

THE NATIONAL ARCHIVES
LITTERA
SCRIPTA
MANET
FEDERAL REGISTER
OF THE UNITED STATES
1934
VOLUME 22
NUMBER 8

Washington, Friday, January 11, 1957

TITLE 7—AGRICULTURE

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

PART 53—LIVESTOCK, MEATS, PREPARED MEATS, AND MEAT PRODUCTS (GRADING, CERTIFICATION, AND STANDARDS)

OFFICIAL UNITED STATES STANDARDS FOR LAMB, YEARLING MUTTON, AND MUTTON CARCASSES

On October 31, 1956, a notice of proposed rule making was published in the FEDERAL REGISTER (21 F. R. 8322) regarding the amendment of the official United States standards for lamb, yearling mutton, and mutton carcasses, under the provision of sections 203 and 205 of the Agricultural Marketing Act of 1946, as amended (7 U. S. C. and Supp. III 1622 and 1624).

After due consideration of all relevant material submitted pursuant to the notice, and under the aforesaid sections of the Agricultural Marketing Act of 1946, as amended, the official United States standards for lamb, yearling mutton, and mutton carcasses (7 CFR 53.114-53.118) are amended to read as follows:

§ 53.114 *Differentiation between lamb, yearling mutton, and mutton carcasses.* (a) Ovine carcasses are classified as lamb, yearling mutton, or mutton, on the basis of differences that occur in the development of their muscular and skeletal systems.

(b) Lamb carcasses always have break joints on their front shanks and generally have narrow rib bones, a relatively narrow, compact forequarter, and a light red color and fine texture of lean. They usually have a considerable amount of red in the ribs and a somewhat smaller amount in the shanks.

(c) Yearling mutton carcasses may have either break joints or "spool" joints on their front shanks and generally have moderately wide rib bones, a slightly wide or "spread" appearance through the forequarter, and a slightly dark red color and slightly coarse texture of lean.

They usually have only traces of red in the ribs and shanks.

(d) Mutton carcasses always have "spool" joints on their front shanks and generally have wide rib bones, a wide, "spread" forequarter, and a dark red color and coarse texture of lean. Ribs and shanks usually are devoid of red color.

§ 53.115 *Application of standards.*

(a) Lamb, yearling mutton, and mutton carcasses are graded on a composite evaluation of two general grade factors—conformation and quality. These factors are concerned with the proportions of the various wholesale cuts and the proportions of meat and bone in the carcass and the quality of the lean, respectively.

(b) Conformation is the manner of formation of the carcass with particular reference to the relative development of the muscular and skeletal systems, although it is also influenced, to some extent, by the quantity and distribution of external finish. The conformation of a carcass is evaluated by averaging the conformation of its various component parts, giving consideration not only to the proportion of each cut to the carcass weight but also to the general desirability of the cut as compared with other cuts. Best conformation implies a high proportion of edible meat to bone and a high proportion of the weight of the carcass in the more demanded cuts and is indicated by a compact, blocky, plump, full, well-rounded appearance. Inferior conformation implies a low proportion of edible meat to bone and a low proportion of the weight of the carcass in the more demanded cuts and is indicated by a rangy, angular, thin, sunken appearance. External fat in excess of that normally left on retail cuts is not considered in evaluating conformation.

(c) Quality of the lean flesh is best evaluated from consideration of its color, texture, firmness, and marbling, as observed in a cut surface, in relation to the apparent maturity of the animal from which the carcass was produced. However, in grading carcasses or sides in which direct observation of these characteristics is not possible, the quality of

(Continued on next page)

CONTENTS

Agricultural Marketing Service	Page
Proposed rule making:	
Grape beverage; frozen concentrate; U. S. standards	241
Rules and regulations:	
Lamb, yearling mutton, and mutton carcasses; official U. S. standards	231
Agriculture Department	
See also Agricultural Marketing Service; Commodity Credit Corporation; Commodity Stabilization Service.	
Notices:	
New Mexico; designation of area for production emergency loans	245
Air Force Department	
Rules and regulations:	
Officers' Reserve; short and special tours of active duty	236
Alien Property Office	
Notices:	
American Voith Contact Co., Inc.; dissolution order	251
Vested property; intention to return:	
Rissmann, Luise	251
Wessel, Prosper	251
Army Department	
See Engineers Corps.	
Atomic Energy Commission	
Notices:	
AMF Atomics, Inc.; proposed issuance of facility export license	246
Civil Aeronautics Board	
Notices:	
Hearings, etc.:	
Compania Nacional de Turismo Aereo "Cinta Limitada"	246
Delta-C&S Mail Rate case reopened	247
Rules and regulations:	
Airman identification card requirements:	
Aircraft dispatchers	236
Lighter-than-air pilots	236
Mechanics and repairmen	236

FEDERAL REGISTER

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

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

CFR SUPPLEMENTS

(As of January 1, 1956)

The following Supplement is now available:

Titles 1-3 (\$0.75)

All Supplements and revised books are now available except the revised General Index

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

CONTENTS—Continued

Coast Guard	Page
Rules and regulations:	
Coast Guard Reserve; miscellaneous amendments	238
Commerce Department	
See Civil Aeronautics Administration.	
Commodity Credit Corporation	
Notices:	
Sales of certain commodities; January 1957 monthly sales list	244
Rules and regulations:	
Grain sorghums; 1956 crop loan and purchase agreement program; Texas basic county support rates	236
Commodity Stabilization Service	
Rules and regulations:	
Marketing quota referendum; results for 1957 crop of:	
Extra long staple cotton	235
Upland cotton	235

CONTENTS—Continued

Defense Department	Page
See Air Force Department; Engineers Corps.	
Engineers Corps	
Rules and regulations:	
Anchorage regulations; Little Neck Bay, N. Y.	240
Federal Communications Commission	
Notices:	
Television Diablo, Inc. (KOVV); application for construction permit to change transmitter site	247
Interior Department	
See Land Management Bureau; Reclamation Bureau.	
Internal Revenue Service	
Notices:	
Organization and functions; Alcohol and Tobacco Tax Branch offices	245
Interstate Commerce Commission	
Notices:	
Fourth section applications for relief	252
Justice Department	
See Alien Property Office.	
Land Management Bureau	
Notices:	
California; small tract classification	245
Rules and regulations:	
Public land orders:	
Colorado	240
Florida	241
Reclamation Bureau	
Notices:	
Mountain Home Project, Idaho; order of revocation	246
Securities and Exchange Commission	
Notices:	
Hearings, etc.:	
American Research and Development Corp. and Tracerlab, Inc.	249
Boston Fund, Inc., and Bond Fund of Boston, Inc.	250
Cities Service Co.	248
Louisiana Power & Light Co.	250
Revlon, Inc.	250
Treasury Department	
See Coast Guard; Internal Revenue Service.	

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.

Title 6	Page
Chapter IV:	
Part 421	236
Title 7	
Chapter I:	
Part 52 (proposed)	241
Part 53	231
Chapter VII:	
Part 722 (2 documents)	235

CODIFICATION GUIDE—Con.

Title 14	Page
Chapter I:	
Part 22	236
Part 24	236
Part 27	236
Title 32	
Chapter VII:	
Part 861	236
Title 33	
Chapter I:	
Part 8	238
Chapter II:	
Part 202	240
Title 43	
Chapter I:	
Appendix (Public land orders):	
1378	240
1379	241

the lean is evaluated indirectly from consideration of its color and firmness, the quantity of certain interior fat deposits, and the firmness of the external fat, all in relation to the apparent evidences of maturity. The interior fat deposits considered in this indirect evaluation of quality, in descending order of their importance, are as follows: (1) The fat intermingled within the lean between the ribs called "feathering", (2) the streaking of fat within and upon the inside flank muscles, and (3) the fat deposited over the inside of the ribs adjacent to the backbone called "overflow fat". Feathering and fat streaking in the inside flank muscles are each given much more consideration than overflow fat. Firmness of external fat which is superior or inferior to that specified as minimum for each grade is used to a limited extent as an indicator of quality.

(d) The standards for each grade of lamb specify two general levels of development of the quality-indicating characteristics described in paragraph (c) of this section, dependent upon the apparent evidences of maturity attained by the lamb at the time of slaughter. It is not intended, however, that these two maturity groups should cover the entire range of maturity within which lambs are marketed, but rather it is intended that these groups represent the extremes of maturity encountered and that there is an additional group which is intermediate in maturity between the two described whose grade requirements must be determined by interpolation. The standards for each grade of yearling mutton and mutton specify only one general level of development of the quality-indicating characteristics described, and these characteristics apply only to carcasses which are typical in maturity for their class. In order to qualify for a specific grade, yearling mutton or mutton carcasses with evidences of more advanced maturity than typical for their class are required to have a slightly greater development of these characteristics than described. Conversely, such carcasses with evidences of less maturity than typical for their class may qualify for a given grade with a slightly lesser development of these characteristics.

(e) Carcasses qualifying for any particular grade may vary with respect to the relative development of the various characteristics that contribute to their conformation and quality, and there will be carcasses which qualify for a particular grade in which the development of some of these individual grade factors will be typical of other grades. Because it is impractical to describe the nearly limitless numbers of such recognizable combinations of characteristics, the standards for each grade describe only carcasses which have a relatively similar development of individual conformation and quality factors and which are also representative of the lower limit of each grade. However, examples of the extent to which superiority in quality may compensate for deficiencies in conformation, and vice versa, are indicated for each grade.

(f) The standards are intended to apply to all ovine carcasses without regard to the apparent sex condition of the animal at time of slaughter. However, carcasses which have thick, heavy necks and shoulders typical of uncastrated males are discounted in grade in accord with the extent to which these characteristics are developed. Such discounts may vary from less than half a grade in carcasses from young lambs in which such characteristics are barely noticeable to as much as two full grades in carcasses from mature rams in which such characteristics are very pronounced.

(g) The standards for lamb, yearling mutton, and mutton carcasses contained in §§ 53.116 through 53.118 together provide for grading carcasses within the full range of maturity of the ovine species. Although the grade standards for this full range of maturity are contained in three separate standards, it is the intent that the three standards be considered as a continuous series. Therefore, in determining the grade of a carcass which has a degree of maturity that is not typical of that specified in one of the three standards, it is necessary to interpolate between the standard for the kind of carcass (lamb, yearling mutton, or mutton) being graded and the standard for the kind of carcass which is most closely adjacent to it in maturity.

§ 53.116 *Specifications for official United States standards for grades of lamb carcasses*—(a) *Prime*. (1) Carcasses possessing minimum qualifications for the Prime grade tend to be compact and blocky and tend to have plump, full legs; wide, thick backs; thick, full, smooth shoulders; and short, thick necks.

(2) Evidences of quality vary markedly with changes in maturity. Carcasses from young lambs that have red, narrow rib bones; red, moist, porous break joints; and a light pink color of inside flank muscles have a moderate amount of feathering between the ribs, a modest quantity of fat streaking in the inside flank muscles, and a small amount of overflow fat over the inside of the ribs adjacent to the backbone. The exterior finish is firm, and the flanks are full and firm.

(3) Carcasses from more mature lambs that have slightly wide, slightly red rib

bones; slightly red but rather dry and hard break joints; and a dark pink color of inside flank muscles have moderately abundant and rather extensive feathering between the ribs, slightly abundant fat streaking in the inside flank muscles, and a moderate amount of overflow fat over the inside of the ribs adjacent to the backbone. The exterior finish is very firm, and the flanks are very full and firm.

(4) To qualify for the Prime grade a carcass must possess the minimum qualifications for quality regardless of the extent that its conformation may exceed the minimum requirements for Prime. However, a development of quality which is superior to that specified as minimum for the Prime grade may compensate, on an equal basis and without limit, for a development of conformation which is inferior to that specified for Prime as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Prime grade may have conformation equivalent to the mid-point of the Choice grade and remain eligible for Prime.

(b) *Choice*. (1) Carcasses possessing minimum qualifications for the Choice grade are slightly compact with slightly plump, full legs; slightly wide, thick backs; slightly wide, full shoulders; and slightly short, thick necks.

(2) Evidences of quality vary considerably with changes in maturity. Carcasses from young lambs that have red, narrow rib bones; red, moist, porous break joints; and a slightly dark pink color of inside flank muscles have a small amount of feathering between the ribs, a slight quantity of fat streaking in the inside flank muscles, and a slight amount of overflow fat over the inside of the ribs adjacent to the backbone. The exterior finish is moderately firm, and the flanks are slightly full and firm.

(3) Carcasses from more mature lambs that have slightly wide, slightly red rib bones; slightly red but rather dry and hard break joints; and a light red color of inside flank muscles have a moderate amount of feathering between the ribs, a small quantity of fat streaking in the inside flank muscles, and a small amount of overflow fat over the inside of the ribs adjacent to the backbone. The exterior finish is firm, and the flanks are moderately full and firm.

(4) A carcass which has conformation equivalent to at least the mid-point of the Choice grade may have evidences of quality equivalent to the minimum for the upper third of the Good grade and remain eligible for Choice. Also, a development of quality which is superior to that specified as minimum for the Choice grade may compensate, on an equal basis and without limit, for a development of conformation which is inferior to that specified for Choice as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Choice grade may have conformation equivalent to the mid-point of the Good grade and remain eligible for Choice.

(c) *Good*. (1) Carcasses possessing minimum qualifications for the Good grade are moderately rangy and slightly angular with slightly thin, tapering legs; slightly narrow, thin backs and shoulders; and moderately long, thin necks.

(2) Evidences of quality vary moderately with changes in maturity. Carcasses from young lambs that have red, narrow rib bones; red, moist, porous break joints; and a dark pink color of inside flank muscles have traces of feathering between the ribs but practically no fat streaking in the inside flank muscles and practically no overflow fat over the inside of the ribs adjacent to the backbone. The exterior finish is slightly firm, and the flanks are slightly thin and soft.

(3) Carcasses from more mature lambs that have slightly wide, slightly red rib bones; slightly red but rather dry and hard break joints; and a slightly dark red color of inside flank muscles have a slight amount of feathering between the ribs, traces of fat streaking in the inside flank muscles, and traces of overflow fat over the inside of the ribs adjacent to the backbone. The exterior finish is moderately firm, and the flanks are slightly full and firm.

(4) A carcass which has conformation equivalent to at least the mid-point of the Good grade may have evidences of quality equivalent to the minimum for the upper third of the Utility grade and remain eligible for Good. Also, a development of quality which is superior to that specified as minimum for the Good grade may compensate, without limit, for a development of conformation which is inferior to that specified for Good on the basis of a half grade of superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Good grade may have conformation equivalent to the minimum for the upper third of the Utility grade and remain eligible for Good.

(d) *Utility*. (1) Carcasses possessing minimum qualifications for the Utility grade are very rangy and angular with thin, slightly concave legs; very narrow, sunken backs; narrow, sharp shoulders; and long, thin necks. Hips and shoulder joints are plainly visible.

(2) Although evidences of quality vary slightly with changes in maturity the differences are so small as to make their separate descriptions impractical. There is practically no feathering between the ribs, no fat streaking in the inside flank muscles, and no overflow fat over the inside of the ribs adjacent to the backbone. The lean in the inside flank muscles and between the ribs is dark red in color. External finish is soft, and the flanks are soft and slightly watery.

(3) A carcass which has conformation equivalent to at least the mid-point of the Utility grade may have evidences of quality equivalent to the minimum for the upper third of the Cull grade and remain eligible for Utility. Also, a development of quality which is superior to that specified as minimum for the

Utility grade may compensate, without limit, for a development of conformation which is inferior to that specified for Utility on the basis of a half grade of superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Utility grade may have conformation equivalent to the minimum for the upper third of the Cull grade and remain eligible for Utility.

