Hills-Public Utilities District.
Fort Bragg.
Foster Park.
Fowler.
Franklin.
Frazier Park Public Utilities District.
Freedom Sewer Maintenance District.
French Gulch.
Freshwater.
Fresno.
Fresno County Housing Authority.
Fresno Sanitation District No. 1.
Friant.
Fricot Ranch School.
Fruitridge Sewer Maintenance District.
Fulton.

CALIFORNIA—Continued

Fulton Sewer Maintenance District.
Gallinas Village Sewer Maintenance District.
Galt Sanitary District.
Gardenland Community Services District.
Gateway.
Georgetown.
Georgetown Divide Public Utilities District.
Gerber.
Geyserville.
Glendale.
Glenhaven.
Glenn.
Glenville.
Gold Run.
Goshen.
Graeagle.
Grangeville.
Graniteville.
Grass Valley.
Grass Valley Suburban Area.
Grayson.
Greeley.
Green Acres.
Greenfield.
Green Valley.
Greenville.
Greenville Water District.
Greenwood.
Gregory Gardens County Water District.
Grenada.
Gridley Farm Labor.
Grimes.
Grizzly Flats.
Groveland.
Groveland Community Services District.
Groveland Sewerage and Water District.
Grover City County Water District.
Guerneville.
Guernewood Park.
Guernsey.
Guinda.
Gustine.
Hagginwood Sanitary District.
Half Moon Bay Sanitary District.
Hamilton City.
Hammonton.
Happy Camp.
Harbison Canyon (San Diego County).
Hardwick.
Hathaway Pines.
Havilah.
Hawthorne Terrace Sewer Maintenance District.
Hayfork.
Hayward.
Heber.
Helix Homelands (San Diego County).
Helm.
Hercules (Town).
Highgrove.
Highland Park Public Utilities District.
Hillmar.
Hilltop.
Hillview Sewer Maintenance District.
Hilmar.
Hollister.
Holt.
Holtville.
Home Acres Sewer Maintenance District.
Home Gardens.
Honcut.
Hood.
Hopland.
Hornitos
Hughson Sanitary District.
Humboldt Community Services District.
Huron.
Imperial.
Imperial Beach.
Indio Sanitary District.
Ingot.
Invernesa Public Utilities District.
Inyokern Sanitation District.
Ione.
Iowa Hill.
Irwin.
Isabella.
Isla Vista Sanitary District.
Isleton.
Ivanhoe Public Utilities District.

CALIFORNIA—Continued

Jackson.
Jackson Gate.
Jacumba.
Jago Bay.
Janesville.
Jenner.
Jenny Lind.
Johnson Tract.
Johnsonville Public Utilities District.
Joshua.
June Lake Public Utilities District.
Jurupa Community Services District.
Kearney Park.
Keddie.
Kelsey.
Kelseyville.
Kelseyville County Waterworks District No. 8.
Kennet.
Kerman.
Kettleman City.
Keyes Community Services District.
Kilkare Manor Community Services District.
Kings County Water District.
Klamath Sanitation District.
Knightsen.
Knights Ferry.
Knights Landing.
Konocti Bay.
La Cresta-Suncrest (San Diego County).
Lafayette County Water District.
La Grange.
Laguna.
Lakeland.
Lakeland Village.
Lakeport.
Lakeside Sanitation District.
La Loma (Airport).
Lamont.
Lamont Public Utilities District.
La Quinta.
Las Galinas Valley Sanitary District.
Las Flores.
Lassen County Water District No. 1.
Lassen Municipal Utilities District.
Lathrop.
Latrobe.
Laurel Beach.
Layton.
Laytonville.
Le Grand Sanitary District.
Lemon Cove Sanitary District.
Lemoore.
Lemoore Air Base.
Lerdo.
Le Selva Beach.
Leucadia (San Diego County).
Lewis Creek Water District.
Lewiston.
Likely.
Lincoln Sewer Maintenance District.
Lincoln Village and Pacific Gardens Sewer Maintenance District.
Linda County Water District.
Linden.
Linden County Water District.
Lindsay.
Live Oak.
Live Oak Acres.
Livermore.
Livermore (University of California Radiation Laboratory).
Livingston.
Locke.
Lockeford.
Lock Lomond Subdivision (Napa County).
Lodi.
Loleta.
Loleta Sanitary District.
Loma Linda Sanitation District.
London Community Services District.
Long Beach State College.
Longvale.
Lookout.
Loomis Sanitary District.
Los Altos.
Los Altos Hills.
Los Angeles.
Los Angeles County (Unincorporated).
Los Angeles County Sanitation District No. 14 (Lancaster).

CALIFORNIA—Continued

Los Angeles County Sanitation District No. 20 (Palmdale).
Los Angeles Sanitation Districts (Alhambra, Arcadia, Azusa, Baldwin Park, Bell, Claremont, Compton, Covina, Dairy Valley, El Monte, El Segundo, Gardena, Glendora, Hawthorne, Hermosa Beach, Huntington Park, Inglewood, Lakewood, La Puente, La Verne, Long Beach, Los Angeles, Lynwood, Manhattan Beach, Maywood, Monrovia, Montebello, Monterey Park, Palos Verdes Estates, Pasadena, Pomona, Redondo Beach, San Gabriel, San Marino, Sierra Madre, Signal Hill, South Gate, South Pasadena, Torrance, Vernon, West Covina, Whittier, Unincorporated Los Angeles County).
Los Angeles State College (Ramona Campus).
Los Angeles (Terminal Island).
Los Banos.
Los Malinos.
Los Serranos.
Los Trancos County Water District.
Lotus.
Lovell Community Services District.
Lower Lake.
Lower Lake County Waterworks District No. 1.
Loyalton.
Lucerne.
Lucerne Valley.
Madeline.
Madera.
Madison.
Magalia.
Magunden.
Main Prairie.
Malaga.
Malibu.
Manakee.
Manchester.
Manlove Sewer Maintenance District.
Manteca.
Maricopa.
Marin County (Unincorporated).
Marin County Municipal Utilities District.
Marin County Service Areas No. 1 and No. 2.
Mariposa.
Markleeville Public Utilities District.
Martell.
Martinez.
Marysville.
Mather Camp.
Matheson.
Maxwell Public Utilities District.
McArthur.
McFarlands Sanitary District.
McKinleyville.
Meadow Sanitation District (Willits).
Meadow Vista Water District.
Mecca Sanitary District.
Meimers Oaks.
Melones.
Mendocino City.
Mendocino County Water District (Elk).
Mendota Public Utilities District.
Menlo Park Sanitary District (Atherton, Belle Haven Sewer Maintenance District, North Palo Alto Sanitary District, Menlo Park).
Mentone.
Merced.
Merced Falls.
Meridian.
Middletown.
Middletown Lake County Waterworks District No. 5.
Midway Heights County Water District.
Millbrae (Capuchino-Lomita Park Sanitary District).
Mill Valley (Homestead Valley Sanitary District, Alto Sanitary District, Almonte Sanitary District).
Millville.
Milpitas County Water District.
Milton.
Mineral Sanitation District.
Minter Field.
Mira Loma Detention Camp (County Sherriffs Prison).
Miranda.

CALIFORNIA—Continued

Mission Village.
Moccasin.
Modesto.
Modesto Suburban Area.
Mojave Public Utilities District.
Montara Sewer Maintenance District.
Montavallo Sanitary District.
Montecito Sanitary District.
Monte Rio.
Monte Vista.
Montgomery Creek.
Monticello.
Moorpark.
Morada.
Morgan Hill.
Morongo Valley.
Mountain View.
Mountain View Sanitary District.
Mount Helix-Grossmont (San Diego County).
Mount Vernon.
Mount View.
Mulberry.
Murieta (Orange County).
Murphys.
Murray.
Muscoy.
Myers Flat.
Napa County (Unincorporated).
Napa County Sanitation District No. 1 (Napa, Napa State Hospital).
Napa Junction.
Natoma.
Navarro.
Needles.
Nelson.
Nestor (San Diego County).
Nevada City.
New Auberry.
Newbury Park.
Newcastle Sanitary District.
Newman.
New Pine Creek.
Nice.
Niland Sanitary District.
Nipomo.
Norco.
Norden.
North Area Community Services District (Sacramento County).
North Bloomfield.
Northbridge (San Fernando Valley State College).
North Coast County Water District.
North Columbia.
North Fork.
North Hills.
North Marin County Water District.
North Mendocino County Water District (Leggett).
North of River Sanitary District No. 1.
North Sacramento.
North San Juan.
North San Mateo County Sanitation District (Daly City, Colma Sewer Maintenance District, Colma).
North Tahoe Public Utilities District.
North Ukiah, Millview, Mendocino County Water District.
Norwalk (Metropolitan State Hospital).
Novato-Ignatio Sanitary District No. 6.
Noyo Water District.
Nubieber.
Oakdale.
Oakland Municipal Camp.
Oakley Sanitary District.
Oakly County Water District.
Oakview.
Oceano.
Ocean Shore Sanitary District.
Oceanside.
Odessa.
Olildale.
Ojai.
Olinda.
Olivehurst Public Utilities District.
Ontario.
Orange County Sanitation District No. 1 (Santa Ana, Santa Ana Gardens Sanitary District, Orange County (Unincorporated)).

CALIFORNIA—Continued

Orange County Sanitation District No. 2 (Anaheim, Brea, Fullerton, Garden Grove, Garden Grove Sanitary District, Orange, Placentia, Placentia Sanitary District, Orange County (Unincorporated)).
Orange County Sanitation District No. 3 (Anaheim, Buena Park, Buena Park Sanitary District, Cypress County Water District, Dairy City, Dairyland, Fullerton, Garden Grove, Garden Grove Sanitary District, LaHabre, LaHabre Sanitary District, Midway City Sanitary District, Stanton, Stanton County Water District, Orange County (Unincorporated)).
Orange County Sanitation District No. 5 (Newport Beach, Orange County (Unincorporated)).
Orange County Sanitation District No. 6 (Costa Mesa Sanitary District, Orange County (Unincorporated)).
Orange County Sanitation District No. 7 (Tustin, Orange County (Unincorporated)).
Orange County Sanitation District No. 7A.
Orange County Sanitation District No. 11 (Huntington Beach, Orange County (Unincorporated)).
Orangevale.
Orcutt.
Orick.
Orinda County Water District.
Oriand.
Oro Loma (Castro Valley Sanitary District).
Oro Loma Sanitary District.
Orosi Public Utilities District.
Oroville.
Oroville Suburban Area.
Oswald.
Oxnard.
Oxnard Beaches.
Pacific Gardens Sanitary Sanitation District.
Pajaro County Sanitation District.
Pala (San Diego County).
Palermo.
Palm Desert Community Services District.
Palm Springs.
Palo Alto (East Palo Alto Sanitary District, Las Encinas Sanitary District, Palo Alto Gardens Sewer Maintenance District).
Palo Verde.
Panorama Sanitary District.
Paradise.
Parks Community Services District.
Parkway Estates Sewer Maintenance District.
Parlier.
Pasadena.
Paso Robles.
Patterson.
Patton State Hospital.
Penngrove Area (Unincorporated).
Penryn.
Pepperwood.
Perkins.
Petaluma (North Petaluma County Sanitary District).
Peters.
Pinedale Public Utilities District.
Pinole.
Piru.
Pittsburg.
Pittville.
Pixley Public Utilities District.
Placerville.
Plainview
Plane-Doyle.
Plano.
Pleasant Grove.
Pleasant Hill County Water District.
Pleasanton.
Pleasanton Township County Water District.
Plymouth.
Point Reyes Station.
Pollock.
Pollock Pines Fresh Pond Public Utilities District.
Pondosa.
Poplar.
Port Costa (Unincorporated).
Porterville.

CALIFORNIA—Continued

Porterville State Hospital.
Port Hueneme.
Port of San Francisco (Board of State Harbor Commission).
Portola Gardens Sewer Maintenance District.
Portola Sanitary District.
Portola State Park.
Potter Valley.
Poway Valley (San Diego County).
Preston School for Industry.
Princeton.
Project City.
Purissima Hills County Water District.
Quincy Sanitary District.
Railroad Flat.
Raymond.
Red Bluff.
Redding.
Redlands.
Redwood City (Kensington Square Sewer Maintenance District, North Fairoaks Sewer Maintenance District).
Redwood Valley.
Reedley.
Rescue.
Reward.
Richgrove.
Richfield.
Richmond.
Richvale Sanitary District.
Rio Bonito.
Rio Dell Sanitary District.
Rio Del Mar Sewer Maintenance District.
Rio Linda.
Rio Linda County Water District.
Rio Nido.
Rio Vista.
Ripon County Water District.
Ripon Sanitary District.
Riverbank.
Rivercrest Sewer District (Camino Sewer Maintenance District).
Riverdale Public Utilities District.
Riverside.
Riverside Village Sewer Maintenance District.
Riverview.
Robbins.
Rocklin.
Rocklin Municipal Utilities District (Loomis)
Rodeo Sanitary District.
Rohnert Park District.
Rohnerville.
Romoland.
Rosamond.
Rosemar Manor Sewer Maintenance District.
Ross Valley Sanitary District No. 1 (Corte Madera Sanitary District No. 2 (Corte Madera), Larkspur (Murray Park Sewer Maintenance District), Ross, Anselmo, Fairfax).
Rough and Ready.
Round Mountain.
Rumsey.
Rupert.
Russell City Community Services District.
Sacramento.
Sacramento County Sanitation District No. 1.
Sacramento County Sanitation District No. 2.
Sacramento County Sanitation District No. 3.
Sacramento County Sanitation District No. 4.
Sacramento County Sanitation District No. 5.
Sacramento County Sanitation District No. 6.
Sacramento County Sanitation District No. 7.
Sacramento County Sanitation District No. 8.
Saint Helena.
Salida Sanitary District.
Salinas.
Salinas (Monterey County Hospital).
Samuel Taylor State Park.
San Bernardino.
San Bruno.
San Buenaventura.
San Clemente.
San Diego (Gillespie Field).
San Diego (La Mesa, Lemon Grove Sanitation District, National City, Rolando Sanitation District).
San Dumas (California Politechnic College).
San Fernando.

CALIFORNIA—Continued

San Francisco (City and County).
San Francisco County Jail.
San Francisco International Airport.
Sanger.
San Jacinto.
San Juan Suburban Water District.
San Joaquin Sanitary District.
San Joaquin Water District No. 1.
San Joaquin Water District No. 2.
San Joaquin General Hospital.
San Jose (Agnew Sanitary District, Agnew State Hospital, Burbank, Campbell, Los Gatos, Santa Clara County Sanitation Districts Nos. 2, 3, and 4, Saratoga Sanitary District, Sunol Sanitary District, Santa Clara).
San Juan Bautista.
San Juan Capistrano Sanitary District.
San Leandro.
San Marcos (San Diego County).
San Martin.
San Mateo County (Unincorporated).
San Mateo County Waterworks District Nos. 1, 2, and 3.
San Mateo County Service Area No. 1.
San Mateo (Crystal Springs County Sanitation District).
San Miguel Estates Water District.
San Miguel Estates County Water District.
San Onofre (San Diego County).
San Pablo Sanitary District (San Pablo).
San Pedro Sewer, Drainage and Lighting Maintenance District.
San Quentin Prison.
San Rafael County Sanitation District (San Rafael).
San Rafael Meadows Sewer Maintenance District.
Santa Clara County (Unincorporated).
Santa Clara County Sanitation District No. 7.
Santa Clara County Sanitation District No. 8 (Milpitas)
Santa Clara County Sanitation District No. 11
Santa Clara Valley Water Conservation District.
Santa Cruz.
Santa Margarita.
Santa Maria.
Santa Maria Airport.
Santa Monica.
Santa Paula.
Santa Rosa.
Santee (San Diego County).
San Ysidro Sanitation District.
Saranap Water District.
Sata Susana.
Saticoy Sanitary District.
Sausalito-Marin City Sanitary District. (Sausalito, Richardson Bay Sanitary District, Bayview Terrace Sewer Maintenance District).
Scenic Heights County Sanitation District.
Sebastopol.
Seeley.
Selma.
Seranap County Water District.
Serraville Public Utilities District.
Seville Community Services District. (Yettem)
Shafter Public Utilities District.
Shafter Housing.
Sharp Park Sanitary District.
Shasta.
Shasta Dam Public Utilities District.
Shasta Springs.
Shastina Sanitary District.
Sheep Ranch.
Sheridan County Water District.
Shingletown.
Shore Acres.
Sierra City Public Utilities District.
Simi.
Skyline County Water District.
Sloat.
Smartville.
Smith Flat.
Snelling.
Soda Springs.
Solana Beach Sanitation District.

CALIFORNIA—Continued

Solana County (Unincorporated).
Soledad State Prison.
Somis.
Sonoma County (Unincorporated).
Sonoma County Sanitation District. (Graton)
Sonoma Valley County Sanitation District (Sonoma, Sonoma Valley State Hospital).
Sonora.
Soquel County Sanitation District.
Soulssyville.
South Bakersfield.
Southern San Joaquin Municipal Utilities District.
South Pasadena.
South San Francisco.
South Side County Water District.
Southwest Contra Costa Water District.
Spadra (Pacific State Hospital).
Spenceville.
Spreckeless.
Spring Valley Sanitation District.
Springville Sanitorium.
Squaw Valley.
Standard.
Standish.
Stege Sanitary District (El Cerrito, Kensington Community Services District).
Stockdale.
Stockton.
Stockton (State Hospital Farm).
Stockton Field.
Stoneyford.
Stratford Public Utilities District.
Strathmore Public Utilities District.
Sultana.
Summerland County Water District.
Summit City Public Utilities District.
Sunnymead.
Sunnyvale.
Sutter.
Sutter County Housing Authority.
Sutter Creek.
Swain Oaks Sewer Maintenance District.
Taft.
Tahoe City Public Utilities District.
Talmage.
Tamalpias Valley Sanitary District. (Kay Park Sewer Maintenance Districts Nos. 1 and 2).
Tancred.
Taylorville.
Tehachapi.
Tehama.
Temecula (Orange County).
Templeton Sanitary District.
Terminous.
Terra Bella Sewer Maintenance District.
Thermalito.
Thousand Oaks.
Thornton.
Tiburon Sanitary District No. 5.
Tipton.
Tollhouse.
Tomales.
Tovon.
Tracy.
Tranquility Public Utilities District.
Traver.
Trinidad.
Truckee Sanitary District.
Tulare.
Tulare County Housing Authority.
Tulare County Waterworks District.
Tuolumne County Water District No. 1.
Tuolumne County Water District No. 2.
Tupman.
Turlock.
Tuttletown.
Twain.
Twain Hart.
Twentynine Palms.
Twin Lakes County Sanitation District.
Ukiah.
Union Public Utilities District.
Union Sanitary District (Freemont, Newark)
Upper Lake.
Usona.
Vacaville.
Vallecita.

CALIFORNIA—Continued

Vallejo Sanitation and Flood Control District (California Maritime Academy, Vallejo).
Valley Acres.
Valley Ford.
Valley Home.
Valley Springs.
Venetia Harbor Sewer Maintenance District.
Ventura County (Unincorporated).
Ventura School for Girls.
Vernalis.
Vernon.
Victor.
Victoria School District Commission.
Victorville Sanitary District.
Vina.
Vine Hill Village County Water District.
Virgelia.
Vista Sanitation District.
Wahtoke Community Services District.
Wallace.
Walnut Grove.
Wasco Public Utilities District.
Washington.
Washington Manor Community Services District.
Waterford Community Services District.
Watsonville.
Wawona.
Weaverville.
Weed Patch.
Weimar.
Weimar Sanitorium.
Weldon.
Weott.
Wesley.
Westmoreland.
West Point.
West Sacramento Sanitary District.
Westwood (University of California Los Angeles Campus).
Wheatland.
Whispering Pines.
White Pines.
Whitmore.
Wildwood Sanitary District.
Williams.
Willits.
Willow Ranch.
Willows.
Wilsonia.
Windsor.
Winterhaven.
Winters.
Winton.
Wofford Heights.
Woodbridge Sanitary District.
Woodlake.
Woodland.
Woodville Public Utilities District.
Wyandotte.
Yankee Hill.
Yolo.
Yolo County Waterworks District No. 1.
Yolo County Waterworks District No. 2.
Yountville County Water District.
Yountville (State Veterans Home).
Yountville Sanitation District.
Yuba City.
Yuba County Water District.
Yucaipa.
Yucca.
Zeta.

COLORADO

Aguilar.
Alma.
Antonito.
Arriba.
Artesia.
Aspen.
Baker Metropolitan Sanitary District No. 22.
Basalt.
Bayfield.
Bennett.
Berthoud.
Bethune.
Black Hawk.
Blanca.
Blende.
Bonanza.
Bond.

COLORADO—Continued

Boulder.
Branson.
Breckenridge.
Brighton Sanitary District No. 24.
Brush.
Buena Vista.
Burlington.
Campo.
Canon City.
Carbondale.
Castle Rock.
Cedaredge.
Central City.
Cheraw.
Cheyenne Wells.
Clear Creek Sanitary District.
Climax.
Coalcreek (Fremont County).
Cokedale.
Collbran.
Colorado Springs.
Craig.
Crawford.
Creede.
Crested Butte.
Crestone.
Cripple Creek.
Crowley.
Dacono.
De Beque.
Deer Trail.
Del Norte.
Delta.
Denver.
Dillon.
Dolores.
Dove Creek.
Durango.
Eads.
Eagle.
East Canon.
Eaton.
Eckley.
Elizabeth.
Empire.
Estes Park.
Evans (Weld County).
Fairplay.
Federal Heights.
Firestone.
Fleming.
Florence.
Fort Collins.
Fort Lewis.
Fowler.
Fraser.
Frederick.
Frisco.
Fruita.
Fruitdale Sanitary District.
Garden City.
Genoa.
Georgetown.
Gilcrest.
Glendale.
Glenwood Springs.
Granada.
Grand Junction.
Grand Valley.
Green Mountain Falls
Greenwood Village.
Grover.
Gunnison.
Gypsum.
Hartman.
Haswell.
Haxtun.
Hayden.
Hillrose.
Holly.
Holyoke.
Hooper.
Hotchkiss.
Hot Sulphur Springs.
Hudson.
Hugo.
Idaho Springs.
Iliff.
Jamestown.

COLORADO—Continued

Jefferson County Consolidated District.
Johnstown.
Julesburg.
Keenesburg.
Keota.
Kiowa.
Kit Carson.
Kremmling.
Lafayette.
La Jara.
La Junta.
Lake City.
Lakeside (Jefferson County).
Lamar.
La Salle.
Las Animas.
La Veta.
Limon.
Little Sanitary District No. 21.
Log Lane Village.
Longmont.
Loretta Heights College.
Loveland.
Manassa.
Manzanola.
Mead.
Meeker.
Merino.
Milliken.
Minturn.
Moffat.
Monte Vista.
Montrose.
Monument.
Morrison.
Naturita.
Nederland.
New Raymer.
Northwest Lakewood Sanitary District.
North Washington Street Sanitary District No. 26.
Nunn.
Olathe.
Olney Springs.
Orchard City.
Ordway.
Ouray.
Ovid.
Pagosa Springs.
Palisade.
Palmer Lake.
Paoli.
Paonia.
Peetz.
Pierce.
Pitkin.
Platteville.
Poncha Springs.
Pritchett.
Pueblo.
Ramah.
Red Cliff.
Rico.
Ridgway.
Rifle.
Rockvale.
Rocky Ford.
Romeo.
Rosedale.
Rye.
Saguache.
Salida.
Sanford.
Sedgwick.
Seibert.
Severance.
Sheridan.
Sheridan Lake.
Silver Cliff.
Silver Plume.
Silverton.
Simla.
Sky Ranch.
South Adams County Water and Sanitary District.
South Canon City.
Springfield.
Starkville.
Steamboat Springs.
Sterling.

COLORADO—Continued

Sugar City.
Superior.
Swink.
Telluride.
Thornton.
Timnath.
Trinidad.
Two Buttes.
Victor.
Vilas.
Vona.
Walsenburg.
Ward.
Willington.
Westcliffe.
Wheat Ridge.
Wide Acres.
Wiley.
Williamsburg.
Windsor.
Woodland Park.
Wray.
Yampa.

CONNECTICUT

Ansonia.
Baltic (in town of Sprague).
Beacon Falls.
Berlin.
Bethel.
Branford.
Bridgeport.
Chester.
Colchester.
Collinsville (in town of Canton).
Cromwell.
Danielson.
Darien.
Deep River.
Derby.
East Brooklyn (in town of Brooklyn).
East Haven.
Essex.
Fairfield.
Farmington.
Glastonbury.
Greenwich.
Groton (town).
Hamden.
Hartford Metropolitan District (Bloomfield, East Hartford, Hartford, Newington, Rocky Hill, Wethersfield and Windsor).
Jewett City (in town of Griswold).
Kent.
Manchester.
Meriden.
Middletown.
Milford.
Moosup (in town of Plainfield).
Mystic (in towns of Groton and Stonington)
Naugatuck.
New Britain.
New Canaan.
New Hartford.
New Haven.
New London.
New Milford.
North Grosvenordale (in town of Thompson).
Norwalk.
Norwich.
Oakville (in town of Watertown).
Pawcatuck (in town of Stonington).
Plymouth.
Portland.
Ridgefield.
Rockville (City).
Seymour.
Shelton.
Southington.
Stafford Springs (borough in town of Stafford).
Stamford.
Stonington (borough in town).
Suffield.
Taftville (in town of Norwich).
Talcottville (in town of Vernon).
Thomaston.
Thompsonville (in town of Enfield).
Unionville (in town of Farmington).
Wallingford.
Warehouse Point (in town of East Windsor).

CONNECTICUT—Continued

Washington Depot.
Waterbury.
West Haven.
Westport.
Willimantic (City).
Windsor Locks.
Winsted.

DELAWARE

Blades.
Bridgeville.
Clayton.
Delaware City.
Dover.
Georgetown.
Governor Bacon Health Center.
Greenwood.
Laurel.
Lewes.
Milton.
Rehobeth Beach.
Seaford.
Selbyville.
Wyoming-Camden.

DISTRICT OF COLUMBIA

Washington.

FLORIDA

Apalachicola.
Apopka.
Arcadia.
Atlantic Beach.
Baldwin.
Belle Glade (Prison Farm).
Blountstown.
Boca Raton.
Bonifay.
Bowling Green.
Boynton Beach.
Brandford.
Brooksville.
Bunnell.
Callahan.
Cedar Key.
Century.
Clearwater.
Copeland.
Cottondale.
Crescent City.
Cross City.
Crystal River.
Dania.
Daytona Beach.
Deerfield Beach.
DeLand.
Delray Beach.
Deerfield Beach.
Dunnellon.
Duval County Sanitary District No. 1.
Duval County-Arlington Sanitary District.
East Palatka.
Eau Gallie.
Ellenton.
Everglades.
Fort Meade.
Fort Pierce.
Green Cove Springs.
Greensboro.
Gulfport.
Haines City.
Hallendale.
Hastings.
Havana.
Hialeah.
High Springs.
Hilliard.
Holly Hill.
Inverness.
Jacksonville.
LaBelle.
Lake Alfred.
Lake Butler.
Lakeland.
Lake Worth.
Lantana.
Live Oak.
Lynn Haven.
Malone.
Marathon.
Marineland Aquarium.
Mayo.
Mayport.
Miami Beach.
Miami Shores.
Miami Springs.
Milton.
Monticello.
Moreno Court.
Mount Dora.
Neptune Beach.
Newberry.
New Port Richey.
New Smyrna Beach.
Nokomis.
North Miami Beach.
Okeechobee.
Opalocka.
Orange Park.
Orlando (T. B. Hospital)
Ormond Beach.
Palatka.
Palm Beach.
Palmetto.
Pensacola.
Perry.
Pinellas Park.
Pompano Beach.
Port Orange.
Quincy.
Raiford (Prison).
Riviera Beach.
Ruskin.
St. Augustine.
Sanford.
Sebastian.
Sebring.
South Miami.
Starke.
Sulphur Springs.
Tarpon Springs.
Tavares.
Titusville.
Trenton.
Umatilla.
Valparaiso.
Venice.
Vero Beach.
Waldo.
Warrington.
Wauchula.
Wewahitchka.
White Springs.
Wildwood.
Winter Haven.
Zolfo Springs.

GEORGIA

Abbeville.
Acworth.
Alpharetta.
Adel.
Albany.
Alma.
Alpharetta
Americus.
Arlington.
Ashburn.
Athens.
Atlanta.
Augusta.
Austell.
Bainbridge.
Baldwin County.
Barnesville.
Baxley.
Blackshear.
Blakely.
Blue Ridge.
Boston.
Bowdon.
Bremen.
Broxton.
Brunswick.
Buena Vista.
Buford.
Butler.
Byromville.
Cadwell.
Cairo.
Calhoun.
Camilla.
Canton.
Carrollton.
Cartersville.
Cave Spring.
Cedartown.
Chatsworth.
Chickamauga.
Chipley.
Clarkesville.
Clarkston.
Claxton.
Clayton.
Clayton County.
Cleveland.
Cobb County.
Cochran.
College Park.
Colquitt.
Columbus.
Comer.
Commerce.
Conyers.
Coolidge.
Cordele.
Cornelia.
Covington.
Crawford.
Crawfordville.
Cumming.
Cuthbert.
Dahlonega.
Dallas.
Dalton.
Darien.
Dawson.
DeKalb County.
Demorest.
Doerun.
Donalsonville.
Douglas.
Douglasville.
Dublin.
Eastman.
East Point.
Eatonton.
Edison.
Elberton.
Ellaville.
Ellijay.
Fairburn.
Fayetteville.
Fitzgerald.
Folkston.
Forsyth.
Fort Gaines.
Fort Oglethorpe.
Fort Valley.
Fulton County.
Gainesville.
Garden City.
Glennville.
Gordon.
Grantville.
Gray.
Greensboro.
Greenville.
Griffin.
Gwinnett County.
Glynn County.
Hahira.
Hampton.
Harlem.
Hartwell.
Hawkinsville.
Hazlehurst.
Helena.
Hinesville.
Hogansville.
Homerville.
Jackson.
Jasper.
Jefferson.
Jeffersonville.
Jesup.
Kingsland.
LaFayette.
LaGrange.
Lakeland.
Lavonia.
Lawrenceville.
Leesburg.

GEORGIA—Continued

Lenox.
Lincolnton.
Linwood.
Lithonia.
Louisville.
Lodowici.
Lumber City.
Lumpkin.
Lyons.
Macon.
Madison.
Manchester.
Marietta.
Marshallville.
McCaysville.
McDonough.
McRae.
Meigs.
Metter.
Midville.
Milan.
Milledgeville.
Millen.
Monroe.
Montezuma.
Monticello.
Moultrie.
Mount Vernon.
Nashville.
Newnan.
Norcross.
Ocilla.
Oglethorpe.
Omega.
Oxford.
Palmetto.
Patterson.
Pavo.
Pearson.
Pelham.
Pembroke.
Perry.
Porterdale.
Poulan.
Quitman.
Reidsville.
Reynolds.
Richland.
Richmond County.
Ringgold.
Rochelle.
Rockmart.
Rome.
Rosaville.
Roswell.
Royston.
Sandersville.
Savannah.
Savannah Beach.
Screven.
Senoia.
Shellman.
Smyrna.
Social Circle.
Soperton.
Sparks.
Sparta.
Statesboro.
Statham.
St. Marys.
Stone Mountain.
Summerville.
Swainsboro.
Sylvania.
Sylvester.
Talbotton.
Tallapoosa.
Tennille.
Thomaston.
Thomson.
Thunderbolt.
Tifton.
Toccoa.
Trenton.
Trion.
Twin City.
Unadilla.
Union City.
Union Point.
Valdosta.
Vidalia.
Vienna.
Villa Rica.
Wadley.
Warner Robins.
Warrenton.
Washington.
Watkinsville.
Waycross.
Waynesboro.
West Point.
Willacoochee.
Winder.
Woodbine.
Woodbury.
Wrens.
Wrightsville.

IDAHO

Aberdeen.
Alameda.
Albion.
American Falls.
Arco.
Ashton.
Athol.
Avery.
Bancroft.
Bayview.
Bellevue.
Blackfoot.
Bloomington.
Boise (Urban and Suburban Area).
Bonners Ferry.
Bovill.
Buhl.
Burke.
Burley.
Caldwell.
Cambridge.
Carey.
Cascade.
Castleford.
Chubbuck.
Clark Fork.
Clifton.
Cobalt.
Coeur d'Alene.
Cottonwood.
Council.
Craigmont.
Dayton.
Deary.
Declo.
Dover.
Downey.
Driggs.
Dubois.
Eagle (Ada County).
East Hope.
Eden.
Elk River.
Emmett.
Fairfield.
Filer.
Firth.
Fish Haven.
Franklin (Franklin County).
Fruitland.
Gem.
Genesee.
Georgetown.
Grace.
Grand View.
Hagerman.
Hailey.
Hansen.
Harrison.
Hayden Lake.
Headquarters.
Heyburn.
Hollister.
Homedale.
Hope.
Horseshoe Bend.
Huetter.
Idaho City.
Idaho Falls.
Inkom.
Iona.
Juliaetta.
Kamiah.
Kellogg.
Kendrick.
Ketchum.
Kimberly.
Kooskia.
Kootenai.
Kuna.
Lapwai.
Lava Hot Springs.
Lewiston.
Lewiston Orchards.
Mace.
Mackay.
Malad City.
Marsing.
McCall.
McCammon.
Melba.
Menan.
Meridian.
Middleton.
Midvale.
Minidoka.
Montpelier.
Moore.
Moscow.
Moyie Springs.
Mullan.
Newdale.
New Meadows.
Nezperce.
North Pocatello
Notus.
Oakley.
Orofino.
Orofino (State Hospital North).
Osburn.
Paris.
Parma.
Payette.
Plummer.
Pocatello.
Ponderay.
Post Falls.
Potlatch-Onaway.
Preston.
Priest River.
Rathdrum.
Rexburg.
Richfield.
Rigby.
Riggins.
Ririe.
Roberts (Jefferson County).
Rockland.
Roswell.
Rupert.
Salmon.
Sandpoint.
Shelley.
Shoshone.
Silverton.
Smelterville.
Soda Springs.
Spencer.
Spirit Lake.
Star.
St. Anthony.
St. Anthony (State Industrial School).
St. Charles.
Stites.
St. Maries.
Sugar City.
Teton.
Tetonia.
Troy.
Twin Falls.
Victor.
Wallace.
Wardner.
Weippe.
Weiser.
Wendell.
Weston.
White Bird.
Wilder.
Winchester.
Worley.

ILLINOIS

Addison.
Alhambra.
Alton.
Amboy.
Anna.
Arcola.
Arenzville.
Aroma Park.
Arthur.
Ashkum.
Ashton.
Assumption.
Astoria.
Athens.
Atlanta.
Atwood.
Ava.
Aviston.
Barrington.
Barrington Woods Sanitary District.
Bartelso.
Bartlett.
Batavia.
Beardstown Sanitary District.
Beecher.
Beecher City.
Belvidere.
Bement.
Benld.
Bensenville.
Bethany.
Blandinsville.
Bloomingdale.
Bloomington and Normal Sanitary District.
Bourbonnais.
Braidwood.
Breese.
Bridgeport.
Brookport.
Buckley.
Buckner.
Buda.
Bunker Hill.
Bush.
Bushnell.
Cairo.
Campbell Hill.
Canton.
Capron.
Carrier Mills.
Carrollton.
Carry.
Caseyville.
Catlin.
Cedar Point.
Cedarville.
Central City
Centralia.
Cerro Gordo.
Chadwick.
Charleston.
Chatham.
Chebanse.
Chenoa.
Cherry Valley.
Chester.
Chicago Heights.
Chrisman.
Christopher.
Cissna Park.
Clifton.
Clinton Sanitary District.
Coal City.
Coffeen.
Colchester.
Collinsville.
Compton.
Coulterville.
Cowden.
Creal Springs.
Creston.
Crete.
Crevecoeur.
Crotty.
Cuba.
Dakota.
Dallas City.
Danforth.

ILLINOIS—Continued

Danville Sanitary District.
Decatur Sanitary District.
Deerfield.
DeKalb Sanitary District.
Delavan.
DePue.
Dieterich.
Dixon.
Donovan.
Dunlap.
Dupo.
Durand.
Downers Grove No. 1.
Earlville.
East Alton.
East Carondelet.
East Chicago Heights.
East Moline.
East Side Levee and Sanitary District.
Edinburg.
Edwardsville.
Effingham.
Eldorado.
Elgin Sanitary District.
Elizabeth.
Elmhurst.
El Paso Sanitary District.
Elwood.
Erie.
Eureka.
Fairbury.
Farina.
Farmer City.
Findlay.
Fisher.
Flanagan.
Flora.
Flossmoor.
Forreston.
Fox Lake.
Frankfort.
Franklin Grove.
Freeport.
Fulton.
Galena.
Gardner.
Geneseo.
Geneva.
Georgetown.
Glasford.
Glen Ellyn.
Glenwood.
Golconda.
Golden.
Grand Tower.
Granite City.
Grant Park.
Greenville.
Gridley.
Gurnee.
Hampshire.
Hanna City.
Hanover.
Hartford.
Harvard.
Herrin.
Herscher.
Highland.
Highland Park.
Hinckley.
Hinsdale Sanitary District.
Homewood.
Hoyleton.
Hutsonville.
Illiopolis.
Industry.
Iroquois.
Itasca.
Johnston City.
Joliet.
Jonesboro.
Joppa Sanitary District.
Kankakee.
Kewanee.
Kingston.
Kinmundy.
Kinsman.
Kirkland.
LaHarpe.
Lake Villa.

ILLINOIS—Continued

Lake Zurich.
Lanark.
Lansing.
LaSalle.
Lawrenceville.
Leland.
Lemont.
LeRoy.
Lexington.
Lincoln.
Lisle.
Livingston.
Lockport.
Loda.
Lombard.
Louisville.
Mahomet.
Malta.
Manteno.
Marine Sanitary District.
Martinsville.
Mason City.
Matteson.
Mattoon.
Mazon.
McHenry.
Metropolis.
Milford.
Milledgeville.
Millington.
Minooka.
Mokena.
Moline.
Monee.
Monmouth.
Montrose.
Morton.
Mound City.
Mounds.
Mount Carmel.
Mount Carroll.
Mount Morris.
Mount Olive.
Mount Pulaski.
Mount Sterling.
Mulberry Grove Sanitary District.
Murphysboro.
Naperville.
Nauvoo.
Newark.
New Lenox.
Newman.
Noble.
North Shore Sanitary District.
Oblong.
Odin.
O'Fallon.
Olmsted.
Olney.
Olympia Fields.
Onarga.
Orangeville.
Orion.
Orland Park.
Oswego.
Ottawa.
Palatine.
Palestine.
Paw Paw.
Paxton.
Pearl City.
Pecatonica.
Peotone.
Petersburg.
Plainfield.
Plano.
Poplar Grove.
Port Byron.
Prairie du Pont Levee and Sanitary District.
Prophetstown.
Ramsey.
Rankin.
Rantoul.
Richton Park.
Ridge Farm.
Rochester.
Rockford, Sanitary District.
Rockton.
Roselle.
Rossville.

