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TITLE 3—THE PRESIDENT

PROCLAMATION 3179

NATIONAL MENTAL HEALTH WEEK

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS mental illness is a major health concern of the Nation, and the care of the mentally ill presents grave problems; and

WHEREAS preventive and control programs can do much to alleviate mental and emotional disorders through early detection, diagnosis, and treatment; and

WHEREAS the United States Department of Health, Education, and Welfare conducts or supports broad programs of mental-health research, training, and community services, including the dissemination of newly gained knowledge and its application; and

WHEREAS State and local governments are developing extensive mental-health activities, including research and training programs; and

WHEREAS mental-health societies and voluntary and professional organizations throughout the country are working to increase public knowledge about mental illness and the best means of combating it; and

WHEREAS the work of these organizations, and the mental-health funds which they are raising through public subscription, deserve the generous support of us all; and

WHEREAS Senate Joint Resolution 70 of the 85th Congress, 1st Session, approved April 20, 1957, requests the President of the United States to issue a proclamation designating the week beginning April 28 and ending May 4, 1957, as National Mental Health Week:

NOW, THEREFORE, I, DWIGHT D. EISENHOWER, President of the United States of America, do hereby designate the week beginning Sunday, April 28, 1957, as National Mental Health Week. I urge the people throughout the Nation to cooperate in the fight for the prevention, treatment, and cure of mental illness; and I invite the communities of the United States to observe National Mental

Health Week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this 20th day of April in the year of our Lord nineteen hundred and fifty-
[SEAL] seven, and of the Independence of the United States of America the one hundred and eighty-first.

DWIGHT D. EISENHOWER

By the President:

JOHN FOSTER DULLES,
The Secretary of State.

[F. R. Doc. 57-3425; Filed, Apr. 24, 1957; 11:47 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 244]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

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

Part 609 is amended as follows:

Note: Where the general classification (LFR, VAR, ADF, ILS, RADAR, or VOR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

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CFR SUPPLEMENTS

(As of January 1, 1957)

The following Supplement is now available:

Title 16 (\$1.50)

Previously announced: Title 3, 1956 Supp. (\$0.40); Titles 4 and 5 (\$1.00); Title 7, Parts 1-209 (\$1.75), Parts 900-959 (\$0.50), Part 960 to end (\$1.25); Title 8 (\$0.55); Title 9 (\$0.70); Titles 10-13 (\$1.00); Title 17 (\$0.60); Title 18 (\$0.50); Title 20 (\$1.00); Title 21 (\$0.50); Titles 22 and 23 (\$1.00); Title 24 (\$1.00); Title 26, Parts 1-79 (\$0.35), Parts 80-169 (\$0.50), Parts 170-182 (\$0.35), Parts 183-299 (\$0.30), Part 300 to end, Ch. I, and Title 27 (\$1.00); Title 32, Parts 700-799 (\$0.50), Part 1100 to end (\$0.50); Title 39 (\$0.50); Title 49, Parts 1-70 (\$0.65), Parts 91-164 (\$0.60), Part 165 to end (\$0.70)

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

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

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Long Beach Int (Final)	JEM-LFR	Direct	800	T-dn	300-1	300-1	200-1½
Radar terminal area transitions all directions.	HEM-LFR	Within 25 mi of IDL	3000	C-dn	500-1	600-1	600-1½
Radar terminal area transitions E of NE-SW crs Laguardia LFR.	HEM-LFR	Within 15 mi of IDL	1500	A-dn	800-2	800-2	800-2

Radar transition utilizing Idlewild surveillance radar.
 Procedure turn E side SW crs, 220 Outbnd, 040 Inbnd, 1500' within 10 mi.
 Minimum Altitude over facility on final approach crs, 800'.
 Crs and distance, facility to airport, 046-3.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3 mi, make a right climbing turn to 1500' (or higher altitude when directed by ATC) and return to Mitchel LFR.
 City, Bethpage; State, N Y; Airport Name, Grumman Airport; Elev 119'; Fac Class, SMBRAZ; Ident, HEM; Procedure No. 1, Amdt 2; Eff Date, 11 May 57; Sup Amdt No. 1; Dated, 1 Jul 54

PROCEDURE TO BE CANCELLED CONCURRENT WITH THE DECOMMISSIONING OF THE IDLEWILD LFR, APPROX 11 MAY 57.

City, New York; State, N Y; Airport Name, International; Elev, 12'; Fac Class, SMRA; Ident, IDL; Procedure No. 1, Amdt 8; Eff Date, 23 Feb 57; Sup Amdt No. 7; Dated 8 Dec 56

2. The automatic direction finding procedures prescribed in § 609.8 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELLED, EFFECTIVE 11 APR 57. UNION MHW DECOMMISSIONED.

City, Pittsburgh; State, Pa; Airport Name, Greater Pittsburgh; Elev, 1168'; Fac Class, MHW; Ident, UNE; Procedure No. 3, Orig; Eff Date, 11 Jun 1955

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.9 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

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

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Lansing LFR	LAN-VOR	Direct	2200	T-dn	300-1	300-1	*200-1½
				C-dn	400-1	500-1	500-1½
				S-dn-6	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

*300-1 required on SE-NW Runway.
 Procedure turn S side of crs, 234 Outbnd, 054 Inbnd, 2100' within 10 miles.
 Minimum Altitude over facility on final approach crs, 1500'.
 Crs and distance, facility to airport, 054-5.4.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles, climb to 2000' on R-054 within 20 miles, or when directed by ATC: (1) make right turn, climbing to 2900', proceed to LAN LFR.
 City, Lansing; State, Mich; Airport Name, Capital City; Elev, 858'; Fac Class, BVOR; Ident, LAN; Procedure No. 1, Amdt 5; Eff Date, 5 May 57; Sup Amdt No. 4, Dated 4 May 57

Springfield LFR	SPI-VOR	Direct	2000	T-dn	300-1	300-1	200-1½
				C-dn	400-1	500-1	500-1½
				S-dn-22	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 036 Outbnd, 216 Inbnd, 1900 within 10 miles.
 Minimum Altitude over facility on final approach crs, 1400'.
 Crs and distance, facility to airport, 216-3.2.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.2 miles, make right turn, climb to 2000' to Petersburg Int (Int R-286 SPI & NW crs SPI LFR) via the NW crs SPI LFR, or if directed by ATC: (1) Climb to 2000' and proceed to the ILS LOM.
 City, Springfield; State, Ill; Airport Name, Capital; Elev, 595'; Fac Class, BVOR; Ident, SPI; Procedure No. 1, Amdt 4; Eff Date, 11 May 57; Sup Amdt No. 3; Dated 21 Jan 56

4. The terminal very high frequency omni-range (TVOR) procedures prescribed in § 609.9 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
LaGuardia LFR	IDL-VOR	Direct	1500	T-dn	300-1	300-1	200-1/2
New Rochelle MHW	IDL-VOR	Direct	1500	C-dn	600-1	600-1	600-1 1/2
Glen Cove MHW	IDL-VOR	Direct	1500	S-dn-1	600-1	600-1	600-1
Mitchel LFR	IDL-VOR	Direct	1500	A-dn	800-2	800-2	800-2
Paterson MHW	IDL-VOR	Direct	2500				

Terminal Area Radar Transition Altitudes: all directions 2500' within 25 miles, E of the NE-SW crs of the LaGuardia LFR, 1500' within 15 miles.

Procedure turn E side of crs, 185 Outbnd, 065 Inbnd, 1300 within 10 miles of Edgemere Int.

Minimum Altitude over facility on final approach crs, 1300 over Edgemere Int. 600 over VOR Crs and distance, breakoff point to app end rwy 1, 013-1.1.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, make a right climbing turn to 1500' on 130° intersecting the SW crs Mitchel LFR and proceed to the Long Beach Int. Contact Idlewild Approach Control for further instructions.

City, New York; State, N Y; Airport Name, International; Elev, 12'; Fac Class, VOR; Ident, IDL; Procedure No. TerVOR-1, Amdt 4; Eff Date, 11 May 57; Sup Amdt No. 3; Dated 23 Feb 57

LaGuardia LFR	IDL-VOR	Direct	1500	T-dn	300-1	300-1	200-1/2
New Rochelle MHW	IDL-VOR	Direct	1500	C-dn	600-1	600-1	600-1 1/2
Glen Cove MHW	IDL-VOR	Direct	1500	S-dn-4	600-1	600-1	600-1
Mitchel LFR	IDL-VOR	Direct	1500	A-dn	800-2	800-2	800-2
Paterson MHW	IDL-VOR	Direct	2500				
Scotland MHW	IDL-VOR	Direct	1500				

Terminal Area Radar Transition Altitudes: all directions 2500' within 25 miles, E of the NE-SW crs of the LaGuardia LFR, 1500' within 15 miles.

Procedure turn E side of crs, 240 Outbnd, 060 Inbnd, 1300 within 10 miles.

Minimum Altitude over facility on final approach crs, 600.

Crs and distance, breakoff point to app end rwy 4, 043-0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, make a right climbing turn to 1500' on 130° intersecting the SW crs Mitchel LFR and proceed to the Long Beach Int. Contact Idlewild Approach Control for further instructions.

CAUTION: Straight-in landing minimums do not provide standard clearance over 278' stack 1.7 mi SSE of airport.

City, New York; State, N Y; Airport Name, International; Elev, 12'; Fac Class, VOR; Ident, IDL; Procedure No. TerVOR-4, Amdt 4; Eff Date 11 May 57; Sup Amdt No. 3; Dated 23 Feb 57

LaGuardia LFR	IDL-VOR	Direct	1500	T-dn	300-1	300-1	200-1/2
OM #2 IDL ILS	IDL-VOR (Final)	Direct	1000	C-dn	500-1	500-1	500-1 1/2
Glen Cove MHW	IDL-VOR	Direct	1500	S-dn-22	400-1	400-1	400-1
Mitchel LFR	IDL-VOR	Direct	1500	A-dn	800-2	800-2	800-2
Scotland MHW	IDL-VOR	Direct	1500				

Terminal Area Radar Transition Altitudes: all directions 2500' within 25 miles, E of the NE-SW crs of the LaGuardia LFR, 1500' within 15 miles.

Procedure turn #E side of crs, 034 Outbnd, 214 Inbnd, 1500 within 10 miles.

#Procedure turn conducted E to avoid LaGuardia Traffic.

Minimum Altitude over facility on final approach crs, 1000' over ILS OM #2, 400' over VOR. Crs and distance, breakoff point to app end rwy 22, 223-0.4.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, climb to 1500' on R-223 and proceed to Scotland Int. Contact Idlewild Approach Control.

CAUTION: Circling minimums do not provide standard clearance over airport control tower and 278' stack 1.7 mi SSE of airport. Straight-in landing minimums do not provide standard clearance over 290' tank 4 1/2 mi NE of the airport.

City, New York; State, N Y; Airport Name, International; Elev, 12'; Fac Class, VOR; Ident, IDL; Procedure No. TerVOR-22, Amdt 4; Eff Date 11 May 57; Sup Amdt No. 3; Dated 30 Mar 57

PROCEDURE CANCELLED, EFFECTIVE 11 APR 57. NO ADEQUATE FINAL APPROACH FIX.

City, New York; State, NY; Airport Name, International; Elev, 12'; Fac Class, VOR; Ident, IDL; Procedure No. TerVOR-25L, Amdt 3; Eff Date 30 Mar 57; Sup Amdt No. 2; Dated 8 Dec 56

N Philadelphia LFR	TTN-VOR	Direct	1500	T-dn	300-1	300-1	200-1/2
Bellemead Int.	TTN-VOR	Direct	1500	C-dn	600-1	600-1	600-1 1/2
Colts Neck VOR	TTN-VOR	Direct	1500	A-dn	800-2	800-2	800-2
Int R-230 TTN & NW crs McQuire LFR	TTN-VOR (Final)	Direct	800				

Procedure turn E side of crs, 231 Outbnd, 051 Inbnd, 1400 within 10 miles.

Minimum Altitude over facility on final approach crs, 800.

Crs and distance, breakoff point to app end rwy 6, 056-0.3.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, climb straight ahead to 1000', make a left climbing turn, return to N Philadelphia LFR at 1500'.

Note: Facility owned and operated by Mercer County.

City, Trenton; State, N J; Airport Name, Mercer County; Elev, 213'; Fac Class, VOR; Ident, TTN; Procedure No. TerVOR-6, Amdt 1; Eff Date, 11 May 57; Sup Amdt No. Orig; Dated, 17 Dec 55

N Philadelphia LFR	TTN-VOR	Direct	1500	T-dn	300-1	300-1	200-1/2
Bellemead Int.	TTN-VOR	Direct	1500	C-dn	700-1	700-1	700-1 1/2
Colts Neck VOR	TTN-VOR	Direct	1500	A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 342 Outbnd, 162 Inbnd, 1500 within 10 miles.

Minimum Altitude over facility on final approach crs, 900.

Crs and distance, breakoff point to app end rwy 16, 156-0.3.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, climb straight ahead to 1000', make a right climbing turn and proceed to N Philadelphia LFR at 1500'.

Note: Facility owned and operated by Mercer County.

City, Trenton; State, N J; Airport Name, Mercer County; Elev 213'; Fac Class, VOR; Ident, TTN; Procedure No. TerVOR-16, Amdt 1; Eff Date, 11 May 57; Sup Amdt No. Orig; Dated, 17 Dec 55

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

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Scotland MHW	OM (Final)	Direct	1000	T-dn	300-1	300-1	200-1½
Colts Neck VOR via R-063	ILS SW crs	Direct	1400	C-dn	400-1	500-1	500-1½
Radar terminal area transitions:				S-dn-4	200-½	200-½	200-½
All directions		Within 25 mi	2500	A-dn	600-2	600-2	600-2
E of NE-SW crs of LGA-LFR		Within 15 mi	1500				

Procedure turn S side SW crs ILS, 223 Outbnd, 043 Inbnd, 1200' within 10 mi of OM.

Minimum altitude at glide slope int inbnd, 1000'.

Altitude of glide slope & distance to approach end of rny at OM—770—2.4; at MM—230—0.5.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 500' on NE crs ILS, make a climbing right turn to 1500' on 130°, intersecting SW crs Mitchell LFR and proceed to the Long Beach Int. Contact Idlewild approach control for further instructions.

CAUTION: Circling landing minimums do not provide std crlc over arpt cont twr and stack 278' 1.7 mi SSE rny 1R.

City, New York; State, N Y; Airport Name, International; Elev, 12'; Fac Class, ILS IDL, OM-(LFR) IDL (Cont Dashes); Procedure No. 1, Amdt 12; Eff Date, 11 Apr 57; Sup Amdt No. 11; Dated, 23 Feb 57

Glen Cove MHW	OM (Final)	Direct	1500	T-dn	300-1	300-1	200-½
Mitchel LFR	OM	Direct	1500	C-dn	400-1	500-1	500-1½
Idlewild VOR	OM	Direct	1500	S-dn-22*	200-½	200-½	200-½
Radar terminal area transition altitudes:				A-dn	600-2	600-2	600-2
All directions		Within 25 mi	2500				
E of NE/SW crs LaGuardia LFR		Within 15 mi	1500				

*400-¾ required with glide slope inoperative.

CAUTION: Circling minimums do not provide standard clearance over the following obstructions: 278' stack 1.7 mi SE rny 4, 185' cont twr on arpt.

Procedure turn E side NE crs, 043 outbnd, 223 inbnd, 1500' within 10 mi of OM (non-std to avoid LaGuardia traffic).

Minimum altitude at glide slope int inbnd, 1500'.

Altitude of glide slope & distance to approach end of runway at OM—1500—4.8; at MM 240'—0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 1500' on SW crs ILS and proceed to Scotland MHW. Contact IDL approach control for further instructions.

City, New York; State, N. Y.; Airport Name, International; Elev 12'; Fac Class, ILS; Ident, IWY; Procedure No. 2, Amdt 2; Eff Date, 11 May 57; Sup Amdt No. 1; Dated 2 Mar 57

SPI-LFR	LOM	Direct	2000	T-dn	300-1	300-1	200-½
SPI-VOR	LOM	Direct	2000	C-dn	400-1	500-1	500-1½
Int R-209 SPI, and/or SW crs SPI LFR and R-312 VLA (via crs 015).	SW crs ILS (final)	Direct	2000	S-dn-4	300-¾	300-¾	300-¾
				ADF	400-1	400-1	400-1
				A-dn:			
				*ILS	600-2	600-2	600-2
				ADF	800-2	800-2	800-2

*All installed components of the ILS must be operating, otherwise, alternate minimums of 800-2 apply.

Procedure turn S side of crs, 218 Outbound, 038 Inbound, 2000 within 10 miles.

Minimum Altitude at G. S. int inbnd, 2000' ILS; minimum altitude over LOM inbnd, final, 1500' ADF.

Altitude of G. S. and distance to appr end of rny at OM 2077—5.1, at MM 797—0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles (ADF), make left turn, climb to 2000' to Petersburg Int (Int R-285 SPI & NW crs SPI LFR) via R-285 SPI, or if directed by ATC: (1) Climb to 2000' and proceed to SPI VOR.

Note: No approach lights.

City, Springfield; State, Ill; Airport Name, Capital; Elev, 593'; Fac Class, ILS-SPI; Ident, LOM-SP; Procedure No. 1, Amdt 2, Comb ILS-ADF; Eff Date, 11 May 57; Sup Amdt No. 1; Dated, 25 Jul 56

These procedures shall become effective on the dates indicated on the procedures.

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

[SEAL]

JAMES T. PYLE,
Administrator of Civil Aeronautics.

APRIL 9, 1957.

[F. R. Doc. 57-3008; Filed, Apr. 24, 1957; 8:45 a. m.]

[Amdt. 245]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required. Part 609 is amended as follows:

NOTE: Where the general classification (LFR, VAR, ADF, ILS, RADAR, or VOR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

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

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Wadsworth FM	RNO-LFR	Direct	9000	T-dn	1000-2	1000-2	1000-2
Reno VOR	RNO-LFR	Direct	9000	C-dn	1500-3	1500-3	1500-3
Faro Int (W crs RNO LFR and 353 brng to Stead AFB "H")	RNO-LFR	Direct	9000	A-dn	2000-3	2000-3	2000-3
Bingo Int	RNO-LFR (Final)	Direct	6800				

Procedure turn E side N crs, 342 Outbnd, 162 Inbnd, 8000' within 9 mi. NA beyond 9 mi. (Nonstd due to terrain). Crs and distance, facility to airport, 162-2.3.

Minimum Altitude over facility on final approach crs, 6800'.

*After passing Black Jack Int on final descent to cross RNO LFR at 6000' authorized.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles, make immediate right turn and climb to 9000' on N crs within 15 miles.

SHUTTLE: N crs to 10,000' within 20 miles or in the Bingo Holding Pattern to 9500'.

Authorized only for aircraft equipped with LFR and either ADF or VOR.

City, Reno; State, Nev; Airport Name, Municipal; Elev, 4111'; Fac Class, SBRAZ; Ident, RNO; Procedure No. 2, Amdt 3; Eff Date, 18 Apr 57; Sup Amdt No. 2; Dated 20 Mar 57

2. The automatic direction finding procedures prescribed in § 609.8 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Evanston Int*	LOM	Direct	2500	T-dn	300-1	300-1	200-1/2
Glenview LFR	LOM	Direct	2500	C-dn	400-1	500-1	500-1 1/2
Dundee Int	LOM	Direct	2500	S-dn, 14R	400-1	400-1	400-1
Midway LOM	LOM	Direct	2500	A-dn	800-2	800-2	800-2
Wheeling VOR	LOM	Direct	2500				
O'Hare VOR	LOM	Direct	2500				

*Evanston Int: Int R-075 ORD & R-135 EEL.

Radar transition to final approach crs authorized. Aircraft will be released for final approach without procedure turn on inbnd final approach at least 3.0 mi from LOM. Refer to O'Hare Radar procedures if sector altitude information is desired.

Procedure turn W side NW crs, 330 Outbnd, 150 Inbnd, 2500 within 10 mi.

Minimum altitude over facility on final approach course 2000'.

Course and distance, facility to airport, 150, 5.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 mi, make left turn, climb to 2500' or higher altitude specified by ATC and proceed to Wheeling VOR, via R-030 O'Hare VOR and R-135 Wheeling VOR; or if directed by ATC: (1) make immediate left turn, climb to 3500', proceeding to Evanston Int* via R-075 O'Hare VOR; (2) make immediate left turn, climb to 2500', proceed to Glenview LFR via crs 030 and SE crs Glenview LFR.

City, Chicago; State, Ill; Airport Name, O'Hare Int'; Elev 666'; Fac Class, LOM; Ident, OR; Procedure No. 2, Amdt 2; Eff Date, 28 Apr 57; Sup Amdt No. 1; Dated 27 Apr 57

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.9 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bryan LFR	CLL-VOR	Direct	1400	T-dn	300-1	300-1	200-1/2
				C-dn	500-1	500-1	500-1 1/2
				S-dn-28	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 098 Outbnd, 278 Inbnd, 1500' within 10 mi of Int#.

Minimum altitude on final approach crs over Int#, 1000'.

Crs and distance, Int# to airport, 278-2.8.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.8 mi of Int#, turn left, climb to 1500' on R-125 within 20 mi.

#Int R-098 CLL & Brng 230 to Snook RBN.

NOTE: Procedure authorized only for aircraft equipped to receive CLL VOR and SOK RBN bearings simultaneously.

City, College Station; State, Tex; Airport Name, Easterwood; Elev, 320'; Fac Class, BVOR MHW; Ident, CLL SOK; Procedure No. 2, Amdt 1; Eff Date, 18 May 57; Sup Amdt No. Orig; Dated 22 Dec 56.

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Tulsa LFR	TUL-VOR	Direct	1800	T-dn	300-1	300-1	200-1½
Verdigris River FM via crs 230	TUL-VOR	Direct	1900	C-dn	400-1	500-1	500-1½
Skiatook FM via crs 108	TUL-VOR	Direct	2000	S-dn-26	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

300-1 required on runways 3L, 21R, 17R and 35L for take off.
 Procedure turn N side of crs, 079 Outbnd, 259 Inbnd, 1900 within 10 mi.
 Minimum Altitude over facility on final approach crs, 1400'.
 Crs and distance, facility to airport, 259-4.3.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 miles, climb to 2,400' on R-288 within 20 miles.

City, Tulsa; State, Okla; Airport Name, Municipal; Elev 674'; Fac Class, BVOR; Ident, TUL; Procedure No. 1, Amdt 7; Eff Date, 18 Apr 57; Sup Amdt No. 6; Dated 9 Apr 57

4. The terminal very high frequency omnirange (TVOR) procedures prescribed in § 609.9 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Evanston Int*	ORD-VOR	Direct	2000	T-dn	300-1	300-1	200-1½
Dumfries Int	ORD-VOR	Direct	2500	C-dn	500-1	500-1	500-1½
Midway LOM	ORD-VOR	Direct	2000	S-dn-18	500-1	500-1	500-1
Glenview LFR	ORD-VOR	Direct	2000	A-dn	800-2	800-2	800-2
Wheeling VOR	ORD-VOR	Direct	2000				

Radar transition to final approach crs authorized. Aircraft will be released for final approach without procedure turn on inbnd final approach crs at least 3.0 mi from inbnd fix. Refer to O'Hare radar procedure if information on sector altitudes is desired.