(e) *Cull.* Typical Cull grade carcasses are extremely rangy and angular and extremely thin-fleshed throughout. Legs are extremely thin and concave, backs are extremely sunken and thin, shoulders are very thin and sharp, and necks are extremely thin. Hips and shoulder joints, as well as ribs and bones of the spinal column, are clearly outlined, and the flesh is soft and watery and very dark red in color.

§ 53.117 Specifications for official United States standards for grades of yearling mutton carcasses—(a) Prime.

(1) Carcasses possessing minimum qualifications for the Prime grade are compact and blocky and have plump, full legs; wide, thick backs; wide, full, smooth shoulders; and short, thick necks. They have extensive and abundant feathering between the ribs, moderately abundant streaking of fat in the inside flank muscles, slightly abundant overflow fat over the inside of the ribs adjacent to the backbone, and a light red color of inside flank muscles. The exterior finish is very firm, and the flanks are very full and firm.

(2) To qualify for the Prime grade a carcass must possess the minimum qualifications for quality regardless of the extent that its conformation may exceed the minimum requirements for Prime. However, a development of quality which is superior to that specified as minimum for the Prime grade may compensate, on an equal basis and without limit, for a development of conformation which is inferior to that specified for Prime as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Prime grade may have conformation equivalent to the mid-point of the Choice grade and remain eligible for Prime.

(3) Carcasses which are otherwise eligible for Prime grade but which have excessive, bunchy, or irregular distribution of external fat or excessive quantities of kidney and pelvic fat are not eligible for Prime.

(b) *Choice.* (1) Carcasses possessing minimum qualifications for the Choice grade are moderately compact with rather short, plump, full legs; moderately wide, thick backs; moderately wide, full shoulders; and rather short, thick necks. They have slightly abundant feathering between the ribs, a modest amount of fat streaking in the inside flank muscles, a modest amount of overflow fat over the inside of the ribs adjacent to the backbone, and a slightly dark red color of inside flank muscles. The exterior finish is firm, and the flanks are moderately full and firm.

(2) A carcass which has conformation equivalent to at least the mid-point of

the Choice grade may have evidences of quality equivalent to the minimum for the upper third of the Good grade and remain eligible for Choice. Also, a development of quality which is superior to that specified as minimum for the Choice grade may compensate, on an equal basis and without limit, for a development of conformation which is inferior to that specified for Choice as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Choice grade may have conformation equivalent to the mid-point of the Good grade and remain eligible for Choice.

(3) Carcasses which are otherwise eligible for Prime grade but which have excessive, bunchy, or irregular distribution of external fat or excessive quantities of kidney and pelvic fat are included in the Choice grade.

(c) *Good.* (1) Carcasses possessing minimum qualifications for the Good grade are slightly rangy and angular, with slightly thin, tapering legs; slightly narrow, thin backs; and slightly long, thin necks. They have a small amount of feathering between the ribs, a slight amount of fat streaking in the inside flank muscles, a slight amount of overflow fat over the inside of the ribs adjacent to the backbone, and a moderately dark red color of inside flank muscles. The exterior finish is moderately firm, and the flanks are slightly thick and full.

(2) A carcass which has conformation equivalent to at least the mid-point of the Good grade may have evidences of quality equivalent to the minimum for the upper third of the Utility grade and remain eligible for Good. Also, a development of quality which is superior to that specified as minimum for the Good grade may compensate, without limit, for a development of conformation which is inferior to that specified for Good on the basis of a half grade of superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Good grade may have conformation equivalent to the minimum for the upper third of the Utility grade and remain eligible for Good.

(d) *Utility.* (1) Carcasses possessing minimum qualifications for the Utility grade are very rangy and angular with thin, slightly concave legs; very narrow, sunken backs; narrow, sharp shoulders; and long, thin necks. Hips and shoulder joints are plainly visible. There is practically no feathering between the ribs, no fat streaking in the inside flank muscles, no overflow fat over the inside of the ribs adjacent to the backbone, and a dark red color of inside flank muscles. The exterior finish is moderately soft, and the flanks are soft and slightly watery.

(2) A carcass which has conformation equivalent to at least the mid-point of the Utility grade may have evidences of quality equivalent to the minimum for the upper third of the Cull grade and remain eligible for Utility. Also, a development of quality which is superior to that specified as minimum for the Utility grade may compensate, without limit, for a development of conformation which is

inferior to that specified for Utility on the basis of a half grade of superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Utility grade may have conformation equivalent to the minimum for the upper third of the Cull grade and remain eligible for Utility.

(e) *Cull.* Typical Cull grade carcasses are extremely rangy and angular and extremely thin-fleshed throughout. Legs are extremely thin and concave, backs are extremely sunken and thin, shoulders are very thin and sharp, and necks are extremely thin. The hips and shoulder joints, as well as the ribs and the bones of the spinal column, are clearly outlined, and the flesh is soft and watery and very dark red in color.

§ 53.118 Specifications for official United States standards for grades of mutton carcasses—(a) Choice.

(1) Carcasses possessing minimum qualifications for the Choice grade are moderately compact with slightly plump, full legs; wide, thick backs; wide, full shoulders; and slightly short, thick necks. They have moderately abundant feathering between the ribs, a moderate amount of fat streaking in the inside flank muscles, a modest amount of overflow fat over the inside of the ribs adjacent to the backbone, and a dark red color of inside flank muscles. The exterior finish is firm, and the flanks are moderately full and firm.

(2) A carcass which has conformation equivalent to at least the mid-point of the Choice grade may have evidences of quality equivalent to the minimum for the upper third of the Good grade and remain eligible for Choice. Also, a development of quality which is superior to that specified as minimum for the Choice grade may compensate, on an equal basis and without limit, for a development of conformation which is inferior to that specified for Choice as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Choice grade may have conformation equivalent to the mid-point of the Good grade and remain eligible for Choice.

(3) Carcasses which are otherwise eligible for Choice grade but which have excessive, bunchy, or irregular distribution of external fat or excessive quantities of kidney and pelvic fat are not eligible for Choice.

(b) *Good.* (1) Carcasses possessing minimum qualifications for the Good grade are slightly rangy and angular, with slightly thin, tapering legs; slightly wide but slightly thin-fleshed backs and shoulders; and slightly long, thin necks. Hips and shoulder joints are visible. Such carcasses have a modest amount of feathering between the ribs, a slight amount of fat streaking in the inside flank muscles, a slight amount of overflow fat over the inside of the ribs adjacent to the backbone, and a dark red color of inside flank muscles. The exterior finish is moderately firm, and the flanks are slightly thick and full.

(2) A carcass which has conformation equivalent to at least the mid-point of

the Good grade may have evidences of quality equivalent to the minimum for the upper third of the Utility grade and remain eligible for Good. Also, a development of quality which is superior to that specified as minimum for the Good grade may compensate, without limit, for a development of conformation which is inferior to that specified for Good on the basis of a half grade of superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Good grade may have conformation equivalent to the minimum for the upper third of the Utility grade and remain eligible for Good.

(3) Carcasses which are otherwise eligible for Choice grade but which have excessive, bunchy, or irregular distribution of external fat or excessive quantities of kidney and pelvic fat are included in the Good grade.

(c) *Utility.* (1) Carcasses possessing minimum qualifications for the Utility grade are very rangy and angular with thin, slightly concave legs; very narrow, sunken backs; narrow, sharp shoulders; and long, thin necks. Hips and shoulder joints are plainly visible. There are traces of feathering between the ribs, but practically no fat streaking in the inside flank muscles, practically no overflow fat over the inside of the ribs adjacent to the backbone, and a very dark red color of inside flank muscles. The exterior finish is slightly soft, and the flanks are soft and slightly watery.

(2) A carcass which has conformation equivalent to at least the mid-point of the Utility grade may have evidences of quality equivalent to the minimum for the upper third of the Cull grade and remain eligible for Utility. Also, a development of quality which is superior to that specified as minimum for the Utility grade may compensate, without limit, for a development of conformation which is inferior to that specified for Utility on the basis of a half grade of superior quality for a third of a grade of deficient conformation as indicated in the following example: A carcass which has evidences of quality equivalent to the mid-point of the Utility grade may have conformation equivalent to the minimum for the upper third of the Cull grade and remain eligible for Utility.

(d) *Cull.* Typical Cull grade carcasses are extremely rangy and angular and extremely thin-fleshed throughout. Legs are extremely thin and concave, backs are extremely sunken and thin, shoulders are very thin and sharp, and necks are extremely thin. The hips and shoulder joints, as well as the ribs and the bones of the spinal column, are clearly outlined, and the flesh is soft and watery and very dark red in color.

Some of these amendments modify the interpretation of the standards for some of the grades. The other changes will not alter the interpretation of the standards but are designed to make the standards more precise and definitive and thereby facilitate their interpretation.

Changes which affect the interpretation of the standards are as follows: (a) In the Choice grade, a superior development of conformation (mid-point Choice or better) is permitted to compensate for

a deficiency of one-third of a grade of quality, and (b) some of the requirements for feathering, fat streaking in the inside flank muscles, overflow fat, firmness of flanks, and firmness of external fat are revised for the Prime, Choice, and Good grades. In general, the requirements for these factors are relaxed for the more mature lamb carcasses in the Prime and Choice grades but are increased slightly for Good grade lamb carcasses. Corresponding changes also are made in the standards for yearling mutton and mutton carcasses.

The following changes are made primarily to clarify the interpretation of the standards: (a) Section 53.115 *Application of standards* is revised to indicate more clearly the relative importance of the factors used in evaluating conformation and quality, (b) certain references to quantity of external fat and of kidney and pelvic fat are deleted, (c) color of inside flank muscles is indicated more clearly as a factor considered in evaluating maturity, and (d) the manner in which a superior development of quality is permitted to compensate for a deficient development of conformation, and vice versa, is clarified in each of the grades.

These changes were recommended to the Department by an industry-wide committee appointed by the National Wool Growers Association and reflect the results of several meetings with various segments of the industry during the last 18 months.

The foregoing amendments will become effective on February 11, 1957.

(Secs. 203, 205, 60 Stat. 1087, 69 Stat. 553; 7 U. S. C. 1622, 1624)

Done at Washington, D. C., this 8th day of January 1957.

[SEAL]

F. R. BURKE,
Acting Deputy Administrator.

[F. R. Doc. 57-224; Filed, Jan. 10, 1957;
8:49 a. m.]

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 722—COTTON

PROCLAMATION OF RESULTS OF MARKETING QUOTA REFERENDUM FOR 1957 CROP OF UPLAND COTTON

§ 722.804 *Basis and purpose.* The purpose of this proclamation is to announce the results of the marketing quota referendum for the 1957 crop of upland cotton. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture on August 30, 1956, proclaimed a national marketing quota for the 1957 crop of upland cotton (21 F. R. 6691), and on October 30, 1956, announced that a referendum would be held on December 11, 1956, to determine whether cotton farmers were in favor of or opposed to such quota (21 F. R. 8466). Since the only purpose of this proclamation is to announce the results of the referendum, it is hereby found and determined that, with respect to the proclamation, appli-

cation of the notice and public procedure provisions of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) is unnecessary.

§ 722.805 *Proclamation of results of the marketing quota referendum for the 1957 crop of upland cotton.* In a referendum held on December 11, 1956, of farmers engaged in the production of the 1956 crop of upland cotton, 231,678 farmers voted. Of those voting 214,003, or 92.4 percent, favored the national marketing quota proclaimed by the Secretary of Agriculture for the 1957 crop of upland cotton, and 17,675, or 7.6 percent, opposed such quota. Therefore, the national marketing quota of 11,014,493 bales proclaimed by the Secretary of Agriculture on August 30, 1956, for the 1957 crop of upland cotton shall continue in effect.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 342-345, 52 Stat. 56-58, as amended; 7 U. S. C. 1342-1345)

Done at Washington, D. C., this 8th day of January 1957. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 57-227; Filed, Jan. 9, 1957;
12:51 p. m.]

PART 722—COTTON

PROCLAMATION OF RESULTS OF MARKETING QUOTA REFERENDUM FOR 1957 CROP OF EXTRA LONG STAPLE COTTON

§ 722.1404 *Basis and purpose.* The purpose of this proclamation is to announce the results of the marketing quota referendum for the 1957 crop of extra long staple cotton. Under the provisions of the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture on October 15, 1956, proclaimed a national marketing quota for the 1957 crop of extra long staple cotton (21 F. R. 7931), and on October 30, 1956, announced that a referendum would be held on December 11, 1956, to determine whether cotton farmers were in favor of or opposed to such quota (21 F. R. 8466). Since the only purpose of this proclamation is to announce the results of the referendum, it is hereby found and determined that, with respect to the proclamation, application of the notice and public procedure provisions of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) is unnecessary.

§ 722.1405 *Proclamation of results of the marketing quota referendum for the 1957 crop of extra long staple cotton.* In a referendum held on December 11, 1956, of farmers engaged in the production of the 1956 crop of extra long staple cotton, 888 farmers voted. Of those voting 839, or 94.5 percent, favored the national marketing quota proclaimed by the Secretary of Agriculture for the 1957 crop of extra long staple cotton, and 49, or 5.5 percent, opposed such quota. Therefore, the national marketing quota of 76,565 bales proclaimed by the Secretary of Agriculture on October 15, 1956, for the 1957 crop of extra long staple cotton shall continue in effect.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 342-345, 347, 52 Stat. 56-59, as amended; 7 U. S. C. 1342-1345, 1347)

Done at Washington, D. C., this 8th day of January 1957. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 57-228; Filed, Jan. 9, 1957;
12:51 p. m.]

TITLE 6—AGRICULTURAL CREDIT

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

Subchapter B—Loans, Purchases, and Other Operations

[1956 C. C. C. Grain Price Support Bulletin 1, Supp. 2, Amdt. 2, Grain Sorghums]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1956-CROP GRAIN SORGHUMS LOAN AND PURCHASE AGREEMENT PROGRAM

MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 21 F. R. 4248, 4790, 6947 and 7931 containing the specific requirements for the 1956-crop Grain Sorghums are amended as follows:

Section 421.1833 (d) (2) is amended by changing the basic county support rates in Texas as follows:

Martin County increased from \$1.84 to \$1.87 per hundredweight.

Midland County increased from \$1.84 to \$1.86 per hundredweight.

Ector County increased from \$1.84 to \$1.85 per hundredweight.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interprets or applies sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053, 1054, as amended, sec. 308, 70 Stat. 206; 15 U. S. C. 714c, 7 U. S. C. 1447, 1421)

Issued this 7th day of January 1957.

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

[F. R. Doc. 57-195; Filed, Jan. 10, 1957;
8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 2]

PART 22—LIGHTER-THAN-AIR PILOT CERTIFICATES

AIRMAN IDENTIFICATION CARD REQUIREMENTS

The Civil Aeronautics Board deleted the airman identification card requirements of Part 22 by Civil Air Regulations Amendment 22-11 (21 F. R. 9010, November 21, 1956), accordingly the rules and policies issued by the Administrator pursuant to § 22.32 (g) are also deleted.

This supplement does not impose any additional burden upon interested persons, and no useful purpose would be served by compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act. Therefore, compliance is unnecessary and is not required.

The airman identification card requirements contained in §§ 22.32-1, 22.32-2, 22.32-3, and 22.32-4 are hereby deleted.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 602, 52 Stat. 1007, 1008; 49 U. S. C. 551, 552)

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

[SEAL] JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57-200; Filed, Jan. 10, 1957;
8:46 a. m.]

[Supp. 5]

PART 24—MECHANIC AND REPAIRMAN CERTIFICATES

AIRMAN IDENTIFICATION CARD REQUIREMENTS

Airman identification card requirements have been deleted by the Civil Aeronautics Board from the various part of the Civil Air Regulations pertaining to airman certification; therefore, it is expedient at this time to delete the rules and interpretations issued by the Administrator pursuant to these regulations.