ILLINOIS—Continued

Round Lake Sanitary District.
Roxana.
Royalton.
Saint Anne.
Saint Joseph.
Salem.
Salt Creek Drainage Basin Sanitary District.
Sandwich.
San Jose.
Sheldon.
Sibley.
Silvis.
Somonauk.
South Beloit.
Springfield.
Springfield Sanitary District.
Spring Valley.
Staunton.
Steger.
Sterling.
Stewardson.
Stockton.
Stookey Township.
Sullivan.
Sumner.
Swansea.
Taylorville Sanitary District.
Thornton.
Tilton.
Tinley Park.
Toledo.
Toluca.
Troy.
Urbana and Champaign Sanitary District.
Vandalia.
Vienna Sanitary District.
Villa Grove.
Viola.
Wamac.
Warren.
Warsaw.
Watseka.
Wayne City.
Wenona.
West Chicago.
West Kankakee (Unincorporated).
West Salem.
Westville-Belgium Sanitary District.
Wheaton Sanitary District.
Wheeling.
Wilmington.
Winfield.
Winnebago.
Witt.
Wooddale.
Woodland.
Wood River.
Yorkville-Bristol Sanitary District.
Zeigler.
Zurich Heights Sanitary District.

INDIANA

Advance.
Akron.
Albany.
Albion.
Alexandria.
Ambia.
Anderson.
Andrews.
Angola.
Arcadia.
Argos.
Attica.
Auburn.
Avilla.
Batesville.
Berne.
Bicknell.
Bloomfield.
Bluffton.
Boswell.
Bourbon.
Brazil.
Bremen.
Brook (Newton County).
Brookville.
Bunker Hill.
Cambridge City.
Camden.
Cannelton.

INDIANA—Continued

Carmel.
Carthage.
Cayuga.
Chalmers.
Chesterton.
Churubusco.
Cicero.
Clermont.
Colfax.
Columbia City.
Converse.
Corydon.
Covington.
Crawfordsville.
Cromwell.
Crothersville.
Crown Point (Lincoln Park Heights Addition).
Culver (Military Academy).
Dana.
Danville.
Darlington.
Decatur.
Delphi.
Earl Park.
East Gary.
Eaton.
Edgewood.
Edinburg.
Elletsville.
Elnora.
Elwood.
Etna Green.
Evansville.
Fairmount.
Farmersburg.
Ferdinand.
Fortville.
Fort Wayne.
Fowler.
Francesville.
Frankton.
Fremont.
French Lick.
Galveston.
Gas City.
Gaston.
Geneva.
Glenwood.
Goshen.
Greenfield.
Greentown.
Griffith.
Hammond.
Hanover.
Hartford City.
Hebron.
Highland.
Hope.
Huntingburg.
Huntington.
Indianapolis.
Jamestown.
Jasonville.
Jonesboro.
Kendallville.
Kentland.
Kewanna.
Kirklin.
Knightstown.
Knox (Starke County).
Kouts.
La Fontaine.
Lagrange.
Lakeville.
Lawrence.
Leavenworth.
Lebanon.
Ligonier.
Linton.
Logansport.
Logansport State Hospital.
Loogootee.
Marion.
Markle.
Martinsville.
Medaryville.
Mentone.
Middletown.
Milan.
Mitchell.

INDIANA—Continued

Monon.
Monroeville.
Montezuma (Parke County).
Montpelier.
Mooresville.
Morgantown.
Morocco.
Morristown.
Nappanee.
New Albany.
Newburgh.
New Castle.
New Harmony.
New Haven.
New Palestine.
Newport.
New Richmond.
New Whiteland.
North Liberty.
North Manchester.
North Salem.
North Vernon.
Odon.
Oolitic.
Orleans.
Osgood.
Ossian.
Otterbein.
Owensville.
Oxford.
Paoli.
Parker.
Pendleton State Reformatory.
Petersburg.
Pierceton.
Plainfield (State Boys School).
Plymouth.
Putnamville (State Farm).
Red Key.
Remington.
Rensselaer.
Richmond (Smith-Esteb Hospital).
Ridgeville.
Roachdale.
Roann.
Roanoke.
Rockport.
Rossville.
Royal Center
Sellersburg.
Shelburn.
Shelbyville.
Shirley.
Shoals.
Silver Lake.
South Bend (County Infirmary).
South Bend (Healthwin Hospital).
South Whitley.
Spencer.
Spiceland.
Spring Grove.
Sullivan.
Summitville.
Swayzee.
Syracuse.
Terre Haute.
Terre Haute (Glen Home).
Terre Haute (Vigo County Home).
Thorntown.
Tipton.
Topeka.
Union City.
Upland.
Van Buren.
Veedersburg.
Vernon.
Vincennes.
Wabash.
Wakarusa.
Walkerton.
Walton.
Warren.
Waterloo (DeKalb County).
West Baden.
Westfield.
West Lafayette.
West Lebanon.
Westville.
Winamac.
Winchester.

INDIANA—Continued

Windfall.
Winslow.
Wolcott.
Worthington.
Zionsville.

IOWA

Adel.
Afton.
Akron.
Albia.
Allerton.
Alton.
Anita.
Ankeny.
Anthon.
Armstrong.
Arthur.
Ashton.
Avoca.
Bagley.
Bancroft.
Battle Creek.
Bedford.
Bellevue.
Birmingham.
Blairstown.
Bloomfield.
Bode.
Bonaparte.
Boone.
Boyden.
Brighton.
Buffalo Center.
Burlington.
Burt.
Bussey.
Calmar.
Camanche.
Carson.
Carter Lake.
Castle Hill.
Centerville.
Central City.
Charles City.
Charter Oak.
Chillicothe.
Clarksville.
Clinton.
Coggon.
Colfax.
Columbus Junction.
Conrad.
Correctionville.
Corwith.
Corydon.
Council Bluffs.
Council Bluffs (Iowa School for Deaf).
Danbury.
Davenport.
Decorah.
Denison.
Denver.
Des Moines.
Dike.
Doon.
Dow City.
Dows.
Dubuque.
Dumont.
Dunkerton.
Dunlap.
Durant.
Eagle Grove.
Early.
Eddyville.
Eldon.
Eldridge.
Elgin.
Elkader.
Elliot.
Ellsworth.
Essex.
Estherville.
Everly.
Exira.
Farley.
Farmington.
Farragut.

IOWA—Continued

Fonda.
Fontanelle.
Forest City.
Fort Dodge.
Fort Madison.
Fort Madison (State Penitentiary).
Fredericksburg.
Fremont.
Garnavillo.
Garwin.
George.
Gilmore City.
Gladbrook.
Glenwood.
Goldfield.
Graettinger.
Grand Mound.
Greene.
Guttenberg.
Hamburg.
Hancock.
Hawarden.
Hawkeye.
Hinton.
Hopkington.
Hospers.
Humeston.
Independence (Mental Health Institute).
Iowa City.
Iowa Great Lakes Sanitary District.
Ireton.
Kanawha.
Kellogg.
Keokuk.
Keosauqua.
Kingsley.
Lake Mills.
Lake Park.
Lake View.
Lamoni.
Lansing.
Lehigh.
LeMars.
Lenox.
Linn Grove.
Little Rock.
Logan.
Lohrville.
McGregor.
Malvern.
Manning.
Manson.
Mapleton.
Maquoketa.
Marcus.
Marengo.
Marion.
Marquette.
Mason City.
Maurice.
Mediapolis.
Merrill.
Middletown.
Minburn.
Minden.
Missouri Valley.
Montezuma.
Mount Ayr.
Mount Pleasant.
Moville.
Muscatine.
Neola.
Newell.
New Hampton.
New London.
Newton.
Nora Springs.
Northwood.
Norwalk.
Oakland.
Ocheyedan.
Ogden.
Olin.
Orange City.
Osage.
Ottumwa.
Oxford Junction.
Panora.
Paullina.
Perry.

IOWA—Continued

Pierson.
Pomeroy.
Preston.
Primghar.
Redfield.
Red Oak.
Renwick.
Riceville.
Ricketts.
Rippey.
Riverside.
Robins.
Rock Valley.
Roland.
Rolfe.
Ruthven.
St. Ansgar.
Schaller.
Schleswig.
Sheffield.
Shelby.
Shell Rock.
Shenandoah.
Sibley.
Sigourney.
Sioux Center.
Sioux City.
Sioux Rapids.
Spillville.
Springville.
Stanton.
Story City.
Stratford.
Strawberry Point.
Stuart.
Sumner.
Sutherland.
Swea City.
Tabor.
Tripoli.
Union.
University Park.
Urbandale.
Urbandale (Windsor Heights Sanitary District).
Vail.
Victor.
Villisca.
Vinton.
Walcott.
Wall Lake.
Wapello.
Washington.
Waterloo.
Waukon.
Wellman.
Wellsburg.
West Branch.
Williams.
Wilton.
Winfield.
Winterset.
Woodbine.
Woodward.

KANSAS

Abilene.
Agra.
Altamont.
Alta Vista.
Alton.
Altoona.
Americus.
Arcadia.
Argonia.
Arkansas City.
Arma.
Atchison.
Atwood.
Augusta.
Axtell.
Barnes.
Baxter Springs.
Bazine.
Beattie.
Belle Plaine.
Belleville.
Benton.
Bison.
Blue Mound.
Bronson.

KANSAS—Continued

Bucklin.
Buffalo.
Burden.
Burlington.
Burns.
Burr Oak.
Burrton.
Canton.
Carbondale.
Cawker City.
Cedar Vale.
Centralia.
Cheney.
Cherokee.
Chetopa.
Cimarron.
Clifton.
Clyde.
Coffeyville.
Colony.
Cottonwood Falls.
Council Grove.
Courtland.
Cuba.
Damar.
Dearing.
Deerfield.
Dexter.
Dighton.
Dodge City.
Dorrance.
Douglass.
Edgerton.
Edna.
Edwardsville.
Effingham.
Elk City.
Elkhart.
Ellinwood.
Ellsworth.
Emporia.
Erie.
Eskridge.
Everest.
Fairview.
Florence.
Fort Scott.
Frontenac.
Galena.
Garden City.
Garfield.
Garnett.
Gas City.
Geuda Springs.
Glen Elder.
Glenwood Heights (Johnson County).
Gorham.
Grainfield.
Greeley.
Grenola.
Gridley.
Grinnell.
Gypsum.
Haddam.
Halstead.
Hanston.
Harper.
Hartford.
Haviland.
Herington.
Herndon.
Hesston.
Hiawatha.
Highland.
Hillsboro.
Holton.
Horton.
Hoxie.
Hutchinson.
Independence.
Iola.
Jewell.
Kanopolis.
Kansas City.
Kinsley.
Kirwin.
LaCrosse.
LaCygne.
LaHarpe.
Lakin.

KANSAS—Continued

Larned.
Leavenworth.
Leawood.
Lebanon.
Lebo.
Lenora.
Leonardville.
LeRoy.
Lewis.
Linwood.
Longton.
Louisburg.
Luray.
McCune.
McDonald.
McLouth.
Madison.
Maize.
Marion.
Melvern.
Meriden.
Merriam.
Mineral.
Moline.
Montezuma.
Morland.
Morrill.
Mound City.
Moundridge.
Mound Valley.
Mount Hope.
Mulberry.
Mullinville.
Mulvane.
Natoma.
Neodesha.
Ness City.
Nickerson.
Norcatur.
Norton.
Nortonville.
Oberlin.
Olathe.
Olpe.
Onaga.
Osage City.
Osawatomie.
Oskaloosa.
Otis.
Overbrook.
Oxford.
Paola.
Perry.
Peru.
Pleasanton.
Pomona.
Pratt.
Pretty Prairie.
Purcells Ninth Addition Sanitary District (Wichita).
Quenemo.
Quindaro Township Sanitary District No. 1.
Randolph.
Ransom.
Republic.
Richmond.
Riley.
Riverton.
Robinson.
Sabetha.
Saint John.
Salina.
Satanta.
Scammon.
Scranton.
Selden.
Seneca.
Severy.
Sharon.
Silver Lake.
Spearville.
Spring Hill.
Stafford.
Strong City.
Sunflower Village.
Syracuse.
Tescott.
Thayer.
Tonganoxie.
Topeka.
Toronto.

KANSAS—Continued

Treece.
Tribune.
Troy.
Turner (Grade and High Schools).
Utica.
Valley Center.
Victoria.
Virgil.
Walnut.
Waterville.
Wathena.
Waverly.
Weir.
Wellsville.
Westmoreland.
Wetmore.
Wichita.
Wilson.
Winchester.
Winfield.
Winona.
Woodston.
Yates Center.

KENTUCKY

Albany.
Ashland.
Augusta.
Bardstown.
Bardwell.
Beattyville.
Beaver Dam.
Benham.
Benton.
Bowling Green.
Brandenburg.
Brooksville.
Burkesville.
Burnside.
Butler.
Cadiz.
Calhoun.
Campbellsville.
Carlisle.
Carrollton.
Catlettsburg.
Cave City.
Central City.
Clay.
Clinton.
Closplint.
Cloverport.
Columbia.
Columbus.
Corbin.
Corydon.
Cumberland.
Cynthiana.
Danville.
Danville (Kentucky State Hospital).
Dawson Springs.
Drakesboro.
Dry Ridge.
Earlington.
Eddyville.
Eddyville State Penitentiary.
Elizabethtown.
Elkhorn City.
Elkton.
Elsmere.
Eminence.
Erlanger.
Evarts.
Falmouth.
Flatwoods.
Flemingsburg.
Florence.
Frankfort.
Fullerton.
Fulton.
Grayson.
Greensburg.
Greenup.
Greenville.
Guthrie.
Harlan.
Hartford.
Hawesville.
Hazard.
Hellier.
Hickman.

KENTUCKY—Continued

Hodgenville.
Hopkinsville.
Horse Cave.
Hustonville.
Hyden.
Irvine.
Irvington.
Jackson.
Jamestown.
Jeffersontown.
Jenkins.
Junction City.
Kuttawa.
Kyrock.
LaGrange.
LaGrange State Reformatory.
Lakeland (Central State Hospital).
Lakeside Park.
Lawrenceburg.
Lebanon Junction.
Leitchfield.
Lewisport.
Lexington.
Liberty.
Livermore.
London.
Lothair.
Louisa.
Louisville.
Loyall.
Lynch.
Madisonville.
Manchester.
Marion.
Martin.
Maysville.
Millersburg.
Monticello.
Morehead.
Morgantown.
Mortons Gap.
Mount Vernon.
Munfordsville.
Murray.
Neon.
New Castle.
New Haven.
Nicholasville.
Nortonville.
Olive Hill.
Owensboro.
Owenton.
Owingsville.
Paducah.
Paintsville.
Paris.
Perryville.
Pikeville.
Pineville.
Prestonsburg.
Raceland.
Ravenna.
Russell.
Russell Springs.
Saint Matthews.
Salyersville.
Scottsville.
Sebree.
Shelbyville.
Shepherdsville.
Shively.
Silver Grove.
Somerset.
South Williamson.
Springfield.
Stanford.
Stone.
Taylorsville.
Tompkinsville.
Twila.
Uniontown.
Vanceburg.
Van Lear.
Walton.
Warsaw.
Wayland.
West Liberty.
West Point.
West Van Lear.
Whitesburg.

KENTUCKY—Continued

Wickliffe.
Williamsburg.
Williamstown.
Wilmore.
Worthington.

LOUISIANA

Abbeville.
Abita Springs.
Addis.
Amite.
Arcadia.
Arnaudville.
Baker.
Baldwin.
Bastrop.
Baton Rouge.
Bernice.
Bogalusa.
Bonita.
Bossier City.
Boyce.
Breaux Bridge.
Broussard.
Bunkie.
Cameron.
Chatham.
Clarks.
Clinton.
Colfax.
Collinston.
Columbia.
Converse.
Cottonport.
Cotton Valley.
Coushatta.
Covington.
Delcambre.
Delhi.
Denham Springs.
Denham Springs (unincorporated Area, Dodge City, etc.).
De Quincy.
De Ridder.
Dixie Inn.
Dodson.
Donaldsonville.
Dubach.
East Baton Rouge Parish (unincorporated areas adjacent to City).
Elizabeth.
Erath.
Farmerville.
Fordoche.
Franklinton.
Gibsland.
Gilbert.
Glenmora.
Golden Meadow.
Gonzales.
Grambling.
Gramercy.
Gretna.
Hackberry.
Hammond.
Harahan.
Harrisonburg.
Hodge (Jackson County).
Houma.
Independence.
Jackson.
Jeanerette.
Jefferson Parish Sewerage District No. 1.
Jefferson Parish Sewerage District No. 2.
Jonesboro.
Junction City.
Kenner.
Kentwood.
Kinder.
Krotz Springs.
Lake Charles.
Lake Providence.
LePlace.
Lecompte.
Lockport.
Logansport.
Loreauville.
Lutcher.
Madisonville.
Mangham.
Mansura.

LOUISIANA—Continued

Maringouin.
Marion.
Marrero-Harvey.
Melville.
Mer Rouge.
Monroe.
Morringsport.
Moreauville.
Morgan City.
Morganza.
Newellton.
New Orleans.
Norco.
Oak Grove.
Oak Ridge.
Oberlin.
Oil City.
Patterson.
Plain Dealing.
Pleasant Hill.
Pollock.
Ponchatoula.
Port Allen.
Port Barre.
Raceland.
Rayville.
Reserve.
Ringgold.
Rodessa.
Saint Bernard Parish Sewerage Districts.
Saint Francisville.
Saint Joseph.
Saint Martinville.
Saline.
Shreveport.
Sikes.
Simmesport.
Slidell.
Starks.
Sterlington.
Sulphur.
Sunset.
Tallulah.
Tullos.
Urania.
Vinton.
Washington.
Waterproof.
Westlake.
West Monroe.
Westwego.
White Castle.
Winnfield.
Winnsboro.
Wisner.
Youngsville.
Zachary.
Zimmerman.
Zwolle.

MAINE

Anson.
Ashland.
Auburn.
Augusta.
Bangor.
Bar Harbor.
Bath.
Belfast.
Berwick.
Bethel.
Biddeford.
Bingham.
Boothbay.
Boothbay Harbor.
Brewer.
Bridgton.
Brunswick.
Bucksport.
Buxton.
Calais.
Camden.
Cape Elizabeth.
Caribou.
Cherryfield.
Clinton.
Corinna.
Cornish.
Cumberland.
Damariscotta.
Deer Isle.
Dexter.

MAINE—Continued

Dixfield.
Dover-Foxcroft.
East Machias.
Easton.
Eastport.
Eliot.
Ellsworth.
Fairfield.
Falmouth.
Farmingdale.
Farmington.
Fort Fairfield.
Fort Kent.
Frenchville.
Fryeburg.
Gardiner.
Gorham.
Greenville.
Guilford.
Hallowell.
Hampden.
Harpswell.
Harrington.
Hartland.
Houlton.
Howland.
Island Falls.
Jackman.
Jay.
Jonesport.
Kennebunk.
Kennebunk Port.
Kittery.
Lewiston.
Limestone.
Lincoln (Penobscot County).
Livermore Falls.
Lubec.
Machias.
Machiasport.
Madawaska.
Madison.
Mapleton.
Mars Hill.
Mexico.
Milford.
Milinocket.
Millbridge.
Milo.
Monmouth.
Newcastle.
Newport.
Norridgewock.
North Berwick.
Northport.
Norway.
Oakland.
Old Orchard Beach.
Old Town.
Oqunquit Village.
Orono.
Owl's Head.
Paris.
Parsonsfield.
Patten.
Phillips.
Pittsfield.
Porter.
Portland.
Presque Isle.
Randolph.
Rangeley.
Richmond.
Rockland.
Rockport.
Rumford.
Saco.
Sanford.
Scarboro.
Searsport.
Skowhegan.
South Berwick.
South Portland.
Stockton Springs.
Stonington.
Strong.
Thomaston.
Topsham.
Unity (Waldo County).
Van Buren.

MAINE—Continued

Vassalboro.
Vinalhaven.
Waldoboro.
Warren.
Washburn.
Waterville.
Wells.
Westbrook.
Wilton.
Windham.
Winslow.
Winter Harbor.
Winterport.
Winthrop.
Wiscasset.
Woolwich.
Yarmouth.
York.

MARYLAND

Anne Arundel County Sanitation Commission.
Baltimore City.
Baltimore County Metropolitan District.
Barton.
Betterton.
Boonsboro.
Brunswick.
Cecil County Metropolitan District.
Charlestown.
Chesapeake Beach.
Chestertown.
Clear Spring.
Cresaptown.
Crisfield.
Deer Park.
Denton.
Easton.
Edgewood.
Elkridge.
Elkton.
Ellicott City.
Emmitsburg.
Federalsburg.
Friendsville.
Frostburg.
Funkstown.
Greensboro.
Hagerstown.
Halfway.
Hampstead.
Hancock.
Havre de Grace.
Hurlock.
Indian Head.
Laurel.
La Vale.
Leonardtown.
Loch Lynn Heights.
Lonaconing.
Luke.
Manchester.
Middletown.
Midland.
Mount Airy.
Mountain Lake Park.
Mount Savage.
New Windsor.
North Beach.
North East.
Oakland.
Ocean City.
Oella.
Oxford.
Perryville.
Pocomoke City.
Port Deposit.
Preston.
Princess Anne.
Queenstown.
Ridgley.
Rising Sun.
Rock Hall.
Rockville.
Salisbury.
Savage.
Secretary.
Sharptown.
Smithsburg.
Snow Hill.
Sudlersville.

MARYLAND—Continued

Trappe.
Union Bridge.
Vienna.
Walkersville.
Washington Suburban Sanitation Commission.
Westernport.
Westminster.

MASSACHUSETTS

Abington.
Acushnet.
Adams.
Agawam.
Amesbury.
Amherst.
Andover.
Ashfield.
Ashland.
Athol.
Attleboro.
Auburn.
Ayer.
Barnstable.
Barre.
Belchertown.
Billerica.
Blackstone.
Bourne.
Bridgewater.
Brockton.
Brookfield.
Burlington.
Charlemont.
Charlton.
Chatham.
Chelmsford.
Cheshire.
Chester.
Chicopee.
Clarksburg.
Cohasset.
Colrain.
Conway.
Dalton.
Danvers.
Dartmouth.
Deerfield.
Dracut.
Easthampton.
East Longmeadow.
Erving.
Fairhaven.
Fall River.
Falmouth.
Foxborough.
Franklin.
Gardner State Hospital.
Gloucester.
Grafton.
Great Barrington.
Groveland.
Hatfield.
Haverhill.
Hingham.
Hinsdale.
Holbrook.
Holliston.
Holyoke.
Hopkinton.
Hudson.
Hull.
Huntington.
Ipswich.
Kingston.
Lancaster.
Lanesborough.
Lawrence.
Lee.
Leeds.
Leicester.
Lenox.
Leominster.
Longmeadow.
Lowell.
Lynn.
Manchester.
Marblehead.
Marshfield.
Mattapoisett.
Maynard.

MASSACHUSETTS—Continued

Medway.
Methuen.
Metroplitan District Commission.
Middleborough.
Millbury.
Millis.
Millville.
Monroe.
Monson.
Montague.
New Bedford.
Newburyport.
North Adams.
Northampton.
North Andover.
North Attleborough.
Northfield.
North Reading.
Orange.
Oxford.
Palmer.
Pittsfield.
Plymouth.
Provincetown.
Randolph.
Rockland.
Rockport.
Russell.
Salisbury.
Saugus.
Scituate.
Sheffield.
Shelburne.
Shrewsbury.
Somerset.
South Essex Sanitary District.
South Hadley.
South Royalston.
Springfield.
Sturbridge.
Sunderland.
Taunton.
Templeton Hospital Cottages.
Tewksbury State Infirmary.
Upton.
Uxbridge.
Ware.
Warren.
Westborough.
Westborough State Hospital.
West Brookfield.
Westfield.
West Springfield.
West Stockbridge.
Whitman.
Williamsburg.
Williamstown.
Winchendon.

MICHIGAN

Albion.
Algonac.
Allegan.
Alma.
Almont.
Alpha.
Armada.
Auburn.
Avon Township.
Baraga.
Battle Creek.
Belding.
Belleville.
Bellevue.
Benton Township.
Bergland Township.
Berrien Springs.
Bessemer.
Big Rapids.
Blissfield.
Breckenridge.
Bridgman.
Brighton.
Bronson.
Cadillac.
Calumet.
Capac.
Caro.
Caspian.
Cassopolis.
Cedar Springs.

MICHIGAN—Continued

Centreville.
Chelsea.
Chesaning.
Clinton Township.
Clio.
Coloma.
Coloma Township.
Columbiaville.
Constantine.
Corunna.
Croswell.
Crystal Falls.
Dearborn.
Delhi Township.
Detroit (Conner Creek).
DeWitt.
Dimondale.
Dowagiac.
Dundee.
East Lansing.
Elberta.
Elkton.
Escanaba.
Essexville.
Evart.
Farmington.
Fenton.
Flint.
Fowler.
Fowlerville.
Frankenmuth.
Frankfort.
Fraser.
Fremont.
Galesburg.
Genesee County Sanitary District. (Burton Township, Davison, Flint Township, Flushing, Gaines Township, Genesee Township, Grand Blanc, Grand Blanc Township, Mount Morris, Mount Morris Township).
Grand Rapids.
Grandville.
Grant.
Grayling.
Greenville.
Grosse Isle Township.
Grosse Pointe Woods.
Hancock.
Harbor Beach.
Harper Woods.
Harrison Township.
Hart.
Hemlock.
Holland.
Holly.
Homer.
Houghton.
Howell.
Hudson.
Imlay City.
Inkster.
Ionia.
Iron Mountain.
Iron River.
Ironwood.
Ishpeming.
Ithaca.
Jackson.
Jonesville.
Keego Harbor.
Kent City.
Kingsford.
Lake Linden.
Lake Orion.
Lakeview.
L'Anse.
Lansing.
Lapeer.
Lathrup Village.
Leslie.
Lowell.
Mackinac Island.
Manchester.
Mainstee.
Manistique.
Marine City.
Marion.
Marlette.
Mason.

MICHIGAN—Continued

Mayville.
Memphis.
Meridian Township.
Merrill.
Middleville.
Midland.
Monroe.
Montague.
Montrose.
Morenci.
Mount Pleasant.
Munising.
Muskegon.
Muskegon Hts.
Nashville.
Newago.
New Baltimore.
Newberry.
New Haven.
North Evergreen Authority (Birmingham, Bloomfield Hills, Bloomfield Township, Troy).
Norway.
Ontonagon.
Ovid.
Parma.
Paw Paw.
Pentwater.
Pigeon.
Pontiac.
Pontiac Township.
Portland.
Richmond.
Rochester.
Rollin Township.
Romeo.
Roscommon.
Roscommon Township.
Saint Clair.
Saint Ignace.
Saint Johns.
Saint Joseph Township.
Sandusky.
Saugatuck.
Sault Ste. Marie.
Scottville.
Sebewaing.
Shepherd.
Southeastern Oakland County sewage (Berkley, Birmingham, Clawson, Ferndale, Hazel Park, Huntington Woods, Oak Park, Pleasant Ridge, Royal Oak, Royal Oak Township, Southfield Township, Troy Township).
South Lyon.
South Macomb Sanitary District (Centerline, East Detroit, Roseville, St. Clair Shores, Warren Township).
Springfield.
Spring Lake.
Stambaugh.
Standish.
Stephenson.
Sturgis.
Tawas City.
Traverse City.
Union City.
Utica.
Vicksburg.
Wakefield.
Walled Lake.
Warren.
Warren Township.
Wayland.
Wayne.
Wayne County System (Allen Park, Flat Rock, Lincoln Park, Wayne Major Airport, Wyandotte).
Webberville.
White Pigeon.
Woodland.
Yale.
Ypsilanti.
Ypsilanti Township.

MINNESOTA

Adams.
Adrian.
Aitken.
Alvarado.
Amboy.

MINNESOTA—Continued

Annandale.
Argyle.
Arlington.
Askov.
Atwater.
Aurora.
Austin.
Barnum.
Bayport State Prison.
Belle Plaine.
Benson.
Big Fork.
Bird Island.
Biscay.
Blomkest.
Blooming Prairie.
Bloomington.
Blue Earth.
Bovey.
Brainerd.
Brewster.
Bricelyn.
Brooklyn Park.
Brooten.
Browerville.
Brownton.
Buffalo Lake.
Buhl.
Bryon.
Caledonia.
Calumet.
Cambridge.
Cambridge (State Epileptic Colony).
Campbell.
Cannon Falls.
Canton.
Cass Lake.
Chanhassen.
Chaska.
Claremont.
Clarkfield.
Climax.
Clinton.
Cold Springs.
Coleraine.
Cologne.
Cook.
Cooley.
Coon Rapids.
Cottonwood.
Crookston.
Crosby.
Currie.
Cuyuna.
Cyrus.
Darwin.
Dawson.
Deephaven.
Deer River.
DeGraff.
Donnelly.
Duluth.
Dumont.
Dunnell.
Eagle Bend.
East Grand Forks.
Easton.
Elk River.
Elgin.
Ellendale.
Elmore.
Emmons.
Erskine.
Eveleth.
Excelsior.
Fairmont.
Falcon Heights.
Farmington.
Fergus Falls.
Fertile.
Floodwood.
Franklin (Renville County).
Fraser.
Frazee.
Freeport.
Frost.
Gaylord.
Geneva.
Glenville.
Good Thunder.

MINNESOTA—Continued

Graceville.
Granada.
Grand Marais.
Grand Meadow.
Grand Rapids.
Greenbush.
Greenwald.
Grey Eagle.
Grove City.
Hackensack.
Halstad.
Hampton.
Hanley Falls.
Hawley.
Hectoe.
Henderson.
Hendricks.
Herman.
Heron Lake.
Hills.
Hinckley.
Hokah.
Holdingford.
Hollandale.
Hordon.
Houston.
Hutchinson.
Inver Grove.
Iron Junction.
Ironton.
Isanti.
Isle.
Island Park.
Ivanhoe.
Jackson.
Jamesville.
Kasson.
Kennedy.
Kerkhoven.
Kinney.
Lafayette.
Lake Benton.
Lake Crystal.
Lakeville.
Lake Wilson.
Lamberton.
Lancaster.
Le Center.
Le Roy.
LeSueur.
Lewisville.
Lino-Lakes.
Lismore.
Little Falls.
Long Lake.
Lonsdale.
Lowry.
Lyle.
McKinley.
Mahnomen.
Manganese.
Maple Lake.
Mapleton.
Marble.
Marshall.
Mazeppa.
Meadowlands.
Melrose.
Middle River.
Milaca.
Minneapolis-St. Louis Sanitary District.
Monterey.
Montevideo.
Montgomery.
Monticello.
Montrose.
Moorhead.
Mora.
Morris.
Morton.
Mound.
Mountain Iron.
Mountain Lake.
Mudbaden Sanitarium.
Nashwauk.
New Canada Township (Ramsey County).
New Hope.
New Prague.

MINNESOTA—Continued

North Branch.
Northfield.
North Mankato.
Norwood.
Oklee.
Olivia.
Owatonna.
Park Rapids.
Paynesville.
Pine City.
Pine Island.
Pierz.
Pine River.
Plato.
Plummer.
Porter.
Preston.
Princeton.
Prior Lake.
Red Lake Falls.
Red Wing.
Red Wing Training School.
Remer.
Renville.
Richmond.
Rochester.
Round Lake.
Rush City.
Russell.
St. Clair.
St. Joseph.
St. Michael.
St. Peter.
St. Peter State Hospital.
Sanborn.
Sandstone.
Sargeant.
Sartell.
Sauk Rapids.
Shakopee.
Shakopee Children's Home.
Shakopee Reformatory.
Slayton.
Sleepy Eye.
South International Falls.
South St. Paul.
Spring Grove.
Spring Hill.
Spring Park.
Starbuck.
Stewart.
Stillwater.
Storden.
Taconite.
Thomson Township (Carlton County).
Tower.
Tracy.
Triumph.
Trommald.
Truman.
Twin Valley.
Two Harbors.
Tyler.
Verndale.
Waite Park.
Walnut Grove.
Wanamingo.
Watertown.
Waterville.
Waverly.
Welcome.
Wells.
Westbrook.
West Concord.
Willmar.
Willmont.
Winnebago.
Winthrop.
Wolverton.
Worthington.
Zumbrota.

MISSISSIPPI

Aberdeen.
Ackerman.
Amory.
Baldwyn.
Batesville.
Bay St. Louis.
Bay Springs.

MISSISSIPPI—Continued

Biloxi.
Bolton.
Brandon.
Bruce.
Calhoun City.
Canton.
Carrollton.
Carthage.
Charleston.
Clarksdale.
Clinton.
Coldwater.
Collins.
Columbus.
Corinth.
Cruger.
Decatur.
De Kalb.
D'Lo.
Drew.
Duck Hill.
Durant.
Edwards.
Ellisville.
Ellisville State School.
Eupora.
Fayette.
Flora.
Forest.
Georgetown.
Goodman.
Grenada.
Gulfport.
Hattiesburg.
Hazelhurst.
Hernando.
Holly Springs.
Houston.
Indianola.
Inverness.
Itta Bena.
Iuka.
Jackson.
Kosciusko.
Lambert.
Laurel.
Leland.
Lexington.
Liberty.
Lumberton.
Macon.
Magee.
Magnolia.
Marks.
McComb.
Mendenhall.
Meridian.
Moorhead.
Morton.
Mount Olive.
Nettleton.
New Albany.
Newton.
Ocean Springs.
Okolona.
Olive Branch.
Pascagoula.
Pass Christian.
Pelahatchie.
Picayune.
Pickens.
Poplarville.
Port Gibson.
Quitman.
Raymond.
Richton.
Ripley.
Rolling Fork.
Roxie.
Sardis.
Senatobia.
Shaw.
Shelby.
Starkville.
Sumner.
Sunflower.
Tchula.
Terry.
Tunica.
Tylertown.
Union (Newton and Neshoba County).
University (University of Mississippi).
Utica.
Water Valley.
Waynesboro.
Webb.
West Point.
Wiggins.
Winona.

MISSOURI

Algoa Reformatory.
Anderson.
Arcadia.
Armstrong.
Ashland.
Aurora.
Auxvasse.
Belle.
Benton.
Bernie.
Bevier.
Bismarck.
Bland.
Bloomfield.
Blue Springs.
Boonville.
Boonville (State Boys Home).
Bowling Green.
Braymer.
Brunswick.
Bucklin.
Buckner.
Burlington Junction.
Butler.
Camdenton.
Campbell.
Canton.
Cape Girardeau.
Carterville.
Carthage.
Cassville.
Center.
Centralia.
Chamois.
Chillicothe.
Clarence.
Claycomo.
Clinton.
Crystal City.
Cuba.
Desloge.
De Soto.
Doniphan.
East Prarie.
Edina.
Ellington.
Elsberry.
Elvins.
Esther.
Eureka.
Excelsior Springs.
Fairfax.
Festus.
Flat River.
Fornfelt.
Galena.
Gideon.
Gladstone.
Glasgow.
Granby.
Grandview.
Grant City.
Greenfield.
Hamilton.
Hardin.
Herculaneum.
Hermann.
Higginsville.
Holden.
Hollister.
Hornersville.
Humansville.
Huntsville.
Iberia.
Ilmo.
Independence.
Ironton.
Jackson County Sewer District No. 1.
Jackson County Sewer Districts 21 to 60.

MISSOURI—Continued

Jamesport.
Jefferson City.
Joplin.
Kahoka.
Kansas City.
Kennett.
Keytesville.
LaBelle.
Laddonia.
LaGrange.
Lake Lotawanna.
Lake Tapawingo.
LaMonte.
Lancaster.
La Plata.
Lathrop.
Leadwood.
Leawood.
Lexington.
Liberal.
Liberty.
Licking.
Lilbourn.
Linn.
Louisiana.
Lutesville.
Macon.
Maitland.
Malta Bend.
Mansfield.
Marble Hill.
Marceline.
Marshall.
Martinsburg.
Metropolitan St. Louis Sewer District.
Milan.
Morehouse.
Mound City.
Mountain Grove.
Neosho.
Newberg.
New Franklin.
New Haven.
New London.
Norborne.
North Kansas City.
Oak Grove.
Oran.
Oregon.
Orrick.
Osceola.
Otterville.
Pacific.
Palmyra.
Parkville.
Parma.
Pattonsburg.
Piedmont.
Platte City.
Pleasant Hill.
Poplar Bluff.
Portage Des Sioux.
Portosi.
Princeton.
Puxico.
Raytown.
Rich Hill.
Richland.
Ridgeway.
Rockport.
Saint Charles.
Saint Francois.
Sainte Genevieve.
Saint Joseph.
Saint Robert.
Salem.
Sarcoxie.
Sedalia.
Senath.
Seneca.
Shelbina.
Smithville.
Southwest City.
Springfield.
Stanberry.
Steele.
Steelville.
Stockton.
Stover.
Sugar Creek.

MISSOURI—Continued

Sullivan.
Tarkio.
Thayer.
Tipton.
Troy.
Union.
Unionville.
Urbana.
Valley Park.
Vandalia.
Washington.
Waverly.
Webb City.
Wentzville.
Weston.
West Plains.

MONTANA

Absarokee.
Alberton.
Anaconda.
Augusta.
Basin.
Belgrade.
Belt.
Big Timber.
Billings.
Black Eagle.
Boulder.
Boulder State School.
Bridger.
Broadus.
Broadview.
Browning.
Butte.
Cascade.
Clyde Park.
Columbia Falls.
Columbus.
Conrad.
Culbertson.
Cut Bank.
Darby.
Deer Lodge.
Deer Lodge (State Penitentiary).
Dixon Indian Agency.
Dodson.
Drummond.
Ekalaka.
Ennis.
Eureka.
Forsyth.
Fort Belknap.
Fort Benton.
Fort Harrison.
Fort Peck.
Froid.
Fromberg.
Gardiner.
Geraldine.
Glacier Park Station.
Glasgow.
Glendive.
Glenwood Park.
Grass Range.
Great Falls.
Hardin.
Harlowton.
Helena.
Helena (State Vocational School for Girls).
Highwood.
Hingham.
Hobson.
Hysham.
Ismay.
Kalispell.
Kevin.
Laurel.
Lewistown.
Libby.
Lima.
Livingston.
Lodge Grass.
Malta.
Manhattan.
Medicine Lodge.
Melstone.
Miles City.
Missoula.
Moore.
Musselshell.