*Evanston Int: Int R-075 ORD and R-135 EEL.

Procedure turn W side of crs, 004 Outbnd, 184 Inbnd, 2200' within 10 mi.

Minimum altitude over Int on final approach crs, (Int R-004 ORD & SW crs NBU or radar fix), 1700';

Brng & distance, 184-7.0.

Crs and distance, breakoff point to app end rly 18, 178-0.5.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished—within 0 mi, make immediate left turn, climb to 2500' or higher altitude specified by ATC and proceed to Wheeling VOR via R-030 ORD and R-135 EEL, or if directed by ATC: (1) make immediate left turn, climb to 3500', proceed to Evanston Int* via R-075 ORD; (2) make immediate left turn, climb to 2500', proceed to Glenview LFR via 030 crs and SE crs Glenview LFR.

City, Chicago; State, Ill; Airport Name, O'Hare Int'l; Elev, 666'; Fac Class, VOR; Ident, ORD; Procedure No. Ter VOR-18, Amdt 2; Eff Date, 28 Apr 57; Sup Amdt No. 1; Dated, 27 Apr 57

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

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Maxwell LFR	LOM	Direct	1500	T-dn	300-1	300-1	200-¾
Montgomery VOR	LOM	Direct	1500	C-dn	400-1	500-1	500-1½
Benton Int (LFR) via crs 109°	W crs ILS (Final)	Direct	1700	S-dn-9	400-1	400-1	400-1
Craig Int (VHF)	LOM (Final-ILS)	Direct	1700	*ILS	300-¾	300-¾	300-¾
Calhoun Int	LOM	Direct	1500	ADF	400-1	400-1	400-1
Booth Int	LOM	Direct	1700	A-dn:			
				ILS	600-2	600-2	600-2
				ADF	800-2	800-2	800-2

*400-¾ required if glide slope not utilized.

Procedure turn S side W crs, 273 Outbnd, 093 Inbnd, 1700' within 10 mi. Beyond 10 mi, NA.

Minimum altitude at glide slope int inbnd, 1700' ILS; Min. alt. over LOM inbnd final, 1000' ADF.

Altitude of glide slope and distance to app end of Rny at OM, 1700'-5.1; at MM, 435'-0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 mi after passing LOM (ADF) climb to 1500' on crs of 120 or on R-120 MGM within 20 mi.

NOTE: No approach lights.

CAUTION: Tower 987' MSL, 8 mi East.

City, Montgomery; State, Ala; Airport Name, Dannelly Fld; Elev, 219'; Fac Class, ILS-IMG; Ident, LOM-MG; Procedure No. 1, Amdt 3, Comb ILS-ADF; Eff Date, 18 Apr 57; Sup Amdt No. 2; Dated 17 Mar 57

These procedures shall become effective on the dates indicated on the procedures.

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

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

APRIL 10, 1957.

[F. R. Doc. 57-3041; Filed, Apr. 24, 1957;
8:45 a. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

SUBPART E—COOPERATIVE PRODUCTION OF TELEVISION FILMS

Part 1, Subtitle A, Title 7 of the Code of Federal Regulations is amended by the addition of a new Subpart E, entitled Cooperative Production of Television Films, as follows:

Sec.

- 1.71 Purpose.
- 1.72 Policy.
- 1.73 Responsibility.
- 1.74 Basis for special working relationships.
- 1.75 General stipulations.
- 1.76 Department cooperation.
- 1.77 Assignment of priorities.
- 1.78 Development of special working relationships.
- 1.79 Credits.

AUTHORITY: §§ 1.71 to 1.79 issued under R. S. 161; 5 U. S. C. 22.

§ 1.71 *Purpose.* This subpart establishes procedures for developing special working relationships with the Department of Agriculture requested by producers of films for television use. These procedures are designed to guide Department employees and producers of commercial television pictures in entering into such arrangements.

§ 1.72 *Policy—(a) General.* It is a basic policy of the Department of Agriculture to make information freely available to the public.

(b) *Cooperation with television film producers.* The Department recognizes that its people and programs constitute a rich source of materials on public services, often dramatic and interesting for their human values, which are suitable for production of films for television showings. The Department welcomes the interest of television film producers in its activities and maintains an "open door" policy with respect to the availability of factual information to such producers, as it does to representatives of other media. As its resources will permit, the Department will work with producers at their request, to assure technical accuracy of scripts and story treatments.

(c) *Special working relationships.* In those instances where a producer of films for television seeks special Department participation such as the use of official insignia of the Department, or who request special assistance such as the services of technical advisors, use of Government equipment and similar aids

which require a material expenditure of public funds, and where the proposed film will further the public service of the Department, the Department will consider entering into a special working relationship with such producer.

(d) *News film reporting exempted.* Television and news film reporting of Department activities is not covered by this subpart.

§ 1.73 *Responsibility.* The Director of Information or his designee will be the authority for the approval of special working relationships on the part of the Department of Agriculture and its agencies. The Director or his designee shall not commit the Department to such special arrangements without proper concurrence and coordination with interested agencies and approval by the appropriate Assistant Secretary or Group Director.

§ 1.74 *Basis for special working relationships.* The Department and its agencies may lend special assistance on television films when it is clearly evident that public interests are served. Where special assistance is sought, an individual cooperative agreement will be drawn up between the Department with the Director of Information as its agent, and the producer. Details on such assistance as reviewing stories and scripts, loan of material, arrangements for locations, use of official motion picture footage, assignment of technical advisors and similar aids will be covered in the agreement, which shall delineate the general stipulations listed in § 1.75.

§ 1.75 *General stipulations.* In requesting special working arrangements the producer must agree to the following stipulations:

(a) The producer must show that he has legal authority to the literary property concerned.

(b) The producer must show access to a distribution channel recognized by the motion picture or television industry. In lieu of complete distribution plans for a television series, a producer must produce satisfactory evidence of financial resources adequate for the defrayment of costs for the proposed undertaking).

(c) The commercial advertising of any show produced, using oral or written rights granted to the producer, shall not indicate any endorsement, either direct or implied, by the U. S. Department of Agriculture or its agencies, of the sponsor's product.

(d) Commercial sponsorship shall be only by a person, firm, or corporation acceptable under the terms of the 1954 Television Code of the National Association of Radio and Television Broadcasters, and all subsequent amendments thereto. Political sponsorship shall not be permitted.

(e) That no production costs shall be chargeable to the U. S. Department of Agriculture.

(f) That such cooperation will not interfere with the conduct of Department programs.

(g) All damages, losses and personal liability incurred by producer will be his responsibility.

(h) That mutual understanding and agreement will be reached upon story, script and film treatment with the Department before film production is begun.

§ 1.76 *Department cooperation.* When the producer agrees to meet the above stipulations to the satisfaction of the Director of Information, the U. S. Department of Agriculture and its agencies will be available for consultation on story ideas and give guidance through the services of a technical advisor to insure technical authenticity. Equipment, locations, and personnel will be available to the extent that such availability is concurrent with normal and usual conduct of the operations of the Department. The Department will check and work with the cooperators to arrange shooting schedules in order to avoid interferences with working schedules.

§ 1.77 *Assignment of priorities—(a) Authority.* (1) The Director of Information or his designee will make assignment of priorities for the U. S. Department of Agriculture for a television film company's and/or individual producer's story treatment of the subject matter, but no such priority shall limit use of the subject matter itself.

(2) A priority will be given in writing upon acceptance in writing by the producer of the stipulations in § 1.75 (b). The U. S. Department of Agriculture will hold the producer's treatment of the story material in confidence until the producer has made a public release pertaining to the subject.

(b) *Time and scope.* A priority will be given on the producer's story treatment for an agreed upon period of time. Requests for cooperation with similar or conflicting ideas and backgrounds will be considered only after holder of the first priority has used the agreed upon time to develop the materials.

(1) Details on priorities will be written into the agreements.

(2) The Director of Information will retain the right to cancel priorities when the producer at any stage violates the provisions of the regulations or of a particular agreement, or when public interest is no longer served.

(3) No priority will be canceled until the producer has had an opportunity to appear before the Secretary of Agriculture or his designee.

§ 1.78 *Development of special working relationships—(a) Preliminary.* Prior to the submittal of a script or the rendering of an agreement, assistance may be given by the Department or one of its agencies in outlining story plans, visits to field points, and other incidents that will assist the producer in determining his course of action.

(b) *Request for special working arrangements.* Once the decision is made to go ahead with an agreement, either the interested agency or the producer will make a written submission to the Director of Information, requesting that special working arrangements be established.

(1) In submitting scripts prior or subsequent to executing a written agreement

under a special working relationship four (4) copies of the completed script shall be submitted to the Director of Information or his designee, along with a statement of specific requirements and the anticipated production schedule.

(2) No script will be used under a special working relationship without the specific approval of the Director of Information.

(3) Upon approval of the script, the agency of the Department concerned with subject matter will endeavor to arrange for the desired assistance with the stipulations of this policy.

§ 1.79 *Credits*. On films on which the Department or one of its agencies provides special assistance it shall be mutually agreed by the producer and the Director of Information what credits shall be given to the Department, and the form these credits will take.

Done at Washington, D. C., this 19th day of April 1957.

[SEAL] RALPH S. ROBERTS,
Administrative Assistant Secretary.

[F. R. Doc. 57-3362; Filed, Apr. 24, 1957;
8:54 a. m.]

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

PART 728—WHEAT

SUBPART—1958-59 MARKETING YEAR

- Sec.
- 728.801 Basis and purpose.
- 728.802 National marketing quota for wheat for the 1958-59 marketing year.
- 728.803 1958 national acreage allotment for wheat.
- 728.804 Apportionment of the 1958 national acreage allotment for wheat among the several States.
- 728.805 Designation of States outside the commercial wheat-producing area for the 1958-59 marketing year.

AUTHORITY: §§ 728.801 to 728.805 issued under sec. 375, 52 Stat. 66; 7 U. S. C. 1375. Interpret or apply secs. 301, 333, 334, 335, 52 Stat. 38, 53, 67 Stat. 151; 7 U. S. C. 1301, 1333, 1334, 1335.

§ 728.801 *Basis and purpose*. (a) The regulations contained in §§ 728.801 to 728.805 are issued (1) to proclaim the national marketing quota for wheat for the marketing year beginning July 1, 1958, (2) to proclaim the 1958 national acreage allotment for wheat, (3) to apportion among the several States the 1958 national acreage allotment for wheat, and (4) to designate the States outside the commercial wheat-producing area for the 1958-59 marketing year.

(b) Section 335 of the Agricultural Adjustment Act of 1938, as amended, provides that whenever in any calendar year the Secretary of Agriculture determines (1) that the total supply of wheat for the marketing year beginning in such calendar year will exceed the normal supply for such marketing year by more than 20 per centum, or (2) that the total supply of wheat for the marketing year ending in such calendar year is not less than the normal supply for such

marketing year and that the average farm price for wheat for three consecutive months of such marketing year did not exceed 66 per centum of parity, the Secretary shall, not later than May 15 of such calendar year, proclaim such fact and a national marketing quota shall be in effect with respect to the marketing of wheat during the marketing year beginning July 1 of the next succeeding calendar year.

(c) Section 333 of the act, as amended, provides that the national acreage allotment for any crop of wheat shall be that acreage which the Secretary determines will, on the basis of the national average yield of wheat, produce an amount thereof adequate, together with the estimated carry-over at the beginning of the marketing year for such crop and imports, to make available a supply for such marketing year equal to a normal year's domestic consumption and exports plus 30 per centum thereof, but such national acreage allotment cannot be less than 55 million acres.

(d) Section 334 (a) of the act, as amended, provides that the 1957 national acreage allotment for wheat (less a reserve of not to exceed one per centum thereof for apportionment to counties in addition to the county allotments made under section 334 (b) of the act on the basis of the relative needs of counties for additional allotment because of new areas coming into the production of wheat during the preceding ten years) shall be apportioned among the several States on the basis of the acreage seeded for the production of wheat during the ten calendar years 1947 to 1956 (plus, in applicable years, the acreage diverted from wheat under agricultural adjustment and conservation programs), with adjustments for abnormal weather conditions and for trends in acreage during such period.

(e) Section 335 (e) of the act, as amended, provides that if, for the 1958-59 marketing year, the acreage allotment for wheat for any State is 25,000 acres or less, the Secretary, in order to promote efficient administration of the act and the Agricultural Act of 1949, may designate such State as outside the commercial wheat-producing area for such marketing year. No farm marketing quota or acreage allotment for wheat shall be applicable in such marketing year to any farm in any State so designated; and no acreage allotment in any other State shall be increased by reason of such designation.

(f) The findings and determinations by the Secretary contained in §§ 728.802, 728.803, and 728.804 have been made on the basis of the latest available statistics of the Federal Government as required by section 301 (c) of the Agricultural Adjustment Act of 1938, as amended. In making the findings and determinations contained in § 728.804 the State wheat acreage estimates of the Agricultural Marketing Service of this Department were used, adjusted where necessary to reflect the acreages of wheat used for wheat mixtures in States approved for this practice, for green manure, cover crop, hay, and silage, in all States, and the acreage planted to Durum Wheat

(Class II) under Public Law 290, 83d Congress, and Public Law 8, 84th Congress, in the States of Minnesota, Montana, North Dakota, and South Dakota and Public Law 431, 84th Congress, in the States of North Dakota, Minnesota, Montana, South Dakota, and California, as indicated by statistics of the Commodity Stabilization Service of this Department. For States for which wheat acreage estimates are not compiled by the Agricultural Marketing Service, statistics of the Commodity Stabilization Service were used. It is hereby found and determined that the statistics of the Agricultural Marketing Service, as so adjusted and supplemented by data compiled by the Commodity Stabilization Service, constitute the latest available and most reliable statistics of the Federal Government.

(g) Prior to proclaiming the national marketing quota for wheat for the 1958-59 marketing year and the 1958 national acreage allotment for wheat, the apportionment of the 1958 national acreage allotment for wheat among the several States, and the designation of States outside the commercial wheat-producing area for the 1958-59 marketing year, public notice of the proposed action was given (21 F. R. 9778) in accordance with section 4 of the Administrative Procedure Act (5 U. S. C. 1003). The views and recommendations received from wheat growers and other interested persons have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

(h) Since the Agricultural Adjustment Act of 1938, as amended, requires the holding of a referendum of wheat producers who will be subject to the marketing quotas proclaimed on the 1958 crop not later than July 24, 1957, to determine whether such producers favor or oppose such marketing quotas and requires, insofar as practicable, the mailing of notices of farm acreage allotments to farm operators in sufficient time to be received prior to the date of the referendum, and since farm acreage allotments cannot be established until the national acreage allotment for wheat has been apportioned among States and counties, and the States outside the commercial wheat-producing area for the 1958-59 marketing year have been designated, it is hereby found that the proclamations and determinations contained herein shall become effective upon filing with the Director, Division of the Federal Register.

§ 728.802 *National marketing quota for wheat for the 1958-59 marketing year*. The total supply of wheat for the 1957-58 marketing year is determined to be 1,825 million bushels. The normal supply of wheat for such marketing year is determined to be 1,170 million bushels. This total supply exceeds the normal supply by more than 20 per centum. Therefore, a national marketing quota shall be in effect with respect to the marketing of wheat during the 1958-59 marketing year.

§ 728.803 *1958 national acreage allotment for wheat*. A normal year's domestic consumption and exports of wheat plus 30 per centum thereof is determined

to be 1,248 million bushels. The estimated carry-over of wheat for the marketing year beginning July 1, 1958 is 875 million bushels. Imports of wheat during the 1958-59 marketing year are estimated to be 5 million bushels. Thus, the amount of wheat production needed in 1958 is determined to be 368 million bushels. The national average yield of wheat is determined to be 15.9 bushels per acre. The national acreage allotment of wheat for the 1958 crop is computed to be 23,144,654 acres. Since this amount is less than the minimum provided by law, the national acreage allotment of wheat for the 1958 crop shall be 55 million acres.

§ 728.804 *Apportionment of the 1958 national acreage allotment of wheat among the several States.* The national acreage allotment proclaimed in § 728.803, less a reserve of three-hundredths of one per centum thereof for additional allotments to counties, is hereby apportioned among the several States as follows:

State:	Acreage allotment
Alabama ¹	23,240
Arizona ¹	21,401
Arkansas	49,334
California	445,004
Colorado	2,704,917
Connecticut ¹	587
Delaware	35,439
Florida ¹	3,383
Georgia	107,591
Idaho	1,152,744
Illinois	1,386,663
Indiana	1,137,045
Iowa	138,175
Kansas	10,638,208
Kentucky	208,652
Louisiana ¹	6,302
Maine ¹	1,519
Maryland	185,390
Massachusetts ¹	702
Michigan	965,008
Minnesota	729,866
Mississippi ¹	16,256
Missouri	1,273,623
Montana	4,058,327
Nebraska	3,228,377
Nevada ¹	12,317
New Hampshire ¹	68
New Jersey	53,345
New Mexico	474,243
New York	315,570
North Carolina	282,796
North Dakota	7,309,992
Ohio	1,553,180
Oklahoma	4,859,635
Oregon	816,443
Pennsylvania	587,517
Rhode Island ¹	539
South Carolina	132,719
South Dakota	2,736,196
Tennessee	195,644
Texas	4,164,302
Utah	316,068
Vermont ¹	499
Virginia	259,436
Washington	2,014,392
West Virginia	40,393
Wisconsin	48,875
Wyoming	291,578
Total apportioned to States	54,983,500
National reserve	16,500
Total national allotment	55,000,000

¹ Designated non-commercial wheat State.

§ 728.805 *Designation of States outside the commercial wheat-producing area for the 1958-59 marketing year.*

The 1958 State acreage allotment of wheat for each of the States of Alabama, Arizona, Connecticut, Florida, Louisiana, Maine, Massachusetts, Mississippi, Nevada, New Hampshire, Rhode Island, and Vermont, as issued under § 728.804, was twenty-five thousand acres or less. In order to promote efficient administration of the act, each of the States mentioned in this section is hereby designated as outside the commercial wheat-producing area for the 1958-59 marketing year. Accordingly, the commercial wheat-producing area for the 1958-59 marketing year, in which the provisions of §§ 728.810 to 728.824 shall be applicable, shall consist of all States in the continental United States except States herein above-mentioned.

Issued at Washington, D. C., this 19th day of April 1957.

[SEAL]

EARL L. BUTZ,
Acting Secretary.

[F. R. Doc. 57-3359; Filed, Apr. 24, 1957; 8:54 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.317]

PART 40—DIPLOMATIC VISAS UNDER THE IMMIGRATION AND NATIONALITY ACT

PART 41—VISAS: DOCUMENTATION OF NON-IMMIGRANT ALIENS UNDER THE IMMIGRATION AND NATIONALITY ACT

MISCELLANEOUS AMENDMENTS

Parts 40 and 41, Chapter I, Title 22 of the Code of Federal Regulations, are hereby amended in the following respects:

1. Paragraph (a) *Application form of § 40.7 Application for diplomatic visa* is amended to read as follows:

(a) *Form and place of application.* Every alien applying for a diplomatic visa shall make application therefor on Form FS-257. The application shall be made at a United States diplomatic mission or at a United States consular office which is authorized to issue diplomatic visas, regardless of the nationality or residence of the applicant.

2. Paragraph (d) of § 40.10 *Procedure in issuing diplomatic visas* is amended to read as follows:

(d) The diplomatic or consular officer shall affix his signature, indicate his title, and impress the seal of his office in the spaces provided therefor in the visa stamp. The visaed passport may be delivered to the applicant or his authorized representative together with any other documents required in connection with the applicant's examination at a port of entry in the United States. The executed Form FS-257 shall be retained in the files of the issuing diplomatic or consular office.

3. Paragraph (d) *Record of revocation or cancellation of § 40.13 Revocation or cancellation of diplomatic visas* is amended to read as follows:

(d) *Record of revocation or cancellation.* Upon the revocation or cancella-

tion of a diplomatic visa, appropriate notation of the action taken, including a statement of the reason therefor, shall be made on Form FS-257 or on an appended memorandum, and if the revocation or cancellation of the visa is effected at other than the issuing office, a report of the action taken shall be transmitted to the issuing office.

4. The introductory sentence of § 41.5 *Classification symbols* is amended to read as follows:

§ 41.5 *Classification symbols.* A visa issued to a nonimmigrant alien within one of the classes described in this section shall bear an appropriate symbol to be inserted by the consular officer in the space provided in the visa stamp to show the classification of the alien as a nonimmigrant under the provisions of section 101 (a) (15) of the act.

5. Paragraph (a) *Form of application of § 41.9 Application for nonimmigrant visas* is amended to read as follows:

(a) *Application form.* Every alien applying at a diplomatic mission or a consular office for a nonimmigrant visa shall make application therefor on Form FS-257. In any case in which the consular officer believes that the information provided in Form FS-257 is inadequate to determine the alien's eligibility to receive a nonimmigrant visa, he may, in his discretion, require the submission of such additional information as may be necessary to a determination of the alien's eligibility to receive a nonimmigrant visa. The provisions of section 222 (c) of the act which require every alien applying for a nonimmigrant visa and alien registration to state his race and ethnic classification in the application shall not be construed as pertaining to the alien's religion.

6. Paragraph (f) *Fee receipt notation of § 41.9 Application for nonimmigrant visa* is amended to read as follows:

(f) *Fee receipt notation.* The receipt of the prescribed fee, if any, for the furnishing and verification of application Form FS-257 shall be evidenced by inserting in the appropriate spaces on the reverse of the application form the (1) service number, (2) tariff item number, (3) fee paid in United States dollars, and (4) local currency equivalent. If no fee is prescribed for the rendering of such service, the word "gratis" shall be inserted in the space marked "Fee paid: U. S. \$-___".

7. Paragraph (e) *Certificates as part of application of § 41.10 Documents required in connection with application for nonimmigrant visa; medical examination; police certificates* is amended to read as follows:

(e) *Certificates as part of application.* If a medical examination or a police certificate is required of a nonimmigrant alien as provided in this section, the medical notification showing the results of the examination, or the police certificate, or both, shall be considered papers submitted with the alien's application within the meaning of section 221 (g) (1) of the act. The duplicate of

such notification or certificate, or both, shall be enclosed in a sealed envelope and delivered to the alien for presentation at the port of entry.

8. Paragraph (f) of § 41.10 *Documents required in connection with application for nonimmigrant visa; medical examination; police certificates* is amended to read as follows:

(f) *Authority to elicit additional information.* A consular officer may, in his discretion, interrogate any alien applying for a nonimmigrant visa and require him to answer questions pertaining to his police or criminal record, or any other matter which is deemed material to a determination of the alien's eligibility to receive a nonimmigrant visa. Such additional statements shall become a part of the visa application and shall be covered by the oath of the applicant as administered by the consular officer.