This supplement does not impose any additional burden upon interested persons, and no useful purpose would be served by compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act; therefore, compliance is unnecessary and is not required.

The airman identification card requirements contained in §§ 24.10-1 through 24.10-4, published in 21 F. R. 3775-3776 on June 2, 1956, and § 24.104-1 published in 18 F. R. 6803, October 28, 1953, are hereby deleted.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies secs. 601, 602, 52 Stat. 1007, 1008; 49 U. S. C. 551, 552)

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

[SEAL] JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57-201; Filed, Jan. 10, 1957;
8:46 a. m.]

[Supp. 7]

PART 27—AIRCRAFT DISPATCHER CERTIFICATES

AIRMAN IDENTIFICATION CARD REQUIREMENTS

The Civil Aeronautics Board deleted the airman identification card requirements of Part 27 by Civil Air Regulations Amendment 27-8 (21 F. R. 9011, November 21, 1956), accordingly the rules and interpretations issued by the Administrator pursuant to § 27.23 are also deleted.

This supplement does not impose any additional burden upon interested persons,

and no useful purpose would be served by compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act. Therefore, compliance is unnecessary and is not required. The airman identification card requirements contained in §§ 27.23-1 through 27.23-5 are hereby deleted.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies sec. 601, 602, 52 Stat. 1007, 1008; 49 U. S. C. 551, 552)

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

[SEAL] JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57-202; Filed, Jan. 10, 1957;
8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter F—Reserve Forces

PART 861—OFFICERS' RESERVE

SHORT AND SPECIAL TOURS OF ACTIVE DUTY

In Part 861 §§ 861.1151 to 861.1160 are revised to read as follows:

Sec.	
861.1151	General.
861.1152	Eligibility.
861.1153	Employees of U. S. Government and the District of Columbia.
861.1154	Application.
861.1155	Place of duty.
861.1156	Duration of tours.
861.1157	Medical requirements.
861.1158	Waiver for defects.
861.1159	Reservists medically disqualified.
861.1160	Medical certificates.

AUTHORITY: §§ 861.1151 to 861.1160 issued under R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply secs. 265, 276, 672, 677-682, 70A Stat. 11, 27, 29-31; 10 U. S. C. 265, 276, 672, 677-682. DERIVATION: AFR 45-14, July 26, 1956.

§ 861.1151 *General*—(a) *Policy*. Tours of active duty or active duty for training are authorized for Ready Reservists who occupy unit or individual positions reflected in the Reserve mobilization requirement of the Air Force. Tours of active duty or active duty for training are performed in the interest of unit and individual proficiency and for the convenience of the government.

(b) *Definitions*—(1) *Short tour*. A tour of active duty for training to maintain individual or unit proficiency.

(2) *Tour for school training*. A tour of active duty for training to attend service schools conducted by the Air University, the Air Training Command and joint service schools.

(3) *Special tour*. A tour of active duty or active duty for training, other than those defined in this paragraph, for the convenience of the government.

(c) *Criteria for special tours of active duty*. Special tours of active duty will be requested only if all of the following conditions are met:

(1) The reservist must volunteer for the tour.

(2) The duties to be performed must not be the function of the active establishment.

(3) Funds must be available to the requesting command.

(4) Either the training must be necessary to qualify the individual to effectively perform in his duty assignment when the desired degree of qualification cannot be obtained through inactive duty or school training or the duty to be performed must be necessary to accomplish a project in support of the Reserve Program which is the sole responsibility of the Air Force Reserve.

§ 861.1152 *Eligibility*—(a) *Reservists eligible*. Ready reservists assigned to Air Reserve Wings, separate units (Training Category A) and to the Mobilization Assignment Reserve Section in Training Categories A through D (see §§ 861.1 to 861.14) are eligible for short, special and school training tours.

(b) *Reservists not eligible*. The following reservists are not eligible for short tours, special tours and tours for school training:

(1) Those assigned to program elements other than outlined in paragraph (a) of this section.

(2) All Standby Reservists.

(3) Air Force Reserve Officers serving on active duty as warrant officers or airmen or Air Force Reserve Warrant Officers serving on active duty as airmen.

(4) Those whose appointments or enlistments will expire before completing a tour of duty.

(5) Those drawing pensions, disability allowances, disability compensation, retired pay or retirement pay unless they waive such entitlement.

§ 861.1153 *Employees of the U. S. Government and the District of Columbia*. A reservist who is a full-time employee of the Federal Government will not be ordered to active duty for training to perform duties in the same position in which he is employed as a civilian. The law grants 15 days military leave to employees to participate in reserve training. When this leave expires the reservist's employer may grant him annual leave to perform further military duty. He is entitled to the compensation of his civilian position plus his military pay and allowances for both periods without regard to dual compensation laws.

§ 861.1154 *Application*. The reservist will make application on AF Form 1289, "Application for Active Duty Training."

(a) *Short tours*. Training Category A units which are organized to serve on active duty as units train as units during annual encampments. Reservists assigned to such units are not required to submit applications for short tours. All other reservists will send their applications through the custodian of the field personnel records soon enough to arrive at the unit of assignment at least 30 days before the effective date of duty.

(b) *Special tours*. The reservist will send his application through the custodian of the field personnel record to the unit of assignment at least 30 days before the effective date of duty. The unit concerned will submit detailed justification for special tours other than those authorized by the Annual Short and Special Tour Operating Program, through channels, to Headquarters USAF. Applications of the persons concerned will be included. Special tours will be approved only when the conditions specified in § 861.1151 (c) have been met.

(c) *School tours*. The reservist normally will submit his application 3 months before class starting date.

(d) *Reservists drawing pensions, disability allowance, disability compensation, retired pay or retirement pay*. These reservists must waive such entitlement before they enter on active duty.

§ 861.1155 *Place of duty*. Commanders will not order reservists who are assigned to activities located within the zone of interior to short tours of active duty for training at places outside the continental limits of the United States. Also, they will not order reservists to duty within the zone of interior and then place them on temporary duty outside the United States. Exception: Reservists participating in over-water training flights contained in approved operating programs.

§ 861.1156 *Duration of tours*—(a) *Short tours*. Fifteen consecutive days including travel time. A reservist may not perform more than one short tour in any fiscal year but he may participate in one or more tours for school training or a special tour and a short tour during the same year.

(b) *Tour for school training*. Sufficient time for the reservist to complete the course he is selected to attend. It will include travel time.

(c) *Special tour*. No more than 90 days including travel time. A reservist may not serve on short and/or special tours more than a total of 90 days in any fiscal year.

§ 861.1157 *Medical requirements*—(a) *Qualifications*. (1) Applicants must meet the appropriate medical requirements. Reservists applying for tours of active duty of 30 days or less will be ordered to active duty without prior medical examination except as provided in paragraph (c) of this section.

(2) Reservists applying for active duty tours for more than 30 days are required to undergo a medical examination normally not more than 45 days before the expected date of entry on active duty. However, medical examinations accomplished not more than 90 days before the expected date of entry on active duty are acceptable. Such examinations will be without expense to the government for travel or pay. They may be performed at the military installation which is nearest the reservist's residence and which has the necessary medical facilities. The reservist should make an appointment with the medical facility before reporting for examination.

(b) *Portions may be omitted*. Wherever feasible, the complete standard medical examination will be accomplished. However, the following portions may be omitted when not clinically indicated: serology, chest X-ray, electrocardiogram, audiogram, microscopic urinalysis, lens correction and pelvic examination for female personnel. The medical examination for flying will always be completed.

(c) *Certificate to sign upon reporting*. Upon reporting for active duty each reservist, if he considers himself qualified for full military duty, will sign in duplicate certificate Number 1 in § 861.1160. If he does not consider himself qualified and cannot conscientiously sign the certificate, the commander of the training base will order him to undergo a medical examination. In any event, if he reports for active duty having an obvious physical disability, is ill, has been injured in any way since last taking a medical examination or is drawing a pension, disability allowance or disability compensation, he must submit to a medical examination.

(d) *Certificate to sign upon relief*. Upon relief from active duty each reservist will sign certificate Number 2 in § 861.1160. However, if he believes that his physical condition has materially changed during his active duty tour or if he is suffering from any disability or defect that was not present at the beginning of the tour, the commander of his training base will order him to undergo a medical examination.

§ 861.1158 *Waivers for defects*. Major air commanders may approve waivers of medical defects if reservists are found to be below the prescribed medical standards for general service.

All commanders will carefully consider the opinions of reviewing authorities in granting waivers for defects which reviewing authorities believe:

(a) Are static in nature.

(b) Are not subject to complication or aggravation by military duty.

(c) Will not interfere with the satisfactory performance of full military duty.

(d) Will not involve hospitalization or time lost from duty.

(e) Will not in any way compromise the performance of unlimited flying duty, flying safety or the personal well-being of rated personnel.

§ 861.1159 *Reservists medically disqualified*. The commander of the base where the medical examination is taken will relieve from active duty any reservist who undergoes a medical examination and is found medically disqualified. He will then send notice to this effect to the commander who ordered the reservist to active duty. Upon receipt of a medical disqualification notice, the commander responsible for the administration of the reservist will reassign the reservist to Headquarters Continental Air Command (Non-affiliated reserve section) for transfer to the Retired Reserve or for separation, whichever is appropriate.

§ 861.1160 *Medical certificates*—(a) *Medical Certificate No. 1*.

(Date)

I certify that I now consider myself sound and well and physically qualified for military duty; that I was considered physically qualified for military service when examination was accomplished on/or about _____ at _____;

(Date)

(Place)

and that to the best of my knowledge and belief, I do not have any physical defects

or conditions, except as noted below, which would preclude my performing full military duty.

Signed _____

(b) *Medical Certificate No. 2.*

(Date)

I certify that during the period of active duty training from _____ to _____ there has been no change in my physical condition and that I am not suffering any disability, defect or illness which was not present at the beginning of the tour of duty.

Signed _____

NOTE: (1) Reservists will execute Medical Certificate No. 1 when the period of active duty for training is 30 days or less.

(2) All reservists will execute Medical Certificate No. 2 upon completion of active duty training tour.

[SEAL]

E. E. TORO,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 57-197; Filed, Jan. 10, 1957;
8:46 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

[CGFR 56-40]

PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

MISCELLANEOUS AMENDMENTS

By virtue of the authority contained in section 280, Title 10, U. S. Code, and Title 14, U. S. Code, the following amendments are hereby prescribed and shall become effective upon publication in the FEDERAL REGISTER.

POLICY

1. A new § 8.1110 is hereby added as follows:

§ 8.1110 *Composition of boards—(a) Reserve membership.* All boards convened for the appointment, promotion, demotion, involuntary release from active duty, discharge, or retirement of members of the Coast Guard Reserve shall include in the membership appropriate numbers of Coast Guard Reservists as follows:

(1) If the board is considering both Regular and Reserve personnel, the membership shall include Reserve representation in a number substantially equal to the proportion that Reserve personnel under consideration bears to the total of the Regular and Reserve personnel being considered by the board, if practicable.

(2) If the board is considering Reserve personnel only, the membership shall include at least 50 per centum of Reserve members, if practicable. This requirement shall be deemed to be fulfilled in any case wherein a board includes medical officers of the U. S. Public Health Service if Coast Guard Reserve membership is equal to Coast Guard Regular membership.

(3) If deemed impracticable by the convening authority to provide for

Reserve membership as prescribed in subparagraphs (1) and (2) of this paragraph due to the unavailability of qualified Reservists, Reserve membership may, with the approval of the Commandant, be reduced.

(b) *Seniority.* The members of all boards convened for selection for promotion, or for the discharge or demotion of members of the Coast Guard Reserve shall be senior to the members under consideration, except that a member of a board serving in a legal advisory capacity may be junior to any person, other than a law specialist being considered, and that a member of a board serving in a medical advisory capacity may be junior to any person, other than a medical officer being considered.

PHYSICAL EXAMINATIONS AND STANDARDS

2. Paragraph (a) of § 8.1403 is hereby amended to read as follows:

§ 8.1403 *Persons authorized to conduct physical examinations.* (a) Physical examinations of Reservists and of applicants for appointment, enlistment, or reenlistment shall, if practicable, be conducted by at least two medical officers of the U. S. Public Health Service. If impracticable to assemble such examining officers, physical examinations shall be conducted by one medical officer of the U. S. Public Health Service. If such a medical officer is unavailable, physical examinations may be conducted by one medical officer of any component of the Armed Forces. In special cases, physical examinations may be conducted by a reputable civilian physician provided that, unless otherwise authorized, no expense to the government is incurred.

DISCIPLINE, DISCHARGES, RESIGNATIONS, AND RETIREMENTS

3. Section 8.6201 is hereby amended to read as follows:

§ 8.6201 *Separation of Reservists.*

(a) Commissioned officers, chief warrant officers, and warrant officers shall be separated only in the discretion of the Secretary of the Treasury.

(b) Enlisted personnel may be separated in the discretion of the Commandant.

(c) District Commanders shall separate enlisted personnel under the conditions prescribed in § 8.6206 and as directed by the Commandant.

(d) Commanding officers may separate enlisted personnel serving on active duty or active duty for training under the same conditions as apply to enlisted personnel of the Regular Coast Guard.

4. Section 8.6202 is hereby amended to read as follows:

§ 8.6202 *Restrictions on separation.*

(a) Except as provided in §§ 8.6208 and 8.6210, no officer who has completed three years of commissioned service shall be involuntarily separated except pursuant to the approved recommendation of a board of officers or the approved sentence of a court-martial.

(b) No member shall be separated by the issuance of a discharge under conditions other than honorable except upon a finding of one or more of the following:

(1) That the approved sentence of a court-martial was discharge under conditions other than honorable.

(2) That the approved findings of a board of officers recommended discharge under conditions other than honorable.

(3) That the member consented thereto in writing with waiver of court-martial or board proceedings.

5. Section 8.6203 is hereby amended to read as follows:

§ 8.6203 *Type and character of discharge certificates.* (a) Except as provided in paragraphs (b) and (c) of this section, members shall be separated with the same type and character of discharge certificate as is provided for personnel of the Regular Coast Guard under similar circumstances.

(b) If the type and character of discharge was in issue, a member who is separated pursuant to board action shall be issued the type and character of discharge certificate recommended by the board, as approved.

(c) Members who are dropped from the rolls as provided for in § 8.6208 will not be issued a discharge certificate.

(d) The type and character of separation as evidenced by the discharge certificate shall be entered in the service record.

6. Section 8.6204 is hereby amended to read as follows:

§ 8.6204 *Procedure for discharge generally.* Except as indicated in § 8.6205, the procedures for effecting the discharge of members shall be as prescribed for personnel of the Regular Coast Guard under similar conditions.

7. Section 8.6205 is hereby amended to read as follows:

§ 8.6205 *Composition and procedure for discharge by board action.* (a) All boards convened to consider the involuntary discharge of Reservists shall be composed as prescribed in § 8.1110 and shall be conducted in accordance with the provisions relating to boards of investigation as contained in the U. S. Coast Guard Supplement to the Manual for Courts-Martial.

(b) Each member whose name is referred to a board shall be accorded the rights of a party.

(c) Review and final action of all boards shall be as follows:

(1) By the Secretary of the Treasury if, as approved by the Commandant, the board recommended the separation of an officer.

(2) By the Commandant if, as approved by him, the board recommended retention of a member or recommended the discharge of an enlisted member.