MONTANA—Continued

Nashua.
Neihart.
Northeast Billings.
Orchard Homes.
Outlook.
Paradise.
Philipsburg.
Plains.
Plevna.
Polson.
Poplar.
Richey.
Ronan.
Roundup.
Rudyard.
Ryegate.
Saco.
Scobey.
Shelby.
Sheridan.
Sidney.
Somers.
Stanford.
Stevensville.
Superior.
Terry.
Thompson Falls.
Three Forks.
Townsend.
Trident.
Troy.
Twin Bridges.
Valier.
Vaughn.
Virginia City.
Warm Springs State Hospital.
West Billings.
Westby.
White Fish.
Whitehall.
White Sulphur Springs.
Wibaux.
Winifred.
Winnett.
Wolf Point.
Wyola.

NEBRASKA

Albion.
Alexandria.
Allen.
Anselmo.
Ansley.
Arapahoe.
Arcadia.
Arnold.
Ashland.
Atkinson.
Auburn.
Aurora.
Bancroft.
Bartley.
Bayard.
Beatrice.
Beaver City.
Beemer.
Belgrade.
Bellevue.
Bellwood.
Belvidere.
Benedict.
Benkelman.
Bennett.
Bladen.
Blair.
Bloomfield.
Bloomington.
Blue Springs.
Bradshaw.
Brady.
Brainard.
Bridgeport.
Broadwater.
Brock.
Broken Bow.
Brunswick.
Burchard.
Burwell.
Carleton.
Carroll.
Cedar Rapids.

NEBRASKA—Continued

Chadron.
Clarkson.
Clearwater.
Cody.
Columbus.
Comstock.
Cortland.
Cozad.
Craig.
Crawford.
Creston.
Crete.
Crofton.
Culbertson.
Curtis.
Dakota City.
Danbury.
Dawson.
Diller.
Dodge.
Douglas.
Dubois.
Dunbar.
Dwight.
Edison.
Elba.
Elkhorn.
Elsie.
Fairbury.
Fairmont.
Falls City.
Farnam.
Firth.
Ft. Calhoun.
Franklin.
Fremont.
Fullerton.
Genoa.
Gering.
Giltner.
Gordon.
Gothenburg.
Gresham.
Gurley.
Haigler.
Hampton.
Hardy.
Harrison.
Hastings.
Hastings State Hospital.
Hayes Center.
Hay Springs.
Hebron.
Henry.
Herman.
Hershey.
Hickman.
Hildreth.
Holdrege.
Hooper.
Howells.
Humbolt.
Humphrey.
Hyannis.
Indianola.
Jackson.
Kearney.
Kennard.
Laurel.
Leigh.
Lexington
Liberty.
Lindsay.
Litchfield.
Louisville.
Loup City.
Lyman.
Lynch.
Lyons.
Madison.
Marquette.
Mason City.
Maywood.
Merna.
Merriman.
Milford.
Milligan.
Minatare.
Mitchell.
Monroe.
Morrill.

NEBRASKA—Continued

Murdock.
Naponee.
Nebraska City.
Nehawka.
Neligh.
Nelson.
Newmans Grove.
Newport.
Niobrara.
Norfolk.
North Loup.
North Platte.
Oakdale.
Oakland.
Oconto.
Ogallala.
Ohiowa.
Omaha.
O'Neill.
Orchard.
Ord.
Orleans.
Osceola.
Oshkosh.
Otoe.
Page.
Palisade.
Palmer.
Palmyra.
Papillion.
Pender.
Petersburg.
Pierce.
Pilger.
Plattsmouth.
Ponca.
Prague.
Ralston.
Ravenna.
Red Cloud.
Riverton.
Rosalie.
Rushville.
Ruskin.
St. Edward.
St. Paul.
Salem.
Schuyler.
Scottsbluff.
Scribner.
Seward.
Shubert.
Silver Creek.
Snyder.
South Sioux City.
Spalding.
Spencer.
Springview.
Stamford.
Stanton.
Staplehurst.
Stella.
Superior.
Sutherland.
Swanton.
Syracuse.
Table Rock.
Tecumseh.
Thedford.
Tilden.
Tobias.
Ulysses.
Unadilla.
Union.
Upland.
Utica.
Valentine.
Valparaiso.
Venango.
Verdon.
Wahoo.
Wakefield.
Wallace.
Walthill.
Waterloo.
Wauneta.
Wayne.
Western.
Weston.
West Point.

NEBRASKA—Continued

Wilber.
Wilcox.
Wilsonville.
Winnebago.
Winside.
Wisner.
Wood Lake.
Wynot.

NEVADA

Boulder City.
Carlin.
Carson City.
Clark County.
Douglas County.
Elko.
Ely.
Eureka.
Fallon.
Gabbs.
Goldfield.
Henderson.
Las Vegas.
Lovelock.
McDermitt.
Mesquite.
Minden and Gardnerville.
New Ruth.
Overton.
Panaca.
Pioche.
Reno.
Schurz.
Sparks.
Tonopah.
Virginia City.
Washoe County.
Wells.
Winnemucca.
Yerington.

NEW HAMPSHIRE

Allenstown.
Antrim.
Ashland.
Bartlett.
Berlin.
Bethlehem.
Bristol.
Canaan.
Carroll.
Center Ossipee.
Charlestown.
Claremont.
Colebrook.
Concord.
Conway.
Derry.
Dover.
Durham.
East Jaffrey.
Epping.
Exeter.
Farmington.
Franklin.
Goffstown.
Gorham.
Greenville.
Groveton.
Hanover.
Haverhill.
Henniker.
Hillsboro.
Hillsboro County Farm (Goffstown).
Hinsdale.
Hooksett.
Hopkinton.
Hudson.
Jaffrey.
Keene.
Laconia.
Lancaster.
Lebanon.
Lincoln.
Lisbon.
Littleton.
Manchester.
Marlboro.
Merrimack.
Merrimack County Farm (Boscawen).
Milford.
Nashua.

NEW HAMPSHIRE—Continued

New Boston.
New London.
Newmarket.
Newport.
North Conway.
Northfield.
Northumberland.
North Walpole.
Pembroke.
Penacook.
Peterborough.
Pittsfield.
Plymouth.
Portsmouth.
Raymond.
Rochester.
Salem.
Salmon Falls.
Somersworth.
Sunapee.
Tilton.
Troy.
Walpole.
Warner.
Weare.
Weirs.
West Hopkinton.
West Lebanon.
West Swanzey.
Whitefield.
Wilton.
Winchester.
Wolfeboro.
Woodsville.

NEW JERSEY

Allendale.
Audubon.
Avalon.
Beach Haven.
Bellmawr (Borough).
Bergen County Sewer Authority (Bergenfield, Bogota, Dumont, Hackensack, Hasbrouck Heights, Little Ferry, Maywood, New Milford, Oradell, Paramus, Ridgefield Park, River Edge, South Hackensack, Teaneck, Teterboro, Westwood).
Berkeley Heights.
Bernards Township Sewage Authority.
Bordentown.
Burlington.
Caldwell.
Cape May.
Cape May Point.
Carteret.
Cedar Grove.
Clementon.
Denville Township.
Eatontown.
Essex Fells.
Florence Township.
Freehold.
Glassboro.
Haddonfield.
Haddon Township.
Hamilton Township-Mays Landing Section.
Hoboken.
Hopewell.
Island Heights.
Keansburg.
Lakehurst.
Little Ferry.
Livingston Township.
Lyndhurst.
Manville.
Maple Shade.
Middlesex Sewage Authority (Bound Brook, Dunellen, East Brunswick Township, Edison Township, Helmetta, Highland Park, Madison Township, Metuchen, Middlesex Borough, New Brunswick, North Brunswick Township, North Plainfield, Plainfield, Sayreville Township, South Bound Brook, South River).
Millville.
Neptune Township.
New Jersey State Hospital (Graystone Park).
North Arlington.
North Bergen (Hudson).
North Bergen (Bellmans Bk.).
North Caldwell.
North Wildwood.

NEW JERSEY—Continued

Packanack Lake.
Passaic Valley Sanitary District.
Paulsboro.
Pennington.
Point Pleasant Borough.
Rahway Valley Sewerage Authority.
Ramsey.
Raritan.
River Edge.
Riverside Township.
Rochelle Park.
Seaside Heights.
Secaucus.
Ship Bottom.
Somerville.
Stratford.
Sussex.
Totowa.
Trenton.
Tuckerton.
Ventnor-Margate.
Wenonah (Borough).
West Cape May.
West Paterson.
Westville.
Weymouth Township-Belcoville.
Wildwood Crest.

NEW MEXICO

Alamogordo.
Albuquerque.
Anthony.
Anton Chico.
Artesia.
Aztec.
Bayard.
Belen.
Bernalillo.
Bloomfield.
Capitan.
Carlsbad.
Carrizozo.
Central.
Cimarron.
Clayton.
Cloudcroft.
Clovis.
Cuba.
Deming.
Des Moines.
Dexter.
Dixon.
East Las Vegas.
East Pecos.
Elida.
Espanola.
Estancia.
Eunice.
Farmington.
Folsom.
Forrest.
Fort Stanton Hospital.
Fort Sumner.
Gallup.
Grady.
Grants.
Green Tree.
Hagerman.
Hatch.
Hobbs.
Hollywood.
Hope.
Hurley.
Jal.
Las Cruces.
Lordsburg.
Los Lunas.
Loving.
Lovington.
Magdalena.
Maxwell.
Melrose.
Mesilla.
Mesilla Park.
Mora.
Mosquero.
Mountainair.
Pecos.
Portales.
Raton.
Roswell.
Roy.
Ruidoso.
San Jon.
San Jose.
San Rafael.
Santa Fe.
Santa Rosa.
Silver City.
Socorro.
State College.
Taos.
Tatum.
Texico.
Tierra Amarilla.
Truth or Consequences.
Tucumcari.
Tularosa.
Vaughn.
Wagon Mound.
West Las Vegas.

NEW MEXICO—Continued

NEW YORK

Adams (v).
Akron (v).
Albany (c).
Albion (v).
Alden (v).
Alexandria Bay (v).
Allegany (v).
Altamont (v).
Amherst (t).
Amsterdam (c).
Andover (v).
Angola (v).
Arcade (v).
Athens (v).
Attica (v).
Auburn (c).
Avon (v).
Bainbridge (v).
Baldwinsville (v).
Ballston Spa (v).
Batavia (c).
Beacon (c).
Bellport (v).
Belmont (v).
Bemus Point (v).
Bethlehem (t).
Binghamton (c).
Black River (v).
Bloomingdale (v).
Bolivar (v).
Bolton (t).
Boonville (v).
Boston (t).
Brighton (t).
Brockport (v).
Brookhaven (t).
Brownville (v).
Cambridge (v).
Camillus (v).
Canajoharie (v).
Canastota (v).
Canisteo (v).
Cape Vincent (v).
Carmel.
Carthage (v).
Cassadaga (v).
Castile (v).
Castleton-on-Hudson (v).
Castorland (v).
Catskill (v).
Cattaraugus (v).
Cazenovia (v).
Celoron (v).
Champlain (v).
Chateaugay (v).
Cheektowaga (t).
Cherry Creek (v).
Cherry Valley (v).
Clarkstown (t).
Clayton (v).
Clayville (v).
Clinton (v).
Clyde (v).
Clymer (v).
Cohoes (c).
Cold Spring (v).
Colonie (t).
Constableville (v).
Copenhagen (v).
Corfu (v).
Corinth (v).
Corning (c).
Coxsackie (v).
Crawford (t).
Croghan (v).
Croton-on-Hudson (v).
Cuba (v).
Dannemora (v).
Deferiet (v).
Delhi (v).
Depew (v).
Deposit (v).
Dexter (v).
Dickinson (t).
Dolgeville (v).
Dundee (v).
Dunkirk (c).
East Greenbush.
East Randolph (v).
East Rochester (v).
Eden (t).
Elba (v).
Elbridge (v).
Ellenville (v).
Ellicottville (v).
Elmira Heights (v).
Endicott (v).
Esopus (t).
Evans (t).
Fairport (v).
Falconer (v).
Fallsburg (t).
Fayetteville (v).
Florida (v).
Fonda (v).
Forestville (v).
Fort Edward (v).
Fort Plain (v).
Frankfort (v).
Franklinville (v).
Fredonia (v).
Frewsburg Carroll (t).
Fulton (c).
Fultonville (v).
Garden City (v).
Gates (t).
Geneseo (v).
Geneva (c).
Glen Park (v).
Glenville (t).
Gloversville (c).
Goshen (v).
Gouverneur (v).
Gowanda (v).
Grand Island (t).
Granville (v).
Greece (t).
Greene (v).
Green Island (v).
Greenport (t).
Greenwich (v).
Greenwood Lake (v).
Groton (v).
Guilderland (t).
Hagaman (v).
Hamburg (t).
Hamilton (v).
Hancock (v).
Hanover (t).
Hempstead (t).
Henrietta (t).
Herkimer (v).
Highland Falls (v).
Holland (t).
Holley (v).
Homer (v).
Honeoye Falls (v).
Hoosick Falls (v).
Hornell (c).
Horseheads (v).
Horsehead Township.
Hudson (c).
Huntington (t).
Ilion (v).
Interlaken (v).
Irondequoit (t).
Irvington (v).
Ithaca (c).
Ithaca (t).

NEW YORK—Continued

Jamestown (c).
Johnsburg (t).
Johnson City (v).
Johnstown (c).
Jordan (v).
Kingston (c).
Kirkland (t).
Lackawanna (c).
Lake Placid (v).
Lakewood (v).
Lancaster (t).
Lancaster (v).
Larchmont (v).
LeRoy (v).
Lewiston (t).
Lewiston (v).
Liberty (t).
Lima (v).
Little Falls (c).
Little Valley (v).
Liverpool (v).
Lockport.
Long Beach (c).
Lowville (v).
Lyons Falls (v).
Malone (v).
Manlius (v).
Marathon (v).
Marcellus (v).
Marcy (t).
Martinsburg (t).
Massena (v).
Maybrook (v).
Mayville (v).
Medina (v).
Menands (v).
Mexico (v).
Middleport (v).
Milford (v).
Millbrook (v).
Millerton (v).
Minetto (t).
Mohawk (v).
Monroe (v).
Montgomery (v).
Montour Falls (v).
Mount Morris (v).
Mount Pleasant (t).
Nelliston (v).
Newark (v).
New Berlin (v).
Newburgh (c).
New Castle (t).
Newfane (t).
New Hartford (t).
New Hartford (v).
New Paltz (v).
New Rochelle (c).
New York (c).
New York Mills (v).
Niagara (t).
Niagara Falls (c).
North Collins (v).
North Greenbush (t).
North Harmony (t).
North Hempstead (t).
Northville (v).
Norwich (c).
Norwood (v).
Ogdensburg (c).
Oneida (c).
Oneida Castle (v).
Oneonta (c).
Oneonta (t).
Onondaga County.
Orangetown (t).
Orchard Park (v).
Oriskany (v).
Oriskany Falls (v).
Oswego (c).
Ovid (v).
Owego (v).
Oxford (v).
Palatine Bridge (v).
Palmyra (v).
Panama (v).
Patchogue (v).
Peekskill (c).
Perry (v).
Philadelphia (v).

NEW YORK—Continued

Phoenix (v).
Piermont (v).
Plattsburgh (c).
Poland (t).
Pomfret (t).
Port Chester (v).
Port Henry (v).
Port Jefferson Sewer District.
Potsdam (v).
Poughkeepsie (c).
Poughkeepsie (t).
Pulaski (v).
Randolph (v).
Ravena (v).
Red Hook (v).
Rensselaer (v).
Richburg (v).
Richfield Springs (v).
Ripley (t).
Riverhead (v).
Rochester (c)
Rome (c).
Rosendale (v).
Rotterdam (t).
Rouses Point (v).
Salamanca (c).
Salem (v).
Sandy Creek (v).
Saranac Lake (v).
Schaghticoke (v).
Schoharie (v).
Seneca Falls (v).
Sharon Springs (v).
Shawangonk (t).
Sherburne (v).
Sherman (v).
Sidney (v).
Silver Creek (v).
Skaneateles (v).
Sodus (v).
Solvay (v).
South Dayton (v).
Speculator (v).
Spring Valley (v).
Springville (v).
St. Johnsville (v).
Suffern (v).
Syracuse (c).
Theresa (v).
Ticonderoga (t).
Ticonderoga (v).
Tonawanda (t).
Troy (c).
Tupper Lake (v).
Turin (v).
Tuxedo (v).
Unadilla (v).
Union (t).
Union Springs (v).
Unionville (v).
Upper Nyack.
Utica (c).
Valley Falls (v).
Vernon (v).
Vestal (t).
Victor (v).
Waddington (v).
Walden (v).
Wallkill (t).
Walton (v).
Wanakah Sanitary District.
Wappingers Falls (v).
Warwick (v).
Waterford (v).
Waterloo (v).
Watertown (c).
Waterville (v).
Watervliet (c).
Waverly (v).
Webb (t).
Webster (v).
Wellsville (v).
West Carthage (v).
Westchester County.
West Haverstraw (v).
Westport (v).
West Seneca (t).
Wheatfield (t).
Whitehall (v).

NOTE: (c)—city; (t)—town; (v)—village.

NEW YORK—Continued

Whitesboro (v).
Wilson (v).
Yorkville (v).
Youngstown (v).

NORTH CAROLINA

Aberdeen.
Ahoskie.
Albemarle.
Alexander Hills.
Andrews.
Angier.
Apex.
Asheboro.
Asheville.
Aulander.
Ayden.
Baileys.
Bakersville.
Banner Elk.
Battleboro.
Beaufort.
Beaver Dam Sanitary District.
Belhaven.
Belmont.
Benson.
Bessemer City.
Bethel (Pitt County).
Biltmore Forest.
Biscoe.
Black Mountain.
Blowing Rock.
Boiling Springs.
Bonnie Doone.
Booneville.
Bryson City.
Burgaw.
Burlington.
Burnsville.
Busbee Sanitary District.
Butner State Hospital.
Caledonia Prison Farm.
Candor.
Caney Valley Sanitary District.
Canton.
Carolina Beach.
Carrboro.
Carthage.
Cary.
Catawba.
Central Falls Sanitary District.
Chadbourn.
Chapel Hill (Orange County).
Charlotte.
Cherryville.
China Grove.
Chowan County School.
Claremont.
Clayton.
Clinton.
Clyde.
Colerain.
Columbia.
Columbus.
Concord.
Conover.
Creedmoor.
Crescent Hill Sanitary District.
Crossnore.
Dallas.
Davidson.
Denton.
Dillsboro.
Draper.
Drexell.
Druid Hills Sanitary District.
Dunn.
Durham.
Edenton.
Elizabeth City.
Elizabethtown.
Elkin.
Ellerbe.
Elm City.
Enfield.
Fair Bluff.
Fairmont.
Fairview Sanitary District.
Faison.
Farmville.

NORTH CAROLINA—Continued

Fayetteville.
Forest City.
Fountain.
Franklin (Macon County).
Franklinton.
Fremont.
Fuquay Springs.
Gastonia.
Gibson.
Gibsonville.
Goldsboro.
Graham.
Granite Falls.
Greensboro.
Greenville.
Halifax.
Hamlet.
Hayesville.
Hazel Sanitary District.
Hazelwood.
Hendersonville.
Hertford.
Hickory.
Highlands.
High Point.
Hillsboro.
Holly Ridge.
Hockerton.
Hot Springs.
Huntersville.
Jackson.
Jonesville.
Kenly.
Kernersville.
Kings Mountain.
Kinston.
Kure Beach.
LaGrange.
Lake Lure.
Laurel Park.
Laurinburg.
Leaksville.
Lenoir.
Lexington.
Liberty.
Lilesville.
Lillington.
Lincolnton.
Littleton.
Longview.
Louisburg.
Lucama.
Lumberton.
Madison.
Maiden.
Manteo.
Marshall.
Mars Hill.
Marshville.
Maxton.
Mayodan.
Mebane.
Middlesex.
Mocksville.
Mooresville.
Morehead City.
Morven.
Mount Airy.
Mount Gilead.
Mount Holly.
Mount Olive.
Mount Pleasant (Cabarrus County).
Murfreesboro.
Murphy.
Nashville.
New Bern.
Newland.
Newton.
North Wilkesboro.
Norwood.
Oakboro.
Old Fort.
Oxford.
Pikeville.
Pilot Mountain.
Pine Level.
Pinetops.
Pineville.
Pittsboro.
Plymouth.

NORTH CAROLINA—Continued

Princeton.
Raeford.
Ramseur.
Randleman.
Red Springs.
Reidsville.
Richlands.
Rich Square.
Roanoke Rapids Sanitary District.
Robbins.
Robbinsville.
Robersonville.
Rockingham.
Rockwell.
Rocky Mount.
Roseboro.
Rose Hill.
Rowland.
Roxboro.
Rural Hall Sanitary District.
Rutherfordton.
St. Pauls.
Salisbury.
Saluda.
Sanford.
Scotland Neck.
Seaboard.
Selma.
Shelby.
Siler City.
Skyland Sanitary District.
Smithfield.
Snow Hill.
Southern Pines.
Southport.
Sparta.
Spencer.
Spindale.
Spray.
Spring Hope.
Spruce Pine.
Stanley.
Stantonsburg.
Star.
Statesville.
Stoneville.
Swannanoa Sanitary District.
Swansboro.
Sylva.
Tabor City.
Tarboro.
Thomasville.
Topsail Beach.
Trenton.
Troy.
Tryon.
Valdese.
Wadesboro.
Wake Forest.
Wallace.
Walnut Cove.
Walstonburg.
Warrenton.
Warsaw.
Waxhaw.
Waynesville.
Weaverville.
Weldon.
Wendell.
West Jefferson.
Whitakers.
Whiteville.
Wilkesboro.
Williamston.
Wilmington.
Wilson.
Windsor.
Winston-Salem.
Winterville.
Winton.
Woodfin Sanitary District.
Wrightsville Beach.
Yadkinville.
Yanceyville Sanitary District.
Youngsville.
Zebulon.

NORTH DAKOTA

Abercrombie.
Adams.
Alexander.

NORTH DAKOTA—Continued

Amenia.
Anamoose.
Aneta.
Arnegard.
Ashley.
Belfield.
Berthold.
Beulah.
Bismarck.
Bottineau.
Bowbells.
Bowdon.
Bowman.
Cando.
Carrington.
Carson.
Casselton.
Cavalier.
Cogswell.
Columbus.
Cooperstown.
Crosby.
Devils Lake.
Dickinson.
Douglas.
Drake.
Drayton.
Dunseith.
Edgeley.
Edinburg.
Edmore.
Ellendale.
Enderlin.
Esmond.
Fairmount.
Fargo.
Finley.
Flasher.
Flaxton.
Forman.
Fort Lincoln.
Fort Yates.
Gackle.
Garrison.
Glenburn.
Glen Ullin.
Golden Valley.
Goodrich.
Grafton.
Grand Forks
Granville.
Grenora.
Gwinner.
Halliday.
Hankinson.
Hannaford.
Harvey.
Hatton.
Hazen.
Hebron.
Hettinger.
Hillsboro.
Hoople.
Hope.
Hunter.
Jamestown.
Jamestown State Hospital.
Kenmare.
Killdeer.
Kindred.
Kulm.
Lakota.
LaMoure.
Langdon.
Lansford.
Larimore.
Leeds.
Lehr.
Leonard.
Lidgerwood.
Linton.
Lisbon.
Litchville.
McClusky.
McVille.
Mandan.
Mandan (State Training School).
Manvel.
Marmath.
Max.

NORTH DAKOTA—Continued

Mayville.
Mercer.
Milnor.
Milton.
Minot.
Mohall.
Mott.
Napoleon.
New Leipzig.
New Rockford.
New Town.
Noonan.
Oakes.
Page.
Parshall.
Pembina.
Portal.
Portland.
Powers Lake.
Ray.
Reeder.
Regent.
Rhame.
Richardton.
Riverdale.
Rock Lake.
Rolette.
Rolla.
Rugby.
Rutland.
Ryder.
Saint John.
Saint Thomas.
San Haven (State Sanatorium).
Sherwood.
Sheyenne.
Souris.
South West Fargo.
Stanton.
Steele.
Strasburg.
Streeter.
Sykeston.
Taylor.
Tioga.
Towner.
Underwood.
Upham.
Valley City.
Velva.
Wahpeton.
Walhalla.
Washburn.
Watford City.
Westhope.
Williston.
Willow City.
Wilton.
Wimbledon.
Wishek.
Wyndmere.
Zap.
Zeeland.

OHIO

Adena.
Amherst.
Ansonia.
Antwerp.
Apple Creek.
Arcanum.
Archbold.
Arlington.
Ashland.
Ashley.
Ashtabula County Redbrook Sewer District No. 2.
Attica.
Auglaize County Villa Nova Sewer District.
Avon.
Avon Lake.
Baltimore.
Bedford Heights.
Bellaire.
Bellbrook.
Belle Center.
Bellevue.
Belpre.
Bergholz.
Bethel.
Bettsville.
Bloomdale.
Bloomville.
Botkins.
Bowerston.
Bradford.
Brecksville.
Brewster.
Bridgeport.
Brilliant.
Brookside.
Bucyrus.
Caldwell.
Caledonia.
Campbell.
Canal Fulton.
Cardington.
Centerville.
Cincinnati (Addyston, Amberley, Arlington Heights, Blue Ash, Cheviot, Deer Park, Elmwood Place, Evendale, Fairfax, Golf Manor, Greenhills, Indian Hill, Lincoln Heights, Lockland, Madeira, Mariemont, Mount Healthy, North College Hill, Northwood, Reading, Saint Bernard, Sharonville, Silverton, Woodlawn, Wyoming).
Chillicothe.
Circleville.
Clarington.
Cleveland (Beachwood, Bratenahl, Brooklyn, Brooklyn Heights, Brook Park, Cleveland Heights, Cuyahoga Heights, East Cleveland, Garfield Heights, Linndale, Lyndhurst, Maple Heights, Mayfield Heights, Newburgh Heights, North Randall, Parma, Parma Heights, Seven Hills, Shaker Heights, South Euclid, University Heights, Warrensville Heights).
Coal Grove.
College Corner.
Columbus (Bexley, Grandview Heights, Hanford, Marble Cliff, Riverlea, Upper Arlington, Valley View, Whitehall, Worthington).
Continental.
Corning.
Creston.
Cridersville.
Crooksville.
Cuyahoga County Solon Sewer District No. 11.
Dalton.
Danville.
DeGraff.
Delta.
Deshler.
Dresden.
Dunkirk.
East Palestine.
East Sparta.
Eaton.
Edgerton.
Edon.
Elida.
Elmore.
Elyria.
Erie County Perkins-Margaretta Sewer District.
Euclid Highland Heights, Richmond Heights, Wickliffe, Willowick).
Farmersville.
Fayette.
Fletcher.
Flushing.
Forest.
Fort Loramie.
Fort Recovery.
Gahanna.
Gallipolis.
Garrettsville.
Genoa.
Gibsonburg.
Girard.
Glouster.
Gnadenhutten.
Grand River.
Greenwich.
Grove City.
Groveport.
Hamden.
Hamilton.
Hamilton County:
Main Sewer District No. 1. Taylors Creek Sub-District. West Fork Sub-District.
Haskins.
Hebron.
Hicksville.
Holgate.
Holloway.
Independence.
Jefferson.
Jeffersonville.
Jewett.
Junction City.
Kalida.
Kingston.
LaGrange.
Lake County:
Madison Sewer District No. 1.
Mentor Sewer District No. 1.
Lakeville.
LaRue.
Leesburg.
Leetonia.
Leipsic.
Liberty Center.
Loudenville.
Lowellville.
Lynchburg.
Lyons.
Magnolia.
Mahoning County Poland Sewer District No. 4.
Malta.
Malvern.
Manchester.
Mansfield.
Martins Ferry.
Mason.
Massillon.
Maumee.
McArthur.
McConnelsville.
McDonald.
Mentor.
Mentor-on-the-Lake.
Metamora.
Middleburg Heights.
Middlefield.
Middlepoint.
Middleport.
Milford.
Milford Center.
Millersburg.
Minerva Park.
Mingo Junction.
Monroe.
Monroe Falls.
Monroeville.
Montgomery County:
Beaver Creek Sewer District.
Holes Creek Sewer District.
Morraine Sewer District.
Montpelier.
Morrow.
Mount Victory.
Napoleon.
Nelsonville.
Nevada.
New Boston.
New Holland.
New Madison.
New Matamoras.
Newton Falls.
New Vienna.
New Washington.
Niles.
North Baltimore.
North Bend.
North Olmsted.
North Royalton.
Oak Harbor.
Ohio City.
Olmsted Falls.
Orwell.
Painesville.
Pandora.
Parkview.
Pataskala.
Paulding.

OHIO—Continued

Payne.
Pemberville.
Perrysburg.
Phillipsburg.
Pickerington.
Piqua.
Plymouth.
Pomeroy.
Portsmouth.
Proctorville.
Prospect.
Reynoldsburg.
Richland County Sewer Districts Nos. 1, 2, and 3.
Ripley.
Rockford.
Rocky River (Bay Village, Fairview).
Roscoe.
Roseville.
Rushsylvania.
Sabina.
Saint Henry.
Salineville.
Sandusky.
Sardinia.
Scio.
Seaman.
Seville.
Shiloh.
Smithville.
Somerset.
South Zanesville.
Spencer.
Springfield.
Strongsville.
Struthers.
Stryker.
Summit County Main Sewer District 4, 4A.
Sunbury.
Swanton.
Tallmadge.
Tiltonville.
Toronto.
Trumbull County Mineral Ridge Sewer District.
Vermilion-on-the-Lake.
Warren.
Washington C. H.
Washingtonville.
Waterville.
Wayne.
Waynesburg.
Waynesfield.
Waynesville.
Wellston.
Wellsville.
West Carrollton.
West Jefferson.
Westlake.
West Leipsic.
West Mansfield.
Weston.
West Unity.
Williamsburg.
Willoughby (Eastlake, Timberlake).
Woodville.
Yellow Springs.
Yorkville.
Youngstown.
Zanesville.

OKLAHOMA

Achille.
Ada.
Adair.
Afton.
Albany.
Alderson.
Alex.
Allen.
Altus.
Alva.
Anadarko.
Antlers.
Apache.
Ardmore.
Arkoma.
Arnett.
Asher.
Avant.

OKLAHOMA—Continued

Barnsdale.
Bartlesville.
Beaver.
Beggs.
Bennington.
Bethany.
Billings.
Benger.
Bixby.
Blackwell.
Blair.
Blanchard.
Boise City.
Bokchito.
Bokoshe.
Boley.
Boswell.
Bowlegs.
Boynton.
Braggs.
Braman.
Bridgeport.
Bristow.
Broken Arrow.
Broken Bow.
Bromide.
Buffalo.
Burbank.
Burneyville.
Byers.
Cache.
Caddo.
Calera.
Calvin.
Canadian.
Caney.
Canton.
Canute.
Cardin.
Carmen.
Carnegie.
Carter.
Catoosa.
Cement.
Chandler.
Chattanooga.
Checotah.
Chelsea.
Cherokee.
Cheyenne.
Chickasha.
Choctaw.
Chouteau.
Claremore.
Clayton.
Cleveland.
Clinton.
Clinton (Western T. B. Hospital).
Coalgate.
Colbert.
Colony.
Comanche.
Commerce.
Cooperton.
Cordell.
Corn.
Cottonwood.
Countyline.
Covington.
Coweta.
Crescent.
Cromwell.
Crowder.
Cushing.
Custer City.
Cyril.
Davidson.
Davis.
Delaware.
Del City.
Depew.
Devol.
Dewey.
Dill City.
Dougherty.
Drumright.
Duke.
Duncan.
Durant.

OKLAHOMA—Continued

Dustin.
Eagletown.
Eakley.
Earlsboro.
Edmond.
Eldorado.
Elgin.
Elk City.
El Reno.
Enid.
Erick.
Eufaula.
Fairfax.
Fairland.
Fairview.
Fittstown.
Fletcher.
Fort Cobb.
Fort Gibson.
Fort Towson.
Foss.
Fox.
Francis.
Frederick.
Freedom.
Garber.
Geary.
Geronimo.
Glencoe.
Goodwell.
Goodwell (College).
Gore.
Gotebo.
Gould.
Gowen.
Gracemont.
Grandfield.
Granite.
Granite (State Reformatory).
Grant.
Grove.
Guthrie.
Guymon.
Haileyville.
Hammon.
Hannah.
Harden City.
Harrah.
Hartshorne.
Haskell.
Hastings.
Headrick.
Healdton.
Heavener.
Helena.
Hennessey.
Henryetta.
Hinton.
Hobart.
Hochatown.
Holdenville.
Hollis.
Hollister.
Hooker.
Hoyt.
Hugo.
Hulbert.
Hydro.
Idabel.
Indiahoma.
Indianola.
Inola.
Jay.
Jenks.
Jennings.
Jet.
Jones.
Kaw City.
Keota.
Keyes.
Kiefer.
Kingfisher.
Kingston.
Kiowa.
Konawa.
Krebs.
Lamont.
Langston University.
Laverne.

OKLAHOMA—Continued

Lawton.
Leedey.
Lehigh.
Lenapah.
Lexington.
Lindsay.
Little City.
Locust Grove.
Lone Grove.
Lone Wolf.
Loveland.
Luther.
Madill.
Mangum.
Manitou.
Mannford.
Mannsville.
Marcetta.
Marlow.
Marshall.
Maud.
Maysville.
McAlester.
McCurtain.
McLoud.
Medford.
Meeker.
Miami.
Midwest City.
Milburn.
Mill Creek.
Minco.
Monroe.
Moore.
Mooreland.
Morris.
Mounds.
Mountain Park.
Mountain View.
Muse.
Muskogee.
Newcastle.
Newkirk.
Nichols Hills.
Nicoma Park.
Noble.
Norman.
Oakland.
Oilton.
Okarchie.
Okeene.
Okemah.
Oklahoma City.
Olustee.
Orlando.
Osage City.
Owasso.
Paden.
Page.
Panama.
Paoli.
Paul's Valley.
Paul's Valley (State Hospital).
Pawhuska.
Pawnee.
Perkins.
Pernell.
Perry.
Pharoah.
Pine Valley.
Pittsburg.
Ponca City.
Pond Creek.
Poteau.
Prague.
Pryor.
Purcell.
Quapaw.
Quinton.
Ralston.
Ravia.
Red Oak.
Reed.
Rextroat.
Ringling.
Ripley.
Rocky.
Roosevelt.
Ross.
R. S. Indian School.

OKLAHOMA—Continued

Rush Springs.
Ryan.
Salina.
Sallisaw.
Sasakwa.
Savanna.
Sayre.
Seiling.
Seminole.
Sentinel.
Shady Point.
Shattuck.
Shawnee.
Skiatook.
Snyder.
Soper.
Southland.
Spavenaw.
Spencer.
Sperry.
Spiro.
Springer.
Sterling.
Stigler.
Stillwater.
Stonewall.
Stratford.
Stringtown.
Stuart.
Sulpher.
Supply.
Taft (Deaf, Blind and Orphans School).
Talihina.
Tecumseh.
Temple.
Terral.
Texhoma.
Texola.
Thackerville.
Thomas.
Tipton.
Tishomingo.
Tonkawa.
Tulsa.
Tupelo.
Tuskahoma.
Tuttle.
Valliant.
Verden.
Vernon.
Vici.
Village.
Vinita.
Wakita.
Walters.
Wanette.
Wapanucka.
Warner.
Warr Acres.
Washington.
Watonga.
Waurika.
Wayne.
Waynoka.
Weatherford.
Welch.
Weleetka.
Wellston.
Weturika.
Wewoka.
Wheatland.
Whitefield.
Wilburton.
Williams.
Willow.
Wilson.
Wirt.
Wister.
Woodward.
Woodville.
Wright City.
Wynnewood.
Wynona.
Yale.
Yukon.

OREGON

Aloha-Huber.
Amity.
Ardenwald Sanitary District.
Arlington.
Ashland.

OREGON—Continued

Bandon.
Beaverton.
Bend.
Berrydale Sanitary District.
Broadmoor.
Brookings.
Brownsville.
Burns.
Cannon Beach.
Canyon City.
Canyonville.
Cave Junction.
Chiloquin.
Clatskanie.
Cornelius.
Corvallis.
Creswell.
Dayton.
Delake.
Drain.
Dufur.
Dunthorpe.
Eagle Point.
Eastside.
East Springfield.
Elgin.
Empire.
Estacada.
Eugene.
Fairview.
Florence.
Four Corners.
Gervais.
Government Camp Sanitary District.
Green Sanitary District.
Hillsboro.
Hood River.
Huntington.
Jacksonville.
Klamath Falls.
Lafayette.
La Grande.
Lake Grove Sanitary District.
Lebanon.
Malin.
Maupin.
Mill City.
Milton-Freewater.
Monroe.
Mosier.
Nehalem.
Nelscott.
Netarts.
Oak Grove Sanitary District.
Oakland.
Ontario.
Oswego.
Pilot Rock.
Portland.
Powers.
Rainier.
Raleigh Sanitary District.
Raleighwood.
Roseburg.
Salem.
Sherwood.
Siletz.
South Corvallis.
South East Klamath Falls.
South Salem.
Stayton.
St. Helens.
Sunset Valley Sanitary District.
Table Rock Sanitary District.
Taft.
Talent.
The Dalles.
Tigard Sanitary District.
Tillamook.
Tillamook Airport.
Union.
Vernonia.
Wallowa.
Warrenton.
Westfir.
Weston.
West Slope Sanitary District.
Wheeler.
Willamina.
Yoncalla.

PENNSYLVANIA

Abington Township.
Albion.
Alexandria.
Aliquippa.
Allenport.
Allentown.
Ambler.
Ambridge.
Apollo.
Applewold.
Archbald.
Arnold.
Ashland (Columbia and Schuylkill County).
Athens.
Avoca.
Baden.
Bangor.
Bath.
Beaver.
Beaver Falls.
Beaver Meadows.
Belle Vernon.
Bentleyville.
Berlin.
Bernharts.
Berwick.
Bethel.
Blairsville.
Blakely.
Bobtown Village.
Borough Township.
Brackenridge.
Bradford.
Bridgeport (Montgomery County).
Bridgewater (Beaver County).
Bristol.
Brockway.
Brookville.
Browndale.
Brownstown (Cambria County).
Brownsville (Fayette County).
Burnham.
Butler.
California (Bucks County).
California State Teacher's College.
Canonsburg.
Canton.
Carbondale.
Carbondale Township.
Carlisle.
Centerville (Washington County).
Chambersburg.
Charleroi.
Chester.
Cheswick.
Christiana.
Clairton.
Clarks Summit.
Claysville.
Clearfield.
Clifton Heights.
Clyde.
Coatesville.
Cokeburg.
Confluence.
Connellsville.
Conway.
Coplay.
Coraopolis.
Coudersport.
Cressona.
Cumbola.
Curwensville.
Dale (Cambria County).
Dallas.
Dauphin.
Dawson.
Dickson City.
Donora.
Doylestown.
Dravosburg.
DuBois.
Dunbar.
Duncannon.
Dunmore.
Dupont.
Duquesne.
Duryea.