9. Paragraph (a) *Visa evidenced by stamp in passport* of § 41.12 *Procedure in issuing nonimmigrant visa* is amended to read as follows:

(a) *Visa evidenced by stamp in passport.* Except as hereinafter provided, the issuance of a nonimmigrant visa shall be evidenced by a stamp placed in the alien's passport and properly executed by the consular officer. The appropriate symbol, as prescribed in § 41.5, showing the classification of the nonimmigrant under section 101 (a) (15) of the act shall be inserted in the visa stamp. In the case of an alien whose passport was issued by a government not recognized de jure by the United States or in the case of an alien for whom the passport requirement has been waived, the visa stamp shall be impressed on a sheet of the issuing office's official stationery to which a photograph of the alien shall be securely attached. The impression seal of the issuing office shall be impressed on the stationery so as to partially cover the photograph. No seal, signature, stamp, or notation of any kind shall be placed in a passport issued by a foreign government not recognized de jure by the United States.

10. Paragraph (g) *Disposition of Form 257* of § 41.12 *Procedure in issuing nonimmigrant visa* is amended to read as follows:

(g) *Disposition of Form FS-257.* In issuing a nonimmigrant visa the consular officer shall deliver the visaed passport or, where applicable, the visaed sheet of official stationery to the alien together with any other documents required in connection with the alien's examination at a port of entry in the United States. The executed Form FS-257 and any additional statements furnished by the alien in accordance with § 41.10 (f) shall be retained in the consular files.

11. Paragraph (a) of § 41.16 *Revalidation of nonimmigrant visa* is amended to read as follows:

(a) A nonimmigrant visa issued to a nonimmigrant under the provisions of section 101 (a) (15) of the act may be revalidated in the same classification at

the original visa-issuing office or other consular office: *Provided*, That (1) such visa was originally issued for less than the maximum period of forty-eight months; (2) such visa is about to expire, or expired less than twelve months prior to the application for revalidation, or has become invalid by reason of having been used for the number of applications for admission specified therein; and (3) the consular officer is satisfied that the alien is a bona fide nonimmigrant and is otherwise eligible to receive such a nonimmigrant visa, including the possession of a valid passport, if required.

12. Paragraph (c) of § 41.18 *Revocation and invalidation of nonimmigrant visa and other nonimmigrant documentation* is amended to read as follows:

(c) The bearer of a nonimmigrant visa or other documentation which is being considered for revocation or invalidation shall, if practicable, be notified of the proposed action and given an opportunity to show cause why his visa or other documentation should not be revoked or invalidated. In connection therewith, the alien shall be required to present his travel document containing the visa stamp. A nonimmigrant visa or other documentation which is revoked or invalidated shall be cancelled by writing the word "revoked" or "invalidated," whichever is applicable, plainly across the face of the visa or other documentation. The cancellation shall be dated and signed by the consular officer taking the action. The failure of an alien to present his visa or other documentation for cancellation shall not affect the validity of any action taken to revoke or invalidate such visa or documentation.

13. Paragraph (d) of § 41.18 *Revocation and invalidation of nonimmigrant visa and other nonimmigrant documentation* is amended to read as follows:

(d) Notice of revocation or invalidation shall be given to the master, commanding officer, agent, owner, charterer, or consignee, of the carrier or transportation line on which it is believed the alien intends to travel to the United States, unless the consular officer finds that the visa or other documentation has been cancelled as provided in paragraph (c) of this section. Notice of revocation or invalidation, including a full report of the facts in the case, shall be submitted promptly to the Department for transmission to the Attorney General: *Provided*, That no such notice and report shall be required in the case of an invalidation if the visa or other documentation has been cancelled prior to the alien's departure for the United States. The consular office which issued the visa or other documentation shall be notified of the revocation or invalidation thereof if such action was effected by any other consular office or by the Department.

14. Paragraph (d) of § 41.19 *Registration and fingerprinting of nonimmigrants* is amended to read as follows:

(d) Form FS-257, when duly executed, shall constitute the alien's registration record for the purposes of section 221 (b) of the act.

15. Paragraph (b) of § 41.30 *Officials of foreign governments* is revoked and paragraphs (c), (d), (e), and (f) of § 41.30 are redesignated paragraphs (b), (c), (d), and (e), respectively.

16. Paragraph (c) *Courier and acting courier on official business* of § 41.32 *Procedure in issuing visa to foreign-government official or employee* is amended to read as follows:

(c) *Courier and acting courier on official business*—(1) *Courier of career.* An alien who is regularly and professionally employed as a courier by the government to which he owes allegiance, who is proceeding to the United States as a courier on official business for his government, and who is in possession of a diplomatic passport or the equivalent thereof may apply for a diplomatic visa at a United States mission or United States consulate authorized to issue diplomatic visas, and shall be classifiable as a nonimmigrant under the provisions of section 101 (a) (15) (A) (i) of the act.

(2) *Official acting in capacity of courier.* An alien who is not regularly and professionally employed as a courier by the government to which he owes allegiance, who holds an official position with, and is proceeding to the United States as a courier on official business for, his government shall be classifiable as a nonimmigrant under the provisions of section 101 (a) (15) (A) (ii) of the act.

(3) *Nonofficial acting in capacity of courier.* An alien who is not regularly and professionally employed as a courier, who holds no official position with the government for which he is acting in the capacity of courier, or who is not a national of the country for whose government he is acting in the capacity of courier shall be classifiable as a nonimmigrant under the provisions of section 101 (a) (15) (B) of the act.

17. Paragraph (a) of § 41.41 *Exchange visitors* is amended to read as follows:

(a) The term "exchange visitor" means an alien who falls within one of the classes described in section 201 of the United States Information and Educational Exchange Act of 1948, as amended (62 Stat. 7; 66 Stat. 276; 70 Stat. 241; 22 U. S. C. 1446), who seeks to enter the United States temporarily, and who has been selected to participate in an exchange-visitor program designated by the Secretary of State. Exchange visitors shall be classifiable as nonimmigrants under the provisions of section 101 (a) (15) of the act and shall have the burden of establishing that they are not ineligible to receive a nonimmigrant visa under those provisions of section 212 (a) of the act and § 41.17 which apply to nonimmigrants who are classifiable under the provisions of section 101 (a) (15) (B) of the act. In issuing a nonimmigrant visa to an exchange visitor, the symbol "EX" shall be inserted in the space provided for classification in the visa stamp, and the number of the designated program shall be added to the symbol.

18. Section 41.53 *Accredited officials in transit through the United States* is amended to read as follows:

§ 41.53 *Accredited officials in transit through the United States.* An accredited official of a foreign government who intends to proceed in immediate and continuous transit through the United States on official business for his government which grants similar privileges to officials of the United States shall be classifiable as a nonimmigrant under the provisions of section 101 (a) (15) (C) of the act. In issuing a nonimmigrant visa to such an official or to a member of his immediate family, or to his attendant, servant, or personal employee, the symbol C-3 shall be inserted in the space provided for classification in the visa stamp. (Sec. 212 (d) (8), 66 Stat. 188).

19. Paragraph (c) of § 41.60 *Crewmen* is amended to read as follows:

(c) Except as provided in § 41.64, a nonimmigrant crewman who seeks to proceed to and land in the United States temporarily in pursuit of his calling shall apply on Form FS-257 for an individual nonimmigrant visa in accordance with the provisions of § 41.9, and shall be classifiable under the provisions of section 101 (a) (15) (D) of the act.

20. Section 41.63 *Procedure in issuing visas to crewmen* is amended to read as follows:

§ 41.63 *Procedure in issuing individual visas to crewmen.* The issuance of an individual nonimmigrant visa to an alien as a crewman under the provisions of section 101 (a) (15) (D) of the act shall be in accordance with the provisions of §§ 41.5 and 41.12. In any case in which the crewman's passport was issued by a government not recognized de jure by the United States, or in which the passport requirement has been waived, the visa stamp shall be impressed on a sheet of official stationery as provided in § 41.12 (a). Form FS-257 shall be retained in the consular files.

21. Section 41.65 *Procedure in issuing crew-list visas* is amended to read as follows:

§ 41.65 *Procedures applicable to crew-list visas.* (a) Until such time as it becomes administratively practicable to act on the applications of all crewmen for individual nonimmigrant visas, there shall be submitted for visaing at the consular office nearest the foreign port or place from which a vessel or aircraft commences its voyage to the United States a crew list of all alien crewmen serving on board such vessel or aircraft who are not in possession of a valid individual entry document or who are not covered by a waiver of the visa requirement. The master of a vessel or commanding officer of an aircraft who applies for a crew-list visa shall present to the consular officer a manifest of all such crewmen on Form I-418 in duplicate. Where the master of a vessel or the commanding officer of an aircraft submits a single crew list to the consular officer for visaing and fails to set apart those alien crewmen who are to be considered for inclusion in the crew-list visa, the con-

sular officer may, in order to facilitate the issuance of the crew-list visa and without unduly delaying the departure of the vessel or aircraft, require a separate alphabetical listing on the crew list of all such crewmen. In any case in which the consular officer has reason to believe that an individual crewman may be ineligible to receive a visa under section 212 of the act, the master of the vessel or the commanding officer of the aircraft who submits the crew list for visaing may be required to present additional information relevant to the eligibility of any such crewman to receive a visa. In lieu of a manifest on Form I-418, the manifest of alien crewmen serving on board an aircraft may be submitted on the International Civil Aviation Organization manifest, or on Customs Form 7507 whenever the number of crewmen does not exceed the number which can be properly listed on such form.

(b) If there is no consular officer stationed at the port or place from which the vessel or aircraft commences its voyage to the United States, but a consular officer is stationed at a nearby port or place to whom the crew list may be submitted for visaing by mail or otherwise without delaying the departure of the vessel or aircraft, the crew list shall be so submitted. If there is no such consular officer stationed nearby, the crew list shall be submitted for visaing at the first port or place of call at which a consular officer is stationed.

(c) A supplemental crew-list visa shall be obtained at the port of departure or at subsequent ports or places of call to cover any additional crewmen signed on since the previous crew-list visa was obtained, unless such crewman is in possession of a valid individual visa, or the visa requirement has been waived in his case.

(d) No formal application for a crew-list visa shall be required other than the presentation of the crew list together with such other information as the consular officer may deem necessary to determine the eligibility of an individual crewman to be included in the crew-list visa.

(e) In issuing a crew-list visa the regular nonimmigrant visa stamp shall be impressed on the last page of the crew list immediately below the listing of the crewmen. The crew-list visa shall be validated for a period of six months from the date of issuance and for a single application by the visaed crewmen for admission into the United States. The visa shall, by insertion of the symbol "D" in the space provided therefor, show the classification of the crewmen as nonimmigrants under the provisions of section 101 (a) (15) (D) of the act. The consular officer shall sign the visa, indicate his title, and affix the seal of his office in the space provided for such purpose.

(f) A fee of two dollars shall be charged for the visaing of any crew list (Tariff of Fees, Foreign Service of the United States of America), except that no fee shall be charged for a crew-list visa issued in the case of a government vessel or aircraft as defined in § 41.62 (b), or for the issuance of a supplemental crew-list visa in the case of any vessel or aircraft. The receipt of the prescribed

fee for the issuance of a crew-list visa shall be evidenced by a rubber-stamped or typed notation placed within the visa stamp in the space designated "Fee Notation" and properly completed in the following form:

Service No. _____
 Tariff Item No. _____
 Fee Paid: U. S. \$ _____
 Local CY. equiv. _____

(g) In issuing or refusing a crew-list visa, the consular officer shall deliver the original of the crew list to the master of the vessel or commanding officer of the aircraft for presentation to the immigration officer at the first port of arrival in the United States. The duplicate copy of the crew list shall be retained for the consular files and shall be appropriately noted to show the date of issuance or refusal of the crew-list visa, the service number, the tariff item number, and the fee paid (United States dollars and local currency equivalent).

22. Section 41.69 *Procedure in issuing crew-list visas* is redesignated § 41.66 and is amended to read as follows:

§ 41.66 *Preparation of crew list for visa purposes.* (a) The entries made on any crew list presented to a consular officer for visaing shall be in the English language and shall conform with the instructions printed on the Form I-418 or other form of manifest used. The person preparing the crew list shall insert the word "first" before the name of any crewman who was not employed on board the vessel or aircraft on its last preceding trip to the United States, and the letters "PE" (signifying "Previous Experience") immediately after the word "first" in the case of any crewman who is proceeding to the United States on his first trip on a vessel or aircraft to which he transferred from another vessel or aircraft of the same transportation line.

(b) If a crew list to be presented for visaing is prepared on more than one page, the pages shall be numbered consecutively and shall be securely fastened together with ribbon inserted through eyelets in the upper left corner of the crew lists. The ends of the ribbon shall be brought through a slit made in the last page and fastened thereto opposite the visa stamp by a wafer seal on which the impression seal of the consular office shall be placed. The consular impression seal shall be placed in the lower right corner of all other pages of the crew list.

(c) The entries for any additional crewmen signed on a vessel or aircraft after the issuance of a crew-list visa shall be contained in a supplemental crew list for visa purposes. If the name of any such crewman is in substitution for that of another crewman previously included in the crew-list visa, the substitution shall be clearly indicated in the supplemental crew list presented for visaing. In the event additional crewmen are signed on under emergency conditions which make it impossible to include their names in the crew list or a supplemental crew list before the sailing of the vessel or flight of the aircraft, a supplemental crew list of such additional crewmen may

be presented to a consular officer for visaing at the first port of call at which a consular officer is stationed.

23. Section 41.68 *Crew-list form* is revoked.

24. Paragraph (b) *Official students of § 41.80 Students* is amended to read as follows:

(b) *Official students.* An alien who has been selected by his government to study at an institution of learning or other place of study in the United States shall, if otherwise qualified, be classifiable as a nonimmigrant under the provisions of section 101 (a) (15) (F) of the act, regardless of whether the alien's expenses for his study in the United States will be borne by his government; *Provided*, That if such alien qualifies as an exchange visitor, he shall be classifiable under the symbol EX, or if such alien is accredited and accepted as a foreign-government official or employee under the provisions of section 101 (a) (15) (A) (ii) of the act, he shall be classifiable under the symbol A-2.

25. Paragraph (c) *Official trainees of § 41.80 Students* is amended to read as follows:

(c) *Official trainees.* An alien who has been selected by his government for training in the United States with an agricultural, commercial, financial, governmental, or other industrial establishment shall, if otherwise qualified, be classifiable as a nonimmigrant under the provisions of section 101 (a) (15) (H) (iii) of the act, regardless of whether the alien's expenses for his training in the United States will be borne by his government; *Provided*, That if such alien qualifies as an exchange visitor, he shall be classifiable under the symbol EX, or if such alien is accredited and accepted as a foreign-government official or employee under the provisions of section 101 (a) (15) (A) (ii) of the act, he shall be classifiable under the symbol A-2.

26. Paragraph (b) of § 41.81 *Burden of proof and evidence of student status* is amended to read as follows:

(b) An alien who intends to study the English language exclusively while in the United States may be classified as a nonimmigrant student under the provisions of section 101 (a) (15) (F) of the act, if otherwise qualified, and if the approved school is equipped to offer, and has accepted him expressly for, a full course of study in the English language, even though no credits are given by the institution for such study. In all cases in which special arrangements have been made with the approved school for the acceptance of a student who lacks an adequate knowledge of the English language, or who intends to enter the United States solely for the purpose of studying the English language, a copy of the letter from the school setting forth such arrangements shall be given to the alien for presentation to the immigration officer at the port of entry in the United States.

(Sec. 104, 66 Stat. 174; § U. S. C. 1104)

The regulations contained in this order shall become effective upon publication in the FEDERAL REGISTER. The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) relative to notice of proposed rule making and delayed effective date are inapplicable to this order because the regulations contained therein involve foreign affairs functions of the United States.

Dated: April 16, 1957.

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

[F. R. Doc. 57-3339; Filed, Apr. 24, 1957; 8:49 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

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

Appendix—Public Land Orders

[Public Land Order 1409]

[Nevada 044393]

NEVADA

RESERVING PUBLIC LANDS WITHIN TOIYABE NATIONAL FOREST FOR USE OF FOREST SERVICE AS ROADSIDE ZONE

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 Toiyabe National Forest 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) as amended, and reserved for use of the Forest Service, Department of Agriculture, as a roadside zone:

MOUNT DIABLO MERIDIAN

A strip of land 200 feet on each side of the center line of the Mt. Rose (Nevada No. 27) Forest Highway through the following legal subdivisions:

- T. 17 N., R. 19 E.,
Sec. 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 18 N., R. 19 E.,
Sec. 34, S $\frac{1}{2}$ SW $\frac{1}{4}$.

The areas described aggregate approximately 48 acres.

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

HATFIELD CHILSON,
Acting Secretary of the Interior.

APRIL 19, 1957.

[F. R. Doc. 57-3344; Filed, Apr. 24, 1957; 8:50 a. m.]

[Public Land Order 1410]

[Anchorage 032627]

ALASKA

RESERVING LANDS FOR USE OF ALASKA RAILROAD IN CONNECTION WITH TRAINSHIP OPERATIONS

By virtue of the authority contained in section 1 of the act of March 12, 1914 (38 Stat. 305, 307; 48 U. S. C. 304) and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described land lying below the line of ordinary high tide on Passage Canal, Whittier, Alaska, is hereby reserved for use of the Alaska Railroad in connection with trainship operations as an addition to the area withdrawn by Public Land Order No. 1056 of January 18, 1956:

Beginning at Corner No. 2 of P. L. O. 1056, dated January 18, 1955, which bears N. 2° 29' E., 630.60 feet and thence N. 11° 09' E., 337.20 feet from U. S. Location Monument No. 2559, Whittier Townsite; thence, from the point of beginning, N. 11° 09' E., 375.0 feet; thence S. 68° 00' 17" E., 713.43 feet to Corner No. 4 of P. L. O. 1056; thence S. 56° 09' W., 500 feet to Corner No. 3 of P. L. O. 1056; thence N. 60° 51' W., 365.0 feet to Corner No. 2 of P. L. O. 1056, the point of beginning.

The tract described contains 4.88 acres.

HATFIELD CHILSON,
Acting Secretary of the Interior.

APRIL 19, 1957.

[F. R. Doc. 57-3345; Filed, Apr. 24, 1957; 8:51 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 111—FEDERAL ASSISTANCE UNDER TITLE IV, AFTER JUNE 30, 1956, IN THE CONSTRUCTION OF MINIMUM SCHOOL FACILITIES IN AREAS AFFECTED BY FEDERAL ACTIVITIES

SUBPART C—RETENTION OF RECORDS

Subpart C is added to Part 111, 45 CFR, Subtitle B, Chapter I, to provide for the retention of record supporting claims for Federal grants for school construction under title IV of Public Law 815, 81st Congress (64 Stat. 967, 20 U. S. C., Ch. 14), as added by Public Law 246, 83d Congress (67 Stat. 522), and as thereafter amended, until the completion of the fiscal audit and/or administrative reviews which are regularly conducted by Federal agencies, or for three years following the fiscal year to which the claim relates, whichever is later. Subpart C reads as follows:

§ 111.30 *Retention of records.* Local educational agencies receiving Federal grants under the act are required to keep intact all records supporting claims for such Federal grants until the completion of the fiscal audit and/or adminis-

trative reviews which are regularly conducted by Federal agencies, or for three years following the fiscal year to which the claim relates, whichever is later, except as otherwise notified. The records involved in any claims or expenditures which have been questioned should be further maintained until necessary adjustments have been made and the adjustments have been reviewed and cleared by the Federal agencies making such reviews. The Commissioner does not require that records be maintained beyond this period unless, under special circumstances, the grantee agency is specifically advised that certain record materials should be retained until specific questions are settled.

(Sec. 208, 64 Stat. 975; 20 U. S. C. 278)

Dated: April 11, 1957.

[SEAL] L. G. DERTHICK,
United States Commissioner
of Education.

Approved: April 19, 1957.

M. B. FOLSOM,
Secretary of Health, Education,
and Welfare.

[F. R. Doc. 57-3363; Filed, Apr. 24, 1957;
8:49 a. m.]

PART 112—FEDERAL ASSISTANCE IN THE CONSTRUCTION OF MINIMUM SCHOOL FACILITIES UNDER TITLE III IN AREAS AFFECTED BY FEDERAL ACTIVITIES WITH RESPECT TO APPLICATIONS FILED AFTER JUNE 30, 1956

SUBPART C—RETENTION OF RECORDS

Subpart C is added to Part 112, 45 CFR, Subtitle B, Chapter I, to provide for the retention of records supporting claims for Federal grants for school construction under title III of Public Law 815, 81st Congress (64 Stat. 967, 20 U. S. C., Ch. 14), as added by Public Law 246, 83d Congress (67 Stat. 522) and as thereafter amended, until the completion of the fiscal audit and/or administrative reviews which are regularly conducted by Federal agencies, or for three years following the fiscal year to which the claim relates, whichever is later. Subpart C reads as follows:

§ 112.30 *Retention of Records.* Local educational agencies receiving Federal grants under the act are required to keep intact all records supporting claims for such Federal grants until the completion of the fiscal audit and/or administrative reviews which are regularly conducted by Federal agencies, or for three years following the fiscal year to which the claim relates, whichever is later, except as otherwise notified. The records involved in any claims or expenditures which have been questioned should be further maintained until necessary adjustments have been made and the adjustments have been reviewed and cleared by the Federal agencies making such reviews. The Commissioner does not require that records be maintained beyond this period unless, under special circumstances, the grantee agency is specifically advised that certain record materials should be

retained until specific questions are settled.

(Sec. 208, 64 Stat. 975; 20 U. S. C. 278)

Dated: April 11, 1957.

[SEAL] L. G. DERTHICK,
United States Commissioner
of Education.

Approved: April 19, 1957.

M. B. FOLSOM,
Secretary of Health, Education,
and Welfare.

[F. R. Doc. 57-3364; Filed, Apr. 24, 1957;
8:49 a. m.]

PART 113—FINANCIAL ASSISTANCE FOR CURRENT EXPENDITURES AFTER JUNE 30, 1956, OF LOCAL EDUCATIONAL AGENCIES IN AREAS AFFECTED BY FEDERAL ACTIVITIES AND ARRANGEMENTS FOR THE FREE PUBLIC EDUCATION OF CERTAIN CHILDREN RESIDING ON FEDERAL PROPERTY

SUBPART C—RETENTION OF RECORDS

Section 113.70 is hereby added to Subpart C (hitherto reserved) of Part 113, 45 CFR, Chapter I, to provide for the retention of records supporting claims for Federal grants for financial assistance for current expenditures under Public Law 874, 81st Congress (64 Stat. 1100), as amended, until the completion of the fiscal audit and/or administrative reviews which are regularly conducted by Federal agencies, or for three years following the fiscal year to which the claim relates, whichever is later. Subpart C as amended reads as follows:

§ 113.70 *Retention of records.* Local educational agencies receiving Federal grants under the act are required to keep intact all records supporting claims for such Federal grants until the completion of the fiscal audit and/or administrative reviews which are regularly conducted by Federal agencies, or for three years following the fiscal year to which the claim relates, whichever is later, except as otherwise notified. The records involved in any claims or expenditures which have been questioned should be further maintained until necessary adjustments have been made and the adjustments have been reviewed and cleared by the Federal agencies making such reviews. The Commissioner does not require that records be maintained beyond this period unless, under special circumstances, the grantee agency is specifically advised that certain record materials should be retained until specific questions are settled.