8. Section 8.6206 is hereby amended to read as follows:

§ 8.6206 *Reasons for discharge of enlisted personnel.* Unless otherwise indicated, the appropriate District Commander is authorized and directed to effect the discharge, without prior authority from the Commandant, of enlisted members for the following reasons and under the following conditions:

(a) *Expiration of enlistment.* Enlisted personnel shall, if otherwise eligible therefor, be discharged upon expiration of enlistment or upon expiration of enlistment as extended.

(b) *Fulfillment of service obligation.* Enlisted personnel having a military obligation pursuant to law shall, if otherwise eligible therefor, be discharged upon completion of the term of service required for fulfillment of such obligation. Personnel having such an obligation shall not be discharged upon fulfillment thereof in those cases where a portion of an enlistment or extension thereof remains to be served unless such discharge is authorized by the Commandant.

(c) *Convenience of the Government.* (1) Upon receipt of written evidence of acceptance of an appointment to commissioned or warrant status in any component of any Armed Force. Discharge will be effective as of the day next preceding acceptance of such an appointment.

(2) Upon receipt of written evidence of enlistment in a Reserve component of another Armed Force for the purpose of enrolling in an officer training program. Included in this category are those who will be enrolled in the aviation cadet or Reserve Officer Training Corps programs of the Army, Navy, or Air Force or in the Officer Candidate Course or Platoon Leaders Class of the U. S. Marine Corps. Discharge shall be effective as of the day next preceding acceptance of such an enlistment.

(3) Upon receipt of written evidence of enlistment in the Regular Army, Navy, Air Force, Marine Corps, or Coast Guard. Discharge shall be effective as of the day next preceding such enlistment.

(4) When inter-service transfers are authorized, discharge shall be effected as of the day next preceding the date of enlistment in the gaining Armed Force.

(5) Upon request of the individual concerned and after receipt of written evidence from a licensed physician that a woman member is pregnant.

(6) Upon request of the individual concerned and after receipt of written evidence that a woman member is the mother of a child under 18 regardless of the legal custody of the child or is the step-parent of a child under 18 and the child lives within the household of the woman for a period of more than 30 days a year.

(7) Upon receipt of formal notice from the Selective Service System or from competent military authority that a member has been inducted into the active service of another Armed Force. Discharge shall be effective as of the day next preceding the date of such induction.

(8) Upon request of the individual concerned and after receipt of written evidence that he has become a regular or duly ordained minister of religion.

(9) Other good and sufficient reasons when authorized or directed by the Commandant.

(d) *Physical disability.* Reservists who are found not physically qualified will be discharged only after review by

the Commandant of the medical information received.

(e) *Hardship or dependency.* The discharge of Reservists by reason of hardship or dependency will be effected only after approval of the Commandant in each individual case and will be governed and processed in accordance with the provisions of the Personnel Manual. Special authority to direct discharge under certain conditions may be granted to specified commands by the Commandant when considered appropriate.

(f) *Minority.* The discharge of Reservists by reason of minority will be effected only after approval of the Commandant in each individual case and will be governed and processed in accordance with the provisions of the Personnel Manual. Special authority to direct discharge under certain conditions may be granted to specified commands by the Commandant when considered appropriate.

(g) *For cause.* (1) In any case in which it is considered that an enlisted person should not be retained in the Coast Guard Reserve, a detailed report including all available facts together with an appropriate recommendation shall be forwarded to the Commandant.

(2) If a discharge is recommended by reason of unsuitability, inaptitude, unfitness, or misconduct, the member concerned shall be so informed and shall be permitted to submit a statement in connection therewith, as provided in the Personnel Manual. Reports of civil convictions or fraudulent enlistments shall be submitted in accordance with the Personnel Manual and shall include a statement from the person concerned, if feasible, and a recommendation relative to disposition. If, in any case, the individual does not desire to submit a statement, a notation to this effect shall be made in his service record and shall be included in the report specified in subparagraph (1) of this paragraph.

9. Section 8.6207 is hereby amended to read as follows:

§ 8.6207 *Reasons for discharge of officers.* (a) The following or similar reasons warrant recommendation for discharge of officers:

(1) Failure to keep the Commandant or appropriate District Commander informed of official residence.

(2) Failure to answer official correspondence.

(3) Willful declination or refusal to complete any administrative forms or procedures that may be directed by competent authority.

(4) Failure to maintain an acceptable standard of efficiency as indicated by fitness reports or other information evaluating professional fitness.

(5) Conduct of a character incompatible with exemplary standards of personal conduct, character, and integrity.

(6) Failure to appear for or pass prescribed physical examination.

(7) Upon a determination that an officer is a homosexual or exhibits, professes, or admits homosexual tendencies.

(8) Enlisting or accepting an appointment in the Regular component of the

Coast Guard or in any component of another Armed Force.

(9) Upon a determination that retention of an officer is not clearly consistent with the interest of national security as applied to current military security standards.

(10) Under the conditions and upon reaching the maximum age prescribed in § 8.6210.

(11) Circumstances not covered in this section in which the Commandant considers that a board should evaluate an officer's worth to the service.

10. Section 8.6208 is hereby amended to read as follows:

§ 8.6208 *Dropping from the rolls.* (a) Any member may be dropped from the rolls upon a finding of one or more of the following:

(1) That he has been absent without authority from his place of duty for a period of three months or more.

(2) That he has been found guilty by the civil authorities of an offense for which he has been finally sentenced to confinement in a Federal or State penitentiary or Federal or State correctional institution.

(b) Dropping from the rolls will be accomplished by letter to the member concerned which will set forth the substance of the findings required by paragraph (a) of this section. Such letter will serve to completely separate such member from the Coast Guard service.

(c) No certificate of discharge will be issued and separation by dropping from the rolls will not be officially characterized as having been either "under honorable conditions" or "under conditions other than honorable."

11. A new § 8.6209 is hereby added as follows:

§ 8.6209 *Resignations.* (a) Resignations from officers shall be submitted in letter form to the Secretary of the Treasury via the chain of command and shall set forth the reason therefor.

(b) Each resignation shall be considered on its individual merits taking into account the interests of national security and the needs of the Coast Guard subject to the following:

(1) The resignation of an officer who has not fulfilled his term of obligated service under the Universal Military Training and Service Act, as amended, will normally not be accepted unless submitted for the purpose of becoming a member of another Armed Force or the Regular component of the Coast Guard.

(2) The resignation of an officer accompanied by written evidence that he has become a regular or duly ordained minister of religion as defined in section 16 (g) of the Universal Military Training and Service Act, as amended, will be accepted.

12. A new § 8.6210 is hereby added as follows:

§ 8.6210 *Mandatory discharge for age.* (a) *Reserve commissioned officers.* Unless retired with pay or transferred to the Retired Reserve, a Reserve commissioned officer shall be discharged without board proceedings upon reach-

ing age 62, or age 64 if retained as a flag officer or to complete 20 years of satisfactory Federal service pursuant to law.

(b) *Reserve chief warrant and warrant officers*—(1) *Male*. Unless retired with pay or transferred to the Retired Reserve, a male chief warrant or warrant officer shall be discharged without board proceedings upon reaching age 62, or not later than the date which is 60 days after the date on which he attains age 64 if retained to complete 20 years of satisfactory Federal service pursuant to law.

(2) *Female*. Unless transferred to the Retired Reserve, a woman chief warrant or warrant officer shall be discharged without board proceedings upon reaching age 55, or not later than the date which is 60 days after the date on which she attains age 60 if retained to complete 20 years of satisfactory Federal service pursuant to law.

(c) *Reserve enlisted personnel*. Unless retired with pay or transferred to the Retired Reserve, an enlisted person shall be discharged upon reaching age 62.

(Sec. 1, 63 Stat. 503, as amended, sec. 1, 63 Stat. 545, sec. 280, 70A Stat. 14; 14 U. S. C. 92, 633, 10 U. S. C. 280)

Approved: November 14, 1956.

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

Concurred in: December 7, 1956.

CHARLES S. THOMAS,
Secretary of the Navy.

[F. R. Doc. 57-189; Filed, Jan. 9, 1957;
12:51 p. m.]

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

LITTLE NECK BAY, N. Y.

Pursuant to the provisions of the Act of Congress approved April 22, 1940 (54 Stat. 150; 33 U. S. C. 180), § 202.60 (k) establishing and designating a special anchorage area in Little Neck Bay, New York, is hereby amended to include additional waters of Little Neck Bay, as follows:

§ 202.60 *Port of New York and vicinity*. * * *

(k) *Little Neck Bay*. That portion of Long Island Sound Anchorage No. 5 (as described in § 202.155 (a)), southeastward of a line ranging approximately 25° 30' true, from the flag pole at Fort Totten, Willets Point toward the mast at the United States Merchant Marine Academy, Grenwalde, Kings Point.

[Regs., December 27, 1956, 800.212 (Little Neck Bay, N. Y.)—ENGWO] (54 Stat. 150; 33 U. S. C. 180)

[SEAL] HERBERT M. JONES,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 57-198; Filed, Jan. 10, 1957;
8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 1378]

COLORADO

RESERVING LANDS WITHIN NATIONAL FORESTS FOR USE OF THE FOREST SERVICE AS PICNIC GROUNDS 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 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 or the act of July 31, 1947 (61 Stat. 681; 30 U. S. C. 601-604), and reserved for use of the Forest Service, Department of Agriculture, as picnic grounds and recreation areas as indicated:

Colorado 011497

WHITE RIVER NATIONAL FOREST

SIXTH PRINCIPAL MERIDIAN

Cliff Lake Campground:

T. 2 S., R. 90 W.,

Sec. 30, SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 31, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 80 acres.

South Fork Campground:

T. 2 S., R. 90 W.,

Sec. 19, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.

The areas described aggregate 120 acres.

Sweetwater Campground:

T. 3 S., R. 87 W.,

Sec. 16, lot 5 (SE $\frac{1}{4}$ NE $\frac{1}{4}$) and NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 77.20 acres.

Clark Cabin Picnic Ground:

T. 3 S., R. 91 W.,

Sec. 3, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 10, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 40 acres.

East Elk Campground:

T. 4 S., R. 90 W.,

Sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$.

The area described contains 80 acres.

Gore Campground:

T. 5 S., R. 79 W.,

Sec. 18, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

The area described contains 40 acres.

Bighorn Picnic Ground:

T. 5 S., R. 79 W.,

Sec. 18, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains 40 acres.

Hornsilver Picnic Ground:

T. 6 S., R. 80 W.,

Sec. 29, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 32, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 30 acres.

Camp Tligawon Recreation Area:

T. 6 S., R. 81 W.,

Sec. 14, SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 120 acres.

Blodgett Campground:

T. 7 S., R. 80 W.,

Sec. 5, lot 8 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 6, lot 8 (NE $\frac{1}{4}$ NE $\frac{1}{4}$).

The areas described aggregate 83.30 acres.

Rocky Fork Campground:

T. 8 S., R. 84 W.,

Sec. 7, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 18, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 80 acres.

Dinkle Lake Campground:

T. 9 S., R. 87 W.,

Sec. 4, E $\frac{1}{2}$ lot 9 and lot 10 (E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$).

The areas described aggregate 60 acres.

Janeway Picnic Ground:

T. 9 S., R. 88 W.,

Sec. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate 40 acres.

Avalanche Creek Campground:

T. 9 S., R. 88 W.,

Sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 90 acres.

Snowmass Creek Campground:

T. 10 S., R. 86 W.,

Sec. 4, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 9, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 10, lot 3.

The areas described aggregate 118.75 acres.

Redstone Picnic Ground:

T. 10 S., R. 88 W.,

Sec. 9, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 16, NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 20 acres.

Grottos Campground:

T. 11 S., R. 83 W.,

Sec. 6, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 40 acres.

Bogan Flats Campground:

T. 11 S., R. 88 W.,

Sec. 18, S $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$.

The areas described aggregate 80 acres.

Lost Creek Campground:

T. 1 N., R. 90 W.,

Sec. 15, S $\frac{1}{2}$ lot 1 (SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$).

The areas described aggregate 29.99 acres.

Colorado 013297

UNCOMPAHGRE NATIONAL FOREST

SIXTH PRINCIPAL MERIDIAN

Carson Hole Picnic Ground:

T. 15 S., R. 101 W.,

Sec. 24, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate 100 acres.

NEW MEXICO PRINCIPAL MERIDIAN

Sunshine Campground:

T. 42 N., R. 9 W.,

Sec. 20, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ (less small acreage included in MS-1495 Gilden Age Placer in the E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$).

The areas described aggregate 50 acres.

Canyon Creek Picnic Ground:

T. 43 N., R. 8 W.,

Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ (less any portion included within mining patents).

The areas described aggregate 20 acres.

Antone Springs Picnic Ground:

T. 47 N., R. 12 W.,

Sec. 15, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate 60 acres.

Iron Springs Picnic Ground:

T. 47 N., R. 12 W.,

Sec. 23, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The areas described aggregate 50 acres.

Smokehouse Picnic Ground:

T. 48 N., R. 14 W.,

Sec. 9, SE $\frac{1}{4}$ NE $\frac{1}{4}$.

The area described contains 40 acres.

Columbine Picnic Ground:

T. 48 N., R. 14 W.,

Sec. 11, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described aggregate 20 acres.

Cobb Springs Picnic Ground:

T. 48 N., R. 14 W.,
Sec. 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The area described contains 40 acres.

T-Bone Springs Picnic Ground:

T. 49 N., R. 15 W.,

Sec. 32, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;Sec. 33, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;

The areas described aggregate 10 acres.

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

HATFIELD CHILSON,

Assistant Secretary of the Interior.

JANUARY 3, 1957.

[F. R. Doc. 57-169; Filed, Jan. 10, 1957;
8:45 a. m.]

[Public Land Order 1379]

[BLM 042163]

FLORIDA

WITHDRAWING PUBLIC LANDS FOR USE OF
DEPARTMENT OF THE NAVY FOR MILITARY
PURPOSES

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 land in Florida is hereby withdrawn from all forms of appropriation under the public land laws, including the mining and the mineral-leasing laws, and reserved for use of the Department of the Navy for military purposes:

TALLAHASSEE MERIDIAN

T. 67 S., R. 25 E.,
Sec. 25, lot 2.

The area described contains 0.26 acre. It is the intent of this order that the withdrawn minerals in the land shall remain under the jurisdiction of the Department of the Interior, and no disposition shall be made of such minerals except under the applicable public land mining and mineral-leasing laws, and then only after such modification of the provisions of this order as may be necessary to permit such disposition.

HATFIELD CHILSON,

Assistant Secretary of the Interior.

JANUARY 7, 1957.

[F. R. Doc. 57-203; Filed, Jan. 10, 1957;
8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

U. S. STANDARDS FOR GRADES OF FROZEN
CONCENTRATE FOR GRAPE BEVERAGE¹

NOTICE OF PROPOSED RULE MAKING

Proposed United States Standards for Grades of Frozen Grape Juice Concentrate for Grape Beverage were previously published in the FEDERAL REGISTER on October 20, 1954 (19 F. R. 6773) and December 6, 1955 (20 F. R. 8962). After careful study of all written data, views, and arguments which were submitted, important changes have been made which include the name of the product being changed to frozen concentrate for grape beverage. Therefore, a third notice is hereby given that the U. S. Department of Agriculture is considering the issuance of United States Standards for Grades of Frozen Concentrate for Grape Beverage pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U. S. C. 1621 et seq.). This issuance, if made effective, will be the first issue by the Department of grade standards for this product.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U. S. Department of Agriculture, Washington 25, D. C., not later than 60 days after publication hereof in the FEDERAL REGISTER.

The proposed standards are as follows:

PRODUCT DESCRIPTION, TYPES, STYLES, AND
GRADES

Sec.
52.2451 Product description.