PENNSYLVANIA—Continued

Eagles Mere.
East Brady.
East Conemaugh.
East Deer Township.
East Greenville.
East Mauch Chunk.
East Norriton Township.
Easton.
East Pennsboro Township.
East Rochester.
East Stroudsburg.
Eden Park.
Edgeworth.
Edwardsville.
Elco.
Eldred.
Elizabeth (Allegheny County).
Elizabethtown.
Elizabethville.
Ellport.
Ellsworth.
Emmaus.
Emporium.
Emsworth.
Erie.
Everson.
Exeter.
Factoryville.
Fair Chance.
Fallscreek.
Farrell.
Fayette City.
Fell Township.
Ferndale (Cambria County).
Finleyville.
Fleetwood.
Ford City.
Forest City.
Forty Fort.
Foster Township.
Foxburg.
Frackville.
Franklin (Cambria County).
Freedom.
Freeland.
Freemansburg.
Freeport.
Galeton.
Geistown.
Glassport.
Glen Rock.
Greencastle.
Greensboro.
Greensburg.
Greenville.
Hallstead.
Hamburg.
Hanover Township.
Harmar Township.
Harmony Township.
Harrisburg.
Harrison Township.
Hatfield (Montgomery County).
Hazleton.
Hellertown.
Hickory Township.
Highspire.
Hollidaysburg.
Homer City.
Hometown.
Honesdale.
Hopewell Township.
Houston.
Hughestown.
Hughesville.
Hulmeville.
Hummelstown.
Huntingdon.
Hyndman.
Indiana.
Indianola.
Jeanette.
Jefferson (Borough).
Johnsonburg.
Johnstown.
Kane.
Kingston (Luzerne County).
Kingston Township.

PENNSYLVANIA—Continued

Kistler (Mifflin County).
Kittanning.
Kulpmont.
Laceyville.
Langhorne.
Langhorne Manor.
Lansdale.
Lansford.
Latrobe.
Laureldale.
Lebanon.
Leechburg.
Leetsdale.
Leet Township.
Liberty (Allegheny County).
Library.
Ligonier.
Logan Township.
Loraine.
Lower Allen Township.
Lower Burrell Township.
Lower Chichester Township.
Loyalsock Township.
Luzerne.
Lykens.
Mahanoy City.
Mansfield.
Mapleton.
Marcus Hook.
Marianna.
Marysville (Perry County).
Masontown.
Matamoras.
Mauch Chunk (Jim Thorpe).
Mayfield.
McDonald.
McKeesport.
Media.
Middleport.
Middletown (Duphin County).
Midland (Beaver County).
Mifflintown.
Millerstown.
Millville.
Minersville.
Mohnton.
Monaca.
Monessen.
Monongahela.
Montgomery.
Montrose.
Morganza State School.
Mount Carbon.
Mount Carmel.
Mount Jewett.
Mount Pleasant (Westmoreland County).
Mount Union (Huntingdon County).
Mount Wolf.
Muhlenberg.
Myersdale.
Nanticoke.
Nescopeck.
New Bethlehem
New Brighton.
New Castle (Lawrence County).
New Eagle.
New Freedom.
New Kensington.
New Oxford.
New Philadelphia.
Newport (Perry County).
Nicholson.
North Apollo.
North Catasauqua.
North Charleroi.
North East.
North Strabane Township.
North Union Township.
North Wales.
Oakland.
Oakmont (Allegheny County).
Oil City.
Old Forge (Lackawanna County).
Olyphant.
Orbisonia.
Odwigsburg.
Osborne.
Palmerton (Carbon County).
Palo Alto.

PENNSYLVANIA—Continued

Panther Valley Combined Sewer Commission (Coaldale, Coaldale State Hospital, Lansford, Summit Hill).
Parker City.
Parkesburg.
Pen Argyl.
Pennsburg.
Penn Township.
Perkasie.
Philadelphia.
Pittston.
Plains Township.
Pleasant Hills (Allegheny County).
Plymouth.
Plymouth Township.
Point Marion.
Port Allegany.
Port Carbon.
Port Clinton.
Port Royal (Juniata County).
Pottsville.
Punxsutawney.
Quakertown.
Reading.
Red Hill.
Reynoldsville.
Rices Landing.
Ridgway.
Rochester.
Rochester Township.
Rockwood.
Rouseville.
Saint Clair.
Saint Marys.
Salisbury.
Saxton.
Sayre.
Scottdale.
Schuylkill County Institutional District.
Scranton.
Sellersville.
Sewickley.
Shamokin.
Sharon.
Sheffield Township.
Shenandoah.
Shickshinny.
Shinglehouse.
Sinking Spring.
Slatington.
Sligo.
Smethport.
Smithfield Township.
Snowden Township.
Somerset.
South Bethlehem (Armstrong County).
South Coatesville.
South Greensburg.
Southwest Greensburg.
South Williamsport.
Speers.
Springdale.
Springdale Township.
Steelton.
Stockdale.
Summit Hill (Carbon County).
Susquehanna.
Susquehanna Depot.
Swoyersville.
Tamaqua.
Tarentum.
Taylor.
Telford.
Thompson.
Throop.
Tidioute.
Tinicum Township.
Tionesta.
Trafford.
Tredfrin Township.
Troy.
Tunkhannock.
Tuscarora.
Upper Gwynedd Township.
Vanderbilt.
Vandergrift.
Vandling.
Versailles.
Walnutport.
Warminister Township.
Warren.
Weatherly.
Wellsboro.
West Brownsville
West Elizabeth.
West Hazelton.
Westmont (Cambria County).
West Newton.
West Pittston.
Whitehall (Borough).
White Haven.
White Oak (Allegheny County).
Wilkes-Barre.
Williamstown.
Wormleysburg.
Wyalusing.
Wyoming.
Youngwood.
Zellenople.

RHODE ISLAND

Albion (Lincoln Town).
Ashaway (Hopkinville Town).
Ashton (Cumberland Town).
Barrington (Barrington Town).
Berkeley (Cumberland Town).
Blackstone Valley Sanitary District (East Providence, Pawtucket, Central Falls, Cumberland, Lincoln).
Bradford (Westerly Town).
Esmond (Smithfield Town).
Exeter State Hospital (Exeter).
Georgiaville (Smithfield Town).
Hope Valley (Hopkinton Town).
Island Park-The Hummocks (Portsmouth Town).
Jamestown (Jamestown Town).
Johnston (Johnston Town).
Manville (Lincoln Town).
Middletown (Middletown Town).
New Shoreham (New Shoreham Town).
Newport (Newport City).
Providence (Providence City).
Scarborough Beach (Narragansett Town).
Valley Falls (Cumberland Town).
Wakefield-Peacedale (South Kingstown Town).
Warwick (Warwick City).
Watch Hill (Westerly Town).
Westerly (Westerly Town).
Woonsocket.
Wyoming (Richmond Town).

SOUTH CAROLINA

Abbeville.
Anderson.
Andrews.
Avondale Housing Development.
Batesburg.
Bath Village.
Beaufort.
Bennettsville.
Bishopville.
Blacksburg.
Blacksburg High School.
Camden.
Cayce.
Central.
Charleston.
Cheraw.
Chesterfield.
Clearwater.
Clemson.
Clinton.
Clio.
Clover.
Columbia.
Conway.
Cowpens.
Dillon.
Due West.
Easley.
Edgefield.
Fairfax.
Florence Air Base.
Fort Mill.
Fort Moultrie (Sullivans Island).
Gaffney.
Georgetown.
Great Falls.
Greenville.
Greer.
Hampton.
Heath Springs.
Holly Hill.
Inman (east).
Iva.
Johnston.
Jonesville.
Kingstree.
Kershaw.
La France Mill Village.
Lake City.
Lamar.
Landrum.
Langley.
Latta.
Laurens.
Leesville.
Lexington.
Liberty.
Loris.
Manning.
Marion.
McColl.
McCormick.
Mount Pleasant.
Mullins.
Myrtle Beach.
North.
North Charleston.
Pageland.
Pelzer.
Pickens.
Piedmont.
Rock Hill.
Saint Matthews.
Saint Phillips and Saint Michaels Parish.
Saluda.
Seneca.
Simpsonville.
Spartanburg.
Walhalla.
Ware Shoals.
West Columbia.
Westminster.
Whitmire.
Windermere.
Winnsboro.
York.

SOUTH DAKOTA

Aberdeen.
Alexandria.
Alpena.
Andover.
Artesian.
Ashton.
Astoria.
Aurora.
Avon.
Baltic.
Belle Fourche.
Bison.
Blunt.
Bowdle.
Bradley.
Brandon.
Brandt.
Bridgewater.
Britton.
Brookings.
Bruce.
Bryant.
Buffalo.
Bullhead.
Burbank.
Canistota.
Canova.
Carthage.
Central City.
Claremont.
Colman.
Colome.
Colton.
Columbia.
Conde.
Corsica.
Cresbard.
Dallas.

SOUTH DAKOTA—Continued

Deadwood.
Delmont.
DeSmet.
Doland.
Draper.
Edgemont.
Egan.
Elk Point.
Elkton.
Emery.
Estelline.
Ethan.
Fairfax.
Faith (Mead County).
Faulkton.
Firesteel.
Florence.
Fort Pierre.
Frankfort.
Frederick.
Garden City.
Garretson.
Gary.
Gayville.
Geddes.
Glenham.
Greenwood.
Gregory.
Grenville.
Groton.
Harrisburg.
Harrison.
Harrold.
Hecla.
Henry.
Highmore.
Hitchcock.
Howard.
Hudson.
Humboldt.
Hurley.
Huron.
Iroquois.
Java.
Jefferson.
Kaylor.
Kennebec.
Keystone.
Kimball.
Lake Norden.
Lake Preston.
Lead.
Lebanon.
Lennox.
Leola.
Lesterville.
Letcher.
Little Eagle.
McIntosh.
McLaughlin.
Manderson.
Marion.
Mellette.
Menno.
Mission.
Mitchell.
Mobridge.
Montrose.
Mount Vernon.
Nemo.
Newell.
New Underwood.
North Sioux City.
Northville.
Okreek.
Oldham.
Olivet.
Onida.
Orient.
Parkston.
Peever.
Pickstown.
Piedmont.
Pierre.
Plankinton.
Presho.
Quinn.
Ramona.
Ravinia.
Redfield (State Home and School).

SOUTH DAKOTA—Continued

Ree Heights.
Reliance.
Revillo.
St. Lawrence.
St. Onge.
Salem.
Scotland.
Selby.
Seneca.
Sioux Falls.
South Shore.
Springfield.
Stephan.
Sturgis.
Summit (Roberts County).
Terraville.
Timber Lake.
Toronto.
Trail City.
Trent.
Tulare.
Turton.
Tyndall.
Vermillion.
Vienna.
Wagner.
Wakonda.
Wakpala.
Wanblee.
Wasta.
Watertown.
Webster.
Wentworth.
Wessington.
Wessington Springs.
White Lake.
Whitewood.
Wilmot.
Winner.
Wolsey.
Wood.
Woonsocket.
Worthing.
Yankton.

TENNESSEE

Alcoa.
Ashland City.
Athens.
Bemis.
Bluff City.
Bordeaux.
Brownsville.
Bruceton.
Camden.
Carthage.
Centerville.
Chattanooga.
Clarksville.
Collierville.
Columbia.
Copperhill.
Coppervillage.
Covington.
Cowan.
Crossville.
Cumberland Gap.
Davidson County Hospital.
Davidson County T. B. Hospital.
Davidson County Metropolitan System.
Dayton.
Decherd.
Dresden.
East Ridge.
Elizabethton.
Englewood.
Erwin.
Etowah.
Fayetteville.
Frayser.
Greeneville.
Greenfield.
Halls (Lauderdale County).
Harriman.
Hartsville.
Henderson.
Hohenwald.
Humboldt.
Huntingdon.
Jacksboro.
Jackson.

TENNESSEE—Continued

Jefferson City.
Jellico.
Johnson City.
Jonesboro.
Jordonia (State Boys Vocational School).
Kingsport.
Kingston.
Knoxville.
Knoxville (State East Tennessee T. B. Hospital).
Knoxville (State Eastern St. Hospital).
LaFollette.
Lake City.
Lawrenceburg.
Lebanon.
Lenoir City.
Lexington.
Linden.
Lookout Mountain.
Loudon.
McKenzie.
Maloney Homes, Knox County.
Manchester.
Martin.
Maryville.
Memphis.
Milan.
Monteagle.
Morristown.
Munford.
Murfreesboro.
Nashville.
Nashville (State Penitentiary).
Newbern.
New Johnsonville.
Newport.
New Providence.
Obion.
Oneida.
Parsons.
Petros (State Brushy Mountain Prison).
Pulaski.
Red Bank.
Ridgely.
Ripley.
Rockwood.
Rogersville.
Savannah.
Selmer.
Sevierville.
Sharon.
Shelbyville.
Signal Mountain.
Smyrna (Rutherford County).
Somerville.
South Fulton.
Sparta.
Springfield.
Sweetwater.
Tiptonville.
Trenton.
Watertown.
Waynesboro.
Whiteville.
Winchester.
Woodbury.

TEXAS

Abbeyville.
Abernathy.
Abilene.
Agua Dulce.
Alamo.
Alba.
Albany.
Aledo.
Alice.
Alto.
Alvaredo.
Alvin.
Alvord.
Amarillo.
Amherst.
Anahuac.
Andrews.
Angleton.
Anna.
Anson.
Anton.
Aransas Pass.

TEXAS—Continued

Archer City.
Arlington.
Arp.
Aspermont.
Athens.
Atlanta.
Aubrey.
Austin.
Avinger.
Azle.
Baird.
Bangs.
Bartlett.
Bastrop.
Bay City.
Baytown.
Beaumont.
Beckville.
Beeville.
Bellaire.
Bells.
Bellville.
Belton.
Benavides.
Benbrook.
Benjamin.
Big Lake.
Big Sandy.
Bishop.
Blooming Grove.
Bloomington.
Blossom.
Blum.
Bogata.
Boling.
Bonham.
Booker.
Borger.
Borger (Buena Vista Housing).
Bovina.
Bowie.
Brackettville.
Brazoria.
Breckenridge.
Bremond.
Brenham.
Bridge City (Orange County WC&ID No. 3).
Bridgeport.
Brookshire.
Brownfield.
Brownsville.
Bryan.
Bryson.
Buffalo.
Bullard.
Buna (Jasper County WC&ID No. 1).
Burkburnett.
Burleson.
Burnet.
Byers.
Caddo Mills.
Caldwell.
Calvert.
Cameron.
Canadian.
Canton.
Canyon.
Carthage.
Celeste.
Celina.
Center.
Centerville.
Channing.
Charlie.
Charlotte.
Chico.
Childress.
Chillicothe.
Cisco.
Clarendon.
Clarksville.
Claude.
Cleburne.
Cleveland.
Clute.
Clyde.
Coahoma.
Coldspring.
College Station.
Columbus.
Comanche.
Commerce.
Conroe.
Coolidge.
Cooper.
Coperas Cove.
Corpus Christie.
Corrigan.
Corsicana.
Cotulla.
Crandall.
Crane.
Cranfills Gap.
Cresson.
Crockett.
Crosbyton.
Cross Plains.
Crowell.
Crystal City.
Cuero.
Cumby.
Cushing.
Daingerfield.
Daisetta.
Dalhart.
Darrouzett.
Dayton.
Decatur.
Deer Park.
DeKalb.
DeLeon.
Del Rio.
Denison.
Denton.
Denver City.
Detroit.
Devine.
Diboll.
Dickens.
Dickinson.
Dimmitt.
Donna.
Dublin.
Dumas.
Eagle Lake.
Eagle Pass.
Earth.
Eastland.
Ector.
Edcouch.
Edgewood.
Edinburg.
Edna.
El Campo.
Electra.
El Paso.
El Paso County WC&ID No. 1.
Elsa.
Emory.
Ennis.
Estelline.
Euless.
Evant.
Falfurrias.
Farmersville.
Farwell.
Ferris.
Flatonia.
Floresville.
Floydada.
Follett.
Forney.
Fort Stockton.
Fort Worth.
Franklin.
Frankston.
Freeport.
Freer.
Friona.
Frisco.
Frost.
Gainesville.
Galena Park.
Galveston.
Ganado.
Garland.
Garrison.
Gatesville.
Georgetown.
George West.
Giddings.
Gilmer.
Gladewater.
Glenrose.
Goliad.
Gonzales.
Gonzales Warm Springs.
Goree.
Gorman.
Graford.
Graham.
Granbury.
Grand Prairie.
Grand Saline.
Grandview.
Grapevine.
Greenville.
Gregg County WC&ID No. 1.
Gregory.
Griffing Park.
Groesbeck.
Groom.
Groves.
Groveton.
Gruver.
Hale Center.
Haltom Center.
Hallettsville.
Hallsville.
Hamilton.
Hamlin.
Handley.
Happy.
Harleton.
Harlingen.
Harris County FWSD 1A (Highlands).
Harris County FWSD 1B (Highlands).
Harris County FWSD 6 (Channelview).
Harris County FWSD 8 (Wooster).
Harris County FWSD 23 (Ley Road).
Harris County FWSD 27 (Coady).
Harris County WC&ID No. 1 (Highlands).
Harris County WC&ID No. 21 (Channelview).
Harris County WC&ID No. 25 (Golden Acres).
Harris County WC&ID No. 26 (Sunnyside).
Harris County WC&ID No. 32 (Home Owned Est.).
Harris County WC&ID No. 34 (Carver Crest).
Harris County WC&ID No. 36 (Cloverleaf).
Harris County WC&ID No. 39 (Laura Koppe).
Harris County WC&ID No. 41 (Three Corners).
Harris County WC&ID No. 42 (Scenic Woods).
Harris County WC&ID No. 44 (Scottcrest).
Harris County WC&ID No. 45 (Webster).
Harris County WC&ID No. 47 (Freeway Manor).
Harris County WC&ID No. 49 (Westbury).
Harris County WC&ID No. 50 (El Lago Est.).
Harris County WC&ID No. 51 (South Post Oak).
Harris County WC&ID No. 52 (Alief Road).
Harris County WC&ID No. 53 (Beverly Hills).
Harris County WC&ID No. 54 (Voss Road).
Harris County WC&ID No. 55 (Seabrook).
Harris County WC&ID No. 56 (Fairmount Park).
Harris County WC&ID No. 57 (Braeburn Glen).
Harris County WC&ID No. 58 (Baytown-Market Street Road).
Harris County WC&ID No. 59 (Post Oak).
Harris County WC&ID No. 60 (El Cary Est.).
Harrold.
Hart.
Haskell.
Hawkins.
Hearne.
Hedley.
Hemphill.
Hempstead.
Henderson.
Henrietta.
Hereford.
Hico.
Higgins.
Hillsboro.

TEXAS—Continued

Hitchcock.
Holliday.
Honey Grove.
Hooks.
Houston.
Howe.
Hubbard.
Hughes Springs.
Humble.
Huntington.
Huntsville.
Hurst.
Idalou.
Ingleside.
Iowa Park.
Irving.
Itasca.
Jacinto City.
Jacksboro.
Jacksonville.
Jasper.
Jayton.
Jefferson.
Jefferson County WC&ID (Central Gardens).
Joaquin.
Johnson City.
Joshua.
Jourdanton.
Junction.
Justin.
Kamay.
Karnes City.
Katy.
Kaufman.
Kemah.
Kemp.
Kendall County WC&ID No. 1.
Kenedy.
Kerens.
Kermit.
Kerrville.
Kilgore.
Killeen.
Kingsville.
Kirbyville.
Knox City.
Kountze.
Krees.
Krum.
Ladonia.
La Feria.
La Grange.
Lake Dallas.
Lakeview (Jefferson County).
La Marque.
Lamesa.
La Porte.
Laredo.
League City.
Le Fors.
Leonard.
Levelland.
Lewisville.
Lexington.
Liberty.
Lindale.
Linden.
Littlefield.
Little River.
Lockhart.
Lockney.
Lone Star.
Longview.
Loraine.
Lorenzo.
Los Fresno.
Lott.
Lovelady.
Lubbock.
Lufkin.
Luling.
Mabank.
Malakoff.
Malone.
Manor.
Mansfield.
Marble Falls.
Marion.
Marlin.

TEXAS—Continued

Marshall.
Mart.
Mason.
Matador.
Mathis.
Maud.
McAllen.
McCamey.
McGregor.
McKinney.
McLean.
Meadow.
Megargel.
Memphis.
Menard.
Mercedes.
Meridian.
Merkel.
Mesquite.
Mexia.
Miami.
Midland.
Midlothian.
Milford.
Millsap.
Mineola.
Mission.
Monahans.
Montague.
Moody.
Morgan.
Morgans Point.
Morton.
Moulton.
Mount Calm.
Mount Enterprise.
Mount Pleasant.
Mount Vernon.
Muenster.
Muleshoe.
Munday.
Nacogdoches.
Naples.
Navasota.
Nederland.
Needville.
New Boston.
New Braunfels.
New Castle.
Newton.
Nixon.
Nocona.
Nordheim.
Odem.
Odessa.
O'Donnell.
Oklaunion.
Olney.
Olton.
Omaha.
Orange.
Orange Grove
Ore City.
Overton.
Paducah.
Palacios.
Palestine.
Palmer.
Palo Alto.
Pampa.
Panhandle.
Paris.
Pasadena.
Pearland.
Pear Ridge.
Pecos.
Perryton.
Petersburg.
Petrolia.
Pflugerville.
Pharr.
Phillips.
Pilot Point.
Pineland.
Pittsburg.
Plains.
Plainview.
Pleasanton.
Point Comfort.

TEXAS—Continued

Port Acres.
Port Arthur.
Portland.
Port Lavaca.
Port Neches.
Post.
Poth.
Premont.
Priddy.
Quanah.
Quitaque.
Quitman.
Ralls.
Ranger.
Rankin.
Raymondville.
Refugio.
Rhome.
Richardson.
Richmond.
Ringgold.
Rio Grande City.
Rio Hondo.
Rising Star.
Roaring Springs.
Robstown.
Roby.
Rochester.
Rockdale.
Rockport.
Rockwall.
Rogers.
Ropesville.
Roscoe.
Rosebud.
Rosenburg.
Rotan.
Round Rock.
Roxton.
Royse City.
Rule.
Runge.
Rusk.
Saint Jo.
San Antonio.
San Benito.
San Diego.
Sanger.
San Juan.
San Saba.
Santa Anna.
Savoy.
Schulenburg.
Seadrift.
Seagoville.
Seagraves.
Sealy.
Seguin.
Seminole.
Seymour.
Shallowater.
Shamrock.
Sherman.
Shiner.
Shore Acres.
Silsbee.
Silverton.
Sinton.
Slaton.
Snyder.
Somerville.
South Houston.
Southside Place.
Spearman.
Springtown.
Spur.
Stafford.
Stamford.
Stanton.
Stephenville.
Stinnett.
Stockdale.
Stratford.
Strawn.
Streetman.
Sugarland.
Sulphur Bluff.
Sulphur Springs.
Sundown.
Sunray.

TEXAS—Continued

Sweeny.
Sweetwater.
Taft.
Tahoka.
Talco.
Tatum.
Taylor.
Teague.
Tehuacana.
Temple.
Tenaha.
Terrell.
Texarkana.
Texas City.
Texline.
Thorndale.
Thornton.
Thrall.
Three Rivers.
Throckmorton.
Timpson.
Tivoli.
Tomball.
Trent.
Trinity.
Troup.
Tulia.
Turkey.
Tyler.
Uvalde.
Valley Mills.
Valley View (Cooke County).
Van Alstyne.
Vega.
Velasco.
Vernon.
Victoria.
Vidor.
Vidor (Orange County WC&ID).
Waco.
Waelder.
Wake Village.
Waller.
Waskom.
Weatherford.
Weinert.
Wellington.
Wells.
Weslaco.
West.
West Columbia.
West Orange (Orange County WC&ID No. 2).
West University Place.
Wharton.
Wheeler.
White Deer.
Whiteface.
Whitehouse.
Whitesboro.
Whitewright.
Whitney.
Wichita Falls.
Willis.
Wilson.
Windthorst.
Winnsboro.
Wolfe City.
Wolfforth.
Woodsboro.
Woodson.
Woodville.
Wortham.
Wylie.
Yoakum.
Yorktown.
Zapata.

UTAH

American Fork.
Bear River.
Bear River High.
Beaver.
Bingham Canyon.
Bountiful.
Castle Dale.
Castle Gate.
Cedar City.
Clearcreek.
Columbia.
Copperfield.
Corrine.

UTAH—Continued

Davis County Metropolitan Sewer District.
Delta.
Devils Slide.
Dragerton.
Duchesne.
Echo.
Eureka.
Farmington.
Ferron.
Garfield.
Garland.
Green River.
Gunnison.
Helper.
Henefer.
Hiawatha.
Huntington.
Hurricane.
Kanab.
Kaysville.
Kearns.
Kenilworth.
Lark.
Latuda.
Lehi.
Lewiston.
Logan.
Magna.
Milford.
Moab.
Monticello.
Murray.
Myton.
Nephi.
Ogden.
Orem.
Park City.
Payson.
Pleasant Grove.
Price.
Roosevelt.
Royal.
Saint George.
Salina.
Salt Lake City.
Salt Lake County Sewer Districts
Sandy.
South Ogden.
South Salt Lake.
Spanish Fork City.
Spring Canyon.
Standardville.
Sunnyside.
Taylorsville.
Tremonton.
Vernal.
Wellington.
Wellsville.
Wendover.

VERMONT

Addison.
Albany.
Alburg.
Andover.
Arlington.
Athens.
Bakersfield.
Baltimore.
Barnard.
Barnet.
Barre.
Barre Town.
Barton.
Beecher Falls.
Bellows Falls.
Belvedere.
Bennington.
Benson.
Berkshire.
Bethel.
Bloomfield.
Bolton.
Bradford.
Brandon.
Brantree.
Brattleboro.
Bridgeport.
Brighton.
Bristol.
Brookfield.

VERMONT—Continued

Brookline.
Brownington.
Brunswick.
Burke.
Burlington.
Cabot.
Calais.
Cambridge.
Canaan.
Castleton.
Cavendish.
Center Rutland.
Charleston.
Charlotte.
Chelsea.
Chester.
Chittenden.
Clarendon.
Colchester.
Concord.
Corinth.
Cornwall.
Coventry.
Craftsbury.
Danby.
Danville.
Derby Center.
Derby Line.
Dover.
Dummerston.
Duxbury.
East Barre.
East Haven.
East Montpelier.
East Ryegate.
East Topsham Village.
Eden.
Elmore.
Enosburg.
Enosburg Falls.
Essex Center.
Essex Junction.
Fairfax.
Fairfield.
Fair Haven.
Fairlee.
Fayston.
Ferrisburg.
Fletcher.
Forest Dale.
Franklin.
Georgia.
Gilman.
Glover.
Goshen.
Grafton.
Granby.
Grand Isle.
Graniteville.
Granville.
Greensboro.
Groton.
Guildhall.
Guilford.
Halifax.
Hancock.
Hardwick.
Hartford.
Hartland.
Highgage.
Hinesburg.
Holland.
Hubbardton.
Huntington.
Hyde Park.
Ira.
Irasburg.
Island Pond.
Isle La Motte.
Jacksonville.
Jamaica.
Jay.
Jeffersonville.
Jericho.
Johnson.
Kirby.
Landgrove.
Leicester.
Lemington.
Lincoln.

VERMONT—Continued

Londonderry.
Lowell.
Ludlow.
Lunenburg.
Lyndon.
Lyndon Center.
Lyndonville.
Maidstone.
Manchester.
Manchester Center.
Marlboro.
Marshfield.
Mendon.
Middlebury.
Middlesex.
Middletown Springs.
Milton.
Monkton.
Montgomery.
Montpelier.
Moretown.
Morgan.
Morristown.
Morrisville.
Mount Holly.
Mount Taber.
Newark.
Newbury.
Newfane.
New Haven.
Newport.
Newport Center.
North Bennington.
Northfield.
North Hero.
North Pownal.
North Troy.
North Westminster.
Norton.
Norwich.
Old Bennington.
Orange.
Orleans.
Orwell.
Panton.
Passumpsic.
Peacham.
Perkinsville.
Peru.
Pittsfield.
Pittsford.
Plainfield.
Pomfret.
Poultney.
Pownal.
Proctor.
Proctorsville.
Putney.
Quechee.
Randolph.
Readsboro.
Richford.
Richmond.
Ripton.
Rochester.
Rockingham.
Royalton.
Roxbury.
Rupert.
Rutland.
Ryegate.
Saint Albans.
Saint George.
Saint Johnsbury.
Salisbury.
Sandgate.
Saxtons River.
Searsburg.
Shaftsbury.
Sharon.
Sheffield.
Shelburne.
Sheldon.
Sheldon Springs.
Sherburne.
Shoreham.
Shrewsbury.
South Burlington.
South Hero.
South Royalton.

VERMONT—Continued

South Ryegate.
Springfield.
Stamford.
Stannard.
Starksboro.
Stockbridge.
Stowe.
Strafford.
Stratton.
Sudbury.
Sunderland.
Sutton.
Swanton.
Thetford.
Tinmouth.
Topsham.
Townshend.
Troy.
Tunbridge.
Underhill.
Vergennes.
Vernon.
Vershire.
Victory.
Wallsfield.
Walden.
Wallingford.
Waltham.
Warren.
Washington.
Waterbury.
Waterford.
Waterville.
Weathersfield.
Websterville.
Wells.
Wells River.
West Barnet.
West Burke.
West Fairlee.
Westfield.
West Glover.
West Haven.
Westminster.
Westmore.
Weston.
West Rutland.
West Topsham.
Weybridge.
Wheelock.
White River Junction.
Whiting.
Whitingham.
Wilder.
Williamstown.
Williston.
Wilmington.
Windham.
Windsor.
Winhall.
Winooski.
Wolcott.
Woodbury.
Woodford.
Woodstock.
Worcester.

VIRGINIA

Abingdon.
Alexandria Sanitary Authority.
Alleghany County.
Altavista.
Amherst.
Amonate.
Appalachia.
Arlington County.
Arno.
Ashland.
Bedford.
Benedict.
Berryville.
Bigrock.
Big Stone Gap.
Bishop.
Boissevain.
Bonny Blue.
Boydton.
Boykins.
Bridgewater.
Brookneal.
Buchanan.

VIRGINIA—Continued

Buena Vista.
Calvin.
Cape Charles.
Charlottesville.
Chase City.
Chatham.
Chesterfield County.
Chilhowie.
Christiansburg.
Clifton Forge.
Clinchco.
Clintwood.
Coeburn.
Colonial Beach.
Colonial Heights.
Crewe.
Dante.
Danville.
Dayton.
Deep Creek Sanitary District No. 1.
Denbigh.
Derby
Drakes Branch.
Dumfries Sanitary District.
Dunbar.
Edinburg.
Elkton.
Emporia.
Ettrick Sanitary District.
Exeter.
Fairfax.
Fairfax County.
Falmouth Sanitary District.
Farmville.
Fredericksburg.
Galax.
Gate City.
Glamorgan.
Glasgow.
Gloucester Sanitary District No. 1.
Gretna.
Grundy.
Halifax.
Hampton Roads Sanitary District Commission.
Harman.
Harrisonburg.
Henrico County Sanitary District No. 5.
Herndon.
Honaker.
Hopewell.
Hurley.
Imboden.
Independence.
Iron Gate.
Jewell Valley.
Keen Mountain.
Kenbridge.
Keysville.
Kilmarnock.
Lawrenceville.
Lebanon.
Lee Hall and Lee Hall School.
Leesburg.
Louisa.
Lovingston.
Madison Heights Sanitary District.
Manassas.
Marion.
Marshall.
Martinsville.
McKenney.
Monterey.
Mount Jackson.
New Castle.
New Market.
North Tazewell.
Norton.
Occoquan.
Onancock.
Osaka.
Pennington Gap.
Pocahontas.
Pound Sanitary District.
Pulaski.
Purcellville.
Radford.
Rich Creek.
Richlands.
Richmond.

VIRGINIA—Continued

Roanoke.
Roanoke County.
Rocky Mount.
Roda.
Saltville.
Scottsville.
Smithfield.
South Boston.
South Hill.
South Norfolk.
St. Charles.
St. Paul.
Staunton.
Stonega.
Strasburg.
Stuart.
Suffolk.
Tappahannock.
Tazewell.
Timberville.
Toano.
Tom's Creek.
Urbanna.
Victoria.
Vienna.
Warm Springs Sanitary District.
Warrenton.
Williamsburg (including College of William and Mary).
Wise.
Woodstock.

WASHINGTON

Aberdeen.
Airway Heights.
Albion.
Algona.
Anacortes.
Arlington.
Asotin.
Battle Ground.
Bellevue.
Benton City.
Black Diamond.
Blaine.
Bonney Lake.
Bothell.
Bremerton.
Bucoda.
Camas.
Carbonada.
Carnation.
Cashmere.
Cathlamet.
Centralia.
Chehalis.
Chelan.
Cheney.
Chewelah.
Cle Elum.
Colton.
Colville.
Conconully.
Concrete.
Connell.
Cosmopolis.
Coulee City.
Coupeville.
Cowiche.
Creston.
Cusick.
Darrington.
Dayton.
Duvall.
East Stanwood.
East Wenatchee.
Eatonville.
Edmonds.
Elberton.
Electric City.
Ellensburg.
Elma.
Elmer City.
Entiat.
Everett.
Everson.
Fairfield.
Fall City.
Farmington.
Ferndale.
Friday Harbor.

WASHINGTON—Continued

Gig Harbor.
Gold Bar.
Granite Falls.
Hamilton.
Harrah.
Harrington.
Hartline.
Hatton.
Hoquiam.
Houghton (Sanitary District).
Ilwaco.
Index.
Ione.
Kahlotus.
Kenmore (Sanitary District).
Kettle Falls.
Keyport.
Kirkland.
Kittitas.
Krupp.
La Center.
La Conner.
La Crosse.
Lake City (Sanitary District).
Lakehaven (Sanitary District).
Lakehills (Sanitary District).
Lakeside.
Lamont.
Langley.
Latah.
Lyman.
Mabton.
Mansfield.
Marcus.
Marysville.
McMicken Heights.
Medical Lake.
Mesa.
Metaline.
Metaline Falls.
Millwood.
Milton.
Montesano.
Moxee City.
Mossyrock.
Mountlake Terrace.
Mount Vernon.
Mukilteo.
Naches.
Napavine.
Nespelem.
Nooksack.
Normandy Park.
North Bonneville.
Oakesdale.
Odessa.
Orting.
Othello.
Palouse.
Panorama (Sanitary District).
Parkland (Sanitary District).
Parkview (Sanitary District).
Pe Ell.
Port Angeles.
Port Orchard.
Port Townsend.
Prescott.
Prosser.
Ranier.
Ranier Vista (Sanitary District).
Raymond.
Redmond.
Renton.
Republic.
Richmond Beach (Sanitary District).
Ridgefield.
Riverside.
Rockford.
Rock Island.
Ronald (Sanitary District).
Roslyn.
Roxbury Heights (Sanitary District).
Rusten.
Seattle.
Sedro Woolley.
Selah.
Sequim.
Silverdale.
Skykomish.
Snohomish.

WASHINGTON—Continued

Snoqualmie.
South Bend.
South Cle Elum.
South Prairie.
Southwest Suburban (Sanitary District).
Spangle.
Spokane.
Sprague.
Springdale.
Stanwood.
Starbuck.
Stellacoom.
Stevenson.
Sultan.
Sumas.
Sumner.
Sunnyside.
Tacoma.
Tekoa.
Tenino.
Terrace Heights (Sanitary District).
Tieton.
Toledo.
Toppenish.
Tukwila.
Twisp.
Union Gap.
Uniontown.
Vader.
Valvue (Sanitary District).
Vancouver.
Vashon (Sanitary District).
Washougal.
Washtucna.
Waterville.
Waverly.
Wenatchee.
Wilkeson.
Wilson Creek.
Winthrop.
Wishram.
Yacolt.
Yakima.
Yelm.

WEST VIRGINIA

Alderson.
Alloy.
Ameagle.
Anawalt.
Ansted.
Athens (with Concord State Teachers College).
Barboursville.
Barrackville.
Beckley.
Beech Bottom.
Belington.
Belle.
Benbush.
Benwood.
Bergoo.
Berkeley Springs.
Bethany.
Bethleham.
Boomer.
Bramwell.
Bridgeport.
Buckhannon.
Buffalo.
Burnsville.
Cabin Creek.
Cairo.
Camden-on-Gauley.
Cameron.
Cannelton.
Capon Bridge.
Carbon.
Cass.
Cedar Grove.
Ceredo.
Chapmanville.
Charleston.
Charleston Heights.
Charlestown.
Chelyan.
Chesapeake.
Chester.
Christian.
Clarksburg.
Clay.

WEST VIRGINIA—Continued

Clendenin.
Connel.
Cowen.
Danville.
Davy.
Delbarton.
Denmar (with State T. B. Sanitorium).
Dunbar.
Dundon.
Durbin.
East Bank.
East Beckley.
East Rainelle.
Eleanor.
Elizabeth.
Elkins.
Ethel.
Everettsville.
Fairmont.
Fairview.
Falls View.
Farmington.
Fayetteville.
Fireco.
Follansbee.
Fort Gay.
Franklin.
Friendly.
Gary.
Gassaway.
Gauley Bridge.
Glasgow.
Glendale.
Glen Ferris.
Glen Hendrick.
Glen Rogers.
Glenville.
Grafton.
Grantsville.
Grant Town.
Gypsy.
Hamlin.
Handley.
Harmen.
Harpers Ferry.
Harrisville.
Helen.
Hendricks.
Hinton.
Holden.
Hundred.
Huntington.
Hurricane.
Huttonsville.
Iaeger.
Institute.
Institute (West Virginia State College).
Jordan.
Junior.
Kenova.
Kermit.
Keyser.
Keystone.
Kimball.
Kimberly.
Kingwood.
Lakin (State Industrial School and Hospital).
Leon.
Lester.
Levi.
Lewisburg.
Littleton.
Logan.
Longacre.
Loredo.
Lumbart.
Mabscott.
Madison.
Malden.
Man.
Mannington.
Marlington.
Marmet.
Martinsburg.
Mason.
Masontown.
Matewan.
Matoaka.
McComas.
McKendree (State Emergency Hospital).