(Sec. 7, 64 Stat. 1107; 20 U. S. C. 242)

Dated: April 11, 1957.

[SEAL] L. G. DERTHICK,
United States Commissioner
of Education.

Approved: April 19, 1957.

M. B. FOLSOM,
Secretary of Health, Education,
and Welfare.

[F. R. Doc. 57-3365; Filed, Apr. 24, 1957;
8:49 a. m.]

TITLE 46—SHIPPING

**Chapter II—Federal Maritime Board,
Maritime Administration, Department
of Commerce**

**Subchapter B—Regulations Affecting Maritime
Carriers and Related Activities**

[Gen. Order 59, 2d Rev.]

**PART 221—DOCUMENTATION, TRANSFER
OR CHARTER OF VESSELS**

**APPROVAL OF CHARTERS OF CERTAIN
VESSELS TO ALIENS**

Section 221.7 is hereby superseded by the following new section:

§ 221.7 *Approval of charters of certain vessels to aliens.* (a) The Department of Commerce, Maritime Administration, hereby approves under sections 9 and 37 of the Shipping Act, 1916, as amended (52 Stat. 964; 40 Stat. 901; 46 U. S. C. 808 and 835) the charter to a person not a citizen of the United States of any vessel (including space in such vessel) documented under the laws of the United States, or the last documentation of which was under the laws of the United States, or owned in whole or in part by any person a citizen of the United States, or by a corporation organized under the laws of the United States or of any State, Territory, District or possession thereof, for a period of not more than six (6) months, or for a voyage or voyages the duration of which will probably not exceed six (6) months, except:

(1) Demise or bareboat charters.

(2) For the carriage of cargoes of any kind to or from the Soviet Union, Latvia, Lithuania, Estonia, Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Albania, North Korea, the Soviet Zone of Germany, Manchuria, or Communist China.

(3) For use in the fisheries.

(b) A copy of any such charter, as executed, which is approved by this Section shall be filed with the Secretary of the Maritime Administration as soon as may be practicable, but in any event not later than twenty (20) days after the beginning of the charter period or within such further time as may be permitted by the Maritime Administration.

(c) When any charter, subcharter, contract of affreightment, lease or contract for the chartering of space with a non-citizen declares, states or provides that the duration thereof is to be, or may be, for a period in excess of six (6) months, such charter, subcharter, contract of affreightment, lease or contract, shall be deemed to be for the entire period of time specifically declared therein, notwithstanding the inclusion of a special provision or provisions therein that the period of the duration in excess of six (6) month is to be subject to the approval of the Maritime Administration, or the inclusion therein of a provision permitting the substitution of another vessel other than a vessel of United States registry. To become effective such charter, subcharter, contract of affreightment, lease or contract will require the prior approval of the Maritime Administration prior to the date of

the commencement of the first six (6) months.

(d) The duration or period of time of any new charter, lease or contract with the same non-citizen charterer, or with any non-citizen charterer, which is an affiliate, or associate, or subsidiary, or related company, or holding company of the original non-citizen charterer, covering the same vessel and entered into and executed within thirty (30) days after the termination of any charter, lease or contract or consecutive voyages, approval to which is granted by the blanket approval provided for hereinabove, is to be added to the duration or period of time covered by the previous charter, lease or contract, and, if the duration of the two charters, leases or contracts, when added together, cover a period in excess of six (6) months, such new charter, lease or contract shall be construed as a renewal or extension of the old charter, lease or contract and will require the prior approval of the Maritime Administration before it can become effective, notwithstanding the inclusion in said new charter, lease or contract of a provision permitting the substitution of another vessel other than a vessel of United States registry.

(Sec. 19, 41 Stat. 995, as amended, sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114, 876)

Effective date. The effective date hereof shall be the date of publication in the FEDERAL REGISTER.

Dated: April 12, 1957.

[SEAL] CLARENCE G. MORSE,
Maritime Administrator.

[F. R. Doc. 57-3342; Filed, Apr. 24, 1957;
8:50 a. m.]

Subchapter C—Regulations Affecting Subsidized
Vessels and Operators

[Gen. Order 80]

PART 281—INFORMATION AND PROCEDURE
REQUIRED UNDER OPERATING-DIFFERENTIAL
SUBSIDY AGREEMENTS

NON-SUBSIDIZED VOYAGES

Comments and suggestions having been considered in connection with the notice of proposed rule making appearing in the FEDERAL REGISTER issue of February 20, 1957 (22 F. R. 1040). Notice is hereby given of the adoption of the regulation as set forth therein amended as follows:

1. Section 281.11 (b) (2) is amended by substituting the word "operated" for the word "owned"; and

2. Section 281.11 (d) is amended by changing the last sentence thereof to read "Such consent will not be required from any U. S.-flag berth operator who is employing any U. S. Government-owned ship(s) competitively in such route, line, or service under charter pursuant to Public Law 591, 81st Congress."

Since this regulation was drawn in consultation with interested members of the affected industry and for good cause shown, it is found, in accordance with the provisions of section 4 of the Administrative Procedure Act, that further delay

would be impracticable and unnecessary; therefore, the following rule, including the afore-stated amendments, is effective upon publication in the FEDERAL REGISTER.

This part is amended by adding the following new sections and center heading:

NON-SUBSIDIZED VOYAGES

- Sec.
281.11 Scope and general comments.
281.12 Application for non-subsidized voyages.
281.13 Hearings.
281.14 Prior authorization.
281.15 Criteria for approval of non-subsidized voyages.
281.16 Conditions to attach in event of approval of application.
281.17 Determinations and questions of interpretation.

AUTHORITY: §§ 281.11 to 281.17 issued under sec. 204, 49 Stat. 1987; 46 U. S. C. 1114. Interpret or apply sec. 606, 49 Stat. 2004; 46 U. S. C. 1176.

§ 281.11 *Scope and general comments.*

(a) Except as provided below, §§ 281.11 to 281.17 apply to non-subsidized voyages to be made by a subsidized operator or by a related company, as referred to in Article II-16 of the operating-differential subsidy agreements. Except as provided below it also applies to non-subsidized voyages of subsidized ships.

(b) Sections 281.11 to 281.17 do not apply to (1) non-subsidized voyages specifically authorized by the operating-differential subsidy contract of the operator and non-subsidized voyages by subsidized ships in the subsidized services of the operator, which voyages will be acted on under the provisions of the operator's operating-differential subsidy agreement; or (2) non-subsidized voyages in services that have not been determined to be essential as provided in section 211, Merchant Marine Act, 1936, as amended, by a non-subsidized company related to a subsidized operator.

(c) Sections 281.11 to 281.17 apply to the following categories only to the extent indicated:

(1) Charters to the Military Sea Transportation Service or to a non-subsidized operator—paragraphs (a) and (e) of this section; §§ 281.12 (a) (6) and (b); 281.15 (b); 281.16 (a), (b), (c), and (f); and 281.17.

(2) Non-subsidized voyages by non-subsidized ships (other than those excluded under paragraph (b) of this section) in a service where there are no U. S.-flag berth sailings by other operators—paragraphs (a), (e), and (f) of this section; §§ 281.12 (a); 281.15; 281.16 (a), (b), (c), (e), and (f); and 281.17.

(3) Ships chartered from the Maritime Administration—§ 281.16.

(d) Except as otherwise determined by the Maritime Administrator, application by a subsidized operator to make a non-subsidized voyage on a route, line or service on which U. S.-flag berth service is maintained but on which the applicant does not maintain a berth operation will not be approved unless the applicant has requested and furnished the written consent of such operator(s) of the U. S.-flag berth service(s). Failure of other operator(s) of U. S.-flag berth

service(s) to protest or consent to a non-subsidized voyage within 2 working days, Saturdays, Sundays, and legal holidays excluded (one working day in the case of single voyage charters for the carriage of bulk cargoes) after notification may be interpreted by the Maritime Administrator as consent to such voyage. Such consent will not be required from any U. S.-flag berth operator who is employing any U. S. Government-owned ship(s) competitively in such route, line, or service under charter pursuant to Public Law 591, 81st Congress.

(e) Responsibility for compliance with §§ 281.11 to 281.17 shall rest on the subsidized operator regardless of whether he is owner, operator, or charterer of the ship involved.

(f) "U. S.-flag berth operator" as used in §§ 281.11 to 281.17 means an operator rendering on the given route, line, or service an exclusively U. S.-flag service maintaining a definite advertised schedule, giving relatively frequent sailings at regular intervals between specific United States ports or range and designated foreign ports or range.

(g) For the purposes of §§ 281.11 to 281.17, competition shall be deemed to exist between the proposed non-subsidized voyage and voyages of other U. S.-flag berth operators in the event the non-subsidized voyage operates in the same route, line, or service as regularly scheduled voyages by such other operators, whether or not the respective itineraries cover identical ports or follow the same order of port calls. Generally, the test will be whether the proposed non-subsidized voyage will provide a service of the type which would be competitive under the considerations of section 605 (c) of the 1936 Act.

§ 281.12 *Application for non-subsidized voyages.* (a) Unless a shorter period is acceptable to the Maritime Administrator, application must be filed not less than five working days, excluding Saturdays, Sundays, and legal holidays (two working days in the case of single voyage charters for the carriage of bulk cargoes) prior to the date by which the operator requires action thereon, accompanied by the following data:

(1) Name of vessel and date by which decision on application is required.

(2) Statement showing why the voyage is needed, why it will not prejudice other sailings of applicant, and what effect the results will have on the Government's recapture position.

(3) Nature and amounts of anticipated cargo (indicating the approximate amounts of MSTs, bulk commercial and other commercial cargo, separately) on the proposed non-subsidized voyage, outbound and inbound, by principal loading and destination ports. If no inbound cargo is indicated, the operator shall not, in the event of approval of its application, lift inbound cargo unless and until it secures the approval of the Maritime Administration pursuant to an application filed in accordance with the procedure specified in §§ 281.11 to 281.17.

(4) Proposed sailing schedule for the voyage for which approval is requested, including estimated total voyage days.

(5) Pro forma financial results of said voyage including all charges for overhead (showing basis for allocation thereof), depreciation and interest, and all other applicable items.

(6) If the non-subsidized voyage is to be made with a chartered vessel, or if charters are made to MSTs or a non-subsidized operator—name and type of vessel, from whom or to whom chartered, type and period of charter, charter hire rate, range of ports, and other pertinent charter terms.

(b) In the case of charter of a subsidized ship between subsidized operators, the charterer shall furnish the required data, and the owner shall furnish to the Maritime Administration a certification that it will adequately service its subsidized route and meet its contractual sailing requirements without the utilization of the subsidized vessel for the period of proposed charter. Also, in the case of charter of a subsidized ship to MSTs or to a non-subsidized operator, the owner shall furnish the certification described above. The owner shall also file such application as may be required under other provisions of the law or contract, such as where section 805 (a) of the 1936 act is applicable.

§ 281.13 *Hearings.* (a) When in the judgment of the Maritime Administrator it appears that the individual non-subsidized voyages for which approval is requested are forming or tending to form a pattern leading to the establishment of a regular non-subsidized service, or, if in the case where such a non-subsidized service has already been established, it appears that the operator proposes to continue such service indefinitely, the Maritime Administrator may call an informal public hearing prior to making a final decision. Such hearing shall consider evidence respecting adequacy or inadequacy of service and such other evidence as the Maritime Administrator determines is pertinent to the proceedings consistent with his responsibilities under the Merchant Marine Act, 1936, as amended. Such hearing, for advisory purposes only, may be held by the Administrator, or in his discretion, by his designee.

(b) In the event favorable action is taken subsequent to a hearing under § 281.13 (a) authorizing a series of voyages, the findings and determinations of the Maritime Administrator shall be subject to annual review, except that upon presentation of new evidence, the Maritime Administrator may at any time reopen for review and after reasonable notice to the operator may cancel or modify any such authorization. In the event the operator requests permission to continue its non-subsidized operations beyond the period authorized by the Maritime Administrator, the Maritime Administrator shall determine whether or not further hearing on said matter is warranted prior to taking final action upon such request.

(c) In the event an operating-differential subsidy application or a request for an adjustment in the number of sailings under an existing contract is or has been filed by a subsidized operator and is under consideration by the Fed-

eral Maritime Board or scheduled for a section 605 (c) hearing, the hearing provisions of these rules and regulations may be waived or suspended by the Maritime Administrator and he may grant such authorizations as he deems appropriate under the circumstances.

§ 281.14 *Prior authorization.* A series of non-subsidized voyages previously authorized by the Maritime Administration may continue under the terms of such authorization but may be set for hearing in the discretion of the Maritime Administrator.

§ 281.15 *Criteria for approval of non-subsidized voyages.*—(a) *Service.* Each non-subsidized voyage application must show definite need for the voyage whether or not in addition to the regular sailings maintained by the applicant and that approval of the voyage will not adversely affect applicant's regular sailings.

(b) *Financial results.* Each voyage should show expectation of profit after all proper charges, including overhead, charter hire, depreciation, and interest. However, the Maritime Administrator, in his discretion, may waive or modify this condition.

§ 281.16 *Conditions to attach in event of approval of application.* (a) No subsidy shall be payable with respect to said voyage.

(b) The voyage shall not count toward the operator's compliance with the minimum and maximum sailing requirements of its operating-differential subsidy contract.

(c) The financial results (including overhead, depreciation, interest, and all proper charges) of voyages made in other than the operator's subsidized service with subsidized or non-subsidized ships shall not be included in net earnings from subsidized operations; and the "capital necessarily employed" attributable to the ship(s) performing such operations shall also be excluded from subsidized operations.

(d) The financial results (including overhead, depreciation, interest, and all proper charges) of non-subsidized voyages made by non-subsidized ships in the operator's subsidized service shall be included in net earnings from subsidized operations, and the "capital necessarily employed" attributable to the ship(s) performing such operations shall be

taken into account as capital necessarily employed in subsidized operations for the period of such voyages; provided, however, the results:

(1) Shall be included in the subsidized operations for recapture and reserve fund purposes if the voyage is partially within the subsidized service and 50 percent or more of the total gross voyage revenue is derived from carrying cargo between ports within the subsidized service, and

(2) Shall be excluded from the subsidized operations for recapture and reserve fund purposes if the voyage is partially within the subsidized service and less than 50 percent of the total gross voyage revenue is derived from carrying cargo between ports within the subsidized service.

(e) The operator shall not advertise non-subsidized voyages outside his subsidized service except (1) for passenger ships, (2) where no established U. S.-flag service exists, or (3) where the voyage is part of a non-subsidized service authorized by the Maritime Administrator. Compliance with the requirements of this section is waived in the event a U. S.-flag berth operator is employing any U. S. Government-owned ship(s) competitively in such route, line, or service under charter pursuant to Public Law 591, 81st Congress.

(f) Without prior written approval of the Maritime Administrator, there shall be no deviation from the terms and conditions of the authorization of the non-subsidized voyage(s). However, the Maritime Administrator may, in his discretion, where unusual circumstances in any particular case so require or where it may be in the mutual interest of the operator and the Government, authorize a departure from or modification of any of the conditions of paragraphs (b) through (e) of this section.

§ 281.17 *Determinations and questions of interpretation.* The decision of the Maritime Administrator shall be final with respect to all determinations and questions of interpretation arising under §§ 281.11 to 281.17.

Dated: April 11, 1957.

[SEAL] CLARENCE G. MORSE,
Maritime Administrator.

[F. R. Doc. 57-3341; Filed, Apr. 24, 1957; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE Agricultural Marketing Service [7 CFR Part 51]

UNITED STATES STANDARDS FOR CELERY¹ NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is con-

¹ Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

sidering the revision of United States Standards for Celery (7 CFR, §§ 51.560 to 51.581; 18 F. R. 7087) 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.).

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with the Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department

of Agriculture, South Building, Washington 25, D. C., not later than 30 days after publication hereof in the FEDERAL REGISTER.

The proposed standards are as follows:

GRADES	
Sec.	
51.560	U. S. Extra No. 1.
51.561	U. S. No. 1.
51.562	U. S. No. 2.
UNCLASSIFIED	
51.563	Unclassified.
COUNT	
51.564	Requirements as to count.
APPLICATION OF TOLERANCES	
51.565	Application of tolerances.
DEFINITIONS	
51.566	Stalk.
51.567	Similar varietal characteristics.
51.568	Well developed.
51.569	Well formed.
51.570	Clean.
51.571	Well trimmed.
51.572	Compact.
51.573	Damage.
51.574	Green.
51.575	Fairly well blanched.
51.576	Mixed blanch.
51.577	Average midrib length.
51.578	Branch.
51.579	Length of stalk.
51.580	Fairly well developed.
51.581	Fairly well formed.
51.582	Fairly compact.
51.583	Reasonably well developed.
51.584	Reasonably well formed.
51.585	Fairly well trimmed.
51.586	Serious damage.
51.587	Diameter.
51.588	Length of seedstem.

AUTHORITY: §§ 51.560 to 51.588 issued under sec. 205, 60 Stat. 1090, as amended, 7 U. S. C. 1624.

GRADES

§ 51.560 U. S. Extra No. 1. "U. S. Extra No. 1" consists of stalks of celery of similar varietal characteristics which are well developed, well formed, clean, well trimmed, compact, and which are free from blackheart, brown stem, soft rot, doubles and free from damage caused by freezing, growth cracks, horizontal cracks, pithy branches, seedstems, suckers, wilting, blight, other disease, insects or mechanical or other means. Stalks shall be green unless specified as fairly well blanched, or mixed blanch.

(a) The average midrib length of the outer whorl of branches shall not be less than 7 inches.

(b) In any container when stalk length is specified, it shall be in terms of whole inches. When packed in 16 inch crates, half size 16 inch crates, or in cartons, unless otherwise specified in connection with the grade, the stalks shall be of such length as to extend from one side of the container to within 1½ inches of the opposite side, or from one end of the container to within 1½ inches of the opposite end, when packed in accordance with the usual commercial practice. Such measurements shall not include the bulge.

(c) In order to allow for variations incident to proper grading and handling, the following tolerances shall be permitted:

(1) For defects. 10 percent, by count, in any lot for stalks which fail to meet

the requirements of the grade, including therein not more than 2 percent for soft rot;

(2) For off-length stalks. 5 percent, by count, in any lot for stalks which fail to meet the requirements as to length of stalk; and,

(3) For off-length midribs. 5 percent, by count, in any lot for stalks which fail to meet the requirements as to average midrib length.

§ 51.561 U. S. No. 1. "U. S. No. 1" consists of stalks of celery of similar varietal characteristics which are fairly well developed, fairly well formed, well trimmed, fairly compact, and which are free from blackheart and soft rot and free from damage caused by freezing, growth cracks, horizontal cracks, pithy branches, seedstems, suckers, dirt, doubles, wilting, blight, other disease, insects or mechanical or other means. Stalks shall be green unless specified as fairly well blanched, or mixed blanch.

(a) Unless otherwise specified, the average midrib length of the outer whorl of branches shall be not less than 6 inches.

(b) In any container when stalk length is specified, it shall be in terms of whole inches. When packed in 16 inch crates, half size 16 inch crates, or in cartons, unless otherwise specified in connection with the grade, the stalks shall be of such length as to extend from one side of the container to within 1½ inches of the opposite side, or from one end of the container to within 1½ inches of the opposite end, when packed in accordance with the usual commercial practice. Such measurements shall not include the bulge.

(c) In order to allow for variations incident to proper grading and handling, the following tolerances shall be permitted:

(1) For defects. 10 percent, by count, in any lot for stalks which fail to meet the requirements of the grade, including therein not more than 2 percent for soft rot;

(2) For off-length stalks. 5 percent, by count, in any lot for stalks which fail to meet the requirements as to length of stalk; and,

(3) For off-length midribs. 5 percent, by count, in any lot for stalks which fail to meet the requirements as to average midrib length.

§ 51.562 U. S. No. 2. "U. S. No. 2" consists of stalks of celery of similar varietal characteristics which are reasonably well developed, reasonably well formed, fairly well trimmed and are free from blackheart and soft rot and free from serious damage caused by freezing, growth cracks, horizontal cracks, pithy branches, seedstems, dirt, doubles, wilting, blight, other disease, insects or mechanical or other means. Stalks shall be green unless specified as fairly well blanched, or mixed blanch.

(a) Unless otherwise specified, the average midrib length of the other whorl of branches shall be not less than 4 inches.

(b) In any container when stalk length is specified, it shall be in terms of whole inches. When packed in 16 inch crates, half size 16 inch crates, or in car-

tons, unless otherwise specified in connection with the grade, the stalks shall be of such length as to extend from one side of the container to within 1½ inches of the opposite side, or from one end of the container to within 1½ inches of the opposite end, when packed in accordance with the usual commercial practice. Such measurements shall not include the bulge.

(c) In order to allow for variations incident to proper grading and handling, the following tolerances shall be permitted:

(1) For defects. 10 percent, by count, in any lot for stalks which fail to meet the requirements of the grade, including therein not more than 2 percent for soft rot;

(2) For off-length stalks. 5 percent, by count, in any lot for stalks which fail to meet the requirements as to length of stalk; and,

(3) For off-length midribs. 5 percent, by count, in any lot for stalks which fail to meet the requirements as to average midrib length.

UNCLASSIFIED

§ 51.563 Unclassified. "Unclassified" consists of stalks of celery which have not been classified in accordance with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

COUNT

§ 51.564 Requirements as to count. (a) The number of stalks of celery in the container may be specified by numerical count or in terms of dozens or half-dozens. Variations from the number specified shall be permitted as follows: Provided, That the average for the lot is not less than the number specified:

Specified number per package:	Variations permitted in individual packages
24 stalks or less.....	1 stalk variation.
25 to 50 stalks, incl.....	3 stalk variation.
51 to 70 stalks, incl.....	4 stalk variation.
More than 70 stalks.....	5 stalk variation.

APPLICATION OF TOLERANCES

§ 51.565 Application of tolerances. (a) The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations: Provided, That the averages for the entire lot are within the tolerances specified:

(1) For packages which contain 20 specimens or more and a tolerance of 10 percent or more is provided, individual packages in any lot may contain not more than one and one-half times the tolerance specified. For packages which contain 20 specimens or more and a tolerance of less than 10 percent is provided, individual packages may contain not more than double the tolerance specified except that at least one defective and one off-size specimen may be permitted in any package; and,

(2) For packages which contain less than 20 specimens, individual packages in any lot may contain not more than double the tolerance specified, except that at least one defective and one off-size specimen may be permitted in any

package: *Provided*, That for packages which contain 6 specimens or less, individual packages in any lot are not restricted as to the percentage of defects: *And provided further*, That not more than one specimen which is affected by decay or otherwise seriously damaged and one off-size specimen may be permitted in any package.

DEFINITIONS

§ 51.566 *Stalk*. "Stalk" means an individual plant.

§ 51.567 *Similar varietal characteristics*. "Similar varietal characteristics" means that the stalks in any package have the same general appearance and character of growth.

§ 51.568 *Well developed*. "Well developed" means that the branches are of good width and thickness in relation to the length of midribs and type of celery and that the heart branches are of reasonable number, length and stockiness.