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

- Sec.
52.2452 Types of frozen concentrate for grape beverage.
52.2453 Styles of frozen concentrate for grape beverage.
52.2454 Grades of frozen concentrate for grape beverage.

FILL OF CONTAINER

- 52.2455 Recommended fill of container.

FACTORS OF QUALITY

- 52.2456 Ascertaining the grade and score for frozen concentrate for grape beverage.
52.2457 Ascertaining the rating for the factors which are scored.
52.2458 Color.
52.2459 Defects.
52.2460 Flavor.

EXPLANATIONS AND METHODS OF ANALYSIS

- 52.2461 Definition of terms used in these standards.
52.2462 Methods of analysis.

LOT CERTIFICATION TOLERANCE

- 52.2463 Tolerances for certification of officially drawn samples.

SCORE SHEETS

- 52.2464 Score sheet for frozen concentrate for grape beverage.

AUTHORITY: §§ 52.2451 through 52.2464 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1621.

PRODUCT DESCRIPTION, TYPES, STYLES, AND
GRADES

§ 52.2451 *Product description.* Frozen concentrate for grape beverage is prepared from unfermented single-strength grape juice from sound properly mature fresh grapes which, with or without aging, or depectinization, is then concentrated. Single-strength grape juice or natural grape essence or a combination of single-strength grape juice and natural grape essence may be mixed to the concentrate and packed with the addition of nutritive sweetening ingredient and with or without ascorbic acid. Fruit acid may be added to adjust the flavor. The product is then frozen in accordance with good commercial prac-

tice and maintained at temperatures necessary for the preservation of the product.

§ 52.2452 *Types of frozen concentrate for grape beverage*—(a) *Type I.* Frozen concentrate for grape beverage prepared from grapes of the slip-skin varieties of the Concord type of the Labrusca species. Not less than 50 percent of the total soluble solids of the finished concentrate shall be derived from the grapes.

(b) *Type II.* Frozen concentrate for grape beverage prepared from a mixture of Type I with one or more varieties other than Type I. Not less than 50 percent of the total soluble solids of the finished concentrate shall be derived from the grapes, of which, not less than one-half shall be derived from Type I grapes.

§ 52.2453 *Styles of frozen concentrate for grape beverage.* Brix value of the finished concentrate (including added sweetening ingredient) shall be not less than the following for the respective dilution factor of frozen concentrate for grape beverage:

Dilution factor	Minimum Brix value of finished concentrate including added sweetening ingredient
1 plus 1.....	Degrees 24.8
1 plus 2.....	35.5
1 plus 3.....	45.4
1 plus 4.....	54.5
1 plus 5.....	62.8
1 plus 6.....	70.7

§ 52.2454 *Grades of frozen concentrate for grape beverage.* (a) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen concentrate for grape beverage which reconstitutes properly and of which the reconstituted product possesses a good color; is practically free from defects; possesses a good flavor; and scores not less than 85 points when

scored in accordance with the scoring system outlined in this subpart.

(b) "U. S. Grade B" or "U. S. Choice" is the quality of frozen concentrate for grape beverage which reconstitutes properly and of which the reconstituted product possesses a reasonably good color; is reasonably free from defects; possesses a reasonably good flavor; and scores not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(c) "Substandard" is the quality of frozen concentrate for grape beverage that fails to meet the requirements of U. S. Grade B or U. S. Choice.

FILL OF CONTAINER

§ 52.2455 *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that the container be filled with frozen concentrate for grape beverage as full as practicable without impairment of quality.

FACTORS OF QUALITY

§ 52.2456 *Ascertaining the grade.* (a) The grade of frozen concentrate for grape beverage is ascertained by considering the factors of quality which are not scored and those which are scored as follows:

(1) *Factors which are not scored.* Ease of mixing into grape beverage.

(2) *Factors which are scored.* The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
Color	40
Defects	20
Flavor	40
Total score	100

(b) The scores for the factors of color, defects, and flavor are determined immediately after the beverage has been prepared by thoroughly mixing the frozen concentrate with a specific volume of water as directed by the manufacturer.

§ 52.2457 *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range with each factor which is scored is inclusive. (For example, "17 to 20 points" means 17, 18, 19, or 20 points.)

§ 52.2458 *Color—(a) (A) classification.* Frozen concentrate for grape beverage of which the prepared beverage possesses a good color may be given a score of 34 to 40 points. "Good color" has the following meanings with respect to the types of frozen concentrate for grape beverage.

(1) *Type I.* A bright reddish-purple color characteristic of a beverage properly prepared from Concord type grape juice and, in addition, the beverage prepared conforms to the following requirements:

Minimum absorbancy at 520 millimicrons ² 4.5
Minimum absorbancy ratio ² 1.5

² Determined according to instructions § 52.2462.

(2) *Type II.* A bright color characteristic of a beverage properly prepared from Type I juice and from varietal type or varietal types of juice other than Type I.

(b) *(B) classification.* If the prepared beverage possesses a reasonably good color a score of 28 to 33 points may be given. Frozen concentrate for grape beverage that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice regardless of the total score for the product (this is a limiting rule). "Reasonably good color" has the following meanings with respect to the types of frozen concentrate for grape beverage:

(1) *Type I.* A reddish-purple color characteristic of a beverage prepared from Concord type grape juice and which color may be slightly dull but which is not off color for any reason.

(2) *Type II.* A color that reflects to a reasonable extent the appearance characteristic of a beverage prepared from Type I juice and from any varietal type or varietal types of juice other than Type I and which color may be slightly dull but not off color for any reason.

(c) *(SStd.) classification.* Frozen concentrate for grape beverage that fails to meet the requirements of paragraph (b) of this section may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2459 *Defects—(a) General.* The factor of defects refers to the degree of freedom from sediment and other residue, from tartrate crystals, from particles of skin, particles of seed, and from other defects.

(b) *(A) classification.* Frozen concentrate for grape beverage of which the prepared beverage is practically free from defects may be given a score of 17 to 20 points. "Practically free from defects" means that there may be present not more than a slight amount of sediment and residue; is practically free from tartrate crystals; and is free from particles of skin, particles of seed, and from other defects.

(c) *(B) classification.* If the prepared beverage is reasonably free from defects a score of 14 to 16 points may be given. Frozen concentrate for grape beverage that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that there may be present not more than a moderate amount of sediment and residue; may possess a slight amount of tartrate crystals; may possess not more than a trace of particles of skin, particles of seed, and other defects.

(d) *(SStd.) classification.* If the prepared beverage fails to meet the requirements of paragraph (c) of this section a score of 0 to 13 points may be given. Frozen concentrate for grape beverage

that falls into this classification shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2460 *Flavor—(a) (A) classification.* Frozen concentrate for grape beverage of which the prepared beverage possesses a good flavor may be given a score of 34 to 40 points. "Good flavor" means that the flavor is a fine, distinct and normal flavor, typical of well-matured grapes for the variety or varieties and is free from any objectionable flavors and objectionable odors of any kind. To score in this classification the prepared beverage and concentrate shall meet the following additional requirements:

BEVERAGE

(1) *Type I.* Brix—not less than 13.0 degrees.

Acid—not less than 0.40 gram per 100 milliliters nor more than 0.60 gram per 100 milliliters, calculated as tartaric acid.

Brix-acid ratio—the ratio of Brix value to acid is not less than 20 to 1 nor more than 32 to 1.

CONCENTRATE

Methyl anthranilate² (naturally occurring)—not less than the following for the respective dilution factor of frozen concentrate for grape beverage.

Dilution factor	Minimum methyl anthranilate (naturally occurring) (mg./l.)
1 plus 1	0.4
1 plus 2	.8
1 plus 3	1.2
1 plus 4	1.6
1 plus 5	1.6
1 plus 6	1.6

BEVERAGE

(2) *Type II.* Brix—not less than 13.0 degrees.

Acid—not less than 0.40 gram per 100 milliliters nor more than 0.60 gram per 100 milliliters, calculated as tartaric acid.

Brix-acid ratio—The ratio of Brix value to acid is not less than 20 to 1 nor more than 32 to 1.

CONCENTRATE

Methyl anthranilate² (naturally occurring)—not less than the following for the respective dilution factor of frozen concentrate for grape beverage.

Dilution factor	Minimum methyl anthranilate (naturally occurring) (mg./l.)
1 plus 1	0.2
1 plus 2	.4
1 plus 3	.6
1 plus 4	.8
1 plus 5	.8
1 plus 6	.8

(b) *(B) classification.* If the prepared beverage possesses a reasonably good flavor a score of 28 to 33 points may be given. Frozen concentrate for grape beverage that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice regardless of

² Determined according to instructions § 52.2462.

the total score for the product (this is a limiting rule). "Reasonably good flavor" means a reasonably typical flavor of reasonably well matured grapes for the varietal type or varietal types and is free from objectionable flavors and objectionable odors of any kind. To score in this classification the prepared beverage shall meet the following additional requirements:

(1) *Type I. Brix*—not less than 13.0 degrees.

Acid—not less than 0.30 gram per 100 milliliters nor more than 0.60 gram per 100 milliliters, calculated as tartaric acid.

Brix-acid ratio—the ratio of Brix value to acid is not less than 18 to 1 nor more than 36 to 1.

(2) *Type II. Brix*—not less than 13.0 degrees.

Acid—not less than 0.30 gram per 100 milliliters nor more than 0.60 gram per 100 milliliters, calculated as tartaric acid.

Brix-acid ratio—the ratio of Brix value to acid is not less than 18 to 1 nor more than 36 to 1.

(c) (*SStd.*) *classification*. If the frozen concentrate for grape beverage fails to meet the requirements of paragraph (b) of this section a score of 0 to 27 points may be given. Frozen concentrate for grape beverage that falls into this classification shall not be graded above Sub-standard regardless of the total score for the product (this is a limiting rule).

EXPLANATIONS AND METHODS OF ANALYSIS

§ 52.2461 *Definition of terms used in these standards*. (a) "Brix" means the degrees Brix of the reconstituted grape beverage when tested with a Brix hydrometer calibrated at 20 degrees C. (68 degrees F.). If used in testing grape beverage at a temperature other than 20 degrees C. (68 degrees F.), the applicable temperature correction shall be made to the reading of the scale as prescribed in "Official Methods of Analysis of the Association of Official Agricultural Chemists." The degrees Brix of grape beverage may be determined by any other method which gives equivalent results.

(b) "Acid" means the grams of acid (calculated as tartaric acid) per 100 milliliters of the reconstituted grape beverage determined by titration with standard sodium hydroxide solution using phenolphthalein as an indicator.

(c) "Brix-acid ratio" means the ratio between the degrees Brix as determined in this section and the acid in grams per 100 milliliters of reconstituted grape beverage.

(d) "Dilution factor" is the ratio of the volumes of water to the volume of concentrate. This factor is provided by the manufacturer's directions for preparing the desired grape beverage (i. e., 3 plus 1 implies 3 volumes of water to 1 volume of concentrate).

(e) "Absorbance ratio" means the ratio of absorbance reading at 520 milli-

microns to the absorbance reading at 430 millimicrons.

§ 52.2462 *Methods of analysis*—(a) *Methyl anthranilate*—(1) *Reagents*. (i) Hydrochloric acid—dilute 81 milliliters (ml.) of HCl to 100 ml. with H₂O.

(ii) Sodium nitrate solution—dissolve 3 grams (gm.) of NaNO₃ in 200 ml. of H₂O.

(iii) Hydrazine sulfate solution—dissolve 5 gm. of N₂H₄·H₂SO₄ in 200 ml. of H₂O.

(iv) Sodium carbonate solution—dissolve 50 gm. of Na₂CO₃ in 150 ml. of H₂O.

(v) Sodium-a-naphthol-2-sulfonate solution—dissolve 4.7 gm. of the sulfonate in 100 ml. of H₂O.

(vi) Standard solution of methyl anthranilate—dissolve 0.25 gm. of methyl anthranilate in 60 ml. of 95 percent ethyl alcohol and dilute with H₂O to 500 ml.

(2) *Apparatus*. Kjeldahl distillation apparatus and steam generator recommended by committee on micro-chemical apparatus, Div. Anal. Chem., A. C. S. Illustrated 8th Edition, 1955, fig. 77 and 78, A. O. A. C. or equals may be used.

(3) *Standard curve*. (i) Dilute 20 ml. of standard solution of methyl anthranilate to 1 liter with H₂O (equivalent to 10 micrograms per ml.).

(ii) Prepare series of solution for standard curve by transferring 0-5 ml.

of solution (i) into 100 ml. volumetric flask. Dilute to ca. 80 ml. with H₂O.

(iii) Then add as follows:

(a) 1 ml. HCl and 1 ml. sodium nitrate solution. Invert flask and let stand 2 minutes.

(b) 3 ml. hydrazine sulfate solution. Invert flask and let stand 1 minute.

(c) 2 ml. sodium-a-naphthol-2-sulfonate solution. Invert flask.

(d) Immediately add 3 ml. sodium carbonate solution, dilute to 100 ml. volume with H₂O, let stand 10 minutes.

(e) Adjust and maintain temperature of solution at 25±1° C.

(f) Read absorbance at 490 millimicrons, in a spectrophotometer or colorimeter, against a blank, carried through entire procedure, set at zero absorbance.

(iv) Plot standard curve of concentration (microgram per 100 ml. of final solution) of methyl anthranilate against absorbance of solutions.

(4) *Determination*. Use a 100 ml. volumetric flask as receiver. Add 5 ml. of water to just cover or seal end of extended condenser tube. Transfer 15-25 ml. of sample concentrate into distillation flask. Collect about (ca.) 80 ml. of distillate. Treat as under subparagraph (3) (iii) of this paragraph. Obtain concentration (micrograms/100 ml. of final solution) of methyl anthranilate from standard curve (see subparagraph (3) (iv) of this paragraph).

mgs. liter of concentrate	microgram 100 ml. of final solutions ml. of sample taken
------------------------------	---

(b) *Absorbance and absorbance ratio*. Absorbance and absorbance ratio shall be obtained as follows:

(1) The concentrate shall be diluted at 25 degrees C., using MacIlvaine's pH 3.2 buffer as the liquid.

(2) 5 ml. aliquot of diluted sample shall be further diluted to 100 ml. with MacIlvaine's pH 3.2 buffer.

(3) Filter 50 ml. of solution through sintered glass crucible 4-cm. diameter, 4.5-cm. height, medium porosity.

(4) Read absorbance of filtrate on a spectrophotometer at 520 millimicron wavelength with a 0.05 mm. width slit and at 430 millimicron wavelength with a 0.025 mm. width slit.

Absorbance = 2 - log T, where T = percentage transmittancy

Corrected absorbance = observed absorbance × $\frac{20}{\text{thickness of cell in cm.}}$

Absorbance ratio = $\frac{\text{corrected absorbance at 520 millimicrons}}{\text{corrected absorbance at 430 millimicrons}}$

LOT CERTIFICATION TOLERANCES

§ 52.2462 *Tolerances for certification of officially drawn samples*. (a) When certifying samples that have been officially drawn and which represent a specific lot of frozen concentrate for grape beverage the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, (1) such containers meet all of the applicable grade requirements of the factors of quality that are not rated by score points; (2) all containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification; and (3) with respect

to those factors which are rated by score points:

(i) Not more than one-sixth of the containers falls to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than four points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores; and

(iv) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample.

* Copies of this publication are available for inspection in the Office of the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U. S. Department of Agriculture, Washington, D. C.

SCORE SHEET

§ 52.2463 Score sheet for frozen concentrate for grape beverage.