WEST VIRGINIA—Continued

McMechan.
Middlebourne.
Milburn.
Mill Creek.
Milton.
Monongah.
Montgomery.
Moorefield.
Morganstown.
Moundsville.
Mount Clare.
Mount Hope.
Mullens.
Newburg.
New Cumberland.
Newell.
New Haven.
New Martinsville.
Nitro.
Northfork.
Norton.
Nutter Fork.
Oceana.
Omar.
Otter.
Owinge.
Paden City.
Parkersburg.
Parsons.
Paw Paw.
Peach Creek.
Pennsboro.
Petersburg.
Peterstown.
Philippi.
Piedmont.
Pine Grove.
Pineville.
Poca.
Point Pleasant.
Powelton.
Power.
Pratt.
Princeton.
Pruntytown (West Virginia Reformatory for Boys).
Rachel.
Rainelle.
Raleigh.
Ranson.
Ravenswood.
Reed.
Reedsville.
Richard.
Richwood.
Ridgeley.
Ripley.
Riverside.
Rivesville.
Ronceverte.
Rowlesburg.
Sabraton.
Salem.
Salem (West Virginia Industrial Home for Girls).
Shephardstown.
Shinnston.
Sistersville.
Smithers.
South Charleston.
Saint Albans.
Saint Marys.
Star City.
Stirrat.
Stonewood.
Suncrest.
Sutton.
Terra Alta.
Thomas.
Triadelphia.
Tunnelton.
Union.
Vienna.
War.
Wayne.
Webster Springs, Addison.
Wierton.
Welch.
Wellsburg.

WEST VIRGINIA—Continued

Weston.
Westover.
West Union.
Wheeling.
Whitesville.
Williamson.
Williamstown.
Winfield.
Worthington.
Wyoming.

WISCONSIN

Abottsford.
Adams.
Adell.
Amery.
Appleton.
Athens.
Baldwin.
Bangor.
Bayfield.
Belleville.
Beloit.
Benton.
Black Creek.
Black Earth.
Black River Falls.
Blair.
Bloomington.
Brodhead.
Brookfield.
Burlington.
Butler.
Butternut.
Cambria.
Cambridge.
Campbellsport.
Casco.
Cashton.
Cedarburg.
Chetek.
Clinton.
Clintonville.
Coon Valley.
Cross Plains.
De Pere.
De Pere (Hickory Grove Sanatorium).
Dodgeville.
Dodgeville (Iowa County Hospital).
Durand.
East Troy.
Eau Claire.
Eden.
Edgar.
Ellsworth.
Elmwood.
Fall River.
Florence (Town).
Forestville (Sanitary District).
Fort Atkinson.
Fountain City.
Frederic.
Gays Mills.
Genoa City.
Gillett
Gilman.
Glenwood City.
Glidden (Town of Jacobs).
Grafton.
Granton.
Grantsburg.
Green Bay.
Greenwood.
Hawkins.
Highland.
Hudson.
Independence.
Iron Belt.
Iron River.
Janesville.
Jefferson.
Johnson Creek.
Kaukauna.
Kendall.
Kenosha.
Kenosha (Town of Somers, Sanitary District 1).
Kewaunee.
Kiel.
La Farge.
Lake Delton.

WISCONSIN—Continued

Lake Mills.
La Valle.
Lena.
Little Chute.
Livingston.
Lodi.
Lomira.
Loyal.
Luck.
Madison Metropolitan Sewer District.
Manitowoc.
Marathon.
Mayville.
Mazomanie.
Mellen.
Menomonie.
Merrillan.
Milwaukee.
Mineral Point.
Mishicot.
Montfort.
Monticello.
Mount Horeb.
Necedah (School District No. 1).
Neenah-Menasha.
Nekoosa.
New Glarus.
Nichols.
North Bay.
North Freedom.
North Hudson.
Osceola.
Osseo.
Patch Grove.
Pence.
Phillips.
Pittsville.
Platteville.
Plum City.
Plymouth.
Portage.
Port Washington.
Potosi.
Potter.
Prairie de Chien.
Prescott.
Racine.
Racine (South Lawn Sanitary District).
Reedsburg.
Rhinelander.
Rib Lake.
Richland Center (County Hospital).
River Falls.
Rock Springs.
Sauk City (Prairie de Sac Sewer Commission).
Saukville.
Shawano.
Sheboygan.
Sheboygan Falls (Sanitary District).
Shell Lake.
Shullsburg.
Soldiers Grove.
Somerset.
Sparta.
Stevens Point.
Stoughton.
Stratford.
Strum.
Sturtevant.
Superior.
Sussex.
Tennyson.
Thorp.
Tigerton.
Twin Lakes.
Union Grove.
Verona.
Vesper.
Viola.
Viroqua.
Waldo.
Washburn.
Wausau (Mount View Sanatorium).
West Bend.
Westby.
Westfield.
West Salem.
West Salem (La Crosse County Hospital).
Whitehall.
Whitewater.
Williams Bay.
Winneconne.
Wonewoc.
Woodruff Sanitary District.
Wrightstown.
Yuba.

WYOMING

Baggs.
Basin.
Big Piney.
Brooks Community (Casper).
Burns.
Bryon.
Casper.
Cheyenne.
Chugwater.
Clearmont.
Cody.
Cokeville.
Cowley.
Dayton.
Deaver.
Diamondville.
Dixon.
Douglas.
Dubois.
East Thermopolis.
Edgerton.
Elk Mountain.
Elmo.
Encampment.
Evansville.
Fort Laramie.
Frannie.
Frontier.
Gillette.
Glenrock.
Granger.
Green River.
Greybull.
Guernsey.
Hanna.
Hudson.
Hulett.
Kaycee.
Kemmerer.
Kirby.
Lagrange.
Lander.
Laramie.
Lingle.
Lovell.
Lyman.
Manderson.
Manville.
Medicine Bow.
Meeteetse.
Midwest.
Mills.
Moorcroft.
Orchard Valley.
Pinedale.
Powell.
Quealy.
Rawlins.
Riverside.
Riverton.
Rock River.
Sheridan.
Shoshoni.
South Superior.
Superior.
Ten Sleep.
Thayne.
Thermopolis.
Torrington.
Upton.
Van Tassell.
Wamsutter.
Worland.
Yoder.

PUERTO RICO

Adjuntas.
Aguada.
Aguadilla.
Aguas Buenas.
Aibonito.
Añasco.
Arecibo.
Arroyo.
Barceloneta.
Barranquitas.
Bayamón.
Cabo Rojo.
Caguas.
Camuy.
Carolina.
Cataño.
Cayey.
Ceiba.
Ciales.
Cidra.
Coamo.
Comerío.
Corozal.
Dorado.
Fajardo.
Guánica.
Guayama.
Guayanilla.
Guaynabo.
Gurabo.
Hatillo.
Hormigueros.
Humacao.
Isabela.
Jayuya.
Juana Díaz.
Juncos.
Lajas.
Lares.
Las Marías.
Las Piedras.
Loíza.
Luquillo.
Manatí.
Maricao.
Maunabo.
Mayaguez.
Moca.
Morovis.
Naguabo.
Naranjito.
Orocovis.
Patillas.
Peñuelas.
Ponce.
Quebradillas.
Rincón.
Río Grande.
Sábana Grande.
Salinas.
San Germán.
San Juan (Metropolitan Area).
San Lorenzo.
San Sebastián.
Santa Isabel.
Toa Alta.
Toa Baja.
Trujillo Alto.
Utuado.
Vega Alta.
Vega Baja.
Vieques.
Villalba.
Yabucoa.
Yauco.

VIRGIN ISLANDS

Saint Croix Island:
Christainsted.
Fredriksted.
Saint John Island: Cruz Bay.
Saint Thomas Island: Charlotte Amalie.

[F. R. Doc. 56-9138; Filed, Nov. 8, 1956; 8:45 a. m.]

## DEPARTMENT OF COMMERCE

### Federal Maritime Board

[Docket No. 804]

FRONT FORWARDING AND BROKERAGE CORP. ET AL.

NOTICE OF INVESTIGATION AND HEARING

Notice is hereby given that at a session of the Federal Maritime Board held at

its Office in Washington, D. C., the 18th day of October 1956, the Board entered the following order:

Whereas it appears that Front Forwarding and Brokerage Corp. is registered as an ocean freight forwarder pursuant to General Order 72 (46 CFR 244.1 et seq.) and has been so registered since September 14, 1950, and

Whereas it further appears that Harold C. Winsch is President and Director of Front Forwarding and Brokerage Corp. and held fifty percent of the stock of such corporation from August 11, 1950, to October 16, 1952, and holds and has held twenty-five percent of the stock of such corporation since October 16, 1952, and

Whereas it further appears that Charles R. Crosby is Treasurer and Director of Front Forwarding and Brokerage Corp., and holds and has held fifteen percent of the stock of such corporation since December 20, 1954, and

Whereas it further appears that John A. Sherman held fifty percent of the stock of Front Forwarding and Brokerage Corp. from August 11, 1950, to October 16, 1952, and held fifteen percent of the stock of such corporation from October 16, 1952, to December 20, 1954, and

Whereas it further appears that Jos. F. Ferriter holds and has held fifty percent of the stock of Front Forwarding and Brokerage Corp., since October 16, 1952, and

Whereas it further appears that Harold C. Winsch, Charles R. Crosby, John A. Sherman, and Jos. F. Ferriter, aforementioned, hold and have held control of A. C. Israel Commodity Company, Inc., through positions as officers, directors, and general manager in said corporation during the years 1953, 1954, and 1955, within the meaning of Rule 244.13, General Order 72 (46 CFR 244.13), and

Whereas it further appears that Front Forwarding and Brokerage Corp., has collected or received ocean freight brokerage on shipments of A. C. Israel Commodity Company, Inc., from Boyd, Weir & Sewell, Inc., Meyer Line, Hamburg-American Line, United States Navigation Company, Inc., Grace Line, Inc., Lloyd Brasilerio, Norton, Lilly & Company, Thor Eckert & Co., Inc., and Holland America Line, at various times during the years 1953, 1954, and 1955, totaling $1,467.76, and

Whereas Front Forwarding and Brokerage Corp. paid dividends to Harold C. Winsch, Charles R. Crosby, John A. Sherman, and Jos. F. Ferriter in excess of $10,000.00 during the period October 1952, through December 1954, and

Whereas it further appears that Harold C. Winsch, Charles R. Crosby, John A. Sherman, Jos. F. Ferriter, and Front Forwarding and Brokerage Corp., had a beneficial interest within the meaning of Rule 244.13, General Order 72 in the shipments of A. C. Israel Commodity Co., Inc., by virtue of the aforesaid connections of the aforesaid individuals with both corporations during the period ocean freight brokerage was collected or received on shipments of A. C. Israel Commodity Co., Inc., and

Whereas it further appears that the collection or receipt of ocean freight brokerage as aforesaid violates section 16, Shipping Act, 1916, as amended, (46 U. S. C. 815) and General Order 72 in that (1) Harold C. Winsch, Charles R. Crosby, John A. Sherman, Jos. F. Ferriter, and A. C. Israel Commodity Co., Inc., have knowingly and willfully, directly or indirectly, by unjust or unfair device or means, obtained or attempted to obtain transportation for property at less than the rates or charges which would otherwise be applicable, and (2) Front Forwarding and Brokerage Corp., through the payment of dividends to officers, directors, or employees of A. C. Israel Commodity Co., Inc., has indirectly shared ocean freight brokerage with the latter on the latter's own shipments, and has, therefore, indirectly allowed the latter by unjust or unfair means or device to obtain transportation for property at less than the applicable rates or charges then established and enforced; now, therefore,

*It is ordered*, That the Board on its own motion, pursuant to section 22, Shipping Act, 1916, as amended, (46 U. S. C. 821) enter upon a proceeding of investigation into and concerning the alleged violations of said act and General Order 72 as aforesaid, and

*It is further ordered*, That Front Forwarding and Brokerage Corp., show cause why its registration should not be cancelled or suspended under Rule 244.5, General Order 72 (46 CFR 244.5), upon a finding that it has violated said Order or the Shipping Act, 1916, as aforesaid, and

*It is further ordered*, That Front Forwarding and Brokerage Corp., Harold C. Winsch, Charles R. Crosby, John. A. Sherman, Jos. F. Ferriter and A. C. Israel Commodity Co., Inc. be and they are hereby named respondents in this proceeding, that copies of this order be served upon them, and that this order be published in the FEDERAL REGISTER, and

*It is further ordered*, That this proceeding be assigned for hearing before an examiner of the Board at a date and place to be fixed by the Chief Examiner.

By order of the Federal Maritime Board.

[SEAL] GEO. A. VIEHMANN,
*Assistant Secretary.*

[F. R. Doc. 56-9259; Filed, Nov. 8, 1956; 8:56 a. m.]

## Office of the Secretary

### PACIFIC ORIENT EXPRESS LINE ET AL.

### NOTICE OF AGREEMENTS FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U. S. C. 814.

(1) Agreement No. 7946-C, between the carriers comprising the Pacific Orient Express Line joint service and Waterman Steamship Corporation, provides for the cancellation of approved transhipment Agreement No. 7946, covering the transportation of cargo under through bills of lading from the Far East to Puerto Rico, with transhipment at specified U. S. Pacific Coast ports.

(2) Agreement No. 7947-C, between the carriers comprising the Pacific Orient Express Line joint service and Pope & Talbot, Inc., and Pacific Argentine Brazil Line, Inc., provides for the cancellation of approved transhipment Agreement No. 7947, covering the transportation of cargo under through bills of lading from the Far East to Pureto Rico, with transhipment at specified U. S. Pacific Coast ports.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to either of the agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: November 6, 1956.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
*Secretary.*

[F. R. Doc. 56-9260; Filed, Nov. 8, 1956; 8:56 a. m.]

### JOEL B. WARE

### STATEMENT OF CHANGES IN FINANCIAL INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of May 16, 1956, 21 F. R. 3233-34.

A. Deletions: none.
B. Additions: none.

This statement is made as of October 31, 1956.

Dated: October 31, 1956.

JOEL B. WARE.

[F. R. Doc. 56-9239; Filed, Nov. 8, 1956; 8:53 a. m.]

### HENRY BERRING

### REPORT OF APPOINTMENT AND STATEMENT OF FINANCIAL INTERESTS

Report of appointment and statement of financial interests required by section 710 (b) (6) of the Defense Production Act of 1950, as amended.

*Report of Appointment*

1. Name of appointee: Mr. Henry Berring.

2. Employing agency: Department of Commerce, Business and Defense Services Administration.

3. Date of appointment: October 29, 1956.

4. Title of position: Deputy Director, Scientific, Motion Picture & Photographic Products Division.

5. Name of private employer: Weston Electrical Instrument Corporation, 614 Frelinghuysen Avenue, Newark 5, New Jersey.

CARLTON HAYWARD,
*Director of Personnel.*

NOVEMBER 5, 1956.

*Statement of Financial Interests*

6. Names of any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

Weston Electrical Instrument Corporation. Bank accounts.

Dated: November 1, 1956.

HENRY BERRING.

[F. R. Doc. 56-9240; Filed, Nov. 8, 1956; 8:53 a. m.]

# DEPARTMENT OF AGRICULTURE

## Commodity Credit Corporation

### SALES OF CERTAIN COMMODITIES

### NOVEMBER 1956 MONTHLY SALES LIST

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F. R. 6669) and subject to the conditions stated therein, the commodities listed below are available for sale in the quantities stated and on the price basis set forth. The Commodity Credit Corporation will entertain offers from prospective buyers for the purchase of any such commodity.

Applicable interest rates on sales made in November under the Export Credit Sales Announcement GSM 1 are as follows:

For periods up to and including 6 months, 3½ percent per annum.

For periods over 6 months up to and including 18 months, 4 percent per annum.

For periods over 18 months up to and including 36 months, 4½ percent per annum.

The Commodity Credit Corporation reserves the right, before making any sale, to define or limit export areas. Announcements containing the contractual terms and conditions of sale for the respective commodities will be furnished upon request. For ready reference a number of these announcements are identified by code number in the following list. Commodity Credit Corporation also reserves the right to amend, from time to time, any of its announcements, which amendments shall be applicable to and be made a part of the sales contracts thereafter entered into.

| Commodity and approximate quantity available (subject to prior sale) | Sales price or method of sale |
|---|---|
| Dairy products | Domestic prices (except for restricted use) apply "in store" [1] at storage locations of product.<br>Domestic price for restricted use is basis delivered to delivery point named in offer. CCC will convert to "in store" price by deducting lowest domestic rail freight rate, except that no deduction for freight will be made if the "in store" location and the delivery point named in offer are in the same city.<br>Export prices are basis f. a. s. port or f .o b. point of export. CCC will convert to "in store" price by deducting lowest export rail freight rate.<br>Available through Cincinnati and Portland CSS Commodity Offices for domestic sale for unrestricted use and domestic sale for animal and poultry feed, and through the Livestock and Dairy Division, CSS, USDA, Washington 25, D. C., for other sales. |
| Nonfat dry milk (in carloads only); spray, 26,000,000 pounds; roller, as available. | Domestic, unrestricted use: Spray process, U. S. Extra Grade: In barrels and drums, 17 cents per pound; in bags (as available), 16.15 cents per pound. Roller process, U. S. Extra Grade: In barrels and drums, 15.25 cents per pound; in bags, 14.40 cents per pound.<br>Domestic, restricted use (animal and poultry feed): Delivered under the terms and conditions of Announcement LD-14 and supplements. Roller process: In barrels and drums, 11.5 cents per pound; in bags (as available), 10.65 cents per pound.<br>Export, unrestricted use: Under LD-5 and amendments. Spray process, U. S. Extra Grade: In barrels and drums, 9.9 cents per pound; in bags (as available), 9.05 cents per pound. Roller process, U. S. Extra Grade: In barrels and drums, 8.15 cents per pound; in bags, 7.55 cents per pound.<br>Export, restricted use (animal and poultry feed): Under LD-23 and amendment. Roller process: Competitive bid on not more than 7,000,000 pounds. Bids received each week (by close of business on Friday) will be considered for acceptance on the first business day of the following week. |
| Cheddar cheese: cheddars, flats, twins, and rindless blocks (standard moisture basis in carloads only); 183,000,000 pounds. | Domestic: 38 cents per pound, for New York, New Jersey, Pennsylvania, New England, and other States bordering the Atlantic and Pacific Ocean and Gulf of Mexico. All other States 37 cents per pound.<br>Export: Under LD-5 and amendments. 22 cents per pound.<br>Cheese prices are subject to usual adjustments for moisture content. |
| Cotton linters | Domestic or export: Competitive bid and under the terms and conditions of Announcement NO-CL-7 in carlot quantities on an "as is, where is" basis.<br>Catalogs showing quantities, qualities and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office. |
| Cotton, Upland | Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-5 as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC.<br>Export: Competitive bid and under the terms and conditions of Announcement CN-EX-2 as amended, and NO-C-8 as amended. |
| Cotton, Extra Long Staple | Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-6 but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC.<br>Export: Competitive bid and under the terms and conditions of Announcement NO-C-6.<br>Catalogs for Upland and Extra Long Staple cotton showing quantities, qualities and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office. |
| Peanuts | Domestic (for crushing) or export: Competitive bid on limited quantities as may be announced by any of the Peanut Cooperative Associations. Domestic sales subject to terms and conditions of CCC Peanut Form 34 (1955). Export sales subject to terms and conditions of CCC Peanut Form 59 (1955) as amended. Available Dallas CSS Commodity Office. |
| Wool, shorn 84,000,000 pounds | Domestic or export: Limited quantities (not more than 6,250,000 pounds in November) on competitive bid each Tuesday under terms and conditions as announced. Additional quantities at prices basis exwarehouse where stored as determined by the Boston CSS Commodity Office, reflecting not less than 103 percent of the 1954 schedule of loan rates per pound plus an allowance for sales commission, Boston basis, adjusted for net freight on wool stored outside the Boston storage area. |
| Corn, bulk | Domestic or export: Commercial corn-producing area: Market price, basis in store,[2] but not less than the legal minimum price (1956 maximum loan rate basis point of production for class, grade, and quality plus 13 cents per bushel).<br>Examples of minimum price per bushel, including average paid-in freight: Chicago No. 3 yellow, $1.82; Minneapolis No. 3 yellow, $1.73; Kansas City No. 3 yellow, $1.81; Portland No. 3 yellow, $1.98.<br>Noncommercial corn-producing area: Market price, basis in store,[2] but not less than 121 percent of the applicable 1956 loan rate, plus 13 cents per bushel.<br>Available Chicago, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices.<br>Corn is also available as follows: (1) Nonstorable corn at the above offices. (2) In flat storage in the Pacific Northwest on competitive bid basis for export. |
| Wheat, bulk | Domestic: Commercial wheat-producing area: Market price, basis in store,, but not less than the legal minimum price (1956 loan rate for class, grade[3] quality, and location), plus 21 cents per bu.<br>Examples of minimum price per bushel: Chicago No. 1 RW, $2.52; Minneapolis No. 1 DNS, $2.55; Kansas City No. 1 HW, $2.52.<br>Noncommercial wheat-producing area: Market price, basis in store,[2] but not less than 133 percent of applicable 1956 county loan rate plus 21 cents per bushel.<br>Export (as wheat): Under Announcement GR-261 revised, for application to barter contracts only, at prices determined daily, and under Announcement GR-212 revised, for specific offerings on competitive bid basis. Disposals under special export program under Announcement GR-345.[3]<br>Export (as flour): Under Announcement GR-212 revised on sales of flour made on or before November 15 and registered by November 21, and under GR-262 revised through November 15, at prices determined daily.[3]<br>Available Dallas, Chicago, Minneapolis, Kansas City, and Portland CSS Commodity Offices for domestic or export sale, except under GR-345 at Dallas, Chicago, and Portland only. |
| Oats, bulk | Domestic: Market price, basis in store,[2] but not less than the legal minimum price (1956 loan rate basis point of production for class, grade, and quality, plus 11 cents per bushel).<br>Examples of minimum price per bushel including average paid-in freight: Chicago No. 3 oats or better, $0.89; Minneapolis No. 3 oats or better, $0.84.<br>Available Minneapolis, Chicago, Kansas City, Portland, and Dallas CSS Commodity Offices.<br>Export: Competitive bid as announced by the Chicago, Portland, and Dallas CSS Commodity Offices.[3] |

See footnotes at end of table.

| Commodity and approximate quantity available (subject to prior sale) | Sales price or method of sale |
|---|---|
| Barley, bulk | Domestic: Market price, basis in store,[1] but not less than the legal minimum price (1956 applicable loan rate for class, grade, quality and location plus 15 cents per bushel).<br>Example of minimum price per bushel: Minneapolis No. 2 barley, $1.39.<br>Available Minneapolis, Kansas City, Chicago, Dallas and Portland CSS Commodity Offices.<br>Export: Competitive bid as announced by the Chicago and Portland CSS Commodity Offices.[2] |
| Rye, bulk (as available) | Domestic: Market price, basis in store,[1] but not less than the legal minimum price (1956 applicable loan rate for class, grade, quality and location plus 17 cents per bushel).<br>Example of minimum price per bushel: Minneapolis No. 2 or better, $1.67.<br>Available Minneapolis, Kansas City, Chicago, Dallas and Portland CSS Commodity Offices.<br>Export: Competitive bid as announced by the Chicago and Portland CSS Commodity Offices.[2] |
| Grain sorghums, bulk | Domestic: Market price, basis in store,[1] but not less than the legal minimum price (1956 applicable loan rate for class, grade, quality and location plus 28 cents per 100 pounds).<br>Example of minimum price per hundredweight: Kansas City No. 2 or better, $2.70.<br>Available Dallas, Portland, and Kansas City CSS Commodity Offices.<br>Export: Competitive bid as announced by Dallas and Portland CSS Commodity Offices. |
| Rice, milled | Domestic: Market price but not less than the legal minimum price (the equivalent loan rate for rough rice by varieties plus 5 percent adjusted for milling, plus 31 cents per hundredweight).<br>Examples of minimum prices of milled rice per hundredweight at mills: |

| | U. S. No. 2 (7 percent brokens) | U. S. No. 5 (35 percent brokens) |
|---|---|---|
| Bluebonnet | $11.17 | $8.75 |
| Zenith | 9.26 | 7.39 |
| Pearl | ---------- | 7.09 |

Export: A schedule of prices as announced by Dallas and Portland CSS Commodity Offices.
Examples of prices of milled rice per hundredweight, f. a. s., West Gulf ports (Port at option of CCC) or for Texas-Mexico border points and f. a. s. San Francisco Bay area for Pearl:

| | U. S. No. 2 (7 percent brokens) | U. S. No. 5 (35 percent brokens) |
|---|---|---|
| Bluebonnet | $10.20 | $7.80 |
| Zenith | 8.70 | 6.49 |
| Pearl | ---------- | 6.50 |

Specific prices and quantities may be obtained from Dallas CSS Commodity Office for all available varieties and from Portland CSS Commodity Office for Pearl.
Special export: Competitive bid on U. S. No. 5 or better under DL-MR-400 as announced by Dallas CSS Commodity Office and GR-PD-48 as announced by Portland CSS Commodity Office.[3]
Special export: on "as is" basis: Competitive bid under terms and conditions of DL-MR-53 as announced by Dallas CSS Commodity Office.
Domestic (for feed): Other brokens: Competitive bid under DL-BR-1/56 and GR-PD-42 as announced by Dallas and Portland CSS Commodity Offices.
Domestic (unrestricted use) and for export: Other brokens: Competitive bid under DL-BR-1/56 and GR-PD-42 (Minimum price, $6.01 per hundredweight in sacks, $5.86 bulk) as announced by Dallas and Portland CSS Commodity Offices.

| | |
|---|---|
| Gum rosin (in galvanized metal drums averaging 517 pounds net). | Domestic or export: Offer and acceptance, "as is" in the stated quantities on the designated storage yards, subject to the prices, terms, and conditions of Announcement TB-2I, revised, and Supplements issued not more often than weekly by the American Turpentine Farmers' Association Cooperative, Valdosta, Ga. |
| Gum turpentine (bulk in tanks) | Domestic or export: Offer and acceptance, "as is" in the stated quantities in the designated storage tanks, subject to the prices, terms and conditions of Announcement TB-21 revised, and Supplements issued not more often than weekly by the American Turpentine Farmers' Association Cooperative, Valdosta, Ga. |

[1] At the processor's plant or warehouse but with any prepaid storage and outhandling charges for the benefit of the buyer.
[2] In those counties in which grain is stored in CCC bin sites, delivery will be made f. o. b. buyer's conveyance at bin site without additional cost; sales will also be made in store approved warehouses in such county and adjacent counties at the same price, provided the buyer makes arrangements with the warehousemen for storage documents.
[3] Sales of grains other than wheat made under Title I, Public Law 480, may be made on terms and conditions of GR-301 revised. Sales of wheat for export as flour may be made under terms and conditions of Announcement GR-302. Other commodities under the announcement indicated.

(Sec. 4, 62 Stat. 1070, as amended; 15, U. S. C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U. S. C. 1427, sec. 208, 63 Stat. 901)

Issued: November 5, 1956.

[SEAL]

WALTER C. BERGER,
*Acting Executive Vice-President*
*Commodity Credit Corporation.*

[F. R. Doc. 56-9222; Filed, Nov. 8, 1956; 8:52 a. m.]

## Commodity Stabilization Service

### PEANUTS

### NOTICE OF REFERENDUM FOR 1957, 1958 AND 1959 CROPS

A referendum of the farmers who were engaged in the production of peanuts in the calendar year 1956 will be held on December 11, 1956, pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended, and the Regulations Governing the Holding of Referenda on Marketing Quotas (21 F. R. 3960), as amended, to determine whether said farmers are in favor of or opposed to peanut marketing quotas for the crops of peanuts to be produced in the calendar years 1957, 1958 and 1959. If two-thirds or more of the peanut farmers voting in the referendum favor marketing quotas, marketing quotas will be in effect for the 1957, 1958, and 1959 crops of peanuts. If more than one-third of the peanut farmers voting in such referendum oppose marketing quotas, marketing quotas will not be in effect for the 1957 crop of peanuts; however, farm acreage allotments for the 1957 crop of peanuts established pursuant to the Agricultural Adjustment Act of 1938, as amended, will be in effect and compliance with such acreage allotments will be a condition of eligibility of producers for price support under the Agricultural Act of 1949, as amended.

The Secretary of Agriculture will, as required by the Agricultural Adjustment Act of 1938, as amended, proclaim the national marketing quota for peanuts before December 1, 1956, for the crop to be produced in 1957.

Notice of the proposed holding of a referendum for the 1957, 1958 and 1959 crops of peanuts was published in the FEDERAL REGISTER of September 5, 1956 (21 F. R. 6680), pursuant to section 4 of the Administrative Procedure Act (5 U. S. C. 1003) and the data, views and recommendations which were submitted in response to such notice have been duly considered. In order that arrangements for holding the referendum may be made in an orderly manner and as much advance notice as possible be given of the date of the referendum it is essential that this notice be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest and this notice shall be effective upon filing of this document with the Director, Division of the Federal Register.

Done at Washington, D. C., this 5th day of November 1956. Witness my hand and seal of the Department of Agriculture.

[SEAL]

TRUE D. MORSE,
*Acting Secretary of Agriculture.*

[F. R. Doc. 56-9223; Filed, Nov. 8, 1956; 8:52 a. m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 6346 et al.]

REOPENED CHARLESTON, WEST VIRGINIA-COLUMBUS, OHIO CASE

NOTICE OF PREHEARING CONFERENCE

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on November 28, 1956, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth and Constitution Avenue NW., Washington, D. C., before Examiner John A. Cannon.

Dated at Washington, D. C., November 7, 1956.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F. R. Doc. 56-9257; Filed, Nov. 8, 1956; 8:56 a. m.]

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[Docket No. 8042]

AIRBORNE COORDINATORS, FRANK V. GANDOLA AND WILLIAM E. GEISELMAN, INTERLOCKING RELATIONSHIP

NOTICE OF HEARING

Notice is hereby given that a hearing in the above-entitled matter is assigned to be held on November 20, 1956, at 10:00 a. m., e. s. t., in Room 1032, Temporary Building No. 5, Sixteenth and Constitution Avenue, NW., Washington, D. C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D. C., November 7, 1956.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F. R. Doc. 56-9256; Filed, Nov. 8, 1956; 8:56 a. m.]

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[Docket No. 8300 et al.]

ATC AGENCY RESOLUTION INVESTIGATION

NOTICE OF PREHEARING CONFERENCE

Notice is hereby given that a prehearing conference in the above-entitled investigation is assigned to be held on December 4, 1956, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth and Constitution Avenue NW., Washington, D. C., before Examiner F. Merritt Ruhlen.

Dated at Washington, D. C., November 7, 1956.

[SEAL] FRANCIS W. BROWN, *Chief Examiner.*

[F. R. Doc. 56-9258; Filed, Nov. 8, 1956; 8:56 a. m.]

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## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 6584, 6585; FCC 56-1049]

ALBUQUERQUE BROADCASTING CO. (KOB)

MEMORANDUM ONINION AND ORDER AMENDING ISSUES

In re applications of Albuquerque Broadcasting Company (KOB), Albuquerque, New Mexico, Docket No. 6584, File No. BMP-1738; for modification of construction permit. Albuquerque Broadcasting Company (KOB), Albuquerque, New Mexico, Docket No. 6585, File Nos. BL-1799, BZ-1583; for license to cover construction permit as modified and authority to determine operating power by direct measurement.

1. The Commission has before it for consideration the following pleadings filed in the above-entitled proceeding: (1) Petition for review of a ruling of the Hearing Examiner filed on January 16, 1956, by Westinghouse Broadcasting Company, Inc. (WBZ, Boston); (2) Motion to clarify ambiguity as to burden of proceeding under the issues filed on April 12, 1956, by Albuquerque Broadcasting Company (KOB); (3) Motion to clarify or expand issues filed on April 12, 1956, by American Broadcasting Company (WABC, New York); (4) Petition to clarify and modify issues and for reconsideration filed on April 12, 1956, by The Baptist General Convention of Texas (KWBU, Corpus Christi); (5) Petition for ruling on a previously filed request for "other relief" filed on May 10, 1956, by KXA, Inc. (KXA, Seattle); and (6) Various oppositions, comments and responses filed to the above pleadings.

2. In conformance with the mandate of the Circuit Court of Appeals for the District of Columbia Circuit in the case of American Broadcasting Company, Inc., v. FCC (191 F 2d 492), the Commission on May 26, 1955, ordered further hearing on the applications of Albuquerque Broadcasting Company (KOB) for modification of construction permit and for license to cover construction permit as modified and authority to determine operating power by direct measurement. In addition to KOB, parties to the proceeding are American Broadcasting Company (WABC, New York), Westinghouse Broadcasting Company (WBZ, Boston), KXA, Inc. (KXA, Seattle,) and The Baptist General Convention of Texas (KWBU, Corpus Christi). Hearing conferences were held between September 1955, and July 1956. As a result of numerous interlocutory pleadings, the issues were enlarged by a Memorandum Opinion and Order adopted on March 21, 1956. The instant petitions arise from a ruling of the Hearing Examiner at a hearing conference on January 9, 1956, and from the March 21, 1956, Memorandum Opinion and Order.[1]

3. WBZ's petition for review of a ruling by the Hearing Examiner. Issues 9 through 16 in the instant proceeding relate to various alternative directional antenna patterns that could be employed by KOB, WABC and WBZ. The Hearing Examiner has ruled that evidence under these issues could be based on hypothetical "representative sites" provided a reasonable showing was made that such sites were available and that CAA approval and zoning clearances could be obtained. WBZ excepts to the Examiner's ruling and requests review by the Commission. WBZ asserts that only existing sites of the stations involved should be considered in adducing evidence as to directional antenna patterns, but that if evidence based on alternative sites is allowed it should be accompanied by a conclsive showing of availability and suitability, i. e., an option and assurances of approval by CAA, zoning authorities, etc. KOB, WABC and the Broadcast Bureau oppose the petition for review. In addition, WABC requests that the Examiner's ruling be modified to eliminate the necessity for any type of showing as to the practicality and availability of the hypothetical or representative antenna sites.

4. Essentially, the WBZ request is based on the following contentions: (1) The instant matter is purely a licensing proceeding arising from KOB's applications for specific facilities, and while the consideration of a frequency other than the one requested is permissible under the rationale of Beaumont Broadcasting Corporation v. FCC, 202 F. 2d 306, such consideration is for the sole purpose of determining whether the operation specified is the best one possible; the Commission cannot as a result of the instant proceeding authorize KOB to operate on 1030 kc (the frequency on which WBZ operates), and the admission of evidence based on a possible directional antenna pattern for WBZ at other than its existing site constitutes an improper and unwarranted interpretation of the Beaumont case; (2) if, as a result of evidence based on a hypothetical site, it is found that the WBZ license should be modified to allow operation by KOB on 1030 kc, the resultant show cause proceeding might disclose that the hypothetical site relied on by the Commission is unavailable or otherwise impractical, thus again reopening the entire KOB controversy.

5. It is apparent, we believe, that WBZ misconstrues the nature of the KOB proceeding. While the hearing pertains to the application of KOB for authorization to operate on 770 kc with a power of 50 kw, it is clear from the history of the proceeding and the scope of the issues that considerably more is involved. The frequency 1030 kc is considered here, not because of the rationale of the Beaumont case, as WBZ contends, but because, as we stated in the May 26, 1955, Memorandum Opinion and Order, "the frequency 1030 kc is historically involved in this matter, it having been the original frequency assignment of KOB following the frequency shifts required by the 1937 North American Regional Broadcasting Agreement and it is the frequency specified in the license held by KOB ever since March 1941. Its full consideration as an assignment is obviously warranted." Moreover, under the mandate of the Court of Appeals in American Broadcasting Company v. FCC, *supra*, the Commission is bound to consider the "many possibilities for action in this case."[2] The following from

[1] More detailed background is contained in the Commission's Memorandum Opinion and Order of December 14, 1949 (American Broadcasting Company (WJZ), 5 RR 1117), and in the Opinion of the United States Court of Appeals for the District of Columbia Circuit in American Broadcasting Company, Inc. v. Federal Communications Commission, 191 F 2d 492.

[2] Among the possibilities mentioned by the Court was an operation by KOB on 1030 kc with reduced power or a directional antenna. Supra, at 501, footnote 11.

the Commission's Memorandum Opinion and Order reopening the record and specifying additional issues clearly refutes the limited concept of the proceeding which WBZ now propounds:

> Also, the Commission has repeatedly reaffirmed its finding that operation of these stations [WABC, WBZ and KOB] is in the public interest. Therefore the basic problem presented by the subject KOB applications is the technical solution to the problem of simultaneous operation of all three stations. Thus the matter is primarily an allocation problem and therefore must be primarily concerned with the engineering consideration pertinent to the best possible utilization of the frequencies and facilities involved.

Obviously, a hearing consistent with the expressed goal of the Commission to determine the optimum use of the frequencies 770 kc and 1030 kc cannot be confined to the taking of evidence based on present transmitter sites. This is so particularly in view of the decidedly nonrepresentative nature of the present WBZ site.*

6. WBZ expresses apprehension that the hearing may be in vain if it subsequently develops that the hypothetical representative site is not available or feasible. It is for this very reason that we must deny the request of WABC that the Examiner's ruling be modified to require no showing at all as to the availability or suitability of representative sites. However, to require, as WBZ requests, that a party introducing evidence based on a representative site must obtain an option and demonstrate conclusively that the land can be zoned for transmitter purposes and cleared by the CAA would place an intolerable burden and unnecessary expense on the parties and could only result in prolonging and complicating the proceeding. We believe the ruling of the Examiner, as stated in the January 9, 1956, hearing conference, to be reasonable and proper under the circumstances of this case and that it will afford sufficient assurance to permit a reasoned determination of the matters here involved.

7. In response to WBZ's contention that the Commission could not authorize KOB's operation on 1030 kc as a result of this proceeding, KOB has requested that Show Cause Orders be issued to the parties to cover all possible modifications contemplated by the issues in this proceeding; or, in the alternative, it is suggested that the parties' license renewal applications be called in for consolidation with the instant proceeding. Either course, according to KOB, would obviate any necessity for an additional hearing on the modification. WBZ and the Broadcast Bureau oppose both proposals, and WABC is opposed to calling up the licenses of the parties for renewal. KOB's request for issuance of Show Cause Orders and comments thereon by the other parties were filed prior to the issuance of the Commission's Memorandum Opinion and Order of March 21, 1956. In denying a similar request by WABC, we pointed out that issuance of Show Cause Orders at this stage of the hearing would be premature since there was no degree of certainty as to what, if any, modifications would be required. That reasoning is also applicable at this time. KOB's alternate proposal, that the renewal applications be called up and consolidated with the instant proceeding, is equally inappropriate. Section 1.320 (b) of the Commission's rules provides for such a procedure "whenever the Commission regards an application for renewal of license as essential to the proper conduct of a hearing or investigation * * *" Clearly, no such compelling considerations are present in the matter before us. A full and complete hearing under appropriate issues can be held without the consideration of matters relating to the renewal of these licenses. If, as a result of this proceeding, it appears that the public interest requires the modification of an existing license, the Commission's course of action will be governed by section 316 of the Communications Act of 1934, as amended.