§ 51.569 *Well formed*. "Well formed" means that the branches are fairly straight and not more than slightly curved or twisted.

§ 51.570 *Clean*. "Clean" means that the stalk is practically free from dirt or other foreign material. Stalks shall be permitted to have a small amount of dirt on the inside of the branches or in the heart branches which cannot be removed by good commercial methods of washing.

§ 51.571 *Well trimmed*. "Well trimmed" means that not more than 2 relatively thin, short or spindly, or coarse and fibrous outer branches remain; that the main root has been cut off so as not to extend more than 1½ inches below the point of attachment of the lowest outer branch; that secondary rootlets are not of such number or length as to materially affect the appearance of the stalk; and, that the appearance is not materially affected by the presence of discolored leaves or by excessive removal of leaves or portions of leaves.

§ 51.572 *Compact*. "Compact" means that the branches on the stalk are fairly close together throughout most of their length.

§ 51.573 *Damage*. "Damage" means any defect which materially affects the appearance, or the edible or shipping quality of the celery stalk or the general appearance of the stalks in the container. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:

(a) Growth cracks when more than 2 branches are affected by growth cracks which are over one-half inch in length, or when more than 6 branches have growth cracks;

(b) Horizontal cracks when more than 3 branches have horizontal cracks which are over one-half inch in length, or when more than 6 branches have horizontal cracks;

(c) Pithy branches when more than 2 are pithy in that portion of the midrib between a point 1½ inches above the point of attachment to the base and the

first node, or between a point 1½ inches below the first node and the point of attachment to the base: *Provided*, That when pith occurs at both ends of the midrib not more than a total of 1½ inches may be affected;

(d) Seedstems when the length of seedstem exceeds twice the diameter of the stalk, or when 8 inches in length (See §§ 51.587 and 51.588);

(e) Dirt when there is caked dirt on the stalk, or when dirt is present between the branches to the extent that the appearance is materially affected;

(f) Doubles when not separated and the appearance is materially affected, or when separated and either of the stalks is badly curved;

(g) Disease:

(1) Brown stem, cracked stem and crater blotch when materially affecting more than 2 branches, or when the aggregate area exceeds two-thirds of a square inch on the branches; and,

(2) Rust when more than 5 hair-like lines are present on a stocky inner branch or branches or when the aggregate area exceeds 1 square inch on the other branches;

(h) Insects when worms are present, or when insect injury occurs on heart branches, or when insect injury affects the midrib portion of more than 2 branches, or when injury on other portions materially affects the appearance of the stalk; and,

(i) Mechanical injury when the root has been cut off too closely leaving the branches without support; when more than 2 branches are materially scuffed or bruised; when the branches have been broken above the first node to an extent which materially affects the appearance; or when more than 2 branches are broken below the first node except that all branches may be cut below the first node provided the stalk is of the length specified.

§ 51.574 *Green*. "Green" means that the midrib portions of the outer branches on the stalk are generally green to light green color.

§ 51.575 *Fairly well blanched*. "Fairly well blanched" means that the midrib portions of the outer branches on the stalk are generally of a creamy white to pale green color.

§ 51.576 *Mixed blanch*. "Mixed blanch" consists of green and fairly well blanched stalks of celery in the same container.

§ 51.577 *Average midrib length*. "Average midrib length" means the average length of all the branches in the outer whorl measured from the point of attachment at the base to the first node.

§ 51.578 *Branch*. "Branch" means the leaf of a stalk and consists of the edible stem-like portion and the tops or leaf blades.

§ 51.579 *Length of stalk*. "Length of stalk" means the distance from where the root is cut off to a point which represents the average length of the longest branches.

§ 51.580 *Fairly well developed*. "Fairly well developed" means that the branches are of fairly good width and

thickness in relation to the length of midribs and type of celery and that there is not excessive open space in the center of the stalk.

§ 51.581 *Fairly well formed*. "Fairly well formed" means that the branches are reasonably straight and not more than moderately curved or twisted.

§ 51.582 *Fairly compact*. "Fairly compact" means that the branches on the stalk are reasonably close together throughout most of their length.

§ 51.583 *Reasonably well developed*. "Reasonably well developed" means that the branches are of reasonable width and thickness in relation to the length of midribs and type of celery.

§ 51.584 *Reasonably well formed*. "Reasonably well formed" means that the branches are not crooked, curved or twisted to the extent that the appearance of the stalk is seriously affected.

§ 51.585 *Fairly well trimmed*. "Fairly well trimmed" means that the main root has been cut off so that it does not extend more than 3 inches below the point of attachment of the lowest outer branch, and that secondary rootlets are not of such number or length as to seriously affect the appearance of the stalk.

§ 51.586 *Serious damage*. "Serious damage" means any defect which seriously affects the appearance, or the edible or shipping quality of the celery stalk or the general appearance of the stalks in the container. Any one of the following defects, or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(a) Growth cracks when more than 4 branches are affected by growth cracks which are over one-half inch in length, or when more than 8 branches have growth cracks;

(b) Horizontal cracks when more than 5 branches have horizontal cracks which are over one-half inch in length, or when more than 8 branches have horizontal cracks;

(c) Pithy branches when more than 4 are pithy in that portion of the midrib between a point 1½ inches above the point of attachment to the base and the first node, or between a point 1½ inches below the first node and the point of attachment to the base: *Provided*, That when pith occurs at both ends of the midrib not more than a total of 1½ inches may be affected.

(d) Seedstems when the length of seedstem exceeds 3 times the diameter of the stalk (See §§ 51.587 and 51.588);

(e) Dirt when dirt is badly caked on the stalk;

(f) Doubles when the inner branches are not fairly well protected;

(g) Disease:

(1) Brown stem, cracked stem and crater blotch when seriously affecting more than 4 branches, or when the aggregate area exceeds 1 square inch on the branches; and,

(2) Rust when more than 15 hair-like lines are present on an inner branch or branches, or when there is more than 1½ square inches in the aggregate on the outer branches;

(h) Insects when worms are present, or when insect injury affects the midrib portion of more than 4 branches, or when injury on other portions seriously affects the appearance of the stalk; and,

(i) Mechanical injury when the root has been cut off too closely leaving the branches without support; when more than 4 branches are materially scuffed or bruised; when the branches have been broken above the first node to an extent which seriously affects the appearance; or when more than 4 branches are broken below the first node except all branches may be cut below the first node provided the stalk is of the length specified.

§ 51.587 *Diameter*. "Diameter" means the greatest dimension of the stalk measured at a point 2 inches above the point of attachment of the lowest outer branch to the base.

§ 51.588 *Length of seedstem*. "Length of seedstem" means the distance from the base of the outer branches of the stalk to the top of the actual seedstem, exclusive of any leaves or leaf-stems attached to the top of the seedstem.

Dated: April 22, 1957.

[SEAL] FRANK E. BLOOD,
Acting Deputy Administrator,
Marketing Services.

[F. R. Doc. 57-3358; Filed, Apr. 24, 1957;
8:53 a. m.]

[7 CFR Parts 925, 1008]

[Docket Nos. AO-226-A4, AO-275-A1]

MILK IN PUGET SOUND, WASH., AND INLAND EMPIRE MARKETING AREAS

DECISION WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENTS AND ORDERS REGULATING HANDLING

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a joint public hearing was held at Seattle, Washington, on April 5, 1957, pursuant to notice thereof which was published in the FEDERAL REGISTER on March 28, 1957 (22 F. R. 2048).

The material issues of record are concerned with:

1. Revision of the methods, provided in each order, of computing the prices of butterfat in Class II milk and butterfat differentials applicable to class prices.
2. Adoption of an "equivalent price" provision to apply in emergency situations caused by lack of published price quotations used in pricing formulas.
3. Revision of the conditions under which producer milk as defined in the Puget Sound order may be diverted from a plant in one price district in the marketing area to a plant in another price district during April, May, and June each year.
4. The need for emergency procedure in dealing with issues 1, 2, and 3 above.

It was proposed at the hearing that all issues be decided on an emergency basis. The provisions of the order relating to issue No. 3 are suspended for May and June 1957. This decision deals with issue No. 2 as it would apply to the orders for the months of April and May 1957. The remaining issues and the application of the provisions adopted in this decision to periods beyond May 1957 do not require emergency action and therefore are reserved for subsequent decision.

Interested parties were given until April 6, 1957, for the filing of briefs. Within the time reserved no briefs were filed.

Findings and conclusion. The following findings and conclusions are based upon the evidence introduced at the hearing and the record thereof:

A provision for the determination and announcement by the Secretary of Agriculture of "equivalent prices" for the months of April and May 1957 should be adopted for the Puget Sound and Inland Empire orders.

Proposals to include an "equivalent price" provision under each of the orders were considered at the hearing. Such a provision is designed to meet an emergency situation in which a price quotation necessary to a price formula in the order, or for any other purpose, may not be available to the market administrator. In such event, the Secretary would determine a price equivalent to the price quotation previously employed.

The proposed amendment is precautionary and designed to provide a method of continuing the pricing of milk under the order whenever it is not possible to foresee, in sufficient time to issue an order amendment, the termination or revision of the particular price quotations required to be used in pricing milk. It is generally recognized that some provision of this type is necessary to meet such an emergency since it is not physically possible to consider and issue order amendments on an immediate basis in the event a price quotation necessary to a pricing formula becomes unavailable without prior indication of the change. The provision proposed will remove uncertainty as to the procedure to be followed in the absence of any price quotation customarily used and thereby will prevent unnecessary interruption in the operation of the orders. Such a provision should be made a part of both the Puget Sound and Inland Empire orders on a temporary basis for April and May 1957. The application of this provision to periods beyond May 1957 will be considered in connection with a decision on the remaining issues listed above.

The due and timely execution of the function of the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision by the Deputy Administrator, Agricultural Marketing Service, and the opportunity for exceptions thereto, on the proposed provision as applied to April and May 1957.

The conditions complained of are such that it is urgent that remedial action be taken as soon as possible. Delay beyond

the minimum time required to make the attached orders effective would defeat the purpose of such amendments. Accordingly, the time necessarily involved in the preparation, filing, and publication of a recommended decision and exceptions thereto would make such relief ineffective and therefore should be eliminated in this instance.

The notice of hearing stated that consideration would be given to the question of whether economic and marketing conditions require emergency action with respect to any or all amendments deemed necessary as the result of the hearing. Action under the procedure described above was requested at the hearing. No opposition was registered at the hearing to the use of such emergency promulgation procedure.

Determination of representative period. The month of February 1957 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order amending the order, as amended, regulating the handling of milk in the Puget Sound, Washington, marketing area, in the manner set forth in the attached amending order, is approved or favored by producers, as defined in the order, as amended, and as proposed hereby to be further amended, who during such representative period were engaged in the production of milk for sale in the marketing area as defined in the order, as amended, and as proposed hereby to be further amended.

The same month (February 1957) is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order amending the order regulating the handling of milk in the Inland Empire marketing area, in the manner set forth in the attached amending order, is approved or favored by producers, as defined in the order, and as proposed hereby to be amended, who during such representative period were engaged in the production of milk for sale in the marketing area as defined in the order and as proposed hereby to be amended.

Marketing agreement and order. Annexed hereto and made a part hereof are documents entitled (1) "Marketing Agreement Regulating the Handling of Milk in the Puget Sound, Washington, Marketing Area", (2) "Order Amending the Order, as Amended, Regulating the Handling of Milk in the Puget Sound, Washington, Marketing Area", (3) "Marketing Agreement Regulating the Handling of Milk in the Inland Empire Marketing Area," and (4) "Order Amending the Order Regulating the Handling of Milk in the Inland Empire Marketing Area". These documents have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

It is hereby ordered, That all of this decision, except the attached marketing agreements, be published in the FEDERAL

REGISTER. The regulatory provisions of said marketing agreements are identical with those contained in the respective orders as hereby proposed to be amended by the attached orders which will be published with this decision.

This decision filed at Washington, D. C., this 22d day of April 1957.

[SEAL]

TRUE D. MORSE,
Acting Secretary.

Order¹ Amending the Order, as Amended, Regulating the Handling of Milk in the Puget Sound, Washington, Marketing Area

§ 925.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto, and all said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Puget Sound, Washington, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the said marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the

¹This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and orders have been met.

effective date hereof the handling of milk in the Puget Sound, Washington, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, as follows:

Add a new § 925.55 as follows:

§ 925.55 *Use of equivalent prices.* If for any reason during April or May 1957 a price quotation required by this order for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

Order¹ Amending the Order Regulating the Handling of Milk in the Inland Empire Marketing Area

§ 1008.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order, and all said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Inland Empire marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Inland Empire marketing area shall be in conformity to and in compliance with the terms and conditions of the

aforesaid order as hereby amended, and the aforesaid order is hereby amended as follows:

Add a new § 1008.54 as follows:

§ 1008.54 *Use of equivalent prices.* If for any reason during April or May 1957 a price quotation required by this order for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

[F. R. Doc. 57-3356; Filed, Apr. 24, 1957; 8:53 a. m.]

[7 CFR Part 984]

[Docket No. AO 192-A3]

WALNUTS GROWN IN CALIFORNIA, OREGON, AND WASHINGTON

NOTICE OF HEARING WITH RESPECT TO PROPOSED AMENDMENTS TO MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C., 601 et seq.), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900) notice is hereby given of a public hearing to be held at 9:30 a. m. in the Franciscan Room, Sir Francis Drake Hotel, 450 Powell Street, San Francisco, California, on May 1, 1957, with respect to proposed amendments to the marketing agreement and order regulating the handling of walnuts grown in California, Oregon, and Washington. The proposed amendments have not received the approval of the Secretary of Agriculture.

The public hearing will be held for the purpose of receiving evidence with respect to the proposed amendments which are hereinafter set forth, or appropriate modifications thereof.

The amendments proposed by the Walnut Control Board are as follows:

1. Delete the present provisions of § 984.9 *Merchantable walnuts* and insert in lieu thereof the following:

§ 984.9 *Merchantable unshelled walnuts.* "Merchantable unshelled walnuts" means all unshelled walnuts meeting the grade and size regulations effective pursuant to § 984.43.

2. Immediately following § 984.9 *Merchantable walnuts*, insert the following new definitions:

§ 984.9a *Merchantable shelled walnuts.* "Merchantable shelled walnuts" means all shelled walnuts meeting the grade and size regulations effective pursuant to § 984.44a.

§ 984.9b *Substandard walnuts.* "Substandard walnuts" means all walnuts the kernels of which fail to meet the minimum standard prescribed for merchantable shelled walnuts.

3. Delete the second sentence of § 984.11 *To handle* and substitute the following: "Except, that the term 'to handle' shall not include sales and deliveries within the area of production by

growers to handlers or manufacturers other than those set forth in § 984.73 and shall not include interhandler transfers pursuant to § 984.85 or the authorized disposition of merchantable restricted, surplus, or substandard walnuts."

4. Delete the present provisions of § 984.12 *Handler* and insert in lieu thereof the following:

§ 984.12 *Handler*. "Handler" means any person who handles unshelled or shelled walnuts.

5. Amend § 984.13 *To pack* by deleting the last four words therein, reading "in any manner whatsoever."

6. Delete the present provisions of § 984.14 *Packer* and insert in lieu thereof the following:

§ 984.14 *Packer*. "Packer" means any person who packs or has walnuts packed for his account and handles them as unshelled walnuts.

7. Delete the present provisions of § 984.16 *Sheller* and insert in lieu thereof the following:

§ 984.16 *Sheller*. "Sheller" means any person who is engaged in the business of removing shells from walnuts or who has walnuts shelled for his account and handles them as shelled walnuts.

8. Immediately following § 984.16 insert the following definition:

§ 984.16a *Manufacturer*. "Manufacturer" means any person who uses walnuts in the production of a food product.

9. Delete the provisions of § 984.17 *Distributor* and amend the provisions of § 984.32 and § 984.34 by deleting the words "and distributors" in paragraph (a), subparagraph (2), of § 984.32 and by deleting the words "or packers and distributors" from the second sentence and "and distributor" and "distributor" from the seventh sentence of § 984.34.

10. In § 984.18 *Sound kernel* delete the words "one-eighth inch" and insert in lieu thereof the words "six-sixty-fourths inch."

11. Amend the provisions of § 984.19 *Handler carryover*, paragraph (a), § 984.20 *Trade demand*, paragraph (a), § 984.52 *Recommendation for marketable, surplus, and diversion percentages*, paragraph (b), subparagraph (4), § 984.55 *Determination of sound kernel weight*, paragraph (a), § 984.56 *Minimum sound kernel content requirement for surplus*, paragraph (a), § 984.66 *Assessments*, § 984.68 *Reports of handler carryover*, § 984.73 *Reports of interstate handling within the area of production*, § 984.81 *Postponement of control obligation upon the filing of a bond*, in the proviso in paragraph (f), and § 984.82 *Revision of control percentages* by inserting the word "unshelled" after the word "merchantable" wherever it appears.

12. Amend the provisions of § 984.19 *Handler carryover*, paragraph (b), § 984.20 *Trade demand*, paragraph (b), § 984.52 *Recommendation for marketable, surplus, and diversion percentages*, paragraph (b), subparagraphs (5), (6), and (7), § 984.54 *Withholding surplus walnuts*, paragraph (b), § 984.55 *Deter-*

mination of sound kernel weight, paragraph (b), § 984.66 *Assessments*, § 984.68 *Reports of handler carryover*, and § 984.82 *Revision of control percentages* by inserting the word "merchantable" before the word "shelled" wherever it appears.

13. Amend § 984.21 *Merchantable free walnuts* and § 984.22 *Merchantable restricted walnuts*, by inserting the word "unshelled" after the words "means those."

14. Delete the provisions of § 984.37 *Vacancy* and insert in lieu thereof the following:

§ 984.37 *Vacancy*. To fill any vacancy occasioned by the death, removal, resignation or disqualification of any member or alternate of the Control Board a successor for his unexpired term shall be selected by the Secretary after consideration of recommendations which may be submitted by members of the group in which such vacancy exists, unless such selection is deemed unnecessary by the Secretary. If such recommendation is not made and reported to the Secretary by the Control Board within 30 days after such vacancy occurs, the Secretary may select a member or alternate, as the case may be, to fill such vacancy without recommendation.

15. Delete the provisions of § 984.43 *Establishment of pack specification and minimum standards* and insert in lieu thereof the following:

§ 984.43 *Establishment of Grade and size regulations for unshelled walnuts*—

(a) *Minimum standard*. (1) No handler shall handle unshelled walnuts unless such walnuts are equal to or better than the requirements of third quality and baby size. This minimum standard may be modified by the Secretary on the basis of a recommendation of the Control Board or other information. Except as provided in paragraph (b) of this section, such minimum standard and the provisions of this part relating to administration thereof shall continue in effect irrespective of whether the season average price for walnuts is above the parity level specified in section 2 (1) of the act.

(2) "Baby size" as used in this paragraph means walnuts of which at least 88 percent, by count, pass through a round opening $7\frac{3}{4}$ inches in diameter and of which not over 10 percent, by count, pass through a round opening $6\frac{3}{4}$ inch in diameter. "Third quality" as used in this paragraph means:

(i) *For walnuts produced in the State of California*; walnuts which in regard to external appearance and condition are not dirty or discolored and are free from adhering hulls and perforated, broken, or split shells, except that there shall be a tolerance, by count, of 10 percent for split shells and an additional 10 percent for defects other than split shells; and which in regard to internal or kernel quality contain 95 percent, by count, of kernels which are well dried and contain not less than 90 percent, by count, of nuts which are free from insect damage, mold, shrivel, blanks, and rancidity.

(ii) *For walnuts produced in the States of Oregon and Washington*; walnuts which are fully dried, the shells of which are fairly clean, free from splits, and free from damage caused by broken shells, and free from serious damage, caused by discoloration, perforated shells, adhering hulls, and other means, except that the following tolerances, by count, shall be allowed: Ten percent for splits and an additional 10 percent for other defects including not more than 5 percent serious damage by adhering hulls; and which in regard to internal quality shall consist of walnuts which are fully dried and the kernels of which are free from decay, dark discoloration, rancidity, insects or insect injury, and free from damage caused by mold, shriveling and other means, except that the following tolerances, by count, shall be allowed: Not more than 10 percent shall be below the requirements of the grade. In arriving at this tolerance the following rules with respect to shrivel shall apply: (a) Kernels otherwise sound but with more than one-half shriveled shall be counted as one percent; (b) kernels otherwise sound with more than one-fourth but not more than one-half shriveled shall be counted as one-half of one percent.

(3) In applying the aforementioned minimum grade and size restrictions, the following terms shall have the following meanings:

(i) *For walnuts produced in the State of California*—(a) *External defects*—(1) *Dirty*. Any walnut which is affected by dirt or other foreign matter to the extent that it is readily discernible because it is in sharp contrast with the remainder of the lot; or any lot of walnuts so generally affected by dirt or other foreign matter as to be objectionable in appearance.

(2) *Discolored*. Any walnut which is affected by spots or stains to the extent that it is readily discernible because it is in sharp contrast with the remainder of the lot; or any lot of walnuts so generally affected by stains as to be objectionable in appearance.

(3) *Adhering hull*. Any walnut affected by adhering hull fiber which is readily discernible.

(4) *Perforated shells*. Any walnut with imperfectly developed areas of the shell resembling abrasions and usually including small holes penetrating the shell wall, if such an area of surface aggregating more than three-eighths of an inch in diameter is so affected.

(5) *Broken shells*. Any walnut with a material portion of the shell missing or with the halves completely broken apart. Two separated halves shall be counted as one non-passable nut.

(6) *Split shells or splits*. Any walnut with the shell halves completely separated, but held together by the kernel.

(b) *Internal defects*—(1) *Insect damage*. Any kernel affected in any way by insect larvae, ants, moths, beetles, or any other insects.

(2) *Mold*. Any kernel on which there is fruiting mold of any description, or mold mycelia affecting more than one-fourth of the surface of the kernel.

(3) *Shrivel*. Any kernel which is edible, but so shriveled as to be one-half or

less than half the normal size. Each shriveled kernel shall be classed as half sound; that is, two such kernels shall be counted as one sound and one defective kernel.

(4) *Blank*. Any kernel so shrunken or so imperfectly developed as to be inedible or worthless.

(5) *Rancidity*. Any kernel which has a decomposed appearance or a rancid taste.

(ii) *For walnuts produced in the States of Oregon and Washington*—(a) *For external quality determination*. (1) "Fully dried" means that the kernel is crisp and with a moisture content (both shell and kernel) of not to exceed 10 percent.

(2) "Clean" means that from the viewpoint of general appearance the walnuts are practically free from adhering dirt or other foreign matter and that the individual walnuts are not damaged by such means. A slight chalky deposit on the shell is characteristic of many bleached nuts and shall not be considered as dirt or foreign matter.

(3) "Fairly clean" means that from the viewpoint of general appearance the lot is not seriously damaged by adhering dirt or other foreign matter and that individual walnuts are not coated or caked with dirt or foreign matter. Both the amount of surface affected and the color of the dirt shall be taken into consideration.

(4) "Splits" means walnuts with shell halves separated at the suture for 50 percent or more of the circumference of the nut.