Size and kind of container.....		
Container mark or identification.....		
Label (including dilution factor).....		
Net contents (fluid ounces).....		
Type (Concord, blended).....		
Brix of the reconst. beverage.....		
Acid (as tartaric) gram/100 ml.....		
Brix-acid ratio.....		
Factors	Score points	
Color.....	40	(A) 34-40 (B) 28-33 (SSstd.) 10-27
Defects.....	20	(A) 17-20 (B) 14-16 (SSstd.) 10-13
Flavor.....	40	(A) 34-40 (B) 28-33 (SSstd.) 10-27
Total score.....	100	
Grade.....		

† Indicates limiting rule.

Dated: January 4, 1957.

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

[F. R. Doc. 57-184; Filed, Jan. 10, 1957;
8:45 a. m.]

NOTICES

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

JANUARY 1957 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 January under the Export Credit Sales Announcement GSM 1 are as follows:

For periods up to and including 6 months, 3¾ percent per annum.

For periods over 6 months up to and including 18 months, 4¼ percent per annum.

For periods over 18 months up to and including 36 months, 4¾ 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.

JANUARY 1957 MONTHLY SALES LIST

NOTICE TO BUYERS

On sales for which the buyer is required to submit proof to CCC of exportation, the buyer (1) shall be regularly engaged in the business of buying or selling commodities and, for this purpose, shall maintain a bona

fide business office in the United States, its territories, or possessions and therein have a person, principal or resident agent, upon whom service or judicial process may be had, and (2) shall submit a financial statement, bank advice, surety bond or other evidence of financial responsibility as may be required by CCC.

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" † at storage locations of products. 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. 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. 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. Domestic, unrestricted use: Spray process, U. S. Extra Grade: In barrels and drums, 17 cents per pound; in bags 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. Domestic, restricted use (animal and poultry feed): Delivered under the terms and conditions of Announcement ID-14 and supplements. In barrels and drums, 11.5 cents per pound; in bags, 10.65 cents per pound. Export, unrestricted use: Under ID-5 and amendments. Spray process, U. S. Extra Grade: In barrels and drums, 9.9 cents per pound; in bags, 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. Export, restricted use (animal and poultry feed): Under ID-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. Domestic: 38 cents per pound, for New York, New Jersey, Pennsylvania, New England, and other States bordering the Atlantic and Pacific Oceans and Gulf of Mexico. All other States, 37 cents per pound. Export: Under ID-5 and amendments. 22 cents per pound. Cheese prices are subject to usual adjustments for moisture content. Domestic or export: Competitive bid and under the terms and conditions of Announcement NO-CL-7, as amended, in carlot quantities on an "as is, where is" basis. Catalogs showing quantities, qualities and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office. 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. Export: Competitive bid and under the terms and conditions of Announcement CN-EX-2 (Revision 1) and NO-C-8, as amended. Domestic: Competitive bid and under the terms and conditions of Announcement NO-C-6, 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. Export: Competitive bid and under the terms and conditions of Announcement NO-C-6, as amended. 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. 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 50 (1955) as amended. Available Dallas CSS Commodity Office. Wool, shorn, 68,000,000 pounds..... Domestic or export: Limited quantities (not more than 6,250,000 pounds in January) 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. Wheat, bulk..... Domestic: Commercial wheat-producing area: Market price, basis in store † but not less than the domestic minimum price (1956 applicable loan rate for class, grade, and quality, plus (1) 31 cents per bushel if received by truck, or (2) 26 cents per bushel if received by rail or barge). Examples of minimum price per bushel (exrail or barge): Chicago No. 1 RW, \$2.57; Minneapolis No. 1 DNS, \$2.00; Kansas City No. 1 HW, \$2.57. Noncommercial wheat-producing area: Market price, basis in store, † but not less than 133 percent of applicable 1956 county loan rate plus (1) 31 cents per bushel if received by truck, or (2) 26 cents per bushel if received by rail or barge. The domestic minimum price for all spring wheat, including Durum, will be basis loan rate point of production; if point of production not determinable, basis Minneapolis. Export (as wheat): Under Announcement GR-261 revised, as amended, for application to barter contracts only, at prices determined daily, and under Announcement GR-212 revised, as amended, for specific offerings as announced. Disposals under special export program under Announcement GR-345. 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. Domestic: Commercial corn-producing area: Market price, basis in store, † but not less than the domestic minimum price (1956 loan rate basis point of production for class, grade, and quality plus 18 cents per bushel). Examples of minimum price per bushel, including average paid-in freight (ex rail or barge): Chicago No. 3 yellow, \$1.87; Minneapolis No. 3 yellow, \$1.78; Kansas City No. 3 yellow, \$1.85; Portland No. 3 yellow, \$2.03. Noncommercial corn-producing area: Market price, basis in store, † but not less than 121 percent of the applicable 1956 loan rate, plus 18 cents per bushel. Available Chicago, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices. Nonstorable corn is also available at the above offices. Export: Competitive bid basis as announced by the Portland and Chicago CSS Commodity Offices.

See footnotes at end of table.

Commodity and approximate quantity available (subject to prior sale)	Sales price or method of sale
Oats, bulk.....	Domestic: Market price, basis in store, ¹ but not less than the domestic minimum price (1956 loan rate basis point of production for class, grade, and quality, plus 14 cents per bushel). Examples of minimum price per bushel including average paid-in freight: Chicago No. 3 oats or better, \$0.92; Minneapolis No. 3 oats or better, \$0.87. Available Minneapolis, Chicago, Kansas City, Portland and Dallas CSS Commodity Offices. Export: Competitive bid as announced by the Chicago, Portland, and Dallas CSS Commodity Offices. ²
Barley, bulk.....	Domestic: Market price basis in store, ¹ but not less than the domestic minimum price (1956 applicable loan rate for class, grade and quality plus (1) 22 cents per bushel if received by truck, or (2) 19 cents per bushel if received by rail or barge). Example of minimum price per bushel (exrail or barge): Minneapolis No. 2 barley, \$1.43. Available Minneapolis, Chicago, Kansas City, Portland and Dallas CSS Commodity Offices. Export: Competitive bid as announced by the Chicago and Portland CSS Commodity Offices. ²
Eye, bulk.....	Domestic: Market price, basis in store, ¹ but not less than the domestic minimum price (1956 applicable loan rate for class, grade, and quality, plus (1) 26 cents per bushel if received by truck, or (2) 21 cents per bushel if received by rail or barge). Example of minimum price per bushel (exrail or barge): Minneapolis No. 2 or better, \$1.71. Available Minneapolis, Chicago, Kansas City, Portland, and Dallas CSS Commodity Offices. 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 domestic minimum price (1956 applicable loan rate for class, grade, and quality, plus (1) 44 cents per cwt. if received by truck, or (2) 35 cents per cwt. if received by rail or barge). Example of minimum price per cwt. (exrail or barge): Kansas City No. 2 or better, \$2.77. Available Dallas, Portland and Kansas City CSS Commodity Offices. Export: Competitive bid as announced by Dallas and Portland CSS Commodity Offices. ²
Rice, milled (as available).....	Domestic, for feed, other brokens: Competitive bid under DL-BR-1/56 as announced by Dallas CSS Commodity Office. Unrestricted use and for export, other brokens: Competitive bid under DL-BR-1/56 (minimum price, \$6.01 per cwt. in sacks, \$5.86 bulk) as announced by Dallas CSS Commodity Office. Export: ² 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. ²
Gum rosin (in galvanized metal drums averaging 517 pounds net),	Special export on "as is" basis: ² Competitive bid under terms and conditions of DL-MR-53 as announced by Dallas CSS Commodity Office. 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-21 (revised) and Supplements issued not more often than weekly by the American Turpentine Farmers' Association Cooperative, Valdosta, Ga. Export: Competitive bid for not to exceed 50,000 drums of rosin "as is", in storage, subject to Announcement TB-21 (Revised) and Export Supplement thereto.
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 outlanding 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. 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: January 7, 1957.

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

[F. R. Doc. 57-194; Filed, Jan. 10, 1957;
8:45 a. m.]

Office of the Secretary

NEW MEXICO

DESIGNATION OF AREA FOR PRODUCTION EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)), as amended, it has been determined that in all counties in New Mexico, except the 12 counties

listed in 20 F. R. 7054 in which the special credit program for the Great Plains area was authorized on September 15, 1955, a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, production emergency loans will not be made in the counties covered by the determination referred to above after December 31, 1957, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D. C., this 8th day of January 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-196; Filed, Jan. 10, 1957;
8:45 a. m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

ORGANIZATION AND FUNCTIONS

ALCOHOL AND TOBACCO TAX BRANCH OFFICES

At the end of the list of Alcohol and Tobacco Tax Branch offices, Appendix B (21 F. R. 10419), the following footnote should be added:

*Denotes combination regulatory and enforcement offices.

[SEAL] RUSSELL C. HARRINGTON,
Commissioner,
Internal Revenue Service.

[F. R. Doc. 57-222; Filed, Jan. 10, 1957;
8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

SMALL TRACT CLASSIFICATION ORDER, CALIFORNIA NO. 506

1. Pursuant to authority delegated to me by the California State Supervisor, Bureau of Land Management, under Part II, Document 4, California State Office, dated November 19, 1954 (19 F. R. 7697), I hereby classify the following described public lands, totaling approximately 1,581.65 acres in Trinity County, California, as suitable for lease and sale for residence purposes under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a), as amended:

MOUNT DIABLO MERIDIAN

T. 33 N., R. 9 W.,

Sec. 5, lots 1, 2, 5, 6, 8, approximate $E\frac{1}{2}$ lot 3, approximate $E\frac{1}{2}W\frac{1}{2}$ lot 3, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$, $SE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$;

Sec. 7, lots 10, 11, 12;

Sec. 8, $SW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$;

Sec. 17, $NW\frac{1}{4}$, $N\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}N\frac{1}{4}$, $N\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}$;

Sec. 18 lots 84 and 85, $NE\frac{1}{4}NE\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$;

Sec. 27, $E\frac{1}{2}SE\frac{1}{4}$, $S\frac{1}{2}SE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}NE\frac{1}{4}$;

Sec. 34, $NE\frac{1}{4}NE\frac{1}{4}$.

T. 33 N., R. 10 W.,

Sec. 13, lots 1, 2, $W\frac{1}{2}NE\frac{1}{4}$, $E\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, $E\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$.

2. Classification of the above-described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the mineral leasing laws.

3. The lands classified by this order shall not become subject to applications under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, until it is so provided by an order to be issued by an authorized officer, opening the lands to application or bid with a preference right to Veterans of World War II and of the Korean conflict and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 497; 43 U. S. C. 279-284), as amended.

4. All valid applications filed prior to January 4, 1957, will be granted, as soon

as possible, the preference right provided for by 43 CFR 257.5 (a).

EUGENE L. SCHMIDT,
Officer in Charge, Northern
Field Group, Sacramento, Calif.

[F. R. Doc. 57-218; Filed, Jan. 10, 1957;
8:48 a. m.]

Bureau of Reclamation

MOUNTAIN HOME PROJECT, IDAHO

ORDER OF REVOCATION

SEPTEMBER 5, 1956.

Pursuant to the authority delegated by Departmental Order No. 2765 of July 30, 1954, I hereby revoke Departmental Order of April 30, 1951, insofar as said order affects the following-described land: *Provided, however,* That such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the land hereinafter described:

BOISE MERIDIAN, IDAHO

T. 2 N., R. 2 E.,
Sec. 29, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.

The above areas aggregate 80 acres.

E. G. NIELSEN,
Acting Commissioner.

[61715]

JANUARY 7, 1957.

I concur. The records of the Bureau of Land Management will be noted accordingly.

1. The land is located about 8 miles east of Kuna, Idaho, and lies at an elevation of about 2,800 feet. The northerly part of the land is nearly level to undulating. Vegetation consists generally of a moderate to heavy stand of sagebrush with an understory of cheatgrass, native blue grass, and mustard. Most of the tract has some suitability for agricultural development under irrigation if an adequate supply of water can be made available.

2. No application for the lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

3. Subject to any valid existing rights and the requirements of applicable law, the lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on Feb. 12, 1957, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on May 14, 1957, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on May 14, 1957, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

4. Persons claiming veterans preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

5. The lands have been open to applications and offers under the mineral-leasing laws. They will be open to location under the United States mining laws beginning at 10:00 a. m. on May 14, 1957.

6. Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

EDWARD WOOLEY,
Director,

Bureau of Land Management.

[F. R. Doc. 57-204; Filed, Jan. 10, 1957;
8:46 a. m.]

ATOMIC ENERGY COMMISSION

[Docket No. F-35]

AMF ATOMICS, INC.

NOTICE OF PROPOSED ISSUANCE OF FACILITY EXPORT LICENSE

Please take notice that the Atomic Energy Commission proposes to issue, on Form AEC-250, facility export license XR-3 described below unless within 15 days after publication in the FEDERAL REGISTER, a request for a formal hearing

is filed with the Commission in the manner prescribed by § 2.102 (b) of the Commission's rules of practice (10 CFR Part 2).

1. Pursuant to section 104 (c) of the Atomic Energy Act of 1954 and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities", and upon findings that (a) the reactor proposed to be exported is a utilization facility and (b) the issuance of a license for the export thereof is within the scope of and is consistent with an agreement for cooperation with the Kingdom of the Netherlands, the Atomic Energy Commission proposes to issue the license to AMF Atomics, Inc., 261 Madison Avenue, New York 16, N. Y., for the export of a 10 kilowatt pool type demonstration reactor described in Supplement A to AMF Atomics application, filed September 27, 1956. Said reactor is to be exported to the Ministry of Education, Kingdom of the Netherlands and is to be erected at the International Exhibition "Het Atoom", Amsterdam under the auspices of the Laboratorium Voor Chemische Werktuigen der Technische Hogeschool (Delft Institute of Technology).

2. The license will be subject to the following conditions:

(a) Neither the license nor any right under the license shall be assigned or otherwise transferred in violation of the provisions of the Atomic Energy Act of 1954.

(b) The license will be subject to the right of recapture or control reserved by section 108 of the Atomic Energy Act of 1954, and to all other provisions of the act, now or hereafter in effect, and to all rules and regulations of the United States Atomic Energy Commission.

(c) The license will be effective as of the date of issuance thereof and shall expire on August 1, 1957, unless sooner terminated.

Dated at Washington, D. C., this 7th day of January 1957.

For the Atomic Energy Commission.

H. L. PRICE,
Director,

Division of Civilian Application.

[F. R. Doc. 57-199; Filed, Jan. 10, 1957;
8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 8445]

COMPANIA NACIONAL DE TURISMO
AEREO "CINTA LIMITADA"

NOTICE OF PREHEARING CONFERENCE

In the matter of the application of Compania Nacional de Turismo Aereo "Cinta Limitada" for an amendment of its foreign air carrier permit pursuant to section 402 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given that a prehearing conference in the above-entitled application is assigned to be held on January 16, 1957, at 10:00 a. m., e. s. t., in Room 2505, Temporary Building No. 5, Sixteenth Street and Constitution Ave-

nue NW., Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., January 7, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-225; Filed, Jan. 10, 1957;
8:50 a. m.]

[Docket No. 2564]

CHICAGO AND SOUTHERN AIR LINES, INC.;
REOPENED DELTA-C&S MAIL RATE CASE

NOTICE OF FURTHER CHANGE IN DATE OF
HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of Chicago and Southern Air Lines, Inc., over its Latin American route.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that the hearing in the above-entitled proceeding, originally scheduled for January 8, 1957, and now assigned to be held on January 23, 1957, is hereby re-assigned to be held on January 22, 1957, at 10:00 a. m., e. s. t., in room E-224, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Edward T. Stodola.

Notice is further given that any person not a party of record desiring to be heard in this proceeding must file with the Board on or before January 22, 1957, a statement setting forth the matters of fact or law that he desires to advance.