8. KOB's request for clarification: KOB contends that a need for clarification has arisen with respect to the burden of proceeding with the introduction of evidence under the issues. The petitioner points out that the present hearing issues contemplate a variety of alternative proposals, some of which are radically different from those contained in the KOB application. It is argued that it would be incongruous to compel KOB to proceed with the introduction of evidence under issues which pertain to modes of operation which the applicant does not seek and, in fact, violently opposes. Specifically, KOB requests that with respect to issues 11 through 16 and 20 through 22 the burden of proceeding with the introduction of evidence be placed on WABC, the original proponent of the issues. The Broadcast Bureau supports, with modifications, the request of KOB. WABC opposes the KOB petition, contending that under the Rules the matter should more properly have been placed before the Examiner during a hearing conference and that, in any event, section 309 (b) of the Communications Act provides that in hearings on broadcast applications the applicant shall have the burden of proceeding with the introduction of evidence and the burden of proof on all the issues.

9. While the problem presented by the KOB petition could properly have been brought before the Examiner initially, we feel that because of the unusually complex nature of the KOB proceeding it is not inappropriate that we consider the question at this time. We are mindful of the provision of section 309 (b) whereby the burden of proceeding with the introduction of evidence, as well as the burden of proof, normally falls upon the applicant. WABC apparently urges that the status of KOB as an applicant makes it incumbent on that party to offer a positive showing as to the desirability, from a public interest standpoint, of all the possible operations under consideration regardless of whether or not they are desired by the applicant. We feel, however, that in urging this interpretation of the statute, WABC both misconstrues the statute and misconceives the real nature of the proceeding. As we pointed out in considering the WBZ petition for review of the Examiner's ruling (para. 5), the nature and scope of the proceeding before us clearly distinguishes it from the usual hearing on a broadcast application.* The Commission is attempting to determine a permanent assignment for KOB. A satisfactory solution to the problem necessarily involves allocations, as well as licensing, considerations. As the most feasible means for achieving a solution, the Commission removed from its pending file the application of KOB for a license on 770 kc with a power of 50 kw and reopened the record. The scope of the hearing was broadened by the inclusion of sixteen additional issues, most of them looking to alternative solutions to the KOB problem. Issues 11 through 16 and 20 through 22 were included at the request of WABC and relate to modes of operation which were not sought by KOB and to which it is in fact opposed.* We believe it would be entirely anomalous to require that KOB proceed with the introduction of evidence under these issues. The fact that the numerous different modes of operation for KOB, WBZ and WABC are being considered in a single proceeding does not justify placing the burden of going forward under all the issues on the only party who, technically, is before us as an applicant in that proceeding. Since the case involves an allocation problem, as well as an action on a broadcast application, and in view of the nature of the issues included at the request of WABC, it would be unreasonable to construe 309 (b) as requiring KOB to carry the burden of proceeding under all the issues in the hearing. KOB, of course, has the burden of going forward under issues 1 through 10, all of which relate to facilities requested in its application. Likewise, it would have the burden under the enlarged issues of which it is the proponent (23 through 24), as well as the issues relating to existing program services and overlap (issues 17 through 19

* It is the contention of WBZ that from its present site in Hull, Massachusetts, approximately 15 miles east of Boston, it could not protect a KOB operation on 1030 kc and at the same time maintain the required signal strength over Boston, in accordance with the Commission's Rules.

* We cannot help but note the apparent inconsistency between the rather narrow and technical position taken by WABC and its position with respect to the utilization of data based on representative, rather than existing, transmitter sites, supra. There it presented the view that the proceeding was not essentially an action on a broadcast application but was rather in the nature of an allocations proceeding.

* Issues 11, 12, 14 and 15 cover WABC's proposal that the Commission consider modification of the licenses of KOB and WBZ to permit simultaneous operation on 1030 kc with 50 kw power. Issues 13 and 16 relate to WABC's request for consideration of a directional Class II operation by KOB on 770 kc or 1030 kc. Issues 20 through 22 also requested by WABC relate to possible directional antenna patterns which could be employed by KOB and WBZ, both operating on 1030 kc.

and issue 25), both being matters frequently involved in hearings on broadcast applications. On the other hand, in the unique circumstances of this case, it is our view that sound administrative procedure and a reasonable interpretation of section 309 (b) requires that the burden of proceeding with the introduction of evidence under the issues of which WABC is the proponent should be placed on that party. Such a course cannot possibly prejudice WABC, and may rather enhance its opportunity to make a full and complete showing under the issues which it has requested. As we read it, section 309 (b) does not require that the applicant carry the burden of proceeding on every special issue which because of the unusual and mixed nature of a proceeding may be included in a hearing involving his application.

10. WABC's motion to clarify or expand issues: In its Memorandum Opinion and Order of March 21, 1956, the Commission, at the request of KOB and in order to "avoid any question as to the reasonableness of the extent of the hearing afforded," specified issues (Nos. 23 and 24) to elicit information with respect to possible operation by WABC and WBZ as Class II stations protecting a 50 kw non-directional operation by KOB. WABC contends that it is the "flagship" station of the ABC radio network and that any downgrading to a Class II status, as proposed under issues 23 and 24, would "increase the competitive disadvantages under which the ABC radio network operates." As a result, WABC requests clarification or expansion of the issues to permit a showing as to the effect that downgrading WABC would have on the competitive position of American Broadcasting Company in relation to CBS and NBC. WBZ, KOB and the Broadcast Bureau oppose admission of evidence relating to network considerations and point out that the Commission has once before declined to permit such a showing.[4] In addition, KOB, the original proponent of issues 23 and 24, now requests that the issues be stricken and the WABC petition dismissed as moot. KOB states that when inclusion of the issues was requested, it felt that evidence to be adduced thereunder might be necessary for the restoration of KOB to the status of a Class I station. KOB has since determined that such information is not essential, and in the interest of expediting the hearing, it wishes to abandon its right to offer evidence under issues 23 and 24. In view of this, it appears that the issues may be stricken, rendering moot WABC's request for clarification or enlargement.

11. KWBU petition to clarify and modify issues: In the Memorandum Opinion and Order of March 21, 1956 the Commission specified an issue (No. 26) to determine whether the license of Station KWBU, Corpus Christi, should be modified to specify a daytime only operation and whether a directional antenna should be utilized to protect KOB if that station is returned to 1030 kc. KWBU interprets the issue as it now stands to contemplate both a change in hours and a directional operation. KWBU requests that the issue be modified to delete reference to the use of a directional antenna, or that the issue be reworded to make clear that a directional operation would be an alternative to a change in authorized broadcast hours. The station is at present authorized to operate from sunrise Boston to sunset Corpus Christi. Its broadcasts prior to sunrise Corpus Christi would result in interference to KOB if the latter is returned to 1030 kc. KWBU contends that if as a result of the hearing its operating hours are limited to local sunrise and sunset, there will be no need for a directional antenna because, as the Commission has recognized, daytime skywave interference is not a proper consideration in the hearing, and there will be no objectionable ground wave interference from KWBU's present nondirectional operation to any possible KOB operation on 1030 kc.[7] Accordingly, KWBU requests that consideration of a directional antenna be eliminated from issue 26 or that the issue be modified to determine whether, if KOB is ultimately required to operate on 1030 kc, KWBU should be limited to a daytime only operation or whether its present authorization should be continued but with a directional antenna designed to protect KOB.

12. With the exception of the Broadcast Bureau, the parties involved do not oppose KWBU's request. The Bureau contends that regardless of any modification in KWBU's authorized hours of operation, consideration of a directional operation by KWBU is appropriate at this time for the following reasons: (1) KWBU was originally licensed as a directional operation at Corpus Christi; (2) the idea of a directional operation was initiated by KWBU, apparently to provide a service for a maximum number of people; (3) but for a 1945 hurricane which destroyed five of the station's six towers, KWBU would have continued to operate directionally. The Bureau contends, therefore, the public interest would not be served by foreclosing consideration of a directional operation for KWBU.

13. In the Memorandum Opinion and Order of March 21, 1956 granting KWBU leave to intervene in this proceeding, the Commission stated:

> We further believe that Baptist General Convention should be required to show cause in this proceeding as to why the license of Station KWBU should not be modified to specify daytime only operation at Corpus Christi, Texas in accordance with the Commission's Rules and to include a condition to require Station KWBU to operate with a directional antenna designed to adequately protect Station KOB from receiving interference should there be any, if KOB ultimately is required to operate on the frequency of 1030 kc as a result of this proceeding.

We stated that KWBU's rights on 1030 kc were subordinate to those of KOB and that KWBU's present authorization specifying broadcast hours from sunrise, Boston to sunset, Corpus Christi was inconsistent with the Rules and apparently resulted from an oversight by the Commission. Since several of the proposed operations for KOB contemplated by the issues in this proceeding could not be effectuated so long as KWBU was authorized to broadcast prior to local sunrise and since KWBU was a party intervenor in this proceeding, it was felt that the Order to Show Cause could best be considered simultaneously with the question of a permanent assignment for KOB. However, paragraph 18 of the March 21, 1956, Memorandum Opinion and Order makes clear that the proposed modification in the license of KWBU to specify local sunrise and sunset was to be considered independently and was not contingent on the transfer of KOB to 1030 kc. On the other hand, we conceived the question of a directional operation for KWBU to relate only to the possible existence of objectionable interference from KWBU to KOB. It is apparent, however, from the KWBU petition and the responses thereto that there is no likelihood of objectionable daytime interference between KWBU and KOB should the latter be moved to 1030 kc. Thus, the interference which would exist during the few hours prior to local sunrise in which KWBU can now broadcast under the terms of its license would be eliminated if KWBU's authorized broadcast hours were modified to conform to the Commission's Rules. Historically, and aside from the question of interference, reasons may exist for consideration of a change in the KWBU license to specify a directional operation, but they are wholly unrelated to the question of a permanent assignment for KOB. The inclusion of such matters within the scope of this hearing, as the Broadcast Bureau apparently desires, would serve only to lengthen and further complicate an already involved proceeding. Accordingly, KWBU's petition is granted to the extent that a directional antenna for KWBU will be eliminated from consideration under issue 26.

14. KWBU also requests that the Commission reconsider the denial of its request for inclusion of an issue concerning the possibility of its operating on 770 kc if KOB is returned to 1030 kc. In denying the initial request, we held that there were no equities in KWBU warranting such consideration and that to include the issue would unnecessarily broaden the scope of the proceeding and would require bringing in other parties who are applicants for 770 kc. KWBU has asserted no grounds which persuade us to alter this view. We are aware of the background and history of KWBU's present assignment which petitioner contends entitles it to special consideration. KWBU contends that if KOB is returned to 1030 kc, KWBU will be deprived of "the extensive interference-free daytime coverage on 1030 kc which was originally contemplated" when the station gave up its border operation and located in Corpus Christi. However, based upon our own determination, there would appear to be no likelihood of objectionable daytime interference from KOB operating on 1030 kc to KWBU. The consideration in this proceeding of

[4] See Memorandum Opinion and Order, May 26, 1955, paragraphs 5 and 8.

[7] An engineering affidavit attached to KWBU's petition supports this assertion.

an operation by KWBU on 770 kc is inappropriate and entirely unwarranted by the circumstances.

15. Petition by KXA for consideration of its program service: Issue 17 seeks a determination of the nature and character of program service now being rendered by KOB, WABC and WBZ. By a petition filed on June 29, 1955, KXA, Inc., a party intervenor in the KOB proceeding, requested, inter alia, that this issue be enlarged to include consideration of the KXA program service. The Commission's Memorandum Opinion and Order of March 21, 1956 denied the petition but did not rule on the programming issue as it relates to KXA.* The petitioner now asks a ruling on its request that issue 17 be amended to include a showing of the KXA program service. It also requests that issues 5 and 6, which seek to determine the areas and populations prevented from receiving service as a result of KOB's present and proposed broadcast authorization, be clarified to allow a showing as to the areas and populations being prevented from receiving the service of KXA. None of the other parties opposes the request of KXA. Accordingly, in order that KXA may be placed in the same position as the other parties who are or would be subject to interference from KOB, issue 17 is enlarged to allow a showing as to the program service now being rendered by KXA. With respect to petitioner's second request, it is clear, we feel, from the language of issues 5 and 6 that evidence need not necessarily be confined to WABC but could relate to KXA as well.

In view of the foregoing: *It is ordered*, That the ruling of the Hearing Examiner with respect to the admission of evidence based on representative transmitter sites is affirmed; and that the requests for modification of that ruling contained in the petition for review filed by Westinghouse Broadcasting Company and in the opposition to that petition filed by American Broadcasting Company are denied;

*It is further ordered*, That the petition of Albuquerque Broadcasting Company requesting that the burden of proceeding with the introduction of evidence under certain issues be placed on American Broadcasting Company is granted; and that, accordingly, under issues 1 through 10, 17 through 19 and 25, the burden of proceeding with the introduction of evidence shall be on Albuquerque Broadcasting Company; under issues 11 through 16, and 20 through 22, the burden shall be on American Broadcasting Company; and under issue 26, the burden shall be on the Commission;

*It is further ordered*, That the request of Albuquerque Broadcasting Company that Show Cause Orders be issued to the licensees of WABC, WBZ and KOB, or that the licenses be called up for renewal and consolidated with the instant proceeding is denied;

*It is further ordered*, That, at the request of Albuquerque Broadcasting Company, issues 23 and 24, originally proposed by that party, are stricken, and the petition of American Broadcasting Company requesting clarification of those issues is dismissed as moot;

*It is further ordered*, That the petition by The Baptist General Convention of Texas for clarification or modification of issues is granted in part; and that issue 26 is modified as follows:

26. To determine whether the license of Station KWBU, Corpus Christi, Texas, should be modified to specify daytime only operation.

*It is further ordered*, That the request of The Baptist General Convention of Texas for reconsideration of its petition for the inclusion of an issue relating to possible operation by KWBU on 770 kc is denied;

*It is further ordered*, That the petition of KXA, Inc. for enlargement of issues is granted; and that issue 17 is modified as follows:

17. To determine the nature and character of program service now being rendered by Stations KOB, WABC, WBZ and KXA.

Adopted: October 31, 1956.

Released: November 6, 1956.

FEDERAL COMMUNICATIONS COMMISSION,*

[SEAL] MARY JANE MORRIS, *Secretary.*

[F. R. Doc. 56-9249; Filed, Nov. 8, 1956; 8:54 a. m.]

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[Docket No. 11004, 11691; FCC 56-1044]

OHIO VALLEY BROADCASTING CORP. ET AL.

MEMORANDUM OPINION AND ORDER CLARIFYING ISSUES

In re application of Ohio Valley Broadcasting Corporation, Clarksburg, West Virginia, Docket No. 11004, File No. BPCT-849; for television construction permit. News Publishing Company, Wheeling, West Virginia, (Transferor) and WSTV, Inc., Steubenville, Ohio, (Transferee), Docket No. 11691, File No. BTC-2048; for Commission consent to transfer of control of Ohio Valley Broadcasting Corporation.

1. Clarksburg Publishing Co., the protestant in this case, has filed a petition to amend or clarify the hearing issues.[1] The current phase of this proceeding which originated with the filing of Clarksburg Publishing's protest against the grant without hearing of Ohio Valley Broadcasting's application after it became unopposed following the dismissal of Clarksburg Broadcasting Corporation, is being held pursuant to a remand from the United States Court of Appeals reversing the Commission's action in denying the protest. Issue No. 3 in this hearing reads as follows:

> To obtain full information concerning the negotiations, understandings or agreements pursuant to which the application of Clarksburg Broadcasting Corporation was withdrawn, including full information concerning the considerations provided by Clarksburg Broadcasting Corporation for payments made to it in connection with the dismissal of its application.

2. Petitioner requests the addition of the following language to that issue: "and to determine in the light of such evidence whether full disclosure was made to the Commission with respect to the terms and conditions of any such understandings or agreements." Alternatively, Clarksburg requests that the Commission declare that Issue 3 as now phrased encompasses the question of whether full disclosure of the terms and conditions was made by Ohio Valley to the Commission.

3. Some background information will be helpful. At the time Clarksburg Broadcasting Corporation withdrew its application which was then in competition with the application of Ohio Valley, counsel for Ohio Valley submitted a letter advising the Commission that Ohio Valley "has agreed to reimburse Clarksburg Broadcasting Corporation in the amount of $14,390 for out-of-pocket expenses incurred in the preparation and prosecution of its application." In the decision (later reversed by the Court) which denied the protest the Commission indicated that payment of this amount to Clarksburg Broadcasting had been made[2] and this belief was carried forward in the Commission's appeal brief. Ohio Valley gave no indication that this belief was incorrect. However, at the hearing now being held, it has been disclosed that the $14,390 has not been paid to Clarksburg Broadcasting.[3] This disclosure is the basis for the Publishing Company's request for enlargement of the issues.

4. Publishing Company contends that Ohio Valley's failure to reveal that the money had not been paid constituted a failure to make full disclosure to the Commission. At the hearing Publishing Company requested the Hearing Examiner to take official notice of the statement in the Commission's brief for the purpose of establishing that Ohio Valley misled the Commission with respect to the terms of its understanding with Clarksburg Broadcasting. It was argued that these statements would show that Ohio Valley permitted the Commission and its General Counsel to have an incorrect understanding of the facts with respect to the payment. The Hearing Examiner refused the request for the reason that the question of non-disclosure was not encompassed in Issue 3 as framed.

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*The KXA petition was concerned, in large part, with a request that its application for a full-time 50 kw operation on 770 kc be consolidated in the instant proceeding.

[1] The petition was filed July 26, 1956. The applicants and the Broadcast Bureau filed oppositions on August 6, 1956, and petitioner's reply was submitted on August 10th. On August 23 the applicants filed a petition to accept a statement with respect to the petitioner's reply. A petition for review of the Chief Hearing Examiner's September 7 denial of this petition was filed September 13 and is disposed of in paragraphs 10-12, infra.

* Commissioner Craver disqualifying himself from participation in the matter.

[2] 10 RR 969, 985.

[3] The agreement between Clarksburg Broadcasting Corporation and Ohio Valley provides that $14,390 is to be paid Clarksburg upon the conditions that (a) the grant of a construction permit to Ohio Valley is made and (b) that a permit is issued after denial of any protest.

5. In support of the enlargement, the petitioner asserts that although not expressly said the question of non-disclosure is clearly implicit in the language of Issue No. 3. In any event, states petitioner, good cause exists at this time for amendment of the issue to insure inquiry into the question because the facts came to light long after the issue was prepared and included in the order of designation. Publishing Company insists that this question is most material to the determination of whether abuse of the Commission's processes was involved. Reference is made to portions of the Court's decision reversing the Commission's denial of Publishing Company's protest.[4]

6. Ohio Valley counters that there was no failure on its part to disclose facts during the court litigation because any assumption or misinterpretation made by the Commission and its General Counsel that the money had already been paid to Clarksburg Broadcasting was not related to the basic question argued in the Court of Appeals which was whether or not there was sufficient information upon which the Commission could rely in deciding that no more than out-of-pocket expenses were to be paid to Clarksburg. It is insisted that Ohio Valley was not required to correct in its brief an error of fact which was not related to the main question briefed in the Court of Appeals and that even if counsel, with an excess of caution, had corrected this immaterial fact the outcome of the litigation would not have been affected in any way. Ohio Valley alleges that there is no charge that it failed to disclose prior to the grant which the Commission made to Ohio Valley before the protest was filed.

7. Also opposing enlargement of the issues, the Broadcast Bureau points out that a protestant's right to request specific hearing issues ended with the expiration of the statutory 30 day period subsequent to the grant and that action on any request for enlargement of issues filed thereafter lies within the sound discretion of the Commission. The Bureau urges that the Commission should not add an issue which lacks merit and appears to be grounded in dilatoriness. The Bureau believes that the letter reporting the reimbursement was clear and explicit and states that whether payment had been or was yet to be made is not the question because the issue raised by the protest was whether such payment was reasonable as representing reimbursement for out-of-pocket expenses.

8. In reply to the oppositions, Publishing Company asserts that there also was a failure to disclose prior to the original grant to Ohio Valley and that this misled the Commission into believing that the agreement was conditioned solely upon the withdrawal of Clarksburg Broadcasting's application. The failure to correct this misinterpretation at subsequent stages of the proceeding indicates to Publishing Company that Ohio Valley deliberately decided to withhold the facts and that the non-disclosure was willful. In addition, protestant attacks the Bureau's argument as to the timeliness of the request for enlargement of the issue based upon the 30 day period allowed by section 309 (c). It is contended that good cause is demonstrated from the fact that the true nature of the agreement was not disclosed until taking of evidence was in progress.

9. Concerning the Bureau's arguments as to the immateriality of the non-disclosures, protestant asserts that the Bureau fails to recognize that unconditional agreement to pay a withdrawing applicant's expenses is quite different from an agreement to pay if and only if the paying party receives a final grant. The abuse of process inherent in the latter situation is more serious than in the former because payment is being made for a favorable administrative decision which may stop the withdrawing applicant from offering any facts adversely affecting a grant to the other applicant. According to protestant, inducing a belief that payment has been made may also make favorable action more likely and avoid the risk that a conditional arrangement would encounter administrative objection; moreover, the remaining applicant is not placed in a position of losing something already paid. Concluding, the protestant asserts that a deal by which a litigant is bought off on a promise to pay conditioned on a favorable decision is *per se* inherently repugnant to general public policy.

10. The applicants, in a statement with respect to Clarksburg's reply to the oppositions, offer additional arguments against enlargement of the issues. However, the Chief Hearing Examiner, in the exercise of the authority delegated to him, denied applicants' request for acceptance of the statement on the ground that it was not filed within the time specified by § 1.730 of the rules and good cause for late filing had not been shown.

11. In a petition for review filed September 13, 1956, applicants state that § 1.730 prescribes no time limit for filing requests for permission to file additional pleadings and argue that counsel's absence from his office and the presence of newly raised matters in the reply constituted good cause for allowing the additional pleading. Applicants also note that neither protestant nor the Bureau opposed acceptance of the pleading. The Broadcast Bureau supports the Examiner's ruling although recognizing that § 1.730 does not specify a time within which requests to accept additional pleadings must be filed.

12. Section 1.730 of the rules requires a showing of good cause before any pleading in addition to oppositions to petitions and replies to oppositions will be accepted. However, the rule does not limit the time within which either the request to accept the additional pleading or the additional pleading itself must be submitted. Therefore, we cannot agree with the Chief Examiner that applicants' statement should be rejected because it was not filed within the time required by the rule. While diligence in filing requests under § 1.730 is not to be ignored, it is only a factor to be weighed in each case in determining whether good cause has been shown. In the instant proceeding, Clarksburg's reply to the oppositions contained substantially new contentions upon which the applicants had had no opportunity to comment, and this fact, coupled with counsel's absence from his office at the time the protestant's reply was served upon him, is enough to constitute good cause in this case for allowance of the additional pleading. Therefore, the Chief Hearing Examiner's order will be reversed, and the arguments made by applicants in their statement will be considered.

13. Applicants' main argument is that there was no requirement that they or Clarksburg Broadcasting supply information concerning the payment agreement because the Clarksburg Broadcasting application was dismissed prior to designation for hearing at a time when under the provisions of § 1.366 of the Rules[5] an application may be dismissed as a matter of right without submission of a petition or formal document. The applicants insist that neither Clarksburg Broadcasting or Ohio Valley was required to supply information about the dismissal, but they point out that Ohio Valley voluntarily supplied information about the payment agreement. It is also argued that under Commission policy the agreement to pay was not contrary to the public interest.

14. Considering the requested clarification of issues, the Commission believes that Issue No. 3 must be construed to encompass the question of whether full disclosure of the terms and conditions of the payment agreement was made to the Commission. The disclosure question is not explicitly stated in the issue, but its inclusion is implicit in the broad direction to "obtain full information" about the agreement between Ohio Valley and Clarksburg Broadcasting. The content of the Court of Appeals' discussion of the agreement coupled with the Court's appraisal of our responsibility in protest proceedings substantiate our view that even though the question of full disclosure did not specifically arise until after the issue was framed, the answer to that question may be sought

[4] 12 RR 2024, 2035.

[5] Section 1.366 provides: "Dismissal of applications. Any application may be dismissed without prejudice as a matter of right prior to the designation of such application for hearing. Requests to dismiss an application without prejudice after it has been designated for hearing will be considered only upon written petition properly served upon all parties of record. Such petition must be accompanied by the affidavit of a person with knowledge of the facts as to whether or not consideration has been promised to or received by petitioner, directly or indirectly, in connection with the filing of such petition for dismissal of the application. Petitions to dismiss an application without prejudice will be granted only for good cause shown, but will in no event be granted after public notice has been given by the Commission of the issuance of a proposed decision proposing to deny the application in question."

under the issue as it stands. Moreover, misrepresentation and non-disclosure are matters of substantial importance to the Commission in arriving at public interest determinations even though the misrepresentation or non-disclosure may relate to facts which in and of themselves are otherwise of small importance in the decisional process. See Wilton E. Hall and Greenville Television Company v. F. C. C., App. D. C., decided September 6, 1956. The foregoing ruling makes it unnecessary for us to consider further the petition to enlarge issues.

15. *Accordingly, it is ordered*, This 31st day of October 1956, that applicants' petition for review of the Chief Hearing Examiner's order refusing permission to file a statement with respect to protestant's reply is granted and said statement is accepted; that protestant's petition to amend or clarify the hearing issues is granted to the extent that Issue No. 3 is construed to encompass a determination whether full disclosure of the terms and conditions of the payment agreement between Ohio Valley and Clarksburg Broadcasting was made to the Commission by Ohio Valley; and that the petition to enlarge or clarify is otherwise denied.

Released: November 6, 1956.

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

[F. R. Doc. 56-9250; Filed, Nov. 8, 1956; 8:54 a. m.]

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[Docket Nos. 11789, 11790; FCC 56M-1022]

TRADEWINDS BROADCASTING CO. (WCBQ)

ORDER CONTINUING HEARING

In re applications of M. R. Lankford, tr/as The Tradewinds Broadcasting Company (WCBQ), Sarasota, Florida, for construction permit to replace expired construction permit Docket No. 11789, File No. BP-10370; and for modification of construction permit, Docket No. 11790, File No. BMP-6920.

The Hearing Examiner having under consideration a motion filed by applicant on November 2, 1956, requesting that the hearing now scheduled for November 6, 1956 be further continued to November 28, 1956, because a witness in the proceeding will be unable to testify on November 6;

It appearing that counsel for the other parties have no objection to immediate consideration and grant of the motion;

*It is ordered*, This 5th day of November 1956, that the motion for continuance is granted and the hearing now scheduled for November 6, 1956 is further continued to Wednesday, November 28, 1956, at 10:00 a. m., in the offices of the Commission, Washington, D. C.

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

[F. R. Doc. 56-9251; Filed, Nov. 8, 1956; 8:54 a. m.]

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[Docket Nos. 11832, 11833; FCC 56M-1015]

RADIOSIGNAL SERVICE (RADIO DISPATCH, INC.) AND WILLIAM J. THERKILDSEN

ORDER SCHEDULING PRE-HEARING CONFERENCE

In re applications of Radiosignal Service (Radio Dispatch, Inc.), Seattle, Washington, Docket No. 11832, File No. 736-C2-P/L-56; William J. Therkildsen, Seattle, Washington, Docket No. 11833, File No. 1063-C2-P-56; for construction permits for one-way signaling stations in the Domestic Public Land Mobile Radio Service.

*It is ordered*, This 2d day of November 1956, that a pre-hearing conference in the above-entitled proceeding will be held in the offices of the Commission, Washington, D. C., commencing at 10:00 a. m., Tuesday, November 13, 1956.

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

[F. R. Doc. 56-9252; Filed Nov. 8, 1956; 8:55 a. m.]

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[Docket No. 11852; FCC 56-1055]

RICHARD F. LEWIS, JR., INC.

MEMORANDUM OPINION AND ORDER SCHEDULING ORAL ARGUMENT AND DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Richard F. Lewis, Jr., Incorporated, of Mount Jackson, Virginia (WSIG), Mount Jackson, Virginia, Docket No. 11852, File No. BP-10510; for construction permit to increase power and to make other changes.

1. The Commission has before it for consideration a "Protest And Petition For Reconsideration" filed on October 5, 1956, by Rockingham Radio Corporation, licensee of Station WHBG, Harrisonburg, Virginia (1360 kc, 5 kw, daytime only), pursuant to sections 309 (c) and 405 of the Communications Act of 1934, as amended, and directed to the Commission's action of September 5, 1956, in granting without hearing the application of Richard F. Lewis, Jr., Incorporated, of Mount Jackson, Virginia, for a construction permit to increase the power of Station WSIG from 1 to 5 kilowatts and to install a directional antenna and change transmitters, operating on 790 kilocycles, daytime only, at Mount Jackson, Virginia; an Opposition thereto, filed on October 15, 1956, by Richard F. Lewis, Jr.; and a Reply filed on October 22, 1956, by Rockingham Radio Corporation.

2. The protestant (hereinafter referred to as WHBG) claims standing as a "party in interest" and a "person aggrieved or whose interests are adversely affected" within the meaning of sections 309 (c) and 405 of the Communications Act of 1934, as amended, because Station WSIG, approximately 25 air line miles from Harrisonburg, would by its authorization provide a 2 mv/m signal over the city of Harrisonburg and beyond, and would serve with a 0.5 mv/m signal a large area to the west of the city not previously served by it. Thus, since WSIG will for the first time serve Harrisonburg with a primary signal, the two stations will be in "direct competition for revenue, audience, and program sources in those areas and among those listeners. Each advertising dollar obtained by WSIG therefrom under its proposed operation will result in less revenue for WHBG. In consequence, WHBG will be economically injured by the duplication of its coverage through the increased power and directional operation of WSIG."

3. In summary WHBG's allegations are that the public interest will not be served by the grant of the WSIG application in that the area within WSIG's enlarged service area, and now served by WHBG, does not have sufficient economic resources to permit the two stations to operate on an economically sound basis; that the competition which will result from the grant will cause a deterioration both in the programming supplied by WHBG to its listeners in that area and in the program services now provided by WSIG to the populations and areas it presently serves; that the grant was improperly made by the Commission on the basis of the application and other information available to it from its files; that Mr. Lewis does not possess the qualifications to be a broadcast licensee; that the grant will result in an undue concentration of control of broadcast stations and is contrary to the provisions of § 3.35 of the Commission's rules and is inconsistent with the public interest, convenience and necessity; and that the grant is not in the public interest.

4. Specifically, with respect to the economic issues, WHBG alleges that the proposed enlargement of WSIG's coverage coupled with the other radio interests of Mr. Lewis (President, Treasurer, and 99 percent stockholder of the licensee corporation of WSIG) will increase WSIG's bargaining power and leverage and place WHBG at a severe competitive disadvantage[1]; that the Lewis stations are presently made attractive to advertisers on the basis of their blanketing effect in the area of the Shenandoah Valley, from southern Pennsylvania through Virginia, which flows from the number and coverage of such stations and from Mr. Lewis' plans for additional stations; that with the authorized additional coverage of Harrisonburg, Lewis can bring to bear the resources of his other radio interests, concentrated in the area, in a manner which will place WHBG in a wholly untenable position; that economic harm resulting to WHBG is not mere speculation, nor presumption by reason of geographic proximity for

[1] In addition to Station WSIG, Mr. Lewis owns interests in the following stations as shown: 60 percent, WFVA, Fredericksburg, Va.; 99 percent, WINC, Winchester, Va.; 99 percent, WHYL, Carlisle, Pa.; 99 percent, WAYZ, Waynesboro, Pa.; 100 percent, WELD, Fisher, W. Va.; he has 100 percent interest in two pending applications, BP-10454, Leesburg, Virginia, and BP-10585, Frostburg, Maryland; and he also has a 100 percent interest in FM Station WRFL, Winchester, Virginia.

Mr. Lewis has apprised WHBG that he intends to compete actively with WHBG in a "dog eat dog situation"; that the economic potential of the area it serves and to be served by WSIG, coupled with WSIG's ability to engage in "cut-throat" competition in the area because of Mr. Lewis' other resources, cannot now nor in the foreseeable future be deemed sufficient to support properly the two stations; that Harrisonburg has a population of but 10,810, and Rockingham County wherein it is located, has a population of 35,079 persons; that Station WSVA and WSVA-TV are also located in Harrisonburg; that WSIG has several accounts with advertisers in Harrisonburg and has for some time sought to improve its service there; that on December 2, 1955, Mr. Lewis filed an application for Harrisonburg, but later requested it to be dismissed and filed the instant application for increased coverage; that Mr. Lewis in a letter to Mrs. Doris B. Brown of Station WHBG recognizes that the Harrisonburg market is not capable of supporting, nor does it have the potential to support three stations; that in the same letter, Mr. Lewis advised Mrs. Brown that "the one place in America that does not need another radio station is Harrisonburg"; that the letter to Mrs. Brown says it will be a "dog fight" for survival; that Lewis states, to meet competition, he will "swamp [his] station with commercials" which he admits "is really not good listening"; and that such a competitive situation will require programming economies on the part of WHBG WSVA, the other Harrisonburg station, and Lewis' Mt. Jackson station to the detriment of the listening public.

5. Moreover, WHBG alleges that the public will be deprived if the increased coverage of WSIG is permitted for while its service has established that there was a real need for a second station in Harrisonburg, it can and will serve its community and fulfill the need only if it is able to stay on the air; that if Mr. Lewis cuts his rates and "swamps" his station with commercials, the public service programming of WHBG will be affected since it will have to meet WSIG's competitive practices; that the Commission is required by the Communications Act to determine that the public interest, convenience or necessity will be served—that a proposal meets a "need"—before awarding a grant; that WSIG in its application for increased coverage gave no reason for the request to improve the facilities of WSIG; that the programming of WSIG, based on its license renewal application, shows that no educational programs are proposed and that only 2 percent of the total broadcast time will be devoted to agricultural programs in an area predominantly rural; that no local live programming, either commercial or sustaining was proposed for the time the station operates after 6 p. m. and only 3 percent of the total week's operation would be devoted to local sustaining programs; that this programming used for its 1 kilowatt operation, does not meet the needs and requirements of the areas and populations to be gained by the authorized proposal; that it is clear that the proposal will not meet the needs of the Harrisonburg community and the additional areas sought to be served with the increased power; and, that the Commission failed in its duty of making an affirmative finding that the WSIG programming proposals would meet the needs of the communities it seeks to serve.

6. WHBG further alleges that Mr. Lewis is pursuing a policy of duplication of programming over his several stations, both existing and proposed; that he does not program for the particular needs and desires of the several communities served by his stations, but ignores such needs and differences in needs and desires of the several communities in favor of operating economies resulting from program duplication; that in recent Lewis applications the proposed program schedule is exactly the same (except for the name of the city in two programs) including times, types and classifications; that this clearly shows that Mr. Lewis is completely indifferent to the programming needs of the communities he proposes to serve; that Lewis is indifferent to the needs of the Harrisonburg community and an issue is raised as to whether he possesses the qualifications to be a broadcast licensee; that Mr. Lewis has six AM and 1 FM stations (see footnote 1) all concentrated in a contiguous area from Carlisle, Pennsylvania to Mount Jackson, Virginia, and there exists an overlap of service contours of several Lewis stations, which situation will increase if the present grant is allowed to stand; that if the Mount Jackson authorization is permitted the Fisher station would serve Mount Jackson, and Mount Jackson would serve Fisher, each with a primary service; that in addition to the question of wasting scarce and valuable frequencies through the duplication of programs there is thus raised under § 3.35 of the Commission's rules the question of undue concentration of control of the radio medium in the area served by the stations; that it is impossible for the Commission to make a determination based upon the information submitted by Mr. Lewis in his application that the grant thereof is in the public interest; that only by an evidentiary hearing can the Commission ascertain exactly what the applicant proposes and then make a determination as to whether the departure from Rule 3.35 and the Commission's well established policy of encouraging diversification is justified; that additionally Mr. Lewis may be trafficking in frequencies" for he indicated in his letter to Mrs. Brown that he would consider selling one of his stations in order to keep WHBG from Harrisonburg; and, that while an offer to trade stations may not in itself constitute the prohibited "trafficking," the insidious setting of the instant matter (Mr. Lewis' concentrated position) requires that his policies and demonstrated indifference to the responsibilities which a broadcast license cast upon its holder must be examined.

7. The protestants request that the application be designated for hearing on the following issues:

1. To determine whether, in view of the radio broadcast interests of Mr. Richard F. Lewis, Jr., a grant of the instant application would result in an undue concentration of control of broadcast stations in the area served by the several stations owned by him or in which he has an interest;

2. To determine whether the grant of the instant application would result in an undue concentration of control of broadcast stations and hence be contrary to the provisions of § 3.35 of the Commission's rules and regulations and inconsistent with the public interest, convenience and necessity;

3. To determine whether the over-all plan of Mr. Richard F. Lewis, Jr. to own and operate radio stations in Frostburg, Maryland, and Leesburg, Virginia, together with his present broadcast interests, would result in an undue concentration of control of broadcast stations inconsistent with the public interest, convenience and necessity, contrary to § 3.35 of the rules if the instant application be granted;

4. To determine whether Mr. Lewis, Jr., through his ownership and control of radio broadcast stations in the Shenandoah Valley extending from Carlisle, Pennsylvania, to Mount Jackson, Virginia, and contiguous areas, will if the instant application be granted, offer combination rates, special joint discounts, rebates and/or other methods of preferential treatment to advertisers to induce them to patronize one or more of his radio stations; and, if so, whether such practices are contrary to the public interest, convenience or necessity;

5. To determine the applicant's programming plans and whether the proposed programming is designed to serve the needs of the area and population it proposes to serve;

6. To determine whether the applicant possesses the basic qualifications necessary to permit it to be the licensee of the proposed station;

7. To determine whether the omissions in the application preclude the grant thereof;

8. To determine whether the radio advertising potential of the Harrisonburg, Virginia market is sufficient to support Station WHBG and Station WSIG operating as proposed in this application;

9. To determine, if the foregoing issue is determined in the negative, whether: (a) a grant of the application will jeopardize the continued existence of Station WHBG, or (b) the radio service to be received from the proposed station and WHBG may reasonably be expected, as a result of neither station receiving adequate revenue, to be inferior in quality to that presently provided by WHBG to the area and population served by it;

10. To determine whether a grant of the application will give rise to a competitive situation in which the applicant will, in order to maintain its existence, make changes in its proposed programming; and if so, whether such changes will serve the public interest;

11. To determine whether, in the light of the evidence aduced on the foregoing issues, the public interest, convenience, or necessity would be served by a grant of

the application for a construction permit to improve facilities of Station WSIG.