(5) "Damage" means any injury or defect which materially affects the appearance, edible or shipping quality of the walnuts. Any one of the following defects or any combination of defects, the seriousness of which exceeds the maximum allowed for any one of these defects shall be considered as damage:

(i) Broken shells, when any material portion of the shell is missing or the halves are completely broken apart and separated.

(ii) Perforated shells, when the area affected aggregates more than one-fourth inch in diameter. The term "perforated shells" means imperfectly developed areas on the shell resembling abrasions and usually including small holes penetrating the shell wall.

(iii) Adhering hulls, when affecting more than 5 percent of the shell surface.

(iv) Discoloration (or stain), which covers in the aggregate one-fifth or more of the surface of the shell of an individual nut, and which is medium brown, light reddish brown or gray, contrasting with the color of the rest of the shell or the majority of shells in the lot; or dark discoloration covering a smaller area if the appearance is equally objectionable.

(6) "Serious damage" means any injury or defect which seriously affects the appearance, edible or shipping quality of the walnut. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one of these defects shall be considered as serious damage:

(i) Discoloration (or stain), which covers in the aggregate one-third or

more of the surface of the shell of an individual nut, and which is brown, reddish brown or gray, contrasting sharply with the color of the rest of the shell or the majority of shells in the lot; or darker discoloration covering a smaller area if the appearance is equally objectionable.

(ii) Perforated shells, when the area affected aggregates more than $\frac{3}{8}$ of an inch in diameter. The term "perforated shells" means imperfectly developed areas on the shell resembling abrasions and usually including small holes penetrating the shell wall.

(iii) Adhering hulls, when affecting more than one-eighth of the surface in the aggregate.

(b) *For internal quality determination*. (1) "Fully dried" means that the kernel is crisp and with a moisture content (both shell and kernel) of not to exceed 10 percent.

(2) "Damage" means any injury or defect which materially affects the appearance, edible or shipping quality of the walnuts. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one of these defects shall be considered as damage:

(i) Mold which kernels show on their surface and which is readily discernible to the eye. Kernels bearing a few loose filaments of white or light gray mold which are easily blown off shall not be considered moldy.

(ii) Shriveled, severe shrivel or various degrees of shrivel affecting a greater area producing an equally objectionable appearance. Special rules for scoring shrivel are provided for each of the quality grades, under tolerances for internal defects.

(3) "Dark discoloration" means that the color of the kernel is darker than "dark amber" (as defined by the English Walnut grading chart of the U. S. Department of Agriculture).

(4) "Rancidity" means the stage of deterioration in which the kernel has developed a rancid flavor. This condition is frequently indicated by a definite change in color of the nut tissue, a marked yellowing or blackening of the fleshy tissue of the meat. Rancidity should not be confused with a slightly astringent flavor of the pellicle (skin) or with staleness, the stage at which the flavor is flat but not distasteful.

(5) "Insect injury" means any evidence that codling moth larvae or other insects have been present in the nut, such as frass or webbing; or a powdery condition of the kernel such as might be caused by ants.

(6) "Serious damage" means any injury or defect which seriously affects the appearance, edible or shipping quality of the walnut. Decay, rancidity, and insects or insect injury shall be considered serious damage.

(b) *Additional grade and size regulations*. In any marketing year when the season average price of walnuts is not determined to be above parity, the Board may recommend to the Secretary additional grade and size regulations in the form of a more restrictive minimum standard than specified in paragraph (a)

of this section and/or pack specifications as to grades and sizes that may be handled. If the Secretary finds on the basis of such recommendation or other information that such minimum standard and/or pack specifications would tend to effectuate the declared policy of the Act, he shall establish such regulations. No person shall handle unshelled walnuts except in accordance with the minimum standard and/or pack specifications effective hereunder.

16. Amend the provisions of § 984.44 *Inspection and certification of merchantable walnuts* § 984.47 *Recommendation for merchantable free, restricted and allocation percentages*, § 984.48 *Establishment of merchantable free, restricted, and allocation percentage regulations by the Secretary*, § 984.49 *Withholding merchantable restricted walnuts*, § 984.52 *Recommendation for marketable, surplus, and diversion percentages*, paragraph (b), subparagraphs (2) and (3), and § 984.69 *Reports of merchantable walnuts shipped from stock* by inserting the word "unshelled" before the word "walnuts" wherever it appears.

17. Amend the provisions in paragraph (a) of § 984.44 *Inspection and certification of merchantable walnuts* by deleting the words "pack specifications and minimum requirements prescribed" and inserting in lieu thereof the words "grade and size regulation effective."

18. Immediately following § 984.44 add a new major heading entitled *Grade and Size Regulation of Shelled Walnuts* and including thereunder the following two sections:

§ 984.44a *Establishment of grade and size regulation for shelled walnuts*—(a) *Minimum standard*. No handler shall handle shelled walnuts unless such walnuts are equal to or better than the requirements of the U. S. Commercial Grade as defined in the then effective United States Standards for Shelled English Walnuts (*Juglans Regia*): *Provided*, That the minimum size shall be pieces not more than 5 percent of which will pass through a round opening $\frac{5}{16}$ inch in diameter. This minimum standard may be modified by the Secretary on the basis of a recommendation of the Control Board or other information. Except as provided in paragraph (b) of this section, such minimum standard and the provisions of this part relating to administration thereof shall continue in effect irrespective of whether the season average price for walnuts is above the parity level specified in section 2 (1) of the act.

(b) *Additional grade and size regulations*. In any marketing year when the season average price of walnuts is not determined to be above parity, the Board may recommend to the Secretary additional grade and size regulations in the form of a more restrictive minimum standard than specified in paragraph (a) of this section and/or pack specifications as to grades and sizes that may be handled. If the Secretary finds on the basis of such recommendation or other information that such minimum standard and/or pack specifications would tend to effectuate the declared policy of

the act, he shall establish such regulations. No person shall handle unshelled walnuts except in accordance with the minimum standard and/or pack specifications effective hereunder.

§ 984.44b *Inspection and certification of shelled walnuts.* (a) Each handler, at his own expense, shall obtain an appropriate inspection certificate for each lot of shelled walnuts handled or to be handled by him. Such certificates shall be issued by the inspectors designated by the Control Board. All such certificates shall show the identity of the handler, the quantity of shelled walnuts covered by such certificate, date of inspection, and that such walnuts conform to the minimum standards prescribed pursuant to § 984.44a. The Control Board may prescribe such additional information to be shown on the inspection certificates as it deems necessary for the proper administration of this section.

(b) All shelled walnuts handled shall be identified by stamps or other means of identification affixed to the shipping container by the handler under the supervision of the Control Board or the designated inspectors.

(c) Whenever the Control Board determines that the length of time in storage or conditions of storage of any lot of shelled walnuts which has been previously inspected have been or are such as normally to cause deterioration, such lot of shelled walnuts shall be re-inspected at the handler's expense and must be recertified as merchantable prior to shipment.

(d) Any lot of shelled walnuts which, upon inspection, fails to meet the minimum standard provided for in paragraph (a) of § 984.44a solely because of excess shrivel may be certified for further processing, provided that it contains portions of walnut kernels equal to at least 80 percent, by weight, of the lot which meet all of the requirements of the prescribed minimum standards. Such shelled walnuts may be handled by the handler if chopped, sliced or otherwise processed by him, and if upon inspection after processing meet the minimum standards prescribed in or pursuant to § 984.44a. The provisions of this paragraph may be modified by the Secretary, upon recommendation of the Control Board or other information.

(e) *Processing of shelled walnuts.* Any handler who intends to slice, chop, grind or in any manner change the form of shelled walnuts, which have not been previously inspected and certified as merchantable shall notify the Control Board of such intended operation. The Control Board shall establish such procedures as it deems necessary to insure that all such walnuts are inspected and certified prior to any such operation and that all shelled walnuts handled in such forms meet the minimum standards established pursuant to § 984.44a and the identification requirements of paragraph (b) of this section.

(f) *Copies of certificates.* Copies of such certificates shall be furnished by the inspector to the handler and to the Control Board.

19. Amend the provisions of § 984.49 *Withholding merchantable restricted*

walnuts, and § 984.54 Withholding surplus walnuts, by deleting the proviso at the end of paragraph (a) in each section.

20. Amend the provisions in paragraph (b) of § 984.56 *Minimum sound kernel content requirement for surplus* by deleting the words "of the U. S. Commercial Grade" and inserting in lieu thereof the words "for merchantable shelled walnuts established pursuant to § 984.44a."

21. Amend the provisions of § 984.61 *Disposition of merchantable restricted walnuts withheld* by deleting the last sentence in paragraph (b) and inserting in lieu thereof the following: "The proceeds of any export sales, after deducting all expenses actually and necessarily incurred, shall be paid to the handler withholding the walnuts so sold by the Control Board."

22. Amend the provisions of § 984.62 *Disposition of surplus walnuts withheld* by deleting the words "into such other channels" in subparagraph (1) of paragraph (b) and inserting, in lieu thereof, the words "for such other uses" and by deleting the words "in the period December 1 to," in subparagraph (2) of paragraph (b) and inserting in lieu thereof the words "on or before."

23. Immediately following § 984.62 *Disposition of surplus walnuts withheld*, add the following section:

§ 984.62a *Disposition of substandard shelled peanuts.* Substandard shelled walnuts may be disposed of only for manufacture into oil, livestock feed, or for such other uses as the Control Board finds to be non-competitive with existing normal markets for walnuts and with proper safeguards in each case to prevent such walnuts thereafter entering the channels of trade in such normal markets.

24. Amend the provisions of § 984.65 *Expenses* by deleting the second sentence and inserting in lieu thereof the following: "Such expenses for a marketing year shall be allocated between merchantable unshelled walnuts handled or certified for handling and merchantable shelled walnuts handled or declared for handling on the general basis of the respective estimated costs of operation."

25. Amend the provisions of § 984.66 *Assessments* by deleting the last sentence in subparagraph (1) of paragraph (e) and inserting in lieu thereof the following: "Such refunds to each handler shall be made on the basis of the ratio of his assessment obligation to the total assessment obligations of all handlers."

26. Amend the general heading entitled "Reports," immediately prior to § 984.68, by adding the words "and Books and Other Records," and amend the provisions of § 984.68 *Reports of handler carryover* by changing the date of "January 31" in the first sentence to "January 15."

27. Amend the provisions of § 984.69 *Reports of merchantable walnuts shipped from stock* by deleting the period at the end of the last sentence and adding the words "and such other information pertaining thereto as the Control Board may specify."

28. Amend the provisions of § 984.70 by deleting the parenthetical words "if merchantable" and inserting in lieu thereof the words "if unshelled."

29. Immediately following § 987.74 *Reports of receipts of merchantable restricted walnuts for shelling*, add the following section:

§ 984.74a *Reports of disposition of substandard walnuts.* Each handler shall submit, in such form and at such intervals as the Board may determine, reports, certified to the Board and the Secretary of Agriculture, of (a) his production and holdings of substandard shelled walnuts, and (b) the disposition of all substandard shelled walnuts, including all deliveries of such walnuts to any other person, showing the quantity, lot, date, name and address of the person to whom delivered and the approved use.

30. Amend the provisions in the first sentence of § 984.76 *Verification of reports* by deleting the words "made by handlers, the Control Board, through its duly authorized agents shall have access to each handler's" and inserting in lieu thereof the words "filed by handlers or the operations of handlers under the provisions of this part, the Control Board, through its duly authorized agents shall have access to any handler's."

31. Immediately following § 984.77 *Certification of reports* add the following section:

§ 984.77a *Books and other records.* Each handler shall maintain such records of walnuts received, held and disposed of by him as may be prescribed by the Control Board for the purpose of performing its functions under this subpart. Such books and records shall be available for examination by authorized representatives of the Control Board and the Secretary for a period of two years after the end of the marketing year in which the recorded transactions are completed.

32. Amend the provisions of § 984.80 *Cancellation of certificates*, § 984.81 *Postponement of control obligation upon the filing of a bond*, paragraphs (d), (e), and (f), § 984.86 *Exchange of walnuts withheld*, and § 984.88 *Exemptions*, by inserting the word "unshelled" between the words "merchantable" and "walnuts" wherever they appear.

33. Amend the provisions in paragraph (c) of § 984.80 *Cancellation of certificates*, by inserting the words "or surplus" before the word "certificates."

34. Amend the provisions in paragraph (d) of § 984.81 *Postponement of control obligation upon the filing of a bond* by inserting the words "not to exceed" preceding the words "the applicable bonding rate" in the second sentence.

35. Amend the provisions in paragraph (b) of § 984.82 *Revision of control percentages* by deleting the reference to "§ 984.53 (b)" and inserting in lieu thereof "§ 984.52 (a)."

36. Amend the provisions of § 984.83 *Adjustment upon revision of control percentages* by inserting the word "declared" after the word "handled."

37. Delete the provisions of § 984.85 *Interhandler transfers for meeting control obligations* and insert in lieu thereof the following:

§ 984.85 *Interhandler transfers.* (a) Within the area of production unshelled walnuts other than merchantable free walnuts may be sold or delivered by one handler to another for shelling and the receiving sheller shall comply with the regulations made effective pursuant to this part with respect to such walnuts.

(b) A handler may, for the purposes of meeting his control obligations, acquire walnuts from another handler, and any assessments, control obligations and inspection requirements with respect to walnuts so transferred shall be waived insofar as the seller is concerned. The Board, with the approval of the Secretary, may establish methods and procedures including necessary reports for such transfers.

(c) Except as provided in paragraphs (a) and (b) of this section, whenever transfers of walnuts are made from one handler to another, the first handler thereof shall comply with all of the regulations effective pursuant to this part.

38. Amend the provisions in paragraph (b) of § 984.88 *Exemptions* by deleting the word "merchantable" and inserting in lieu thereof the word "unshelled."

39. Recodify and make such conforming changes throughout this subpart as may become necessary as a result of changes proposed in Amendments 1 through 38.

Copies of the notice of hearing including the proposed amendments on which the hearing will be held may be obtained from the Western Marketing Field Offices, Fruit and Vegetable Division, Agricultural Marketing Service, located at 2082 Center Street, Berkeley 4, California; and 1218 S. W. Washington Street, Portland 5, Oregon; and 1031 South Broadway, Los Angeles 15, California; and from the Hearing Clerk, Room 112, Administration Building, U. S. Department of Agriculture, Washington 25, D. C.

Dated: April 22, 1957.

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

[F. R. Doc. 57-3357; Filed, Apr. 24, 1957;
8:53 a. m.]

Commodity Stabilization Service

[7 CFR Part 728]

WHEAT

NOTICE OF REFERENDUM FOR MARKETING QUOTAS 1958-59

The Secretary of Agriculture has duly proclaimed pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended, a national marketing quota for wheat for the marketing year beginning July 1, 1958. Said act requires the Secretary to conduct a referendum between the date of said proclamation

and July 25, 1957, of farmers who will be subject to such quota in order to determine whether such farmers favor or oppose such quota. Prior to the establishment of this date public notice was given (21 F. R. 9778) that the Secretary had under consideration the establishment of the date for holding the referendum. In the establishment of the date announced herein, due consideration was given to the views, data, and recom-

mendation received pursuant to such notice. It is hereby determined that such referendum shall be held on June 20, 1957.

Done at Washington, D. C., this 19th day of April 1957.

[SEAL]

EARL L. BUTZ,
Acting Secretary.

[F. R. Doc. 57-3360; Filed, Apr. 24, 1957;
8:54 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

RESTORATION ORDER UNDER FEDERAL POWER ACT

APRIL 17, 1957.

Pursuant to the determination of the Federal Power Commission consisting of a letter EPR Alaska, Ketchikan Pulp Co., addressed to the Chief, Forest Service, Department of Agriculture, dated February 29, 1952, and in accordance with Order No. 541, section 3.5 of the Director, Bureau of Land Management approved April 21, 1954, 19 F. R. 2473, as amended, it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the lands hereafter described, so far as they are withdrawn and reserved for power purposes, by Power Site Classification No. 257, created August 20, 1930, as modified by Interpretation No. 162 approved December 1, 1930, and Power Site Classification No. 419, approved November 2, 1951, are hereby restored to disposition by conveyance through a restricted patent pursuant to section 2 (b) of the act of August 8, 1947 (61 Stat. 920) subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818), as amended;

All land embraced in U. S. Surveys No. 3400 and 3401; latitude 55°25'56" N., longitude 131°40'13" W., said surveys having been approved February 9, 1956. (Pipeline and dam site located adjacent to Ward Creek near Ketchikan, Alaska.)

The tracts described contain a total of 83.46 acres.

The lands are included in an application for purchase, Anchorage 028528, pursuant to section 2 (b) of the act of August 8, 1947 (61 Stat. 920), and are not subject to the provisions of the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284), as amended, granting preference rights to veterans of World War II and others.

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

VIRGIL O. SEISER,
Manager.

[F. R. Doc. 57-3317; Filed, Apr. 24, 1957;
8:45 a. m.]

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Department of the Air Force has filed an application, Serial No. Anchorage 033715, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for a communication station.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

CAPE SARICHEF AREA

Tracts of land located on Unimak Island, in the Aleutian Islands, Alaska, more exactly described as follows:

Tract A

Commencing at U. S. C. & G. S. Monument "Pass", latitude 54°35'46.497" N., longitude 164°55'25.267" W., 1927 N. A. D.; Thence S. 85° 52' 00" E., 8,200 feet, more or less, to the point of beginning for this description;

Thence North 1,000 feet;
Thence East 2,000 feet;
Thence South 2,000 feet;
Thence West 2,000 feet;
Thence North 1,000 feet to the point of beginning.

Containing 91.83 acres, more or less.

Tract B

Commencing at U. S. C. & G. S. Monument "Pass", latitude 54°35'46.497" N., longitude 164°55'25.267" W., 1927 N. A. D.; Thence S. 32°55'40" E., 9,200.98 feet; Thence N. 10°42'40" W., 1,000 feet, more or less; to the point of beginning for this description;

Thence S. 79°17'20" W., 750 feet;
Thence N. 10°42'42" W., 5,500 feet;
Thence N. 79°17'20" E., 1,500 feet;
Thence S. 10°42'40" E., 5,500 feet;
Thence S. 79°17'20" W., 750 feet to the point of beginning.

Containing 189.39 acres, more or less.

Tract C

Commencing at U. S. C. & G. S. Monument "Pass", latitude 54°35'46.497" N., longitude

164°55'25.267" W., 1927 N. A. D.; Thence N. 31°13'10" E., 484.43 feet; Thence S. 51°00'30" E., 575.98 feet; Thence S. 48°21'10" E., 883.41 feet; Thence S. 58°31'40" E., 260 feet, more or less, to the point of beginning for this description;

Thence North 500 feet;
Thence East 1,000 feet;
Thence South 1,000 feet;
Thence West 1,000 feet;
Thence North 500 feet: to the point of beginning.

Containing 22.96 acres, more or less.

ROGER R. ROBINSON,
Operations Supervisor.

[F. R. Doc. 57-3318; Filed, Apr. 24, 1957;
8:45 a. m.]

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND
RESERVATION OF LANDS

The Department of the Air Force has filed an application, Serial No. Anchorage 033433, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for a communications site.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

EAGLE RIVER AREA

T. 14 N., R. 2 W., Seward Meridian,
Section 13: NW¼SW¼.

Containing 40 acres.

ROGER R. ROBINSON,
Operations Supervisor.

[F. R. Doc. 57-3319; Filed, Apr. 24, 1957;
8:46 a. m.]

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND
RESERVATION OF LANDS

The Weather Bureau has filed an application, Serial No. Fairbanks 013163, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for Weather Bureau housing and station facilities.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

No. 80—4

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

BARROW AREA

From Corner No. 3, Tract A, U. S. Survey No. 2244, near Barrow, Alaska, go South 27° 51' W., 523.63 feet to the point of beginning; Thence South 30° 00' E. 800 feet; Thence South 60° W. 618 feet; Thence North 30° W. 445 feet; Thence North 60° 00' E. 130 feet; Thence North 30° W. 355 feet; Thence North 60° 00' E. 488 feet, to the point of beginning. Containing 10.26 acres, more or less.

L. T. MAIN,
Acting Operations Supervisor.

[F. R. Doc. 57-3320; Filed, Apr. 24, 1957;
8:46 a. m.]

[Classification No. 537]

CALIFORNIA

SMALL TRACT CLASSIFICATION

APRIL 15, 1957.

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 223.77 acres in Kern County, California, as suitable for lease and sale for residence purposes and/or public sale under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended:

MOUNT DIABLO MERIDIAN

T. 32 S., R. 35 E.,
Sec. 22, Lots 1 to 6.

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 application 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 April 15, 1957, will be granted, as soon as possible, after the order of opening, the preference right provided for by 43 CFR 257.5 (a).

R. G. SPORLEDER,
Officer-in-Charge,
Southern Field Group,
Los Angeles, California.

[F. R. Doc. 57-3321; Filed, Apr. 24, 1957;
8:46 a. m.]

[Classification No. 539]

CALIFORNIA

SMALL TRACT CLASSIFICATION

APRIL 15, 1957.

1. Pursuant to authority delegated to me by the California State Supervisor, Bureau of Land Management, under Part 11, Document 4, California State Office, dated November 19, 1954 (19 F. R. 7697), I hereby classify the following described public lands, totaling 120 acres in San Bernardino County, California, as suitable for lease and sale for residence purposes and/or public sale under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended:

SAN BERNARDINO BASE AND MERIDIAN

T. 6 N., R. 3 W.,
Sec. 31, W½SE¼, W½E½SE¼.

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 application 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 April 15, 1957 will be granted, as soon as possible, the preference right provided for by 43 CFR 257.5 (a).

R. G. SPORLEDER,
Officer-in-Charge,
Southern Field Group,
Los Angeles, California.

[F. R. Doc. 57-3322; Filed, Apr. 24, 1957;
8:46 a. m.]

[Classification No. 126]

NEVADA

SMALL TRACT CLASSIFICATION

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F. R. 2473), I hereby classify the following described public lands, totalling 3,540 acres in Clark County, Nevada, 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, NEVADA

T. 21 S., R. 62 E.,
Sec. 28, E½SW¼, SW¼SW¼;
Sec. 33, E½NW¼;
Sec. 34, W½, W½SE¼, SE¼SE¼;
Sec. 35, NE¼SW¼, S½SW¼, W½SW¼
SE¼.

T. 22 S., R. 63 E.,
Sec. 20, SW¼;
Sec. 21, E½;
Sec. 27, SW¼NW¼, SW¼, SW¼SE¼;
Sec. 28, SW¼;
Sec. 29;
Sec. 33;
Sec. 34, NW¼NE¼, S½NE¼, W½, SE¼.

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 application 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.

E. R. GREENSLET,
State Supervisor.

APRIL 15, 1957.

[F. R. Doc. 57-3346; Filed, Apr. 24, 1957;
8:51 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

IDAHO

DISASTER ASSISTANCE; DESIGNATION OF AREA FOR SPECIAL EMERGENCY LOANS

For the purpose of making emergency loans pursuant to Public Law 727, 83d Congress, as amended, it is determined that in the State of Idaho there is a need for agricultural credit which cannot be met for a temporary period from commercial banks, cooperative lending agencies, the Farmers Home Administration under its regular programs, or under Public Law 38, 81st Congress (12 U. S. C. 1148a-2), as amended, or other responsible sources.