Dated at Washington, D. C., January 7, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-226; Filed, Jan. 10, 1957;
8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11899, F. C. C. 57-7]

TELEVISION DIABLO, INC. (KOVH)

MEMORANDUM OPINION AND ORDER DESIGNATING APPLICATION FOR HEARING

In re application of Television Diablo, Inc. (KOVH), Stockton, California, for construction permit to change transmitter site, etc.; File No. BPCT-2187.

1. The Commission has before it for consideration a "Protest and Petition for Reconsideration" filed on December 3, 1956, pursuant to sections 309 (c) and 405 of the Communications Act of 1934, as amended, by Capital City TV Corporation (Capital City), licensee of Television Broadcast Station KCCC-TV, Channel 40, Sacramento, California, and directed against the Commission's action of November 8, 1956, granting without hearing the above-captioned application of Television Diablo, Inc., permittee of Television Broadcast Station KOVR, Channel 13, Stockton, California (KOVH), for a construction permit to change transmit-

ter and antenna site and to make other changes. The petitioner also requests reconsideration of the Commission's actions of like date returning the application tendered by Capital City for Channel 13 at Stockton, and denying Capital City's petition for comparative consideration of such application with the above-captioned application and with the pending application (BLCT-459) of KOVR for license, and retenders its application for Channel 13. On December 18, 1956, KOVR filed an "opposition to Capital City's Protest and Petition for Reconsideration" and on December 26, 1956, Capital City filed a "Reply".

2. In the above-captioned application, KOVR requested authority to move its transmitter and antenna site a distance of approximately 72 miles, from Mount Diablo, 35 miles southwest of Stockton, to Butte Mountain, 40 miles northeast of Stockton, to reduce antenna height above average terrain from 3,240 feet to 1,180 feet, to increase effective radiated power from 100 kw visual to 316 kw visual, and to make other changes in the operating facilities of the station. This application was granted by the Commission after consideration of objections filed by the petitioner, Capital City, against the application, and upon a finding that the public interest, convenience and necessity would be served by the grant. The Commission also rejected Capital City's claim for comparative consideration of its application for Stockton and returned the tendered application.

3. Capital City claims to be a "party in interest" or a "person aggrieved" or whose interests are adversely affected within the meaning of sections 309 (c) and 405 of the act, respectively, to have standing to file its protest and petition for reconsideration on the grounds that it is the permittee of KCCC-TV, Sacramento, and is now affiliated with the American Broadcasting Company (ABC) television network; that grant of this subject application opens it to active local competition with a third VHF station, KOVR; that as a result of the grant it will lose its ABC network programs and related income to KOVR; and that without such programs and income it cannot long survive. Capital City alleges further that at present KOVR is a "negligible factor" in the Sacramento competitive picture, but by the instant proposal will become oriented to Sacramento and the Central Valley area; that KOVR's admitted intention is to become the ABC affiliate for the entire Central Valley area; that ABC has committed itself to enter into an affiliation agreement with KOVR when it is authorized to operate from Butte Mountain; that KCCC-TV will sustain substantial financial losses, even if ABC does not cancel its affiliation contract, to the extent that sponsors will select KOVR in preference to KCCC-TV; that loss of ABC programs will also result in the loss of income from other sources; and that UHF receiver circulation will decrease because of the loss of programming, with the result that sales by KCCC-TV will become difficult if not impossible. In addition to the fore-

going, Capital City also claims standing under section 405 of the act because of the denial of its application for Channel 13 without hearing.

4. Capital City alleges that the Commission's action granting the above-captioned application was in error (a) because the grant would result in the destruction of UHF service in the area, contrary to the public interest; (b) because the public interest would not be served by a vast reduction in the coverage of KOVR which would result from the proposed move; (c) because the entire history of KOVR, including its representations in connection with the instant application, is one of concealment, misrepresentation and lack of candor to an extent that it reflects adversely on its character and other qualifications to be a broadcast licensee; (d) because KOVR's past programming and its program proposals do not serve the needs of the Stockton area; and (e) because the grant was improperly made in the light of the pending application of Capital City. In support of each of the above-recited conclusions, Capital City has advanced numerous factual allegations.

5. In addition to the foregoing, Capital City also claims that the Commission erred as a matter of law in refusing to accord its application for Channel 13 at Stockton comparative consideration with both the above-captioned application and the pending license application of KOVR (BLCT-459) to cover its existing operation from Mt. Diablo. In support of this claim it has advanced a variety of arguments, but, in essence, its claim to comparative consideration rests on the contentions (1) that the modification proposal is so extensive as to amount to a new proposal, thus entitling Capital City's application to comparative consideration under the Ashbacker case;¹ (2) that the KOVR license application should be treated as a renewal application, because construction was completed at a time that would have allowed licensing of the facilities in 1954, and, under the Commission's Rules a renewal application would have been pending against which Capital City's application would be entitled to comparative consideration under the Communications Act; and in any event (3) that under the Communications Act, the Commission "has full discretion to grant or deny an application for a station license and to entertain competing applications therefor."

6. In the light of the foregoing allegations and contentions, Capital City requests that the Commission grant its Protest and Petition for Reconsideration; vacate, set aside or postpone the effective date of its grant of KOVR's application for construction permit; designate the application for hearing on the issues specified by Capital City and such other issues as the Commission may adopt; and make Capital City a party to such proceeding. In addition, Capital City requests that the Commission reconsider its action returning Capital City's appli-

¹ Ashbacker Radio Corporation v. FCC, 326 U. S. 327, 66 S. Ct. 148.

cation for Channel 13 at Stockton, accept said application for filing, and designate it for comparative hearing with both KOVR's above-captioned application and with its application for license to cover the current operation.

7. In its opposition, filed on December 18, 1956, KOVR takes the position that Capital City has no standing to protest the grant under section 309 (c) of the act, because of the knowledge of the pendency of the above-captioned application by Lincoln Deller, present owner of Capital City at the time he acquired control of the protestant corporation; because of the mere speculative nature of the allegations of injury resulting from the grant; and since the injury claimed by Capital City results from the Sixth Report which allocated the channel to Stockton, from the original grant which authorized KOVR to serve Sacramento with a signal of the same intensity as it now proposes, and from the August 1955 revision of § 3.658 (b)² of the Commission's rules. KOVR contends further that, assuming Capital City has standing under sections 309 (c) and 405 of the act, it is entitled at most to oral argument because its contentions can be disposed of on demurrer. KOVR argues that only "well pleaded fact" must be treated as true, requiring the disregard of inferences and conclusions drawn by the protestant. In this connection, KOVR alleges controverting facts with respect to six contentions made by the protestant. Contending that there is little likelihood of Capital City prevailing on the merits, because of the necessity of maintaining KOVR as an existing service, and because of the pressing public need for the prompt implementation of this grant, KOVR urges that its grant should not be suspended while oral argument or other hearing is being held.

8. In its above-referenced Reply, Capital City points out that neither protestant's ownership nor the provisions of § 3.658 (b) of the rules have anything to do with standing, and that the facts alleged are more than sufficient to show a likelihood of economic injury and make Capital City a "party in interest" under section 309 (c) of the act. Capital City contends, furthermore, that an evidentiary hearing is required, and that KOVR's attempt to controvert the facts

protestant has alleged only point up the necessity of taking evidence. Finally, Capital City argues that the grant should be stayed, that the exception in section 309 (c) relative to the maintenance of an existing service is inapplicable, and that public interest requires, rather, that operation of KOVR from its present site be continued.

9. In view of the fact that Capital City is licensee of Television Station KCCC-TV, Sacramento, and that it has alleged it will be in active local competition with KOVR for the first time, and will suffer economic injury as a result of the proposed operation of KOVR from Butte Mountain, we find Capital City to be a "party in interest" and "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. FCC v. Sanders Brothers Radio Station, 309 U. S. 470 (9 Pike and Fischer RR 2008). We find further that Capital City has standing to seek reconsideration under section 405 of the act of the Commission's action, refusing to accept for filing its application for Channel 13 at Stockton and to accord said application comparative consideration with the above-captioned application and with KOVR's license application.

10. A question is also presented as to whether we should stay the effective date of our grant of the above-captioned application. In this connection, section 309 (b) 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.

11. The applicant argues, in part, that the authorization involved is necessary to the maintenance or conduct of an existing service. In view of the fact that KOVR is an operating station serving Stockton and its surrounding area, and it is not alleged that a stay of the instant authorization will result in KOVR being unable to continue its operation from Mount Diablo, although it is suggested that its programming may be reduced somewhat, we cannot agree that the applicant's position in this respect is tenable. Therefore, unless the Commission affirmatively finds that the public interest requires that the grant remain in effect, the grant must be stayed. We thus turn to the need for a service proposed by KOVR from Butte Mountain. There are three VHF stations (including KOVR) and one UHF station already serving most or all of the Stockton-Sacramento area. In view of the number of services already available to the Stockton-Sacramento area, and without

attempting to determine the likelihood of the protestant prevailing on the merits, we cannot affirmatively find that the public interest requires that the grant remain in effect. Accordingly, the effective date of the Commission's action here in question will be postponed to the effective date of the Commission's decision in the hearing hereinafter ordered.

12. The Commission further finds that the protestant has specified with particularity, within the meaning of section 309 (c), the facts upon which it relies to warrant designation of the above-captioned application for hearing on appropriate issues to be specified by further order of the Commission. At that time the Commission will also act upon the Petition for Reconsideration filed by the protestant.

13. Accordingly, in view of the foregoing: *It is ordered*, That, effective immediately, the effective date of this grant is postponed pending final determination by the Commission with respect to the protest filed herein by Capital City TV Corporation, and That, pursuant to section 309 (c) of the Communications Act of 1934, as amended, the above-captioned application is designated for hearing at a time and place, upon appropriate issues, and pursuant to hearing procedures, to be specified by further order of the Commission.

Adopted: January 2, 1957.

Released: January 7, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-223; Filed, Jan. 10, 1957;
8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3540]

CITIES SERVICE CO.

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE REGARDING STOCK DIVIDEND

JANUARY 7, 1957.

Cities Service Company ("Cities"), a registered holding company, having filed a declaration pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act") in respect of the following proposed transactions:

Cities proposes to issue 202,206 shares of its authorized but unissued \$10 par value common stock, and to distribute such shares on or about January 24, 1957, to its stockholders of record as of December 6, 1956, as a 2 percent stock dividend, on the basis of one share of new stock for each fifty shares of its outstanding 10,110,347 shares of common stock. In lieu of fractional shares, it is proposed to issue order forms evidencing such fractional interests, and the fractional interests represented thereby may be combined with other fractional interests to enable the holder thereof to receive certificates for full shares, or may be sold as the owner may elect. The

²Section 3.658 (b) provides as follows: Territorial exclusivity. No license shall be granted to a television broadcast station having any contract, arrangement, or understanding, express or implied, with a network organization which prevents or hinders another broadcast station located in the same community from broadcasting the network's programs not taken by the former station, or which prevents or hinders another broadcast station located in a different community from broadcasting any program of the network organization. This regulation shall not be construed to prohibit any contract, arrangement, or understanding between a station and a network organization pursuant to which the station is granted the first call in its community upon the programs of the network organization. As employed in this paragraph, the term "community" is defined as the community specified in the instrument of authorization as the location of the station.

company has made arrangements with Guaranty Trust Company of New York, as Distribution Agent, to buy and sell such fractional interests for the account of the holders thereof, without cost to such holders. All shares held to cover fractional interests with respect to which Guaranty Trust Company does not receive completed order forms before the close of business on February 25, 1957, will be sold in due course for the account of the holders thereof, and the proceeds distributed pro rata. On February 28, 1963, all unclaimed and all undeliverable proceeds of such sales shall become the absolute property of Cities.

Cities proposes to assign a value of \$64 per share to each of the 202,206 shares of common stock to be issued as a stock dividend, or an aggregate of \$12,941,184. It also proposes to debit earned surplus in that amount, to credit its common stock capital account with the par value of such shares, \$10 per share, or an aggregate of \$2,022,060, and to credit its capital surplus account with the excess of the assigned value over the par value, \$54 per share, or an aggregate of \$10,919,124.

Notice of the filing having been duly given in the form and manner prescribed by Rule U-23 promulgated under the act (Holding Company Act Release No. 13344), and no hearing having been requested of or ordered by the Commission in respect of the declaration; and

It appearing that the estimated fees and expenses to be incurred consist of the following:

Guaranty Trust Co., for handling issuance of common stock as dividend, and for handling fractional interest order forms:	
Fee	\$125,000
Expenses	45,000
Original issue and transfer taxes	8,000
Listing fees	2,000
Printing and postage	20,000
Miscellaneous	1,000
Total	201,000

and that such fees and expenses are not unreasonable, if they do not exceed the estimates; and

The Commission observing no basis for adverse findings or for the imposition of terms and conditions in respect of the proposed transactions, and finding that the applicable provisions of the Act and the Rules and Regulations thereunder are satisfied, and deeming it appropriate in the public interest and the interest of investors that the declaration be permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the declaration be, and it is hereby, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 57-213; Filed, Jan. 10, 1957;
8:48 a. m.]

[File No. 812-1055]

AMERICAN RESEARCH AND DEVELOPMENT
CORP. AND TRACERLAB, INC.

NOTICE OF APPLICATION FOR ORDER EXEMPT-
ING TRANSACTIONS BETWEEN AFFILIATES

JANUARY 7, 1957.

Notice is hereby given that American Research and Development Corporation ("American Research"), a registered closed-end, non-diversified management investment company, and Tracerlab, Incorporated ("Tracerlab"), a manufacturing company, have filed an application and an amendment thereto, pursuant to section 17 (b) of the Investment Company Act of 1940 ("act"), requesting an order exempting from the provisions of section 17 (a) of the act certain transactions between American Research and Tracerlab described below.

Tracerlab was organized in 1946 under the laws of Massachusetts and operates laboratories and manufacturing facilities in Boston, Massachusetts, Richmond, California and Houston, Texas. Its business at the present time consists of the manufacture of scientific and industrial instruments and equipment for the utilization, detection and measurement of radioactivity and, for itself and others, carries on a wide range of research and service activities in the field of nuclear physics and chemistry. Its 99 percent owned subsidiary, Keleket X-ray Corporation ("Keleket") manufactures and distributes X-ray apparatus and equipment and distributes X-ray film, tubes, supplies and accessories.

Tracerlab has outstanding \$1,500,000 principal amount of 5 Percent Debentures due November 1, 1970, initially convertible into Common Stock at \$14.75 per share and 456,553 shares of Common Stock, \$1 par value, of which American Research holds 60,005 shares or 13.1 percent of the total outstanding voting securities of Tracerlab. At November 8, 1956, Tracerlab also owed \$991,676 to The First National Bank of Boston on notes now due on demand.

Tracerlab acquired a controlling interest in Keleket in 1951 because of the close interrelation of the applications and problems of radiation, whether produced from radioisotopes or from X-ray technology. Despite profitable operations of Keleket in 1951, 1952 and 1953, substantial losses have been incurred in the period since 1954, which losses have offset the profitable operations of Tracerlab's nucleonics business during the period. In an effort to improve this situation, a program of reorganizing the operations of Keleket and integrating its manufacturing operations with those of Tracerlab was begun in 1955. The business of Keleket and Tracerlab will be consolidated in a new plant now being constructed in Waltham, Massachusetts, for lease to Tracerlab. This program has resulted in long delays in manufacturing and shipment of X-ray equipment. Many replacements of engineering and other personnel have been necessary, resulting in further delays of deliveries and added costs.

The present operating difficulties have been further complicated by the fact that

Tracerlab's indebtedness to The First National Bank of Boston is on a demand basis and Tracerlab is unable to pledge its receivables to secure such indebtedness because of the restrictions contained in the Trust Indenture under which its outstanding debentures were issued.