8. WHBG requests that the Commission reconsider its action of September 5, 1956, granting without hearing the above-captioned application of Richard F. Lewis, Jr., Inc., of Mount Jackson, Virginia, and upon reconsideration deny the application or designate it for hearing upon the issues set forth above, together with such other issues as may be prescribed by the Commission, and make the protestant a party to the hearing; that the burden of proceeding with the introduction of evidence and the burden of proof of the issues be upon the applicant; that the effective date of the WSIG grant be postponed until after a hearing and decision thereon; that this action is necessary in order to preserve the status quo and to prevent irreparable damage to the protestant and to the public; and that such other relief should be granted to WHBG as may seem fitting and proper in the case.

9. In its Opposition filed on October 15, 1956, WSIG concedes that it will be in competition with the protestant for at least some of the Harrisonburg advertising dollars and that the protestant, for purely economic reasons, is probably a "party in interest" within the meaning of section 309 (c) of the Communications Act; that section 309 (c) of the Communications Act requires that the protestant shall specify with particularity the facts relied upon; that the protestant is indirectly seeking relief from the threat of economic injury by asserting that the "public interest would suffer by reason of each station rendering inadequate service as a result" of the addition of the WSIG signal to those furnished by protestant and WSVA and WSVA-TV; that protestant has submitted no facts or figures concerning the area served by WHBG, WSVA and WSVA-TV, and to be served by WSIG with its higher power, which support this contention; that protestant has made conclusionary statements but has submitted no business statistics or economic study, nor is even one fact mentioned to support the conclusion that the protestant has experienced or will experience difficulty in obtaining revenue; that no facts are offered to support the conclusion that WHBG's programming plans will be affected, if WSIG's power is increased; that it is a novel contention that the Commission is required by the Communications Act to determine "That a proposal meets a need" before it grants an application for new or changed facilities; that mere reference to the program-type percentages in the renewal application does not tell the complete programming story; that WSIG does not carry many educational or agricultural "programs" as such; that public service material is injected into broadcasts in capsule form which is more effective than as program features; that (after listing programs it carries of a public service nature) the renewal application percentages are virtually meaningless to denote the scope of the Station's programming; that as to a "policy of duplication of programming" in stations operated by Mr. Lewis, while the format is essentially the same because it has been found to be successful wherever it has been used, the programming is definately localized; that the question of concentration of control of broadcast stations is never a proper issue except in a comparative proceeding; that the contours of Stations WSIG and WELD present the only pertinent overlap situation, and no contours or other data are submitted to show that any condition exists that was not well known to the Commission at the time of the grant; that this overlap is actually much less than indicated by the calculations based upon the Commission's soil conductivity map; that the protestant has made no showing, but only has alleged overlap within the purview of § 3.35 of the Commission's rules and allegations of overlap are conclusionary and insufficient in the absence of concrete supporting evidence; that it is an astounding contention that "Mr. Lewis may be trafficking in licenses" since he has never sold a station although he owns or controls six AM stations and one FM station and has applications pending for two more AM stations; that as to the 11 issues WHBG requests to be included in the hearing, WSIG states as to Issues 1, 2, 4, 5, 8, and 9 in general, that they are not supported by allegations of basic facts; that as to Issue 3 it is not a proper subject of inquiry in any present hearing since it involves pending applications; that as to Issues 6 and 7 they are phrased generally; and Issue 11 which poses the usual question as to whether the grant would serve the public interest, convenience and necessity, in the absence of other issues, has no effect.

10. In its "Reply" filed on October 23, 1956, Rockingham Radio Corporation contends, in substance, that the facts and situations set forth by Rockingham reasonably and logically raise the issues proposed by it; that the evidentiary matters which will determine whether the issues are answered affirmatively or negatively will be developed at a hearing; that none of the issues are immaterial or frivolous; and, that all have a real and direct relation to the Commission's statutory duty and the public interest.

11. In view of the fact that the protestant is licensee of standard broadcast Station WHBG, Harrisonburg, Virginia; that Harrisonburg is located approximately 25 airline miles from Mount Jackson, Virginia, where Station WSIG operates; that the authorized WSIG operation will serve Harrisonburg with a primary signal; that both stations will be in competition for advertising revenue from the city of Harrisonburg; and that the protestant has alleged that it will be financially injured by the grant in question, we find the protestant to be a "party in interest" and "a person aggrieved or whose interests are adversely affected" within the meaning of sections 309 (c) and 405, respectively, of the Communications Act of 1934, as amended. T. E. Allen and Sons, Inc., 9 Pike and Fischer RR 197; Federal Communications Commission v. Sanders Brothers Radio Station, 309 U. S. 470, 9 Pike and Fischer RR 2008. We find further that the protestant has specified with particularity, within the meaning of section 309 (c), the facts upon which it relies to show that the Commission grant was not in the public interest. In view of this finding, a question is raised as to the type of hearing which is required with respect to the protestant's issues.

12. Three of the issues specified by the protestant, Issues 8, 9, and 10, concern the ability of the Harrisonburg, Virginia, market area to provide sufficient revenues and financial support to permit either Station WHBG or the authorized operation of WSIG to operate in the public interest. It is the protestant's position that the authorized operation will jeopardize the continued existence of Station WHBG, that the radio service to be received from the authorized operation and WHBG may reasonably be expected, as a result of neither station receiving adequate revenue, to be inferior in quality to that presently provided by WHBG to the area and population served by it, and that as a result of the competitive situation the applicant will in order to maintain its existence, make changes in its proposed programming, which changes may not serve the public interest. Accordingly, the protestant seems to contend that a determination of these "economic" issues is required because the alleged deterioration of the program services involved is a public interest consideration. With respect to "economic" issues, the Commission pointed out in Voice of Cullman, 6 RR 161, that an initial economic injury sustained as a result of competition might be readily overcome by a resourceful licensee and, that in any event, degradation of program service was not a necessary consequence of economic injury since "quality of program service cannot be measured by cost alone." The Communications Act contemplates the free entry into the radio broadcasting field by persons legally, technically, financially, and otherwise qualified to construct and operate stations even where competition from such stations might have an adverse economic effect upon existing stations or other media of mass communications. Accordingly, as a matter of policy, the competitive effect a new station may have on existing stations is not a factor to be considered by the Commission in determining whether a new operation is in the public interest. See Federal Communications Commission v. Sanders Brothers, 309 U. S. 470; WWSW, Inc., 14 RR 492; Voice of Cullman, supra; Perry County Broadcasting Company, FCC 56-1031, Docket No. 11852, adopted October 24, 1956. Consequently, with respect to protestant's "economic injury" Issues 8, 9, and 10, oral argument will be held as on demurrer.

13. With respect to Issues 1, 2, and 3 as specified by the protestant, it is alleged that the Commission's action in granting the application in question was in violation of the provisions of § 3.35 of the Commission's rules on multiple ownership because the applicant's principal stockholder, Richard F. Lewis, owns a controlling interest in 5 other stations within a limited geographical area. At

the time the Commission considered the subject application, it was fully aware of the number of stations in which Mr. Lewis has an interest, the location of the stations, and that there was some overlap between the proposed WSIG operation and Stations WING, Winchester, Virginia, and WELD, Fisher, West Virginia. However, on the basis of all the information before it, the Commission determined that the grant of the application was in the public interest. Therefore, while we are including these "multiple ownership" issues in the evidentiary hearing ordered hereinafter, we are not adopting these issues, and the burden of proceeding with the introduction of evidence and the burden of proof on these issues shall be on the protestant.

14. With respect to Issue 4 concerning combination discount rate practices, the Commission has heretofore held that, before it would concern itself with the questions raised by such practices under Section 2 of the Sherman Act, it "must be shown that both the power to monopolize and the intent or purpose to exercise such power exist." Granite State Broadcasting Co., Inc., 12 Pike and Fischer RR 590, 604g. Since the protestant has not made such a showing, we are not adopting the issue. Therefore, the burden of proceeding with the introduction of evidence and the burden of proof on this issue shall be on the protestant.

15. Issues 5, 6, and 7 as specified by the protestant concern programming, omissions in the application and the basic qualifications of Mr. Lewis. With respect to programming, the protestant points out that in making the grant the Commission relied on the program information furnished by the grantee in its renewal application filed in July 1954, that this information discloses a duplication of programming among Lewis' several stations, that the grantee does not program for the needs of the particular community to be served, and that the grantee intends to present the same programming for its increased power operation as was presented on its 1 kilowatt operation. In its Opposition the grantee states that "mere reference to the program-type percentages in the renewal application does not tell the story." With respect to the issue concerning Lewis' basic qualifications, the protestant directs attention to a letter from Mr. Lewis to Mrs. Brown, described in paragraph 4, supra, which raises questions concerning the mode and manner of operation of Station WSIG and other stations owned and operated by Mr. Lewis. In order that the grantee can adequately demonstrate the program service that the proposed WSIG operation will render, we are adopting as Issue 5 that part of the protestant's Issue 5 that concerns this aspect of the grantee's proposal. Accordingly, the burden of proceeding with the introduction of evidence and the burden of proof on Issue 5 shall be on the grantee. As to the other matters raised in protestant's Issues 5, 6, and 7, we are not persuaded that these matters adversely reflect on our previous determination that a grant of the application in question was in the public interest. Therefore, while we are including these issues as Issues 6, 7, and 8 in the evidentiary hearing, we are not adopting these issues, and the burden of proceeding with the introduction of evidence and the burden of proof on these issues shall be on the protestant. Furthermore, it should be pointed out that by including Issues 1, 2, 3, 4, 6, 7, and 8 in the hearing, we do not determine or imply that any or all of these issues, even if the facts with respect thereto are as alleged by the protestant, are such that they could result in a determination that the instant grant was improper, contrary to the public interest, or should be set aside.

16. Station WSIG is an existing station, and the grant in question authorizes an increase in power and to install a directional antenna and change transmitters. We find no reasons why the public interest requires that the grant remain in effect pending the Commission's decision in the hearing hereinafter ordered on the WSIG application.

17. In view of the foregoing: *It is ordered*, That an oral argument be held before the Commission, en banc, commencing at 10:30 a. m. on November 13, 1956, to determine whether the matters raised by the following three issues, assuming the facts in support of the three issues to be true, are grounds for setting aside the grant in question:

1. To determine whether the radio advertising potential of the Harrisonburg, Virginia, market is sufficient to support Station WHBG and Station WSIG operating as proposed in the underlying application.

2. To determine, if the foregoing issue is determined in the negative, whether: (a) The authorized operation of Station WSIG will jeopardize the continued existence of Station WHBG, or (b) the radio service to be rendered by the proposed station and WHBG may reasonably be expected, as a result of neither station receiving adequate revenue, to be inferior in quality to that presently provided by WHBG to the area and population served by it.

3. To determine whether the authorized operation of Station WSIG will give rise to a competitive situation in which the grantee will, in order to maintain its existence, make changes in its proposed programming; and if so, whether such changes will serve the public interest.

The parties intending to participate in the oral argument shall file their appearances not later than November 7, 1956, and shall have until the date of oral argument to file briefs or memoranda of law.

*It is further ordered*, That, pursuant to section 309 (c) of the Communications Act of 1934, as amended, effective immediately, the effective date of the grant of the above-captioned application is postponed pending a final determination by the Commission in the hearing described below; and that the above-captioned application is designated for evidentiary hearing at the offices of the Commission in Washington, D. C., on the following issues and such other issues as may be specified following the oral argument provided for above:

1. To determine whether, in view of the radio broadcast interests of Mr. Richard F. Lewis, Jr., a grant of the instant application would result in an undue concentration of control of broadcast stations in the area served by the several stations owned by him or in which he has an interest.

2. To determine whether the grant of the instant application would result in an undue concentration of control of broadcast stations and hence be contrary to the provisions of § 3.35 of the Commission's rules and regulations and inconsistent with the public interest, convenience and necessity.

3. To determine whether the overall plan of Mr. Richard F. Lewis, Jr., to own and operate radio stations in Frostburg, Maryland and Leesburg, Virginia, together with his present broadcast interests, would result in an undue concentration of control of broadcast stations inconsistent with the public interest, convenience, and necessity, contrary to § 3.35 of the rules if the instant application be granted.

4. To determine whether Mr. Lewis, Jr., through his ownership and control of radio broadcast stations in the Shenandoah Valley extending from Carlisle, Pennsylvania to Mount Jackson, Virginia, and contiguous areas, will, if the instant application be granted, offer combination rates, special joint discounts, rebates and/or other methods of preferential treatment to advertisers to induce them to patronize one or more of his radio stations; and, if so, whether such practices are contrary to the public interest, convenience or necessity.

5. To determine the program service to be rendered by the proposed operation of Station WSIG.

6. To determine whether the program service proposed to be rendered by Station WSIG is designed to serve the needs of the area and population it proposes to serve.

7. To determine whether the applicant possesses the basic qualifications necessary to permit it to be the licensee of the proposed station.

8. To determine whether the omissions in the application preclude the grant thereof.

9. To determine whether, in the light of the evidence adduced on the foregoing issues, the public interest, convenience, or necessity would be served by a grant of the application for a construction permit to improve facilities of Station WSIG.

*It is further ordered*, That:

(a) The appearances by the parties intending to participate in the evidentiary hearing shall be filed not later than November 7, 1956.

(b) The evidentiary hearing on the above issues is to commence at 10 a. m. on January 16, 1957, before an Examiner to be specified in a subsequent order.

(c) The parties to the proceedings herein shall have fifteen (15) days after the issuance of the Examiner's decision to file exceptions thereto and seven (7) days thereafter to file replies to any such exceptions.

The burden of proceeding with the introduction of evidence and the burden of proof as to Issues 1, 2, 3, 4, 6, 7, 8, and 9 shall be on the protestant; the burden of proceeding with the introduction of evidence and the burden of proof as to Issue 5 shall be on the applicant.

*It is further ordered*, That said evidentiary hearing shall begin as above-provided, whether or not a decision in said oral argument has been issued;

*It is further ordered*, That the protestant and the Chief of the Broadcast Bureau are hereby made parties to the proceedings herein.

Adopted: October 31, 1956.

Released: November 5, 1956.

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

[F. R. Doc. 56-9253; Filed, Nov. 8, 1956; 8:55 a. m.]

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[Docket No. 11862; FCC 56-1072]

BAY RADIO, INC., AND MID-AMERICA BROADCASTERS' INC.

MEMORANDUM OPINION AND ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In the matter of Bay Radio, Inc. (Assignor) and Mid-America Broadcasters, Inc., (Assignee) Docket No. 11862, File No. BAL-2369; for assignment of license of Station KEAR, San Francisco, California.

1. The Commission has before it for consideration (a) a verified pleading filed on October 3, 1956, by Milton Stern, Jr., directed against the Commission's action on September 5, 1956, granting without hearing the above-entitled application;[1] and (b) an "Opposition to Statement of Milton Stern, Jr.," filed on October 12, 1956, by Bay Radio, Inc., and Mid-America Broadcasters, Inc.

2. The above application was filed on June 22, 1956, and was amended on July 5, 1956. Before the Commission acted on the application, it received communications from a number of preferred stockholders, voluntary contributors and/or listeners to Station KEAR who objected to the proposed assignment on the grounds that the assignee might not continue the so-called "good music" programming policy which has been pursued by Bay Radio, Inc. The instant petitioner, Mr. Milton Stern, was among those submitting such objections. Said objections were given careful consideration by the Commission in connection with its review of the application. However, on the basis of all of the information before it, the Commission found that the public interest would be served by a grant. Prior to the filing of the instant application, the Commission, by telegram dated June 6, 1956, granted Station KEAR permission to remain silent from May 30, 1956, until July 31, 1956, because of financial difficulties. Commission records indicate that the station actually resumed operation on June 26, 1956.

3. The document filed by Mr. Stern on October 3, 1956 reads as follows:

Milton Stern, Jr., being first duly sworn, deposes, and says; that the grant to Mid-America Inc. (sic) is improperly made and not in the public interest; that the grounds are similar to those in the WGMS case, plus others which are novel to our special situation. We ask for an open hearing on the merits of this case, and the chance to be heard and present our evidence, upon due and proper notice of time and place of hearing. A postponement of the effective date of the grant of the assignment pending a determination of the protest, and rights herein involved, will go far in upholding the Commission stand toward justice, fair play, and the promotion of the public welfare; that your affiant subscribed to stock pursuant to a radio appeal for funds to keep KEAR on the dial as a "good" music station; that affiant and over one thousand (1,000) others so sent funds in return for stock, and hundreds of others sent in money on a donative basis, all with the view toward keeping "good" music on the air; that said funds were so acquired by representations made, that were knowingly false, to induce the public to subsidize this station; that after such funds enabled the station to continue, the officers of Bay Radio, Inc., entered into a contract breaching the above trust by sale and lease to interests not at all concerned with "good" music; that such contract was made without consulting and without the knowledge, of those financially interested, and as a fraud upon their interests; that the purpose for asking for such funds was only to put the station on its financial feet to enable the sellers to get a larger price for its assets; that evidence of good faith is lacking in the dealings herein; and such actions should not be condoned by this authority.

4. In their opposition to Mr. Stern's pleading, the applicants allege, in substance, that the complainant is not entitled to relief under section 309 (c) of the Communications Act because he has not established that he is a "party in interest" as required by the statute, that there are no issues specified in his statement upon which a hearing can be held, and that the statement does not contain any allegations of fact to justify the relief requested; that complainant has not stated the matters set forth in his pleading with sufficient particularity to warrant the Commission in invoking the provisions of section 309 (c) of the Communications Act; and that insofar as the statement might be regarded as a request for reconsideration under section 405 of the Communications Act, there are no reasons set forth for reconsideration which have not been previously alleged in letters of complaint filed with the Commission by Mr. Stern.

5. The applicants urge that the Commission should not postpone the effective date of its grant of the above-captioned application and in support of this position, allege, in substance, that on September 24, 1956, Station KEAR discontinued operations because it was unable to resolve a labor dispute; that the station remained silent until October 8, 1956 when the assignment of license was consummated and Mid-America Broadcasters, Inc., took over its operation; that to bring about the resumption of service, Mid-America Broadcasters, Inc., hired personnel from other parts of the United States and caused nine such persons to move to San Francisco with their families; that in addition to these nine persons, four local people were hired; that the cost of moving the nine persons referred to was in excess of $3,500, and the monthly salary cost for them exceeds $5,000; that Mid-America has incurred expenses of about $8,000 for new studios, equipment and repairs needed to resume operation of the station; that the assignee has spent additional amounts for telephone calls particularly in recruiting personnel, for printed materials, in publicizing the station's new call letters, "KOBY," and in making other necessary arrangements; that a stay of the effective date of the grant would therefore cause serious hardship to the assignee and to the personnel involved; and that a stay would result in a detriment to the listening public because the assignor would be financially unable to continue the operation of the station and would not have the necessary personnel to do so.

6. The subject pleading does not indicate whether relief is sought under section 309 (c) of the Communications Act or under section 405 thereof. In any event, the pleading contains allegations of fact showing that the petitioner is a stockholder of Bay Radio, Inc.; that petitioner "subscribed to stock pursuant to a radio appeal for funds to keep KEAR on the dial as a 'good music' station"; and that "the officers of Bay Radio, Inc., entered into a contract breaching the above trust by sale and lease to interests not at all concerned with 'good music.'" Although the situation here presented is a novel one, as the Court of Appeals stated in Granik and Cook v. FCC, 13 Pike and Fischer RR 2185, "The meaning of 'party in interest' and 'person aggrieved or whose interests are adversely affected' is broad enough to include appellants [protestant] in the novel circumstances here presented. They have a tangible, substantial and particular interest in the subject matter of the Commission proceedings." In light of that holding and of the facts alleged in the protest, we find that petitioner is a "party in interest" with standing to protest under section 309 (c) of the act, and a "person aggrieved or whose interests are adversely affected" by the Commission's grant of the above-entitled application, with standing to petition for reconsideration under section 405 of the act. Federal Communications Commission v. Sanders, 309 U. S. 470; In re General Times Television Corporation, 13 Pike and Fischer RR 1049; Camden

[1] Under date of September 25, 1956, the Commission received a letter from Mr. Stern in which he expressed opposition to the Commission's grant. In substance, the letter contained no allegations which are not contained in the document filed by Mr. Stern on October 3, 1956. On October 8, 1956, the Commission received an additional unverified letter from Mr. Stern, dated October 5, 1956, and replying to a letter written to the Commission by Mr. S. A. Cisler under date of September 1, 1956. Since Mr. Stern's letter of October 5, 1956 was submitted as a reply to Mr. Cisler's letter, it is clear that it was not intended as a protest or petition for reconsideration, particularly in view of the fact that a formal verified pleading was filed by Mr. Stern on October 3, 1956. Therefore, no consideration will be given to the letter of October 5, 1956, in connection with our disposition of the formal verified pleading.

Radio, Inc. v. FCC, 94 U. S. App. D. C. 312, 220 F. 2d 191; In re The Good Music Station, Inc., 14 Pike and Fischer RR 512.

7. Treating the subject pleading as a protest and petition for reconsideration, we find that, while there is much to be desired with respect to the manner in which petitioner's cause has been pleaded, he has set forth with sufficient particularity the facts he relies upon as showing that the grant was improperly made or would otherwise not be in the public interest. Moreover, while the protestant has not framed specific issues, he has alleged facts on the basis of which issues may be drawn. T. E. Allen & Sons, Inc., 10 Pike and Fischer RR 197. Accordingly, the "protest" must be designated for hearing on issues raised by the facts specified in the protest. It should be pointed out, however, that in making the above findings, and by framing the issues set forth below, we do not determine or imply that any or all of these issues, even if the facts with respect thereto are as alleged by protestant, are such that they could result in a determination that the grant to Mid-America Broadcasters, Inc., was improper, contrary to the public interest, or should be set aside. Accordingly, said issues are not being adopted by the Commission and the burden of proof thereon, both in proving the facts alleged and in demonstrating their materiality and relevancy will be on the protestant.

8. A final question is presented as to whether we should stay the effective date of our grant of the above-titled application. In this connection, section 309 (c) of the Communications Act provides that:

> pending hearing and decision (of cases arising under this statute) the effective date of the Commission's action to which protest is made shall be postponed to the effective date of the Commission's decision after hearing, unless the authorization involved is necessary to the maintenance or conduct of an existing service, or unless the Commission affirmatively finds for reasons set forth in the decision that the public interest requires that the grant remain in effect, in which event the Commission shall authorize the applicant to utilize the facilities or authorization in question pending the Commission's decision after hearing.

In their opposition to Mr. Stern's pleading, the applicants allege that if the Commission postponed the effective date of its grant, "Assignor would not have the necessary capital with which to take over the operations, nor would it have personnel to do so." In view of the foregoing allegation, and in view of the past financial difficulties of the assignor, as revealed by the Commission's records and referred to in paragraph 2, supra, we find that the authority conferred by our grant of the above-entitled application is necessary to the maintenance or conduct of an existing service and that the public interest requires that the grant remain in effect. Accordingly, we shall not postpone the effective date of our grant of September 5, 1956. In re Hyman Rosenblum, 11 Pike and Fischer RR 826; In re WBUF-TV, Inc., 13 Pike and Fischer RR 359.

9. In view of the foregoing, *it is ordered*, That, the petition for reconsideration is granted to the extent provided for below and is denied in all other respects; and that pursuant to section 309 (c) of the Communications Act of 1934, as amended, the above-entitled application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

(a) To determine whether the licensee of Station KEAR, through its duly authorized representatives, solicited stock subscriptions or donations upon the representation that the proceeds from said solicitations would be used for the purpose of continuing the broadcasting of programs consisting of what is commonly referred to as "good music."

(b) To determine whether, at the time said funds were solicited in the form of stock subscriptions, or donations, the representations made in connection therewith were false and so known to be by the person making such representations on behalf of the licensee.

(c) To determine whether the execution of the contract between Bay Radio, Inc., and Mid-America Broadcasters, Inc., for the lease of the physical assets and assignment of the license of Station KEAR was contrary to the representations made by the representatives of the licensee in soliciting funds in the form of stock subscriptions or donations.

(d) To determine whether, on the basis of the evidence adduced with respect to the foregoing issues, a grant of the above-entitled application would serve the public interest, convenience and necessity.

The burden of proof as to each of the above issues shall be on the protestant.

10. *It is further ordered*, That the protestant and the Chief, Broadcast Bureau, are hereby made parties to the above-described proceedings.

11. *It is further ordered*, That protestant's request for a stay of the effective date of the Commission's grant of the above-entitled application is denied.

Adopted: November 1, 1956.

Released: November 2, 1956.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] MARY JANE MORRIS,
*Secretary.*

[F. R. Doc. 56-9254; Filed, Nov. 8, 1956; 8:55 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-11313]

HUMBLE OIL & REFINING CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATE

Humble Oil & Refining Company (Humble), on September 27, 1956, tendered for filing a proposed change in its presently effective rate schedule for a sale subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 28, 1956; United Fuel Gas Company; Supplement No. 4 to Humble's FPC Gas Rate Schedule No. 23; November 1, 1956.

The rate proposed to be increased was suspended by order issued October 27, 1955, in Docket No. G-9508 and was permitted to become effective subject to refund by Order issued in that docket on April 1, 1956.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9166; Filed, Nov. 8, 1956; 8:46 a. m.]

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[1] Commissioner Doerfer dissenting and Commissioner Lee not participating; statement of Commissioner Bartley in abstaining from voting filed with the Federal Register Division.

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Humble, if later.

[2] Commissioner Digby dissenting.

[Docket No. G-11314]

HUMBLE OIL & REFINING CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATE

Humble Oil & Refining Company (Humble), on September 27, 1956, tendered for filing a proposed change in its presently effective rate schedule for a sale subject to the jurisdiction of the Commission. The proposed change, which constitutes an incraesed rate and charge, is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date* [1]

Notice of charge dated September 28, 1956; United Fuel Gas Company; Supplement No. 4 to Humble's FPC Gas Rate Schedule No. 24; November 1, 1956.

The rate proposed to be increased was suspended by order issued October 27, 1955 in Docket No. G-9521 and was permitted to become effective subject to refund by Order issued in that docket on April 1, 1956.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9167; Filed, Nov. 8, 1956; 8:46 a. m.]

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Humble, if later.

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[Docket No. G-11315]

HUMBLE OIL & REFINING CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Humble Oil & Refining Company (Humble), on September 27, 1956, tendered for filing a proposed change in its presently effective rate schedule for a sale subject to the jurisdiction of the Commission. The proposed change which constitutes an increased rate and charge is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date* [1]

Notice of change, dated September 28, 1956; United Fuel Gas Company; Supplement No. 4 to Humble's FPC Gas Rate Schedule No. 25; November 1, 1956.

The rate proposed to be increased was suspended by order issued October 27, 1955, in Docket No. G-9522 and was permitted to become effective subject to refund by Order issued in that docket on April 1, 1956.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9168; Filed, Nov. 8, 1956; 8:47 a. m.]

[2] Commissioner Digby dissenting.

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[Docket No. G-11316]

HUMBLE OIL & REFINING CO.

ORDER SUSPENDNG PROPOSED CHANGE IN RATE

Humble Oil & Refining Company (Humble), on September 27, 1956, tendered for filing a proposed change in its presently effective rate schedule for a sale subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date* [1]

Notice of change, dated September 28, 1956; United Fuel Gas Company; Supplement No. 4 to Humble's FPC Gas Rate Schedule No. 26; November 1, 1956.

The rate proposed to be increased was suspended by order issued October 27, 1955, in Docket No. G-9523 and was permitted to become effective subject to refund by Order issued in that docket on April 1, 1956.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until

such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9169; Filed, Nov. 8, 1956; 8:47 a. m.]

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[Docket No. G-11317]

HUMBLE OIL & REFINING CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATE

Humble Oil & Refining Company (Humble), on September 27, 1956, tendered for filing a proposed change in its presently effective rate schedule for a sale subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change dated September 28, 1956; United Gas Pipe Line Company; Supplement No. 4 to Humble's FPC Gas Rate Schedule No. 35; November 1, 1956.

The rate proposed to be increased was suspended by order issued October 28, 1955, in Docket No. G-9574 and was permitted to become effective subject to refund by Order issued in that docket on April 1, 1956.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9170; Filed, Nov. 8, 1956; 8:47 a. m.]

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[Docket No. No. G-11318]

TIDEWATER OIL CO. ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATE

On September 27, 1956, Tidewater Oil Company et al. (Tidewater), tendered for filing a proposed change in its presently effective rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing which is proposed to become effective on the date shown.

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[3]

Notice of change, dated September 24, 1956; United Fuel Gas Company; Supplement No. 2 to Tidewater's FPC Gas Rate Schedule No. 25; November 1, 1956.

The rate proposed to be increased was suspended by order issued October 27, 1955, in Docket No. G-9552 and was permitted to become effective subject to refund by Order issued in that docket on April 9, 1956.

The increased rate and charge so proposed has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9171; Filed, Nov. 8, 1956; 8:47 a. m.]

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[Docket No. G-11319]

TIDEWATER OIL CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On September 27, 1956, Tidewater Oil Company (Tidewater) submitted for filing a proposed change in its rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[3]

Notice of change, dated September 24, 1956; United Fuel Gas Company; Supplement No. 4 to Tidewater's FPC Gas Rate Schedule No. 26; November 1, 1956.

The rate proposed to be increased was suspended by order issued November 2, 1955, in Docket No. G-9608 and was permitted to become effective subject to refund by Order issued in that docket on April 18, 1956.

The increased rate and charge so proposed has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Humble, if later.

[2] Commissioner Digby dissenting.

[3] The stated effective date is the first day after expiration of the required thirty days' notice or the effective date proposed by the Tidewater, if later.

the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9172; Filed, Nov. 8, 1956; 8:47 a. m.]

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[Docket No. G-11320]

SHELL OIL CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATE

Shell Oil Company (Shell) on September 27, 1956, tendered for filing a proposed change in its presently effective rate schedule for a sale subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 21, 1956; United Fuel Gas Company; Supplement No. 2 to Shell's FPC Gas Rate Schedule No. 26; November 1, 1956.

The rate proposed to be increased was suspended by order issued October 10, 1955, in Docket No. G-9446 and was permitted to become effective subject to refund by order issued in that docket on May 21, 1956.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9173; Filed, Nov. 8, 1956; 8:47 a. m.]

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[Docket No. G-11321]

TEXAS CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On September 21, 1956, The Texas Company (Texas) submitted for filing a proposed change in its presently effective rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filings which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*

Notice of change, undated; United Fuel Gas Company; Supplement No. 2 to Texas' FPC Gas Rate Schedule No. 2; November 1, 1956.[1]

The rate proposed to be increased was suspended by order issued November 2, 1956, in Docket No. G-9594 and was permitted to become effective subject to refund by Order issued in that docket on April 3, 1956.

The increased rate and charge so proposed has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rate and charge and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

[2] Commissioner Digby dissenting.

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

[F. R. Doc. 56-9174; Filed, Nov. 8, 1956; 8:47 a. m.]

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[Docket No. G-11322]

TEXAS CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATE

On September 21, 1956, The Texas Company (Texas) tendered for filing a proposed change in its presently effective rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing which is proposed to become effective on the date shown:

[1] The stated effective date is the first day after expiration of the required thirty days' notice or the effective date proposed by Shell, if later.

[2] Commissioner Digby dissenting.

[1] The stated effective date is the first day after expiration of the required thirty days' notice or the effective date proposed by Texas, if later.

*Description; Purchaser; Rate Schedule Designation; and Effective Date* [1]

Notice of change, undated; United Fuel Gas Company; Supplement No. 2 to Texas' FPC Gas Rate Schedule No. 4; November 1, 1956.

The rate proposed to be increased was suspended by order issued November 2, 1955, in Docket No. G–9595 and was permitted to become effective subject to refund by Order issued in that docket on April 3, 1956.

The increased rate and charge so proposed has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rates and charges and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9175; Filed, Nov. 8, 1956; 8:48 a. m.]

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[Docket No. G-11323]

TEXAS CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATE

On September 21, 1956, The Texas Company (Texas) tendered for filing a proposed change in its presently effective rate schedule for a sale subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing which is proposed to become effective on the date shown.

*Description; Purchaser; Rate Schedule Designation; and Effective Date* [1]

Notice of change, undated; United Fuel Gas Company; Supplement No. 2 to Texas' FPC Gas Rate Schedule No. 5; November 1, 1956.

The rate proposed to be increased was suspended by order issued November 2, 1955, in Docket No. G–9596 and was permitted to become effective subject to refund by order issued in that docket on April 3, 1956.

The increased rate and charge so proposed has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9176; Filed, Nov. 8, 1956; 8:48 a. m.]

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[Docket No. G-11324]

TEXAS CO. (OPERATOR), ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATE

On September 21, 1956, The Texas Company (Operator), et al. (Texas) tendered for filing a proposed change in its presently effective rate schedule for a sale subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing which is proposed to become effective on the date shown.

*Description; Purchaser; Rate Schedule Designation; and Effective Date* [1]

Notice of change, undated; United Fuel Gas Company; Supplement No. 8 to Texas' FPC Gas Rate Schedule No. 3; November 1, 1956.

The rate proposed to be increased was suspended by order issued November 2, 1955, in Docket No. G–9593 and was permitted to become effective subject to refund by order issued in that docket on April 3, 1956.

The increased rate and charge so proposed has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9177; Filed, Nov. 8, 1956; 8:48 a. m.]

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[Docket No. G-11325]

CITIES SERVICE PRODUCTION CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATE

Cities Service Production Company (Cities) on September 24, 1956, tendered

[1] The stated effective date is the first day after expiration of the required thirty days notice or the effective date proposed by Texas, if later.

[2] Commissioner Digby dissenting.

for filing a proposed change in its presently effective rate schedule for a sale subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing, which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 21, 1956; United Fuel Gas Company; Supplement No. 6 to Cities' FPC Gas Rate Schedule No. 1; November 1, 1956.

The rate proposed to be increased was suspended by order issued October 24, 1955 in Docket No. G–9510 and was permitted to become effective subject to refund by order issued in that docket on April 2, 1956.

The increased rate and charge so proposed has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rate and charge, and that the above designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56–9178; Filed, Nov. 8, 1956; 8:48 a. m.]

[1] The stated effective date is the first day after the expiration of the required 30 days' notice, or the effective date proposed by Cities, if later.

[2] Commissioner Digby dissenting.

[Docket No. G–11328]

## MID-GULF EXPLORATION CO.

### ORDER SUSPENDING PROPOSED CHANGE IN RATE

On October 1, 1956, Mid-Gulf Exploration Company (Mid-Gulf) tendered for filing a proposed change in its rate schedule for a sale of natural gas subject to the jurisdiction of the Commission. The proposed change is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 24, 1956; United Fuel Gas Company; Supplement No. 2 to Mid-Gulf's FPC Gas Rate Schedule No. 1; November 1, 1956.

By order issued on November 2, 1955, in Docket No. G–9605, a prior increase under the same rate schedule was suspended and its use deferred until April 5, 1956, and until made effective in the manner prescribed by the Natural Gas Act. The increase in Docket No. G–9605 has not been so made effective.

The increased rates and charge so proposed has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rate and charge and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56–9179; Filed, Nov. 8, 1956; 8:48 a. m.]

[1] The stated effective date is the first day after expiration of the required thirty days' notice or the effective date proposed by Mid-Gulf, if later.

## CALIFORNIA CO.

### ORDER SUSPENDING PROPOSED CHANGE IN RATE

The California Company (California) on October 1, 1956, tendered for filing a proposed change in its presently effective rate schedule for a sale, subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 15, 1956; Texas Eastern Transmission Corporation; Supplement No. 19 to California's FPC Gas Rate Schedule No. 1; November 1, 1956.[2]

By order issued October 24, 1955, in Docket No. G–9513, a prior increase under the same rate schedule was suspended and its use deferred until April 1, 1956, and until made effective in the manner prescribed by the Natural Gas Act. The increase in Docket No. G–9513 has not been so made effective.

The increased rates and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rate and charge, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by California, if later.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9180; Filed, Nov. 8, 1956; 8:48 a. m.]

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[Docket No. G-11338]

RALPH R. GILSTER ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, Ralph R. Gilster, et al. (Gilster), submitted for filing a proposed change in his rate schedule presently in effect for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing, which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, undated; Texas Eastern Transmission Corporation; Supplement No. 1 to Gilster's FPC Gas Rate Schedule No. 2; November 1, 1956.

The increased rate and charge proposed in Supplement No. 1 has not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rate and charge, and that the above designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9181; Filed, Nov. 8, 1956; 8:48 a. m.]

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[Docket No. G-11339]

LE CUNO OIL CORP.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, Le Cuno Oil Corporation (Le Cuno) submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[2]

Notice of change, undated; Texas Eastern Transmission Corporation; Supplement No. 7 to Le Cuno's FPC Gas Rate Schedule No. 1; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9182; Filed, Nov. 8, 1956; 8:48 a. m.]

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[Docket No. G-11340]

TIDEWATER OIL CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, Tidewater Oil Company (Tidewater) submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[4]

Notice of change, dated September 26, 1956; Shell Oil Company; Supplement No. 9 to Tidewater's FPC Gas Rate Schedule No. 49; November 1, 1956.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April

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[1] The stated effective date is the first day after expiration of the required 30 days' notice, or the effective date proposed by Gilster, if later.

[2] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Le Cuno, if later.

[3] Commissioner Digby dissenting.

[4] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Tidewater, if later.

1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.[2]

By the Commission.

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

[F. R. Doc. 56-9183; Filed, Nov. 8, 1956; 8:48 a. m.]

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[Docket No. G-11341]

STANOLIND OIL & GAS CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, Stanolind Oil & Gas Company submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 26, 1956; Texas Eastern Transmission Corporation; Supplement No. 13 to Stanolind's FPC Gas Rate Schedule No. 8; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.[2]

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9184; Filed, Nov. 8, 1956; 8:48 a. m.]

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[Docket No. G-11342]

STANOLIND OIL & GAS CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, Stanolind Oil & Gas Company (Stanolind) submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 28, 1956; Texas Eastern Transmission Corporation; Supplement No. 3 to Stanolind's FPC Gas Rate Schedule No. 150; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9185; Filed, Nov. 8, 1956; 8:48 a. m.]

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[Docket No. G-11343]

SINCLAIR OIL & GAS CO. ET AL.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

On October 1, 1956, Sinclair Oil & Gas Company et al. (Sinclair), submitted for filing proposed changes in its presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates, are proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notices of change, dated September 28, 1956; Texas Eastern Transmission Corporation; Supplement No. 7 to Sinclair's FPC Gas Rate Schedule No. 60 and Supplement No. 7 to Sinclair's FPC Gas Rate Schedule No. 63; November 1, 1956.

The increased rates and charges proposed in the aforesaid filings have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rates and charges and that Supplement No. 7 to Applicant's FPC Gas Rate Schedule No. 60 and Supplement No. 7 to Applicant's FPC Gas Rate Schedule No. 63 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made ef-

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Stanolind, if later.