Pursuant to the authority set forth above, such loans may be made to new applicants in the State of Idaho through June 30, 1957. Thereafter, such loans may be made in the above State only to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D. C., this 18th day of April 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-3361; Filed, Apr. 24, 1957;
8:54 a. m.]

ATOMIC ENERGY COMMISSION

[Docket No. F-38]

GLENN L. MARTIN Co.

NOTICE OF PROPOSED ISSUANCE OF CONSTRUCTION PERMIT

Please take notice that the Atomic Energy Commission proposes to issue a construction permit to Glenn L. Martin Company substantially in the form set forth as Appendix "A" unless within fifteen (15) days after publication of this notice 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). There is an-

nexed as Appendix "B" a memorandum submitted by the Division of Civilian Application which summarizes the principal features of the proposed critical experiments facility and the principal factors considered in reviewing the application for a license. For further details see the application for license at the Commission's Public Document Room, 1717 H Street NW., Washington, D. C.

Dated at Washington, D. C., this 19th day of April 1957.

For the Atomic Energy Commission.

H. L. PRICE,
Director.

Division of Civilian Application.

APPENDIX "A"

[No. CPCX-]

CONSTRUCTION PERMIT

The Glenn L. Martin Company (hereinafter referred to as "Martin"), on October 26, 1956, filed its application for a Class 104 license, defined in § 50.21 of Part 50, "Licensing of Production and Utilization Facilities," Title 10, Chapter 1, C. F. R., to construct and operate a critical experiments facility (hereinafter referred to as "the facility"). On November 16, 1956, February 26, 1957, and March 4, 1957, Martin filed revisions to its license application. The original application together with said revisions is hereinafter referred to as "the application." The application sought approval for the construction and operation of two experiments relating to the Martin Power Reactor and the U. S. Army Package Power Reactor (hereinafter referred to as "the MPR and APPR experiments").

The Atomic Energy Commission (hereinafter referred to as "the Commission") has found that:

A. The facility will be a utilization facility as defined in the Commission's regulations contained in Title 10, Chapter 1, C. F. R., Part 50, "Licensing of Production and Utilization Facilities."

B. Martin proposes to utilize the facility in the conduct of research and development activities of the types specified in section 31 of the Atomic Energy Act of 1954.

C. Martin is financially qualified to construct and operate the facility in accordance with the regulations contained in Title 10, Chapter 1, C. F. R.

D. Martin is technically qualified to design and construct the facility.

E. Martin has submitted sufficient information to provide reasonable assurance that a facility of the type proposed and the MPR and APPR experiments of the type proposed can be constructed and operated at the proposed location without undue risk to the health and safety of the public and that additional information required to complete its application will be supplied.

F. The issuance of a construction permit to Martin will not be inimical to the common defense and security and to the health and safety of the public.

Pursuant to the Atomic Energy Act of 1954 (hereinafter referred to as "the act") and Title 10, C. F. R., Chapter 1, Part 50, "Licensing of Production and Utilization Facilities," the Commission hereby issues a construction permit to Martin to construct the facility as a utilization facility. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; is subject to all applicable provisions of the act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to any additional conditions specified or incorporated below.

A. The earliest date for the completion of the facility is June 1, 1957. The latest

date for completion of the facility is August 1, 1957. The term "completion date" as used herein means the date on which construction of the facility is completed and prior to the introduction of the fuel material for the initial critical experiment.

B. The site proposed for the location of the facility is the location in Middle River, Maryland, specified in the application.

C. The type of facility authorized for construction is a critical experiments facility designed primarily for testing reactor cores at near zero power levels.

D. At such time as this construction permit is converted into a license to operate the facility, such license will incorporate—as one of its conditions—a requirement that no critical experiment other than the MPR and APPR experiments described in the application may be conducted in the facility until a description of the experiment and a Hazards Summary Report shall have been submitted to the Commission and the Commission shall have specifically authorized the experimental activity.

This permit is subject to submittal by Martin to the Commission (by proposed amendment of the application) of additional information required to complete its Hazards Summary Report and a finding by the Commission that the final design provides reasonable assurance that the health and safety of the public will not be endangered by operation of the facility in accordance with the specified procedures.

Upon completion (as defined in Paragraph "A" above) of the construction of the facility in accordance with the terms and conditions of this permit, upon the filing of any additional information needed to bring the original application up to date, and upon finding that the facility and the experiments authorized have been constructed in conformity with the application as amended and in conformity with the provisions of the act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the act, the Commission will issue a Class 104 license to Martin pursuant to section 104c of the act, which license shall expire two (2) years after the date of this construction permit.

For the Atomic Energy Commission.

DIRECTOR,
Division of Civilian Application.

APPENDIX "B"

MEMORANDUM

Part I. *Description of facility.* In its license application the Glenn L. Martin Company described a proposed critical experiments facility to be located within the boundaries of the Martin Airport near Middle River, Maryland. The facility will contain two critical experiment cells, a work area, storage vault, office, counting room, and mechanical equipment room. The facility will be completely air-conditioned and the exhaust air from each of the test cells will be filtered if necessary before release to the stack.

Part II. *Proposed critical experiments.* The initial experiments to be performed in the facility relate to the Martin Power Reactor (MPR) and the U. S. Army Package Power Reactor (APPR). Although the two experiments will be performed simultaneously, they will be completely independent of one another except for a common emergency warning signal.

The MPR critical experiment will consist of tubular stainless steel clad fuel elements in a water moderator and reflector. Two types of control rods will be used:

1. Six MPR prototype control rods, two of which will be used as safety rods and four of which will be stationary when the critical assembly is operated.

2. Three control rods containing fuel which will have a total excess reactivity of not more than two per cent.

The MPR assembly will be supported in an aluminum tank containing the water moderator and reflector. This tank will be located in a concrete pit in one of the critical experiment cells. The cell walls and roof will be monolithic reinforced concrete. Two feet of concrete will separate the MPR control room from the MPR test cell.

The APPR critical assembly will use flat plate fuel elements consisting of uranium foils with stainless steel plates on both sides. Water will be used as the moderator and reflector. The APPR core will be mounted in an aluminum tank in a concrete pit in the other critical experiment cell. Two feet of concrete will separate the APPR control room from the APPR test cell.

The maximum power level of both critical experiments will be limited to 10 watts. Maximum excess reactivity available to the operator at any time will be less than two per cent in each facility and the maximum rate of reactivity addition by movement of a control rod will be 0.006 percent per second. In the MPR experiment the mean prompt neutron lifetime will be approximately 23 microseconds and in the APPR experiment approximately 40 microseconds.

The void coefficient in the MPR core will be approximately -0.37 percent reactivity for each percent of void and approximately -0.33 percent reactivity for each percent of void in the APPR core.

Part III. *Hazards Analysis.* The location and design of the two critical experiment cells are such that an accident in one of the cells will not initiate an accident in the other cell. The hazards associated with performing the two proposed critical experiments simultaneously in this facility are not considered to be significantly increased over that for a single experiment since the two experiments are independent of each other and the probability of an accident in either experiment is considered to be very small.

We concur with the applicant that the maximum credible accident for the APPR experiment would not be worse than a series of three 25 megawatt-second energy excursions and for the MPR experiment a series of thirteen 27 megawatt-second energy excursions. This accident would occur for either experiment if the four-inch standpipe in the water moderator storage tank is ruptured, the core tank water-fill valve is open, and all control rods are out of the core. Startup procedures would normally prevent this accident since they require all control rods to be fully inserted until the core tank has been filled with water.

The nuclear excursions in this accident would be spaced approximately 6.5 seconds apart. In either case the nuclear excursions would not damage the core and therefore would not release any fission products to the test cell. In both experiments the nuclear excursions are caused by the addition of water at the maximum possible rate. Each excursion is terminated by the expulsion of water moderator due to steam formation in the core. Since the water storage tanks add water continuously to the core tanks, the experiments can continue to go supercritical causing additional excursions. The amount of water in each storage tank is limited to the amount necessary to fill each core tank once. Criticality is reached in the two experiments well before the core tanks are full, and only a small percentage of the water present is thrown out in each excursion. The water available in each experiment limits the number of excursions to three in the APPR experiment and thirteen in the MPR experiment.

The maximum excess reactivity in the MPR experiment (14 per cent) is greater than that in the APPR experiment (2 per cent) and this accounts for the larger number of excursions in the case of the MPR experiment.

The reactivity addition rate due to water addition for the MPR experiment during the maximum credible accident is 1 percent per second and for the APPR experiment it is 0.1 percent per second.

The applicant has considered a more serious accident based on the instantaneous addition of all the excess reactivity available to the operator and has calculated the radiation dose at the nearest residence (2,000 feet from the facility) due to this accident. In the case of both experiments, the maximum excess reactivity available to the operator is two per cent and since the MPR experiment has the shorter prompt neutron lifetime the maximum energy released is greater. In the maximum possible accident, the maximum energy released is 242 megawatt-seconds for the MPR experiment and 180 megawatt-seconds for the APPR experiment. In each case a one hundred per cent release of all the fission products from the excursion is assumed although calculations by the applicant indicate that the fuel elements would not melt and therefore would not release any fission products. We do not believe that this accident is credible because we do not consider a release of 100 per cent of fission products possible even if one assumes the remote possibility of instantaneous insertion of the 2 per cent excess reactivity available to the operator.

There is some doubt that the two feet of concrete shielding between the control room and the test cell is adequate to provide sufficient shielding for the operators during a maximum credible accident. Therefore, unless the applicant can definitely establish that the shielding now proposed is adequate, additional shielding will have to be provided before the Commission will authorize performance of the proposed experiments.

The application has been reviewed for the purpose of determining whether there is reasonable assurance that a facility of the general type proposed can be constructed and experiments of the type described can be performed at the proposed location without undue risk to the health and safety of the public. Before approval is given to perform any experiments, the ones now planned or others to be proposed in the future, detailed attention will be given by the AEC to insure that adequate provisions are incorporated to prevent the release of fission products or other harmful materials to the atmosphere.

Part IV. *Technical Qualifications.* The proposed activities will be conducted by the Nuclear Division of the Glenn L. Martin Company. The education, training, and experience of the personnel responsible for the design and operation of the facility are considered adequate to insure safe operation.

Part V. *Financial Qualifications.* As evidence of its financial qualifications, Glenn L. Martin Company submitted with its application a copy of its Annual Report to its stockholders. From a review of the Consolidated Statement of Financial Position contained therein, it was concluded that the Company is financially qualified to construct and operate the reactor in accordance with the regulations contained in Title 10, Chapter 1, C. F. R., Part 50.

Part VI. *Conclusions.* Based upon the above considerations, it is concluded that:

a. There is reasonable assurance that a facility of the general type proposed and the MPR and APPR experiments of the type proposed can be constructed and operated at the proposed site without undue risk to the health and safety of the public.

b. The applicant is technically and financially qualified to engage in the proposed activities.

Dated: April 19, 1957.

For the Division of Civilian Application.

H. L. PRICE,
Director.

[F. R. Doc. 57-3338; Filed, Apr. 24, 1957; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 6293 et al.]

MONTANA LOCAL SERVICE CASE

NOTICE OF HEARING

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 401 of said act and the applicable regulations thereunder, that a hearing in the above-entitled proceeding is assigned to be held on May 13, 1957, at 10:00 a. m. (mountain standard time) in the Hotel Rainbow, Great Falls, Montana, before Examiner Merritt Ruhlen.

Without limiting the precise scope of the issues, particular attention will be directed to the following matters and questions:

(1) Whether the public convenience and necessity require the amendment of existing certificates of public convenience and necessity or the issuance of new certificates as contemplated in the applications and investigations consolidated in this proceeding pertaining to improvements in the local air service pattern in the Montana area as defined in the Board's Order No. E-10578 and E-11016 and explained in Notices to All Parties dated March 27 and April 16, 1957.

(2) Are the applicants fit, willing, and able to conduct the proposed air transportation and to conform to the provisions of the act and the regulations of the Board thereunder?

For further details regarding this proceeding, interested parties are referred to the Prehearing Conference Report, Orders, Notices and documents on file in the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person not a party of record desiring to be heard in support of or in opposition to questions involved in this consolidated proceeding must file with the Board on or before May 13, 1957, a statement setting forth the matters of fact or law which he desires to advance. Any person filing such a statement may appear at the hearing in accordance with Rule 14 of the Board's rules of practice in economic proceedings.

Dated at Washington, D. C., April 18, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-3352; Filed, Apr. 24, 1957; 8:51 a. m.]

[Docket No. 8494]

COMPANIA PANAMENA DE AVIACION, S. A.
(COPA)

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Compania Panamena de Aviacion, S. A., (COPA) under section 402 of the Civil Aeronautics Act of 1938, as amended, for a foreign air carrier permit to engage in foreign air transportation in scheduled and non-scheduled operations with respect to mail, persons, and property between the Republic of Panama and Miami, Florida.

Notice is hereby given that the hearing in the above-entitled proceeding heretofore assigned to be held on May 2, 1957 in Room E-224, Temporary Building No. 5, 16th Street and Constitution Avenue NW., Washington, D. C., has been postponed indefinitely at the request of counsel for the applicant.

Dated at Washington, D. C., April 18, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-3353; Filed, Apr. 24, 1957;
8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-12031]

PERMIAN BASIN PIPELINE CO.

NOTICE OF APPLICATION AND DATE OF
HEARING

APRIL 19, 1957.

Take notice that Permian Basin Pipeline Company (Applicant), a Delaware corporation with its principal place of business at Omaha, Nebraska, filed an application on February 18, 1957, pursuant to section 7 of the Natural Gas Act, for authority to sell and deliver natural gas to El Paso Natural Gas Company (El Paso), as hereinafter described subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicant proposes to sell to El Paso an average of approximately 10,000 Mcf of natural gas per day, through an existing interconnection of field facilities of both companies in Lea County, New Mexico, such sale to terminate one year after date of first delivery.

The application states that Applicant purchases natural gas from various fields in West Texas and in Lea County, New Mexico. The gas is transported through Applicant's facilities in Texas and New Mexico to its Plains Measuring Station in Yoakum County, Texas, where said gas is delivered and sold to Northern Natural Gas Company for resale. Due to a temporary oversupply of natural gas, Permian has not been purchasing its full allowable production from Wells in Lea County, New Mexico. Should Applicant continue to take less than the full allowables from the Lea County fields, it faces the possibility of cancellation of allowables by the Oil Conservation Commission of New Mexico, which may affect its overall supply situation. By selling to El Paso the volumes of gas in excess of its current market demands, Permian hopes to avoid any increases in its under-production and thereby minimize the possibility of cancellation of allowables in the Lea County fields.

Applicant advises that the proposed sale will in no way impair service to its present customers and that such sale will have no significant effect upon its total estimated available gas reserves.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 21, 1957, at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 6, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-3323; Filed, Apr. 24, 1957;
8:46 a. m.]

[Docket No. E-6743]

CINCINNATI GAS & ELECTRIC CO.

NOTICE OF APPLICATION

APRIL 19, 1957.

Take notice that on April 16, 1957 an application was filed with the Federal Power Commission pursuant to section 203 of the Federal Power Act by The Cincinnati Gas & Electric Company ("Applicant"), a corporation organized under the laws of the State of Ohio and doing business in said State with its principal business office at Cincinnati, Ohio, seeking an order authorizing the purchase of shares of the Capital Stock of The Union Light, Heat and Power Company ("Union"), a Kentucky corporation with its principal business office at Covington, Kentucky. Applicant owns 311,313³⁹/₆₄ shares of the outstanding Capital Stock of Union. Union proposes to offer to the holders of record April 15, 1957 of its Capital Stock, par value \$15 per share, the right to purchase an aggregate of 104,000 additional shares, such additional shares to be sold in full shares at \$32 per share and in units of ¹/₆₄ of one share at \$0.35 per unit. Warrants will be issued to present holders of its Capital Stock entitling them to subscribe for additional shares at the rate of ¹/₆₄ of one share for each ³/₆₄ of one share presently owned and outstanding; in addition, all stockholders will have the privilege of oversubscription, with proration if necessary, for any shares covered by outstanding Warrants not exercised, which will result

in the outstanding Capital Stock of Union being 416,000 shares after all shares subscribed for have been issued.

Any persons desiring to be heard or make any protest with reference to said application should on or before the 7th day of May 1957, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file and available for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-3324; Filed, Apr. 24, 1957;
8:47 a. m.]

[Docket No. G-8076]

WICHITA RIVER OIL CORP.

NOTICE OF APPLICATION AND DATE OF
HEARING

APRIL 19, 1957.

Take notice that Wichita River Oil Corporation (Applicant), a Delaware corporation, with its principal place of business in New York, New York, filed an application on December 6, 1954, as amended February 8, 1957, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act authorizing the sale of natural gas as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application, as amended, which is on file with the Commission, and open to public inspection.

Applicant in its amended application seeks authorization to make three sales of natural gas in interstate commerce to the Universal Gasoline Corporation (Universal), and two sales to Lone Star Gas Company (Lone Star), from certain leases in the Doyle Field, Stevens County, Oklahoma.

Analysis of the related rate schedules designated as Applicant's FPC Gas Rate Schedules Nos. 1, 2 and 3, discloses that the proposed sales to Universal are percentage sales and Applicant is hereby notified that, that portion of its application relating to the sales of natural gas to Universal will be dismissed pursuant to § 154.91 (e) of the Commission's regulations under the Natural Gas Act.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 27, 1957 at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of prac-

tice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 10, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made and concurrence in the dismissal of that portion of its application relating to percentage sales.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-3325; Filed, Apr. 24, 1957;
8:47 a. m.]

[Docket No. G-12439]

CRESCENT OIL AND GAS CORP.
ORDER SUSPENDING PROPOSED CHANGES
IN RATES

APRIL 19, 1957.

Crescent Oil and Gas Corporation (Crescent) on March 21, 1957, tendered for filing several proposed changes in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: Notice of Change dated March 19, 1957. Letter of Notification dated November 28, 1956.

Purchaser: Texas Gas Transmission Corporation.

Rate schedule designations: Supplement No. 2 to Crescent's FPC Gas Rate Schedule No. 2. Supplement No. 3 to Crescent's FPC Gas Rate Schedule No. 2.

Effective date: April 21, 1957.

In support of the proposed increased rates, Crescent cites the favored-nations provision of the contract and states that since the purchaser is now paying the proposed rate to other producers, the reasonable market price of gas in the area is the proposed rate.

The increased rates and charges so proposed have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the said proposed increased rates and charges, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4

¹ The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Crescent, if later.

and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed increased rates and charges; and, pending such hearing and decision thereon, the above-designated supplements be and they are each hereby suspended, and the use thereof deferred until September 21, 1957, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby shall be changed until this proceeding has been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-3326; Filed, Apr. 24, 1957;
8:47 a. m.]

[Docket No. G-9392 etc.]

JERNIGAN AND MORGAN OIL CO. ET AL.
NOTICE OF APPLICATIONS AND DATE OF
HEARING

APRIL 19, 1957.

In the matters of J. E. Jernigan and Max V. Morgan d/b/a Jernigan and Morgan Oil Company, Docket No. G-9392; J. E. Jernigan and Max V. Morgan, et al., Docket No. G-10314; Worth Drilling Company, et al., Docket No. G-10360; L. L. Chevalier, et al., Docket No. G-10361; Jernigan and Morgan Transmission Company, Docket No. G-10447.

Take notice that there have been filed with the Federal Power Commission applications for certificates of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, for authority to render service as herein-after described subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection.

Jernigan and Morgan Oil Company by its amended application in Docket No. G-9392 proposes to sell natural gas in interstate commerce to Jernigan and Morgan Transmission Company for resale from production in the Perue Sand, Victor Pool, Lincoln County, Oklahoma.

The applications in Docket Nos. G-10314, G-10360 and G-10361 seek authority to sell natural gas in interstate commerce to Jernigan and Morgan Transmission Company for resale from production in the East Victor Field, Lincoln County, Oklahoma.

J. E. Jernigan and Max V. Morgan d/b/a Jernigan and Morgan Oil Company, Operator, in Docket No. G-10314, has filed for itself and on behalf of twenty-eight parties owning working in-

terests in five wells located in the East Victor Field.

Worth Drilling Company, in Docket No. G-10360, has filed as Operator for twenty-four parties owning working interests in one well in the East Victor Field.

L. L. Chevalier in Docket No. G-10361 filed for himself and twelve additional parties owning working interests in two wells in the East Victor Field.

Jernigan and Morgan Transmission Company filed an application in Docket No. G-10447 in which it seeks authority to sell natural gas in interstate commerce to Cities Service Gas Company for resale, which gas is purchased from nine listed producers in the East Victor Field.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 27, 1957, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 10, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-3327; Filed, Apr. 24, 1957;
8:47 a. m.]

[Docket No. G-11709]

TOWN OF GREENBRIER, TENNESSEE
NOTICE OF APPLICATION AND DATE OF
HEARING

APRIL 18, 1957.

Take notice that the Town of Greenbrier, State of Tennessee, a municipal corporation, filed on January 7, 1957, pursuant to section 7 (a) of the Natural Gas Act, an application as supplemented on February 7, 1957 for an order directing Tennessee Gas Transmission Company (Tennessee Gas) to establish physical connection of its transportation facilities with the proposed facilities of

the Applicant, and to sell natural gas for resale for ultimate public consumption, all as more fully described in the application above mentioned which is on file with the Commission and open to public inspection.¹

Applicant proposes to construct and operate a natural gas distribution system in the municipality and in nearby areas and to sell the natural gas to be purchased from Tennessee Gas to the inhabitants for domestic and commercial purposes. The estimated cost of the said distribution system is \$85,000 which is to be financed by revenue bonds issued by Applicant. The estimated peak day and annual requirements in Mcf for the first five years of operations are as follows:

Year	Annual	Peak day
1.	14,600	200
2.	21,055	287
3.	25,285	344
4.	29,735	404
5.	34,060	428

Take further notice, that pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 22, 1957, at 10:00 a. m., e. d. s. t., in a hearing room of the Federal Power Commission 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the application and answer thereto: *Provided, however*, That the Commission may, after a non-contested hearing dispose of the proceeding pursuant to § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant or Tennessee Gas to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 10, 1957.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-3328; Filed, Apr. 24, 1957;
8:47 a. m.]

[Docket No. G-12032]

NORTHERN NATURAL GAS CO.

NOTICE OF APPLICATION AND DATE OF
HEARING

APRIL 18, 1957.

Take notice that Northern Natural Gas Company (Applicant), a Delaware corporation, with its principal place of business at Omaha, Nebraska, filed an application on February 18, 1957, pursuant to section 7 of the Natural Gas Act, for permission to abandon, and authority to acquire and operate natural gas facilities as hereinafter described, subject to

¹ An answer to such application was filed by Tennessee Gas on March 8, 1957.

the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicant proposes to purchase certain branch line facilities presently owned by four of its utility customers in Iowa, Minnesota, Nebraska and South Dakota. The customers and facilities involved are as follows:

Utility Customer and Facilities To Be Purchased

Iowa Public Service Co.: Approximately 10.69 miles of 6-inch branch line to Yankton, South Dakota. Approximately 1.9 miles of 2-inch branch line to Gayville, S. Dak., the 2-inch line, being attached to the 6-inch Yankton line.