Tracerlab has consulted with an underwriter to obtain advice with respect to the raising of additional equity capital. In view of the need to obtain additional capital funds promptly, conventional financing methods are not considered appropriate by the underwriter, which has also advised Tracerlab that it could not place privately \$400,000 or more of common stock at a satisfactory price to Tracerlab.

Prior to the filing of the instant application Tracerlab was advised informally that upon condition that Tracerlab (i) obtains \$480,000 of additional equity capital through sale of its Common Stock, (ii) obtains a one year line of credit for \$1,000,000 from The First National Bank of Boston and (iii) agrees to grant to Massachusetts Business Development Corporation ("MBDC") options to purchase 2,000 shares of its Common Stock at a price of \$5.50 per share, MBDC will purchase a \$400,000 second mortgage note of Tracerlab Development Corporation ("TDC") from Tracerlab, or in the alternative, will lend an equivalent sum to TDC for that corporation to repay its second mortgage note to Tracerlab.

In order to obtain the \$480,000 of equity capital required as part of the financing program outlined above, Tracerlab has negotiated with several existing security holders and others including American Research and proposes to offer and sell to American Research and to five or six other persons not more than 87,273 shares of its Common Stock at a price of \$5.50 per share, of which American Research has agreed to purchase not more than 43,673 shares.

On December 3, 1956, The First National Bank of Boston advanced an additional \$200,000 to Tracerlab on a demand basis in contemplation of the proposed financing.

Letter agreements have been entered into between Tracerlab and each of the parties relative to the above mentioned financing program and copies thereof have been or will be furnished by amendment to the application.

The parties consider the raising of equity capital in the manner proposed to be the only way in which Tracerlab can be assured of raising the necessary working capital as promptly as the circumstances require.

American Research, on the other hand, preserves the value of its investment and increases its ownership of the Common Stock to 103,642 or approximately 19 percent of the total to be outstanding after the sales are consummated.

Generally speaking, section 17 (a) of the act prohibits an affiliated person of a registered investment company from purchasing from, or selling to, such registered investment company, any security, with certain exceptions, unless the Commission upon application pursuant to section 17 (b) of the act, grants an ex-

emption from section 17 (a) of the act after finding that the terms of the proposed transactions, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transactions are consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the act, and consistent with the general purposes of the act.

Since American Research owns more than 5 percent of the Common Stock of Tracerlab, these companies are affiliated persons of each other as defined in section 2 (a) (3) of the act, hence, the transactions between them pursuant to the proposed agreements are prohibited under section 17 (a) of the act unless the Commission grants the application herein, and issues an order of exemption pursuant to section 17 (b) of the act.

Notice is further given that any interested person may, not later than January 18, 1957, at 1:00 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-214; Filed, Jan. 10, 1957;
8:48 a. m.]

[File No. 812-1057-1]

**BOSTON FUND, INC. AND BOND FUND OF
BOSTON, INC.**

**NOTICE OF APPLICATION FOR ORDER EXTENDING
THIRTY-DAY PERIOD TO FILL VACANCY
ON BOARD OF DIRECTORS**

JANUARY 7, 1957.

Notice is hereby given that Boston Fund, Inc. ("Boston Fund") and The Bond Fund of Boston, Inc. ("Bond Fund"), registered open-end diversified investment companies, have filed an application pursuant to section 10 (e) of the Investment Company Act of 1940 ("act") for an order of the Commission extending until February 15, 1957, the period during which a vacancy on the board of directors may be filled in order to bring the membership of the board into compliance with the provisions of sections 10 (a) and 10 (b) (2) of the act.

Powell M. Cabot, a director of both Boston Fund and Bond Fund, died on December 15, 1956. Cabot's death has

reduced the board of directors of Boston Fund to eight members of whom five are partners, and therefore affiliated persons, of Boston Management and Research Company, the investment adviser of Boston Fund. Cabot's death also has reduced the Board of Directors of Bond Fund to six members, of whom four are partners or employees, and therefore affiliated persons, of Boston Management and Research Company, the investment adviser of Bond Fund, and of whom three are partners, and therefore affiliated persons, of Vance, Sanders and Co., the principal underwriter of Bond Fund.

Section 10 (a) of the act provides that no registered company shall have a Board of Directors more than 60 percent of the members of which are affiliated persons of the registered company's investment adviser. Boston Fund and Bond Fund, therefore, by reason of Cabot's death, do not comply with these requirements of section 10 (a). Section 10 (b) (2) of the act provides that no registered company shall use as a principal underwriter any person of which a director of such registered company is an affiliated person, unless a majority of the board of directors of such registered company are persons who are not affiliated persons of such principal underwriters. Bond Fund does not now comply with these provisions of section 10 (b) (2).

Section 10 (e) of the act provides, among other things, that if by reason of the death of a director, the requirements of the provisions of sections 10 (a) and (b) in respect of directors are not met by a registered company, the operation of such provisions are suspended as to that company for a thirty-day period, and for such longer period as the Commission may prescribe by order upon application as not inconsistent with the protection of investors.

The application states that Boston Fund plans to hold its next regular meeting of directors on January 30, 1957, and Bond Fund would normally hold its next meeting of directors early in March. The application further states that because of delays incident to the holiday season, and in view of the time required for preliminary discussions, it appears to the management of both Funds that it will not be conveniently possible for the boards of directors of the two Funds to take action to fill the vacancies created by Cabot's death within the thirty-day period prescribed by section 10 (e) of the act. The application also states that in view of the fact that the Funds' boards of directors are not expected to meet until they take action on these vacancies, it appears to be not inconsistent with the protection of investors that the requested application be granted and the thirty-day period provided for in section 10 (e) of the act be extended until February 15, 1957.

Notice is further given that any interested person may, not later than January 18, 1957, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for

such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-215; Filed, Jan. 10, 1957;
8:48 a. m.]

[File No. 7-1840]

REVLON, INC.

**NOTICE OF APPLICATION FOR UNLISTED
TRADING PRIVILEGES, AND OF OPPORTUNITY
FOR HEARING**

JANUARY 7, 1957.

In the matter of application by the Boston Stock Exchange for unlisted trading privileges in Revlon, Inc., Common Stock. File No. 7-1840.

The above named stock exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before January 23, 1957, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-216; Filed, Jan. 10, 1957;
8:48 a. m.]

[File No. 70-3539]

LOUISIANA POWER & LIGHT CO.

**ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE REGARDING PROPOSAL TO ISSUE
AND SELL FIRST MORTGAGE BONDS**

Louisiana Power & Light Company ("Louisiana"), a public utility subsidiary of Middle South Utilities, Inc., a registered holding company, having filed with this Commission a declaration, pursuant to sections 6 (a) and 7 of the Public

Utility Holding Company Act of 1935 ("act"), and Rule U-50 promulgated thereunder, regarding the following proposed transactions:

Louisiana proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50 promulgated under the act, \$20,000,000 principal amount of its First Mortgage Bonds, -- percent series due January 1, 1987. The interest rate (which shall be a multiple of $\frac{1}{8}$ of 1 percent, and the price, exclusive of accrued interest, to be paid to Louisiana for the bonds (which shall be not less than 100 percent nor more than 102 $\frac{1}{2}$ percent of the principal amount) will be determined by competitive bidding. The bonds will be issued under and secured by the company's outstanding Mortgage and Deed of Trust, dated April 1, 1944, as heretofore supplemented, and as to be further supplemented by a Fifth Supplemental Indenture to be dated January 1, 1957.

The proceeds received from the proposed sale of bonds will be used to pay the costs of needed additional facilities and extensions, for the payment of outstanding bank loans in the amount of \$7,280,000, and for other corporate purposes.

The declaration states that no state regulatory body or agency, and no Federal Commission or agency, other than this Commission, has jurisdiction over the proposed issue and sale of bonds.

The fees and expenses to be incurred in connection with the proposed transactions are estimated as follows:

Federal stamp tax.....	\$22,000
Filing fee, Securities and Exchange Commission.....	2,055
Fees of trustee.....	11,000
Auditors' fees (Haskins & Sells).....	2,500
Printing, including Form S-9, prospectus, supplemental indenture, etc.....	15,000
Printing and engraving securities.....	4,500
Charges of Ebasco Services Inc.....	6,000
Fees of Company's counsel:	
Reid & Priest, New York, N. Y.	10,000
Monroe & Lemann, New Orleans, La.....	10,000
Miscellaneous expenses.....	6,945
Total.....	90,000

The legal fee of the firm of Winthrop, Stimson, Putnam & Roberts, New York, N. Y., who have been designated to act as counsel for the underwriters, will be \$6,500 and is to be paid by the successful bidder or bidders.

Notice of the filing of the declaration having been duly given in the manner prescribed by Rule U-23 (Holding Company Act Release No. 13340), and no hearing having been requested of or ordered by the Commission; and

It appearing that the estimated fees and expenses to be incurred and paid in connection with the proposed transactions are not unreasonable if they do not exceed the estimates; and the Commission observing no basis for adverse findings, or the imposition of terms and conditions, and finding with respect to the proposed transactions that the applicable provisions of the act and the rules promulgated thereunder are satisfied, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit the

declaration to become effective forthwith:

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

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-217; Filed, Jan. 10, 1957;
8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

LUISE RISSMANN

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

Luise Rissmann, Viktoriastrasse 28, Hamm, Westphalia, Germany; Claim No. 59564, Vesting Order No. 17063; all right, title, interest and claim of any kind of Luise Rissmann in and to the Estate of Rudolph Strauss, deceased, vested by Vesting Order No. 17063.

Executed at Washington, D. C., on January 3, 1957.

For the Attorney General.

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

[F. R. Doc. 57-219; Filed, Jan. 10, 1957;
8:48 a. m.]

PROSPER WESSEL

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

Prosper Wessel, Aurich, Sandhorstkasserne 14a, 78, Germany; Claim No. 37590, Vesting Order No. 4933; \$3,562.27 in the Treasury of the United States.

Executed at Washington, D. C., on January 3, 1957.

For the Attorney General.

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

[F. R. Doc. 57-220; Filed, Jan. 10, 1957;
8:48 a. m.]

[Dissolution Order Number 116]

AMERICAN VOITH CONTACT CO., INC.

Whereas by virtue of the issuance of Vesting Orders Nos. 114 and 3185 and other actions taken under the Trading with the Enemy Act, as amended, the Attorney General of the United States (hereinafter referred to as "Attorney General") is the owner of 1,994 of the 2,000 issued and outstanding shares of common capital stock of American Voith Contact Company, Inc. (hereinafter sometimes referred to as "American Voith"), a New York corporation; and

Whereas a certificate of dissolution was issued by the Secretary of State of New York on July 16, 1954, certifying to the dissolution of American Voith;

Now, therefore, under the authority of the Trading with the Enemy Act, as amended, and Executive Order 9095, as amended, and 9788, pursuant to law, the undersigned, after investigation:

1. Finding that the known assets of American Voith consist of:

- (a) Cash in the amount of \$62,570.89;
- (b) Rights and interests in certain United States Letters Patent and applications for United States Letters Patent, and rights and interests in certain Canadian Letters Patent and applications for Canadian Letters Patent;

2. Finding that the known liabilities of American Voith amount to \$66,241.32:

- (a) Due to the Attorney General for services rendered the company prior to date of dissolution, July 17, 1954..... \$9,175.02
- (b) Due to Attorney General, account payable vested by Vesting Order No. 3185..... 16,000.00
- (c) Due to Attorney General, account payable vested by Vesting Order No. 4231..... 18,636.45
- (d) Balance due to Attorney General on account of sums collected from S. Morgan Smith Co., Vesting Order No. 146..... 10,000.00
- (e) Due to the estate of Frederik Grewin..... 12,118.24
- (f) Due to Dow & Symmers, 70 Pine St., New York City..... 311.61

Total Liabilities..... 66,241.32

3. Having determined that it is in the national interest that the affairs of American Voith be wound up and that its remaining assets be assigned to the Attorney General and that any proceeds derived from the administration or liquidation of the assets be applied as herein-after specified,

Hereby orders, That the directors and officers of American Voith wind up the affairs of American Voith and distribute the assets of the company coming into their possession as follows:

I. They shall first pay all current expenses and necessary charges in effecting the dissolution of the company and winding up its affairs;

II. They shall then pay all known federal, state and local taxes, if any, now owed by or accrued against the company;

III. They shall then pay from the funds remaining the liabilities of the company listed in Paragraph 2 above, the said payments to be made on a pro rata basis to the extent of the available funds.

IV. They shall then transfer, assign and deliver to the Attorney General any and all remaining assets and property of American Voith, including after-discovered assets or property; and

Further orders, That any funds derived from the sale, licensing and/or other disposition of the assigned assets or property shall be applied, first, to pro rata payments of balances then remaining unpaid on the liabilities listed in Paragraph 2 above, and second as a liquidating distribution of assets to stockholders; and

Further orders, That nothing herein set forth shall be construed as prejudicing the rights, under the Trading with the Enemy Act, as amended, of any person who may have a claim against American Voith to file such claim with the Attorney General against any funds or property received by the Attorney General hereunder; *Provided, however*, That nothing herein contained shall be construed as creating additional rights in such person; *Provided, further*, That any such claim against American Voith shall be filed with or presented to the Attorney General within the time and in the form and manner prescribed for such claims by the Trading with the Enemy Act, as amended, and applicable regulations and orders issued pursuant thereto; and

Further orders, That all actions taken and acts done by the said officers and directors of American Voith pursuant to this Order and the directions contained herein shall be deemed to have been taken and done in reliance on and pursuant to Paragraph numbered (2) of Subdivision (b) of section 5 of the Trading with the Enemy Act, as amended, (50 U. S. C. App. 5 (b) (2)) and the

acquittance and exculpation provided therein.

Executed at Washington, D. C., on December 31, 1956.

For the Attorney General.

[SEAL]

PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 57-221; Filed, Jan. 10, 1957;
8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 8, 1957.

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. 33136: *Petroleum oil from Oak Point, La., to Bradford, Pa.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on petroleum oil, noibn, tank-car loads from Oak Point, La., to Bradford, Pa.

Grounds for relief: Market competition and circuitous routes.

Tariff: Supplement 88 to Agent Kratzmeir's tariff I. C. C. 4150.

FSA No. 33137: *Barytes—Arkansas and Missouri to Louisiana.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on ground barytes from specified points in Arkansas and Missouri to specified points in Louisiana.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 64 to Agent Kratzmeir's tariff I. C. C. 4092.

FSA No. 33138: *Benzol—Shreveport, La., to Texas City, Tex.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on benzol (benzine), tank-car loads from Shreveport, La., to Texas City, Tex.

Grounds for relief: Circuitous route.

Tariff: Supplement 68 to Agent Kratzmeir's tariff I. C. C. 4102.

FSA No. 33139: *Frozen citrus fruit concentrates from Florida.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on frozen citrus fruit concentrates or pineapple juice concentrates, and related articles, carloads from Florida points to points in southern, official (including Illinois), and western trunk-line territories.

Grounds for relief: Short-line distance formula, grouping, operation through higher rated territories, truck competition and circuitous routes.

Tariff: Agent C. A. Spaninger's tariff I. C. C. 1578.

FSA No. 33140: *Roofing and paving materials—New Orleans, La., to Texas points.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on roofing and paving materials, carloads from New Orleans, La., to Big Sandy, Dallas, Fort Worth, and Longview, Tex.

Grounds for relief: Circuitous routes.

Tariff: Supplement 84 to Agent Kratzmeir's tariff I. C. C. 4161.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 57-212; Filed, Jan. 10, 1957;
8:48 a. m.]