[2] Commissioner Digby dissenting.

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Sinclair, if later.

fective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9186; Filed, Nov. 8, 1956; 8:48 a. m.]

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[Docket No. G-11344]

SINCLAIR OIL & GAS CO. ET AL

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, Sinclair Oil & Gas Company, et al (Sinclair), submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 28, 1956; Texas Eastern Transmission Corporation; Supplement No. 11 to Sinclair's FPC Gas Rate Schedule No. 61; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9187; Filed, Nov. 8, 1956; 8:48 a. m.]

[1] The stated effective date is the first day after the expiration of the required thirty day's notice, or the effective date proposed by Sinclair, if later.

[2] Commissioner Digby dissenting.

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[Docket No. G-11345]

SINCLAIR OIL & GAS COMPANY ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, Sinclair Oil & Gas Company, et al. (Sinclair), submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 28, 1956; Texas Eastern Transmission Corporation; Supplement No. 9 to Sinclair's FPC Gas Rate Schedule No. 62; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9188; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11346]

SKELLY OIL CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, Skelly Oil Company (Skelly) submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 27, 1956; Texas Eastern Transmission Corporation; Supplement No. 8 to Skelly's FPC Gas Rate Schedule No. 2; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Skelly, if later.

expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9189; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11347]

STANDARD OIL COMPANY OF TEXAS

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, Standard Oil Company of Texas (Standard) submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which in pertinent part constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, undated; Texas Eastern Transmission Corporation; Supplement No. 5 to Standard's FPC Gas Rate Schedule No. 2; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement insofar as it pertains to a proposed rate increase be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9190; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11348]

ARROW DRILLING CO. ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, Arrow Drilling Company et. al. (Arrow) submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[2]

Notice of change, dated September 28, 1956; Texas Eastern Transmission Corporation; Supplement No. 7 to Arrow's FPC Gas Rate Schedule No. 1; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9191; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11349]

N. C. GINTHER (OPERATOR) ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 1, 1956, N. C. Ginther, (Operator) et al., (Ginther) submitted for filing a proposed change in his presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[4]

Notice of change, dated September 28, 1956; Texas Eastern Transmission Corporation; Supplement No. 3 to Ginther's FPC Gas Rate Schedule No. 8; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed

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[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Standard, if later.

[2] Commissioner Digby dissenting.

[3] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Arrow, if later.

[4] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Ginther, if later.

until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9192; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11350]

SKELLY OIL CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 5, 1956, Skelly Oil Company (Skelly) submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 29, 1956; Texas Eastern Transmission Corporation; Supplement No. 2 to Skelly's FPC Gas Rate Schedule No. 92; November 5, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9193; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11351]

SKELLY OIL CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 5, 1956, Skelly Oil Company (Skelly) submitted for filing a proposed change in its presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated October 2, 1956; Texas Eastern Transmission Corporation; Supplement No. 4 to Skelly's FPC Gas Rate Schedule No. 87; November 5, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9194; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11352]

R. E. HIBBERT (OPERATOR) ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

On October 8, 1956, R. E. Hibbert (Operator) et al. (Hibbert), submitted for filing a proposed change in his presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of Change, Undated; Texas Eastern Transmission Corporation; Supplement No. 2 to Hibbert's FPC Gas Rate Schedule No. 3; November 8, 1956.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and

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[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Skelly, if later.

[2] Commissioner Digby dissenting.

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Hibbert, if later.

1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9195; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11353]

SHELL OIL CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Shell Oil Company (Shell), on September 27, 1956, tendered for filing a proposed change in the presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing, which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 21, 1956; United Fuel Gas Company; Supplement No. 2 to Shell's FPC Gas Rate Schedule No. 27; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9196; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11354]

SUN OIL CO.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Sun Oil Company (Sun), on September 28, 1956, tendered for filing proposed changes in the presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates, are contained in the following designated filings, which are proposed to become effective on the dates shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[2]

Notice of change, dated September 20, 1956; Texas Eastern Transmission Corporation; Supplement No. 5 to Sun's FPC Gas Rate Schedule No. 36; November 1, 1956.

Notice of change, dated September 20, 1956; Texas Eastern Transmission Corporation; Supplement No. 8 to Sun's FPC Gas Rate Schedule No. 35; November 1, 1956.

The increased rates and charges proposed in the aforesaid filings have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[3]

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

[F. R. Doc. 56-9197; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11355]

SOUTHWEST GAS PRODUCING CO., INC.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Southwest Gas Producing Company, Inc. (Southwest), on September 26, 1956, tendered for filing a proposed change in the presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing, which is proposed to becomes effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[4]

Notice of change, dated September 25, 1956; Texas Eastern Transmission Corporation; Supplement No. 3 to Southwest's FPC Gas Rate Schedule No. 5; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective

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[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Shell, if later.

[2] Commissioner Digby dissenting.

[3] The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Sun, if later.

[4] The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Southwest, if later.

in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[1]

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

[F. R. Doc. 56-9198; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11356]

SOUTHWEST GAS PRODUCING CO., INC.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Southwest Gas Producing Company, Inc. (Southwest), on September 26, 1956, tendered for filing a proposed change in the presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing, which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 25, 1956; Texas Eastern Transmission Corporation; Supplement No. 10 to Southwest's FPC Gas Rate Schedule No. 6; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9199; Filed, Nov. 8, 1956; 8:49 a. m.]

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[Docket No. G-11358]

STANOLIND OIL & GAS CO.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Stanolind Oil & Gas Company (Stanolind) on September 28, 1956, and October 1, 1956, tendered for filing proposed changes in the presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates, are contained in the following designated filings which are proposed to become effective on the dates shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[3]

Notice of change, dated September 28, 1956; Texas Eastern Transmission Corporation; Supplement No. 5 to Stanolind's FPC Gas Rate Schedule No. 32; November 1, 1956.

Notice of change, dated September 28, 1956; Hassie Hunt Trust; Supplement No. 8 to Stanolind's FPC Gas Rate Schedule No. 39; November 1, 1956.

Notice of change, dated September 27, 1956; Hassie Hunt Trust; Supplement No. 7 to Stanolind's FPC Gas Rate Schedule No. 149; November 1, 1956.

The increased rates and charges proposed in the aforesaid filings have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[4]

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

[F. R. Doc. 56-9200; Filed, Nov. 8, 1956; 8:50 a. m.]

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[Docket No. G-11360]

HUNT OIL CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Hunt Oil Company (Hunt), on October 1, 1956, tendered for filing a proposed change in the presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing, which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[5]

Notice of change, dated September 28, 1956; Texas Eastern Transmission Corporation; Supplement No. 2 to Hunt's FPC Gas Rate Schedule No. 28; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapert I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a

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[1] The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Southwest, if later.

[2] Commissioner Digby dissenting.

[3] The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Stanolind, if later.

[4] The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Hunt, if later.

proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.[1]

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

[F. R. Doc. 56-9201; Filed, Nov. 8, 1956; 8:50 a. m.]

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[Docket No. G-11361]

WESLEY WEST

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Wesley West (West), on September 28, 1956, tendered for filing a proposed change in the presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing, which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, undated; Texas Eastern Transmission Corporation; Supplement No. 5 to West's FPC Gas Rate Schedule No. 1; November 1, 1956.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9202; Filed, Nov. 8, 1956; 8:50 a. m.]

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[Docket No. G-11362]

MEREDITH & CO. (OPERATOR) ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Meredith & Company (Operator) et al. (Meredith), on September 28, 1956, tendered for filing a proposed change in the presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[3]

Notice of change, undated; Texas Eastern Transmission Corporation; Supplement No. 2 to Meredith's FPC Gas Rate Schedule No. 3; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended insofar as it pertains to a proposed rate increase and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[4]

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

[F. R. Doc. 56-9203; Filed, Nov. 8, 1956; 8:50 a. m.]

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[Docket No. G-11363]

C. B. WEBSTER

ORDER SUSPENDING PROPOSED CHANGE IN RATES

C. B. Webster (Webster), on September 28, 1956, tendered for filing a proposed change in the presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing, which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[4]

Notice of change, dated September 27, 1956; Shell Oil Company; Supplement No. 2 to Webster's FPC Gas Rate Schedule No. 1; November 1, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and,

[1] The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by West, if later.

[2] Commissioner Digby dissenting.

[3] The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Meredith, if later.

[4] The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Webster, if later.

pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9204; Filed, Nov. 8, 1956; 8:50 a. m.]

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[Docket No. G-11364]

HOLLANDSWORTH OIL CO., ET AL.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Hollandsworth Oil Company, et al. (Hollandsworth), on October 1, 1956, tendered for filing proposed changes in the presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates, are contained in the following designated filings which are proposed to become effective on the dates shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated September 27, 1956; Mississippi River Fuel Corporation; Supplement No. 6 to Hollandsworth's FPC Gas Rate Schedule No. 1; November 1, 1956.

Notice of change, dated September 26, 1956; Mississippi River Fuel Corporation; Supplement No. 7 to Hollandsworth's FPC Gas Rate Schedule No. 4; November 1, 1956.

The increased rates and charges proposed in the aforesaid filings have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9205; Filed, Nov. 8, 1956; 8:50 a. m.]

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[Docket No. G-11366]

MURPHY CORP., ET AL.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Murphy Corporation, et al. (Murphy), on October 4, 1956, tendered for filing proposed changes in the presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates, are contained in the following designated filings which are proposed to become effective on the dates shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated October 2, 1956; Texas Eastern Transmission Corporation; Supplement No. 9 to Murphy's FPC Gas Rate Schedule No. 1; November 4, 1956.

Notice of change, dated October 2, 1956; Texas Eastern Transmission Corporation; Supplement No. 10 to Murphy's FPC Gas Rate Schedule No. 2; November 4, 1956.

The increased rates and charges proposed in the aforesaid filings have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[2]

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

[F. R. Doc. 56-9206; Filed, Nov. 8, 1956; 8:50 a. m.]

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[Docket No. G-11367]

MURPHY CORP. ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Murphy Corporation et al. (Murphy), on October 4, 1956, tendered for filing a proposed change in the presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, dated October 2, 1956; Texas Eastern Transmission Corporation; Supplement No. 5 to Murphy's FPC Gas Rate Schedule No. 16; November 4, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in section 4 and 15 of the Natural

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[1] The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Hollandsworth if later.

[2] Commissioner Digby dissenting.

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Murphy, if later.

Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.[1]

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

[F. R. Doc. 56-9207; Filed, Nov. 8, 1956; 8:50 a. m.]

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[Docket No. G-11368]

MONSANTO CHEMICAL CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Monsanto Chemical Company (Monsanto) on October 8, 1956, tendered for filing a proposed change in the presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, undated; Texas Eastern Transmission Corporation; Supplement No. 5 to Monsanto's FPC Gas Rate Schedule No. 1; November 8, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[1]

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

[F. R. Doc. 56-9208; Filed, Nov. 8, 1956; 8:50 a. m.]

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[Docket No. G-11369]

MONSANTO CHEMICAL CO.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Monsanto Chemical Company (Monsanto) on October 8, 1956, tendered for filing a proposed change in the presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, undated; Texas Eastern Transmission Corporation; Supplement No. 10 to Monsanto's FPC Gas Rate Schedule No. 2; November 8, 1956.

The increased rate and charge proposed in the aforesaid filing has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.[2]

By the Commission.

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

[F. R. Doc. 56-9209; Filed, Nov. 8, 1956; 8:50 a. m.]

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[Docket No. G-11391]

TEXAS CO. (OPERATOR) ET AL.

ORDER SUSPENDING PROPOSED CHANGES IN RATES AND PROVIDING FOR HEARING

The Texas Company (Texaco), on behalf of itself and certain working-interest owners specified in the rate schedule, tendered for filing on September 21, 1956, proposed changes in its presently effective rate schedule for sales of natural gas, subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing, which is proposed to become effective on the date shown:

*Description; Purchaser; Rate Schedule Designation; and Effective Date*[1]

Notice of change, undated; United Fuel Gas Company; Supplement No. 3 to Texaco's FPC Gas Rate Schedule No. 6; November 1, 1956.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural

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[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Monsanto, if later.

[2] Commissioner Digby dissenting.

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Texaco, if later.

Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended insofar as it pertains to a proposed rate increase and the use thereof deferred until April 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of, or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: October 31, 1956.

By the Commission.[1]

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

[F. R. Doc. 56-9210; Filed, Nov. 8, 1956; 8:50 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 24NY-3440]

NATIONAL FOODS CORP.

ORDER VACATING ORDER OF SUSPENSION

NOVEMBER 5, 1956.

National Foods Corporation, a Delaware corporation, with principal offices located at 131 Dahlem Street, Pittsburgh, Pennsylvania, filed with the Commission on July 10, 1953, a Notification on Form 1-A, and subsequently filed an amendment thereto, relating to a proposed offering of 76,725 shares of its 1 cent par value common stock at $0.37½ per share on behalf of Weber-Millican Co., as selling stockholder, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder.

The Commission on June 28, 1956, ordered, pursuant to Rule 223 (a) of the general rules and regulations under said act, that the conditional exemption under Regulation A be temporarily suspended on the grounds that said issuer had failed to file reports of sales on Form 2-A as required by Rule 224 of Regulation A and had ignored requests by the Commission's staff for such reports.

The issuer, having, subsequent to the action temporarily suspending the exemption under Regulation A, filed a report as required by Rule 224 and, it appearing to the Commission that a hearing is not necessary or appropriate in the public interest or for the protection of investors inasmuch as the delay in filing such report was due to the fact that the issuer was unable to obtain the required information from the offeror in order to complete and file the necessary Form 2-A report;

*It is ordered*, Pursuant to Rule 223 (b) of the general rules and regulations under the Securities Act of 1933, as amended, that said temporary order of suspension be, and it hereby is, vacated.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 56-9213; Filed, Nov. 8, 1956; 8:51 a. m.]

[File No. 24D-1516]

BLUE CANYON URANIUM, INC.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

NOVEMBER 5, 1956.

Blue Canyon Uranium, Inc., a Nevada corporation, 618 Rood Avenue, Grand Junction, Colorado, having filed with the Commission on November 29, 1954, a notification on Form 1-A and offering circular, and subsequently having filed amendments thereto, relating to an offering of 6,000,000 shares of common stock, par value 1 cent per share, of the company at 5 cents per share, for an aggregate of $300,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof, and Regulation A promulgated thereunder; and

The Commission having reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that the company has failed to file reports of sales on Form 2-A as required by Rule 224 under Regulation A.

*It is ordered*, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it is hereby, temporarily suspended.

Notice is hereby given that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 56-9214; Filed, Nov. 8, 1956; 8:51 a. m.]

[File No. 24D-1210]

HUGH H. FAULDERS

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

NOVEMBER 5, 1956.

Hugh H. Faulders, 709 Schweiter Building, Wichita, Kansas, having filed with the Commission on January 19, 1954, a notification on Form 1-A and the statement required by Rule 219 (b) of Regulation A, and subsequently having filed an amendment thereto, relating to an offering of the entire working interests under a standard oil and gas lease in and to each of twelve tracts of eighty acres each described in the statement and located in Knox County, Nebraska, for an aggregate of $25,500, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder; and

The Commission having reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that Hugh H. Faulders has failed to file reports of sales on Form 2-A, as required by Rule 224 under Regulation A.

*It is ordered*, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it is hereby, temporarily suspended.

Notice is hereby given that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this Order of Suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary.*

[F. R. Doc. 56-9215; Filed, Nov. 8, 1956; 8:51 a. m.]

[File No. 24D-1573]

HOLIDAY TUNGSTEN AND URANIUM CO.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

NOVEMBER 5, 1956.

The Holiday Tungsten and Uranium Company, a Colorado corporation, 827 17th Street, Denver, Colorado, having filed with the Commission on January 25, 1955, a notification on Form 1-A and offering circular, and subsequently having filed amendments thereto, relat-

[1] Commissioner Digby dissenting.

ing to an offering of 4,772,500 shares of its 1¢ par value common stock at 5¢ per share for an aggregate of $238,625, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof, and Regulation A promulgated thereunder; and

The Commission having reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that the company has failed to file reports of sales on Form 2–A, as required by Rule 224 under Regulation A,

*It is ordered*, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it is hereby, temporarily suspended.

Notice is hereby given that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] NELLYE A. THORSEN,
*Assistant Secretary.*

[F. R. Doc. 56-9216; Filed, Nov. 8, 1956; 8:51 a. m.]

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[File No. 24D-1190]

TRABELLA URANIUM MINES, INC.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

NOVEMBER 5, 1956.

Trabella Uranium Mines, Inc., a Colorado corporation, 126 South Tejon Street, Colorado Springs, Colorado, having filed with the Commission on November 6, 1953, a notification on Form 1–A and offering circular, and subsequently having filed amendments thereto, relating to an offering of 1,000,000 shares of its 10¢ par value common stock at 10¢ per share for an aggregate of $100,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof, and Regulation A promulgated thereunder; and

The Commission having reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that:

A. The notification and offering circular contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading in that W. A. Kyner, named as president, director and promoter of the company, is deceased and the filing has not been amended accordingly, and

B. The company has failed to file reports of sales on Form 2–A as required by Rule 224 under Regulation A,

*It is ordered*, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it is hereby, temporarily suspended.

Notice is hereby given that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] NELLYE A. THORSEN,
*Assistant Secretary.*

[F. R. Doc. 56-9217; Filed, Nov. 8, 1956; 8:51 a. m.]

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[File No. 24D-1394]

EL REY URANIUM CORP.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

NOVEMBER 5, 1956.

El Rey Uranium Corporation, a Utah corporation, formerly located at 510 Newhouse Building, Salt Lake City, Utah, having filed with the Commission on August 24, 1954, a notification on Form 1–A and offering circular, and subsequently having filed amendments thereto, relating to an offering of 1,475,000 shares of its 5 cents par value common stock at 20 cents per share for an aggregate of $295,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof, and Regulation A promulgated thereunder; and

The Commission having reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that:

A. The offering circular contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading in that the company is no longer located at the aforesaid address listed in the filing and has left the premises without any forwarding address and without amending its offering circular accordingly, and

B. The company has failed to file reports of sales on Form 2–A as required by Rule 224 under Regulation A,

*It is ordered*, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it is hereby, temporarily suspended.

Notice is hereby given that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] NELLYE A. THORSEN,
*Assistant Secretary.*

[F. R. Doc. 56-9218; Filed, Nov. 8, 1956; 8:51 a. m.]

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## GENERAL SERVICES ADMINISTRATION

### Public Buildings Service

[Wildlife Order 39]

BORROW PIT AREA (N–Mo–423), ST. CHARLES COUNTY, MO.

TRANSFER OF PROPERTY

Pursuant to the authority granted under Public Law 537, approved May 19, 1948, Eightieth Congress (16 U. S. C. 667c), notice is hereby given that:

1. By deed from the United States of America, dated September 6, 1956, that property known as Borrow Pit Area (N–Mo–423), St. Charles County, Missouri, and more particularly described in said deed, has been transferred from the United States to the State of Missouri.

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

F. MORAN MCCONIHE,
*Commissioner of Public Buildings Service.*

NOVEMBER 5, 1956.

[F. R. Doc. 56-9230; Filed, Nov. 8, 1956; 8:52 a. m.]

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## DEPARTMENT OF JUSTICE

### Office of Alien Property

HANS ARNOLD

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*

Hans Arnold, Sursee, Switzerland, Claim No. 61663, Vesting Order No. 17829, $47.50 in the Treasury of the United States.

10 shares of Baltimore and Ohio Railroad Company $100.00 par value common capital stock, included among those represented by Certificate No. AA-677, registered in the name of the Attorney General, which shares are held in the Safekeeping Department, Federal Reserve Bank, New York.

Executed at Washington, D. C., on October 31, 1956.

For the Attorney General.

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

[F. R. Doc. 56-9231; Filed, Nov. 8, 1956; 8:52 a. m.]

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STATE OF NETHERLANDS FOR THE BENEFIT OF MARIA VAN VULPEN 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*

The State of the Netherlands for the benefit of:

(Cash in the Treasury of the United States):

Maria van Vulpen; Pieter and Hendrika van der Woerd, L. S. Claim No. 20, $1,560.00.

Jacobus van Everdingen, L. S. Claim No. 395, $587.00.

Emanuel Neter, L. S. Claim No. 418, $2,234.86.

S. Goudeket, L. S. Claim No. 446, $4,361.01.

Jhr. Mr. Everhard van Lidt de Jeude, L. S. Claim No. 578, $1,117.43.

(All right, title and interest of the Attorney General acquired pursuant to Vesting Order No. 18521 (16 F. R. 10097, October 3, 1951) in and to):

Maria van Vulpen; Pieter and Hendrika van der Woerd, L. S. Claim No. 20, Central Pacific Railway Company 4/49 Bond No. 21673, in the principal amount of $1,000.

Jacobus van Everdingen, L. S. Claim No. 395, Atchison Topeka & Santa Fe Railway Company 4/95 Bond No. 67164, in the principal amount of $1,000; Cities Service Company 5/66 Debenture No. 11963, in the principal amount of $1,000; Cities Service Company 5/69 Debenture No. 32236, in the principal amount of $1,000.

Emanuel Neter, L. S. Claim No. 418, International Hydro-Electric System 6/44 Debenture No. 1806, in the principal amount of $1,000.

S. Goudeket, L. S. Claim No. 446, Philippine Railway Company 4/37 Bond Nos. 3882 and 5047, in the principal amount of $1,000 each.

Jhr. Mr. Everhard van Lidt de Jeude, L. S. Claim No. 578, Union Pacific Railroad Company 4/47 Bond No. 16179, in the principal amount of $1,000.

Netherlands Embassy, Office of the Financial Counselor, 25 Broadway, New York 4, New York.

Executed at Washington, D. C., on October 31, 1956.

For the Attorney General.

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

[F. R. Doc. 56-9234; Filed, Nov. 8, 1956; 8:52 a. m.]

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STATE OF THE NETHERLANDS FOR THE BENEFIT OF EMMA NIJKERK 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*

The State of the Netherlands for the benefit of:

Emma Nijkerk, L. S. Claim No. 502, $3,156.64 in the Treasury of the United States.

Celine and Edzo Polak, Sonja Talsma and Jacoba Goudsmit, L. S. Claim No. 656, $392.08 in the Treasury of the United States.

Henriette and Leonard Snijder, L. S. Claim No. 684, $1,364.47 in the Treasury of the United States.

Stephanus, Leendert and Philip van Rooij, Herman and Wijbranda Rodrigues, Agnes Trelvar and Herman Pekel, L. S. Claim No. 686, $1,382.90 in the Treasury of the United States.

Irma Zach; Maria, Marie and Erwin Reiner; Gisela Ulbrich; Hans Redlich; Amita Winter; Bedrich Schreyer, L. S. Claim No. 832, $392.08 in the Treasury of the United States.

Netherlands Embassy, Office of the Financial Counselor, 25 Broadway, New York 4, New York.

Executed at Washington, D. C., on October 31, 1956.

For the Attorney General.

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

[F. R. Doc. 56-9232; Filed, Nov. 8, 1956; 8:52 a. m.]

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STATE OF THE NETHERLANDS FOR THE BENEFIT OF LEOPOLD VROMEN 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*

The State of the Netherlands for the benefit of:

Leopold Vromen, L. S. Claim No. 265, $1,640.00 in the Treasury of the United States.

Sara Greebel; Nettie van Collen; Abraham, Maurits and Louis Duizend; Flory Wagenaar; Philip and Morris Schilt and Rachel Kroonenberg, L. S. Claim No. 448, $392.08 in the Treasury of the United States.

Mrs. Louise Flesseman; Mrs. Flora van der Hoek and Miss Hanna Jacobson, L. S. Claim No. 501, $672.43 in the Treasury of the United States.

Paul Limburg, L. S. Claim No. 582, $392.08 in the Treasury of the United States.

Abraham de Miranda, L. S. Claim No. 613, $784.16 in the Treasury of the United States.

Netherlands Embassy, Office of the Financial Counselor, 25 Broadway, New York 4, New York.

Executed at Washington, D. C., on October 31, 1956.

For the Attorney General.

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

[F. R. Doc. 56-9233; Filed, Nov. 8, 1956; 8:52 a. m.]

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STATE OF THE NETHERLANDS FOR THE BENEFIT OF CAREL DE VRIES VAN BUUREN 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*

The State of the Netherlands for the benefit of:

(Cash in the Treasury of the United States):

Carel de Vries van Buuren, L. S. Claim No. 28, $7,474.28.

Mrs. Ida Kamp, L. S. Claim No. 104, $15,823.30.

Kurt and Ilse Goldschmidt, L. S. Claim No. 204, $720.00.

Bernhard Becker, L. S. Claim No. 249, $640.00.

Willem Lek, L. S. Claim No. 568, $535.20.

Kurt and Ilse Goldschmidt, L. S. Claim No. 204, Southern Pacific Company 4½/69, Bond No. 55089, in the principal amount of $1,000, presently in the custody of Safekeeping Department, Federal Reserve Bank of New York, at New York City.

Bernhard Becker, L. S. Claim No. 249, Atchison, Topeka and Santa Fe Railway Company 4/95, Bond No. 15810, in the principal amount of $1,000, presently in the custody of Safekeeping Department, Federal Reserve Bank of New York, at New York City.

(All right, title and interest of the Attorney General acquired pursuant to Vesting Order No. 18521 (16 F. R. 10097, October 3, 1951) in and to):

Carel de Vries van Buuren, L. S. Claim No. 28, Missouri-Kansas-Texas Railroad Company 5/67, Bond No. 48021, in the principal amount of $1,000.

Mrs. Ida Kamp, L. S. Claim No. 104, Missouri-Kansas-Texas Railway Company 4/90, Bonds Nos. 3106, 21168 and 25429, each in the

principal amount of $1,000; Southern Pacific Company 4½/69, Bond No. 52897, in the principal amount of $1,000; Southern Railway Company 4/56 Bonds Nos. 16557, 31734 and 58190, each in the principal amount of $1,000.

Kurt and Ilse Goldschmidt, L. S. Claim No. 204, Southern Pacific Company 4½/69, Bond No. 34352, in the principal amount of $1,000.

Bernhard Becker, L. S. Claim No. 249, Atchison, Topeka and Santa Fe Railway Company 4/95, Bond No. 5729, in the principal amount of $500.

William Lek, L. S. Claim No. 568, Philippine Railway Company 4/37, Bonds Nos. 7243 and 7705, each in the principal amount of $1,000; Southern Railway Company 4/56, Bond No. 5603, in the principal amount of $1,000.

Netherlands Embassy, Office of the Financial Counselor, 25 Broadway, New York 4, New York.

Executed at Washington, D. C., on October 31, 1956.

For the Attorney General.

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

[F. R. Doc. 56-9238; Filed, Nov. 8, 1956; 8:52 a. m.]

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STATE OF THE NETHERLANDS FOR THE BENEFIT OF MRS. J. M. C. W. STOLTZ 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*

The State of the Netherlands for the benefit of:

(Cash in the Treasury of the United States):

Mrs. J. M. C. W. Stoltz; A. Mijnlieff, L. S. Claim No. 612, $2,374.57.

Nederlandsche R. K. Metaalbewerkersbond, L. S. Claim No. 621, $2,210.00.

Jacomina van Cellicum; Adriana and Hendrik Breunissen; Cornelis Verhagen; Petrus van Oist; Henrica Meijer, L. S. Claim No. 631, $150.00.

Roman Catholic parish of Maurik, L. S. Claim No. 693, $1,117.43.

Johanna and Hermina Crebas; Elsa Schmidt, L. S. Claim No. 773, $535.20.

(All right, title and interest of the Attorney General acquired pursuant to Vesting Order No. 18521 (16 F. R. 10097, October 3, 1951) in and to):

Mrs. J. M. C. W. Stoltz; A. Mijnlieff, L. S. Claim No. 612, Central Pacific Railway Company 4/49 Bond No. 9253, in the principal amount of $1,000.

Nederlandsche R. K. Metaalbewerkersbond, L. S. Claim No. 621, Cities Service Company 5/66 Debenture Nos. 12859 and 12860, in the principal amount of $1,000 each; Union Pacific Railroad Company 4/47 Bond No. 37286, in the principal amount of $1,000.

Jacomina van Cellicum; Adriana and Hendrik Breunissen; Cornelis Verhagen; Petrus van Oist and Henrica Meijer, L. S. Claim No. 631, Cities Service Company 5/58 Debenture No. 46472, in the principal amount of $1,000.

Roman Catholic parish of Maurik, L. S. Claim No. 693, Cities Service Company 5/66 Debenture No. 18031, in the principal amount of $1,000.

Johanna and Hermina Crebas; Elsa Schmidt, L. S. Claim No. Philippine Railway Company 4/37 Bond Nos. 1719 and 7836, in the principal amount of $1,000 each.

Netherlands Embassy, Office of the Financial Counselor, 25 Broadway, New York 4, New York.

Executed at Washington, D. C., on October 31, 1956.

For the Attorney General.

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

[F. R. Doc. 56-9237; Filed, Nov. 8, 1956; 8:52 a. m.]

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STATE OF NETHERLANDS FOR THE BENEFIT OF ELISABETH VAN POETEREN 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*

The State of the Netherlands for the benefit of (all right, title and interest of the Attorney General acquired pursuant to Vesting Order No. 18521 (16 F. R. 10097, October 3, 1951) in and to):

Elisabeth and Johannes van Poeteren, L. S. Claim No. 651, Atchison, Topeka & Santa Fe Railway Company 4/95 Bond No. 117110, in the principal amount of $1,000.

Catharina Barkhuysen and Joanna Reide, L. S. Claim No. 678, Kansas City Southern Railway Company 3/50 Bond No. 4810, in the principal amount of $1,000.

Louis Roes, L. S. Claim No. 689, Cities Service Company 5/58 Bond Nos. 1426 and 8791, in the principal amount of $1,000 each; International Hydro-Electric Company 6/44 Debenture No. 5702, in the principal amount of $1,000.

Cornelie Roessingh-Tijdeman, L. S. Claim No. 690, Cities Service Company 5/69 Debenture No. 48285, in the principal amount of $1,000.

Agathe Romeyn, L. S. Claim No. 694, Atchison, Topeka & Santa Fe Railway Company 4/95 Bond No. 70098 in the principal amount of $1,000; Central Pacific Railway Company 4/49 Bond No. 43317, in the principal amount of $1,000; Cities Service Company 5/69 Debenture No. 15205, in the principal amount of $1,000.

Netherlands Embassy, Office of the Financial Counselor, 25 Broadway, New York 4, New York.

Executed at Washington, D. C., on October 31, 1956.

For the Attorney General.

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

[F. R. Doc. 56-9235; Filed, Nov. 8, 1956; 8:52 a. m.]

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STATE OF NETHERLANDS FOR THE BENEFIT OF CARMEN MANUS 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*

The State of the Netherlands for the benefit of:

Carmen Manus, L. S. Claim No. 592, $392.08 in the Treasury of the United States.

Catharina Caneel-Polak; Johanna van Meer-Polak; Ella, Jacob and Louis van Meer; Meijer and Nathan Englander; Neeltje van der Kogel; Mozes and Nathan Ensel; Evalina Witjas-Ensel; Abraham Braadbaart; Philip Polak, L. S. Claim No. 661, $1,568.32 in the Treasury of the United States.

J. A. de Vries-Slomper, L. S. Claim No. 786, $1,364.47 in the Treasury of the United States.

Sybilla Wijzenbeek-Hertzdahl and Salomon Wijzenbeek, L. S. Claim No. 807, $392.08 in the Treasury of the United States.

Sarah and Herman Nabarro; Jeanette, Lea, Joseph, Esther, Eva, Rosa, Sophia, Anna, Josef and Hanna Dinner; Sara (Ramat Gan, Israel) Dinner; Sara (Kibutz Javne, Israel) Dinner; Eleonora Sierhuis; Joseph, Elisabeth, Sara, Mirjam and Sulamith Davids; Israel and Naamah Abrahams; Abraham and Della de Jong, Serlina and Sara de Paauw, L. S. Claim No. 845, $1,951.69 in the Treasury of the United States.

Netherlands Embassy, Office of the Financial Counselor, 25 Broadway, New York 4, New York.

Executed at Washington, D. C., on October 31, 1956.

For the Attorney General.

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

[F. R. Doc. 56-9236; Filed, Nov. 8, 1956; 8:52 a. m.]

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## INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

NOVEMBER 6, 1956.

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. 32860: *Pig iron from New York to Michigan.* Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on pig iron, carloads from Lancaster, Lockport, Niagara Falls, North Tonawanda, and Suspension Bridge, N. Y., to points in Michigan.

Grounds for relief: Rail competition and circuity.

Tariff: Supplement 18 to Agent Hinsch's tariff I. C. C. 7852.

FSA No. 32861: *Cativo plywood from Savannah and Port Wentworth, Ga.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on plywood, cativo, carloads from Savannah and Port Wentworth, Ga., to points in southern territory.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 61 to Agent Spaninger's I. C. C. 1356.

FSA No. 32862: *Alcoholic liquors from Kentucky and Tennessee.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on liquors, alcoholic, vermouth and wine, carloads from points in Kentucky and Tennessee to points in official (including Illinois) territory.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 10 to Agent Spaninger's tariff I. C. C. 1519.

FSA No. 32863: *Lard from St. Louis and East St. Louis to Memphis.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on lard, lard compounds, or lard substitutes, carloads from St. Louis, Mo., and East St. Louis, Ill., to Memphis, Tenn.

Grounds for relief: Rail carrier competition and circuity.

FSA No. 32864: *Caustic soda from Memphis, Tenn., to Louisiana.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on liquid caustic soda, tank-car loads from Memphis, Tenn., to Baton Rouge, Chalmette, New Orleans, and Norco, La.

Grounds for relief: Rail carrier competition and circuity.

FSA No. 32865: *Trailer-on-flat car class rates—Baltimore and Ohio Railroad.* Filed by the Baltimore and Ohio Railroad. Rates on various commodities between points in Maryland, Pennsylvania and District of Columbia, on the one hand, and points in central territory, on the other.

Grounds for relief: Motor competition-short-line distance formula, and circuity.

FSA No. 32866: *M. K. R. of T. R. R. rates by way of Dallas and Fort Worth, Tex.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on classes and commodities from, to, and between points in the United States.

Grounds for relief: Substitution of interchange facilities of the M. K. T. of T. R. R. at Dallas and Fort Worth, Tex., in lieu of facilities at Mineola, Tex., by reason of abandonment of a branch line.

FSA No. 32867: *Telephone directories from Chicago, Ill., to Cleveland, Ohio.* Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on telephone directories, carloads from Chicago, Ill., and points in the Chicago switching district to Cleveland, Ohio.

Grounds for relief: Circuitous routes.

Tariffs: Supplement 29 to Baltimore and Ohio Railroad tariff I. C. C. 24320, and other issues listed in the application.

FSA No. 328686: *Blackstrap molasses from points in the South.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on blackstrap molasses, carloads from Gulf and south Atlantic ports and points in Alabama, Florida, Georgia, Louisiana and Mississippi to points in southern territory and Ohio River Crossings.

Grounds for relief: Rail carrier competition and circuity.

Tariffs: Supplement 31 to Agent Spaninger's I. C. C. 1494; Supplement 66 to Agent J. H. Marques I. C. C. 435.

FSA No. 32869: *Electrodes from Morganton, N. C., to Chicago, Ill.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on electrodes, viz: carbon furnace or electrolytic bath, carloads from Morganton, N. C., to Chicago, Ill., and points grouped therewith.

Grounds for relief: Truck-barge competition and circuity.

Tariff: Supplement 238 to Agent Spaninger's I. C. C. 1351.

FSA No. 32870: *Coal from Alabama mines to Calhoun Falls, S. C.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on coal, carloads from mines in Alabama to Calhoun Falls, S. C.

Grounds for relief: Circuitous route.

Tariff: Supplement 38 to Southern Railway tariff I. C. C. A–11166.

FSA No. 32871: *Catalogues from Chicago, Ill., to Little Rock, Ark.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on catalogues, in packages, carloads from Chicago, Ill., and points taking the same rates to Little Rock, Ark.

Grounds for relief: Truck competition.

Tariff: Supplement 49 to Agent Kratzmeir's tariff I. C. C. 4178.

FSA No. 32872: *Iron and steel from Steelton, Minn., to Wisconsin.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on iron and steel articles, carloads from Steelton (Duluth), Minn., to extended zone "C" territory in Wisconsin.

Grounds for relief: Short-line distance formula and circuity.

Tariff: Supplement 44 to Agent Prueter's tariff I. C. C. A–3821.

By the Commission.

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

[F. R. Doc. 56-9211; Filed, Nov. 8, 1956; 8:50 a. m.]

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[No. MC–C–2020]

FRUIT AND VEGETABLE JUICES BETWEEN LOS ANGELES, CALIF., OREGON AND WASHINGTON

RATES AND CHARGES; FIRST SUPPLEMENTAL ORDER

At a session of the Interstate Commerce Commission, Board of Suspension, held at its office in Washington, D. C., on the 8th day of October A. D. 1956.

There being under consideration the matter of rates and charges, and the rules, regulations and practices affecting such rates and charges, applicable on interstate or foreign commerce, the rate of 113 cents, minimum 36,000 pounds, from origins in Oregon and Vancouver, Wash., to Los Angeles Rate Group insofar as it applies on fruit or vegetable juices, as set forth in Item No. 495 on Twenty-second Revised Page 74–A to MF–I. C. C. No. 16 (filed in the name of R. N. B. Converse, d/b/a Converse Trucking Service) of Converse Trucking Service, or as the same may be amended or reissued.

It appearing that upon consideration of the tariff schedules, there is reason to institute an investigation to determine whether they result in rates and charges, rules or regulations and practices that are unjust and unreasonable in violation of the Interstate Commerce Act; and good cause appearing therefor:

*It is ordered*, That an investigation be, and it is hereby, instituted, upon the Commission's own motion, into and concerning the lawfulness of the rates, charges, rules, regulations and practices contained in said schedules, with a view to making such findings and orders in the premises as the facts and circumstances shall warrant.

*It is further ordered*, That the investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated as the reason for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of the said rates, charges, rules, regulations and practices under the Interstate Commerce Act.

*It is further ordered*, That a copy of this order be served on the respondents' attorneys in fact who filed the schedules containing the rates under investigation herein; and that further notice of this proceeding be given to the respondents, and that notice be given to the general public by posting a copy of this order in the office of he Secretary of the Commission at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

*And it is further ordered*, That this matter be assigned for hearing at a time and place to be hereafter fixed.

By the Commission, Board of Suspension.

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

[F. R. Doc. 56-9212; Filed, Nov. 8, 1956; 8:50 a. m.]