Iowa Power & Light Co.: Approximately 4.7 miles of 2-inch branch line to Griswold, Iowa.

Central Electric & Gas Co.: Approximately 0.54 of a mile of 6-inch branch line to Beatrice, Nebr.

Minnesota Natural Gas Co.: Approximately 20.6 miles of 4-inch lines to Worthington, Minn. These are two parallel lines, each line being about 10.3 miles long.

Applicant states that these facilities are owned by the utilities and are leased to Applicant who has been operating and maintaining them for a number of years.

Applicant also seeks permission and approval to abandon and sell to Iowa Public Service Company approximately 1.38 miles of Applicant's 8-inch line between its present town border station for Yankton, South Dakota, and a proposed new town border station to be built on the lines serving that town. Applicant states that at the time of its construction, the present station was a considerable distance from residential areas and buildings. Since that time, dwellings and other structures have been built in the station area. For reasons of public safety, Northern proposes to relocate the station in an area beyond existing dwellings and structures, and sell to Iowa Public Service the 1.38 miles of 8-inch line between the present and proposed town border stations, to be operated as part of the distributor's system in Yankton.

Applicant states that the proposed sale of facilities to Iowa Public Service Company, and purchase of the lines from Applicant's utility customers will not result in any abandonment or other change in service. Nor will there be any change in the capacity of gas supply available to Northern's customers. The proposed transaction will result only in Applicant owning all the facilities it operates, and the various distributors owning all the facilities operated by them.

The application shows the depreciated original cost of all the facilities to be acquired is \$207,390, and that Applicant has agreed to pay \$146,500, the difference of \$60,890 being credited to its depreciation reserve. The purchase will be financed out of funds on hand.

Sale of the Yankton line by Applicant to Iowa Public Service Company will be made at an agreed price of \$25,500.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 21, 1957 at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 6, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-3329; Filed, Apr. 24, 1957;
8:47 a. m.]

FEDERAL COMMUNICATIONS
COMMISSION

[Docket No. 11866; FCC 57-395]

ALLOCATION OF CERTAIN FREQUENCIES

NOTICE OF HEARING

In the matter of allocation of frequencies in the bands above 890 Mc.; Docket No. 11866.

Notice is hereby given that the fact finding hearing in the above-entitled proceeding will commence before the Commission en banc at 10 a. m., on May 20, 1957, in Room 7134, New Post Office Building, Washington, D. C.

Attached is a list of the witnesses¹ who will be called to testify at the hearing in the order of their scheduled appearance. For those witnesses expected to be reached during the first two weeks of the hearing, the week during which they will be called is specified. By subsequent notices the Commission will specify the week of appearance for additional witnesses. The list of witnesses, as well as the order and time of their appearances is subject to change, and the Commission will endeavor to give as much advance notice as possible of any such changes.

Each witness shall file with the Commission an original and 14 copies of his proposed statement and of any exhibits intended to be introduced, by the Monday of the week preceding his scheduled appearance (e. g., witnesses scheduled to appear during the first week of the hearing will file their statements and exhibits

¹ Filed as part of the original document.

on or before May 13, 1957). It is suggested that witnesses have extra copies of their statements and exhibits available at the hearing for distribution to the press and other parties.

Adopted: April 17, 1957.

Released: April 22, 1957.

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

[F. R. Doc. 57-3349; Filed, Apr. 24, 1957; 8:51 a. m.]

[Docket No. 11977; FCC 57M-389]

SOUTHERN BROADCASTING CO. (KCLH)

ORDER CONTINUING PREHEARING CONFERENCE

In re application of D. R. James, Jr., tr/as Southern Broadcasting Company (KCLH) Camden, Arkansas, Docket No. 11977, File No. BP-10376; for construction permit.

At the oral request of the applicant and with the consent of the other parties; *It is ordered*, This 19th day of April 1957, that the prehearing conference in the above-entitled matter heretofore scheduled to commence on April 24, 1957, is postponed to 10:00 a. m., May 1, 1957, and will be held in the Commission's offices in Washington, D. C.

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

[F. R. Doc. 57-3350; Filed, Apr. 24, 1957; 8:51 a. m.]

UNITED STATES TARIFF COMMISSION

[Investigation 61]

STAINLESS STEEL FLATWARE

INVESTIGATION INSTITUTED AND HEARING ORDERED

Investigation instituted. Upon application of the Stainless Steel Flatware Manufacturers Association, Englishtown, N. J., received April 11, 1957, the United States Tariff Commission, on the 18th day of April 1957, under the authority of section 7 of the Trade Agreements Extension Act of 1951, as amended, and section 332 of the Tariff Act of 1930, instituted an investigation to determine whether table knives, forks, and spoons, wholly of metal and in chief value of stainless steel, classifiable under paragraph 339 or paragraph 355 of the Tariff Act of 1930 are, as a result in whole or in part of the duty or other customs treatment reflecting concessions granted thereon under the General Agreement on Tariffs and Trade, being imported into the United States in such increased quantities, either actual or relative, as to cause or threaten serious injury to the domestic industry producing like products.

Public hearing ordered. A public hearing in this investigation will be held beginning at 10 a. m., e. d. s. t., on July 16, 1957, in the Hearing Room, Tariff

Commission Building, Eighth and E Streets NW., Washington, D. C. Interested parties desiring to appear and be heard at the hearing should notify the Secretary of the Commission, in writing, at least three days in advance of the date set for hearing.

Inspection of application. The application filed in this case is available for public inspection at the office of the Secretary, United States Tariff Commission, Eighth and E Streets NW., Washington, D. C., and at the New York office of the Tariff Commission, located in Room 437 of the Custom House, where it may be read and copied by persons interested.

Issued: April 22, 1957.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc. 57-3351; Filed, Apr. 24, 1957; 8:51 a. m.]

GENERAL SERVICES ADMINISTRATION

[Delegation of Authority No. 289]

SECRETARY OF AGRICULTURE

DELEGATION OF AUTHORITY TO ENTER INTO CONTRACTS FOR PROCUREMENT OF ENGINEERING SERVICES

1. Pursuant to authority vested in me by the provisions of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, authority is hereby delegated to the Secretary of Agriculture to enter into contracts for professional engineering services required for all roads, trails, bridges, dams, buildings, cadastral surveys, landscape, architectural and related professional engi-

neering services such as planning and design of campgrounds, picnic areas, trailer parks, observation points, and playgrounds, together with necessary structures, water, sanitation and other facilities that are involved in programs of the Forest Service and those incident to the construction of dams, channels, silting basins and other water use and control structures in connection with the watershed and flood prevention programs of the Soil Conservation Service, without advertising pursuant to section 302 (c) (4) and (9) of the said act.

2. This delegation of authority shall be subject to all provisions of Title III of the said act with respect to negotiated contracts, and to all other provisions of law.

3. The authority delegated herein may be redelegated to any officer or employee of the Department of Agriculture.

4. This delegation shall be effective as of the date hereof, and shall not extend beyond July 1, 1958. The prior delegation of authority on the same subject to the Secretary of Agriculture, dated April 17, 1956 (21 F. R. 2606), is hereby superseded.

Dated: April 19, 1957.

FRANKLIN G. FLOETE,
Administrator.

[F. R. Doc. 57-3354; Filed, Apr. 24, 1957; 8:52 a. m.]

REPORT OF PURCHASES UNDER DOMESTIC PURCHASE REGULATION

Report of purchases under Domestic Purchase Regulation operating on delegation of authority by Department of Interior under PL 733.

FEBRUARY 28, 1957.

Material	Termination date of program	Unit of measure	Total limitation	Interim limitation	Quantity purchases	
					During February	Inception to Feb. 28, 1957
Asbestos.....	12-31-58	Short tons, Crude #1 and #2.....	2,000	469	113	478
		Short tons, Crude #3.....	2,000	469	86	311
Columbium-tantalum...	12-31-58	Pounds, contained combined pentoxide.....	250,000	57,559	0	10,184
Fluorspar.....	12-31-58	Short tons, acid grade.....	250,000	58,647	19,133	19,133
Tungsten.....	12-31-58	Short ton units, tungsten trioxide.....	1,250,000	293,584	33	283,463

¹ Short dry ton.

Dated: April 19, 1957.

FRANKLIN G. FLOETE,
Administrator.

[F. R. Doc. 57-3355; Filed, Apr. 24, 1957; 8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3581]

POTOMAC EDISON CO. ET AL.

NOTICE OF PROPOSED ISSUE AND SALE OF COMMON STOCK BY SUBSIDIARIES TO HOLDING COMPANY

APRIL 18, 1957.

In the Matter of The Potomac Edison Company, Northern Virginia Power Company, Potomac Light and Power Company, South Penn Power Company; File No. 70-3581.

Notice is hereby given that The Potomac Edison Company ("Potomac Edison"), a registered holding company and subsidiary of The West Penn Electric Company, also a registered holding company, and Northern Virginia Power Company ("Northern Virginia"), Potomac Light and Power Company ("Potomac Light"), and South Penn Power Company ("South Penn"), public-utility subsidiaries of Potomac Edison, have filed a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act"), designating sections 6, 7, 9, 10 and 12 thereof and Rules U-43 and U-44 thereunder as ap-

plicable to the proposed transactions, which are summarized as follows:

Northern Virginia, Potomac Light, and South Penn propose to issue and sell additional shares of their authorized and unissued capital stocks, and Potomac Edison proposes to acquire such shares, in each case for a cash consideration equal to the aggregate par or stated value thereof, as follows:

Subsidiary and title of issue	Presently outstanding	Proposed to be issued	Cash consideration
	<i>Shares</i>	<i>Shares</i>	
Northern Virginia—Common stock, par value \$100 per share....	146,500	10,500	\$1,050,000
Potomac Light—Common stock, par value \$100 per share.....	123,000	9,000	900,000
South Penn—Capital stock, no par, stated value \$5 per share.....	704,200	23,800	119,000

Potomac Edison now owns all of the outstanding shares of capital stock of each of the subsidiaries. Such shares are pledged under the Indenture of Potomac Edison dated as of October 1, 1944, as supplemented, securing its First Mortgage and Collateral Trust Bonds. The additional shares proposed to be acquired by Potomac Edison will be issued from time to time as necessary prior to December 31, 1957, and on issuance will be pledged under said Indenture in accordance with the requirements there-of.

The said subsidiaries will apply the net proceeds from the sale of said stock for necessary property additions and improvements.

It is stated that the State Corporation Commission of Virginia has jurisdiction over the issuance and acquisition of the stock of Northern Virginia; that the Pennsylvania Public Utility Commission has jurisdiction over the issuance of the stock of South Penn; and that the Public Service Commission of West Virginia has or asserts jurisdiction over the acquisition by Potomac Edison of the stocks of said subsidiaries. The applicable orders of these State commissions will be filed by amendment.

The aggregate fees and expenses to be paid in connection with said transactions are estimated at \$3,225, including \$300 for attorneys' fees.

Notice is further given that any interested person may, not later than May 6, 1957 at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date the application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in

Rules U-20 (a) and U-100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.
[F. R. Doc. 57-3331; Filed, Apr. 24, 1957;
8:48 a. m.]

[File No. 812-1072]

NICOLLET TRUST

NOTICE OF FILING OF APPLICATION FOR ORDER EXEMPTING TRANSACTIONS BETWEEN AFFILIATES

APRIL 19, 1957.

Notice is hereby given that The Nicolle Trust ("Trust"), an affiliated person of an affiliated person of Investors Diversified Services, Inc. ("IDS"), a face-amount certificate company registered under the Investment Company Act of 1940 ("act"), has filed an application, pursuant to section 17 (b) of said act, for an order exempting from the provisions of section 17 (a) of the act the transaction described below.

The application makes the following representations.

On April 27, 1955 in the ordinary course of business IDS entered into commitments to advance an aggregate of \$2,150,000 to the Trust to be secured by two mortgage loans on downtown real property in Minneapolis, Minnesota. At the time of the commitments IDS advanced \$1,400,000 and agreed to disburse the remaining \$750,000 upon completion of a certain building to be located on the mortgaged property. At the time of these commitments no affiliation existed between IDS and the Trust.

Thereafter, on October 11, 1955, IDS acquired a 49 percent stock interest in Baker Block Land Trust and Central Heating Company which, respectively, own and supply heat to the building in which IDS has its home office. These companies and the Trust are under the common control of Baker Properties, Inc., a corporation which operates and owns or controls various business properties, principally in the city of Minneapolis. By reason of this acquisition the Trust became an affiliated person of an affiliated person of IDS within the meaning of section 2 (a) (3) of the act.

It is now proposed that the present several mortgage loans held by IDS be consolidated into a single new mortgage loan in a reduced amount, that the commitment of IDS to disburse an additional \$750,000 shall be reduced to \$550,000, and that the interest rate on the loan shall be at a 4¾ percent rate instead of the existing 4½ percent rate.

Section 17 (a) of the act prohibits an affiliated person of a registered investment company, or an affiliated person of such a person from selling to or purchasing from such registered investment company or any company controlled by such registered investment company, any security or other property, subject to certain exceptions, unless the Commission upon application pursuant to section 17 (b) grants an exemption from the provisions of section 17 (a), after

finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the act, and is consistent with the general purposes of the act. Since, by definition under the act, the Trust is an affiliated person of an affiliated person of IDS, a registered investment company, the proposed transaction is subject to the provisions of section 17 (a) of the act.

Notice is further given that any interested person may, not later than May 2, 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. 57-3333; Filed, Apr. 24, 1957;
8:48 a. m.]

[File No. 812-1074]

VALUE LINE FUND, INC., AND ARNOLD BERNHARD & CO., INC.

NOTICE OF APPLICATION FOR ORDER EXEMPTING TRANSACTIONS BETWEEN AFFILIATED PERSONS

APRIL 18, 1957.

Notice is hereby given that The Value Line Fund, Inc. ("Value Line"), a registered open-end, diversified investment company under the Investment Company Act of 1940 ("act"), and Arnold Bernhard & Co., Inc. ("Bernhard, Inc."), a corporation organized under the laws of New York and the investment adviser of Value Line, have filed a joint application pursuant to the provisions of section 17 (b) of the act requesting an order exempting from the provisions of section 17 (a) of the act the purchase by Bernhard, Inc. from Value Line of 8,800 shares of Estey Organ Corporation, a Delaware corporation which is engaged in the business of manufacturing and servicing organs.

Bernhard, Inc. is an "affiliated person" of Value Line as that term is defined in section 2 (a) (3) of the act. The proposed transaction is, therefore, prohibited by section 17 (a) of the act, which makes it unlawful, subject to an exception not relevant here, for an affiliated person (Bernhard, Inc.) of a registered investment company (Value Line) to purchase any securities from such regis-

tered company unless the Commission upon application pursuant to section 17 (b) of the act grants an exemption from the provisions of section 17 (a) of the act after finding that the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered company concerned, as recited in its registration statements filed under the act, and is consistent with the general purposes of the act.

The application represents that the background of the proposed transaction is as follows:

In February 1955, Value Line purchased from Eastman Dillon, Union Securities & Co. ("Eastman Dillon") a block of common stock of Estey Organ Corporation, a Vermont corporation ("Estey of Vermont") at a price of \$15 a share. Value Line subsequently disposed of part of its holdings of Estey of Vermont and retained 8,800 shares of such common stock. Subsequently, and early in 1956, Estey of Vermont was found to be in extreme financial difficulties. In June 1956, Value Line commenced legal action against Eastman Dillon alleging causes of action for damages and for rescission. Arnold Bernhard, President of Value Line and also President of Bernhard, Inc., and some other individuals have been attempting to rehabilitate Estey of Vermont.

The program for attempted rehabilitation involved (1) the formation of a new Delaware corporation known as Estey Organ Corporation ("Estey of Delaware"), (2) the raising initially of \$600,000 by Estey of Delaware through the sale of equity securities, including the sale to Bernhard, Inc. and Arnold Bernhard for a consideration of \$215,000 of 215,000 shares of capital stock and warrants to purchase 215,000 additional shares of such capital stock, and (3) the merger of Estey of Vermont into Estey of Delaware. Subsequently, in February and March 1957, Estey of Delaware realized an additional \$115,000 through the sale of 115,000 shares of capital stock as a result of the exercise of some of the warrants previously issued.

At the time of the filing of this application Bernhard, Inc. and Arnold Bernhard, individually, owned in the aggregate 28 percent of the outstanding capital stock of Estey of Delaware. Consequently, according to representations in the application, Value Line may not, consistently with section 59 of its by-laws, continue to retain its holdings of Estey of Delaware stock.

Section 59 of Value Line's by-laws provides, in substance, that Value Line shall not retain securities of any issuer if the officers and directors of Value Line or of its manager owning individually more than 1/2 of 1 percent of the securities of such issuer together own beneficially more than 5 percent of the securities of such issuer.

The application further represents that the proposed transaction is designed to (1) dispose of Value Line's stock interest in Estey of Delaware so as to bring Value Line into compliance with Section 59 of its by-laws as respects the stock of

Estey of Delaware, (2) give Value Line a possible opportunity to realize benefits, if any, which may result from the efforts to rehabilitate Estey of Delaware, and (3) make available to Value Line shares of Estey of Delaware stock for tender to Eastman Dillon in connection with the pending action for rescission.

The application further represents that Value Line and Bernhard, Inc. propose to enter into a written agreement providing for the sale by Value Line to Bernhard, Inc. of 8,800 shares of capital stock of Estey of Delaware as follows:

Bernhard is to purchase the 8,800 shares of common stock of Estey of Delaware for a consideration per share equal to the resale value of the shares whenever the same are hereafter sold by Bernhard, Inc., or the sum of \$2 per share, whichever is greater, payable as follows: the amount of \$2 a share upon delivery of the shares by Value Line to Bernhard, Inc. and the balance, if any, within seven days after the receipt by Bernhard, Inc. of the proceeds of the sale of shares by Bernhard, Inc.

Bernhard, Inc. may sell the shares at such time or times as it deems appropriate, subject, however, to its agreement to make the certificates for the shares available for tender to Eastman Dillon or to sell said shares or any part thereof from time to time if so requested by the Fund, acting pursuant to a resolution adopted by a majority of the directors of Value Line who are not affiliated with Bernhard, Inc.

In the event that Value Line is successful in the rescission action and receives an amount equal to the cost to it of the shares, Value Line is to return to Bernhard, Inc. the \$2 per share to be received by Value Line from Bernhard, Inc., without interest. In such case, Bernhard, Inc. is to deliver the certificates for the shares to Eastman Dillon. If Value Line receives damages in the legal action which reflect a deduction for the receipt of the \$2 per share consideration paid by Bernhard, Inc., then Bernhard, Inc. is to be entitled to retain and dispose of the shares without being accountable to Value Line in any way whatsoever, and, in such case, the total purchase price is to be reduced to \$2 a share.

Notice is further given that any interested person may, not later than April 29, 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-50 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 57-3330; Filed, Apr. 24, 1957; 8:48 a. m.]

[File No. 812-1075]

LEHMAN CORP.

NOTICE OF FILING OF APPLICATION REGARDING LIMITED PARTNERSHIP ARRANGEMENT

APRIL 18, 1957.

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

The application makes the following representations:

The firm of Lehman Brothers and certain of its partners, affiliated persons of applicant, intend to become directly or indirectly, limited partners in a limited partnership formed for the purpose of exploitation and development of certain interests in oil properties, the capital interests of the firm and such partners to be in the aggregate amounts of approximately \$250,000 and \$1,000,000, respectively. Certain customers and associates of the firm are also to become limited partners, their aggregate capital interests to be approximately \$1,500,000. Applicant has been extended an invitation to become a limited partner of this partnership with a capital interest in the amount of \$750,000. The aggregate capital interest of the limited partners in this partnership, including those of other limited partners in addition to applicant, said firm, such partners, and such customers and associates of the firm, will be \$12,000,000.

All limited partners in the partnership are to participate, in proportion to their respective capital interests, on the same basis, and the participation of applicant therein will not be different from or less advantageous than that of any other limited partner.

The amount of applicant's proposed participation in this limited partnership has been determined by consultation with the firm of Lehman Brothers and other participants therein and has been approved by action of the Board of Directors of applicant. Applicant considers its proposed participation in the partnership a desirable investment opportunity, consistent with its investment policies and with the provisions, policies and purposes of the Investment Company Act of 1940. The matter of such participation by applicant is not to be submitted to its stockholders for approval.

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

Since affiliated persons of Applicant will participate, the joint arrangement

is subject to the provisions of Rule N-17D-1.

Notice is further given that any interested person may, not later than May 1, 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. 57-3332; Filed, Apr. 24, 1957;
8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

A. P. VAREKAMP

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

Mr. A. P. Varekamp, Djalan Abdul Rival 1A, Medan, Indonesia, Claim No. 60379, Vesting Order No. 17950, \$125.00 in the Treasury of the United States; 10 shares of Keta Gas and Oil Corporation common stock PV 10 cents; and 7 shares of Swan Finch Oil Corporation \$5.00 PV common stock. Certificates, evidencing the above-described shares, are registered in the name of the Attorney General of the United States and are presently in the custody of the Safekeeping Department of the Federal Reserve Bank of New York, New York.

Executed at Washington, D. C., on April 18, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 57-3334; Filed, Apr. 24, 1957;
8:48 a. m.]

EGON CARL WINKLER

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 located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Egon Carl Winkler, Vienna XIV, Austria, Claim No. 45095, Vesting Order No. 201, property described in Vesting Order No. 201 (8 F. R. 625, January 16, 1943) relating to United States Letters Patent No. 1,936,281.

Executed at Washington, D. C., on April 18, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 57-3335; Filed, Apr. 24, 1957;
8:48 a. m.]

GEORGES LEBLANC

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 located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

quate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Georges LeBlanc, Paris, France, Claim No. 38707, Vesting Order No. 666, property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent No. 2,095,605.

Executed at Washington, D. C., on April 19, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 57-3336; Filed, Apr. 24, 1957;
8:48 a. m.]

STATE OF NETHERLANDS FOR THE BENEFIT OF J. E. MINKENHOF

AMENDMENT TO NOTICE OF INTENTION TO RETURN VESTED PROPERTY AND DETERMINATION AND RETURN ORDER

In the matter of L. S. Claim No. 214 of the State of the Netherlands for the benefit of Dr. J. E. Minkenhof, Vesting Order No. 18521.

Notice of Intention to Return Vested Property to the Claimant named above, published in the FEDERAL REGISTER on November 7, 1956 (21 F. R. 8551), and Determination and Return Order No. 3075 executed on December 13, 1956, are hereby amended by deleting therefrom the figure "\$1,681.07" contained in the description of the property ordered returned.

All other provisions of the Notice of Intention to Return Vested Property and Determination and Return Order No. 3075 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto, and under the authority thereof, are hereby ratified and confirmed.

Executed at Washington, D. C., on April 18, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 57-3337; Filed, Apr. 24, 1957;
8:48 a. m.]



