

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 22

NUMBER 125

Washington, Friday, June 28, 1957

TITLE 7—AGRICULTURE

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

PART 28—COTTON STANDARDS

SUBPART A—REGULATIONS UNDER THE UNITED STATES COTTON STANDARDS ACT

SUBPART B—CLASSIFICATION FOR FOREIGN GROWTH COTTON AND COTTON LINTERS

REVISION OF REGULATIONS

On May 23, 1957, a notice of proposed rule making was published in the FEDERAL REGISTER (22 F. R. 3630) regarding a proposed revision of the Regulation under the United States Cotton Standards Act (7 CFR Part 28 Subpart A) and the regulations for cotton classification for foreign growth cotton (7 CFR Part 28 Subpart B), pursuant to authority contained in the United States Cotton Standards Act, as amended (42 Stat. 1517; 7 U. S. C. 51 et seq.) and in the Agricultural Marketing Act of 1946, as amended (60 Stat. 1087; 7 U. S. C. 1621 et seq.).

After consideration of all relevant matters presented pursuant to the notice, said regulations are hereby amended as set forth below with the following changes:

The proposed revised regulations (7 CFR, Part 28, Subparts A and B) as published in the FEDERAL REGISTER of May 23, 1957 (22 F. R. 3630) are adopted as set forth below with the following changes:

1. Wherever in the headnote or text of §§ 28.2 (j), 28.8, 28.30, 28.90, 28.138 (b), and 28.161 the words "Department of Agriculture" appear, delete the words "of Agriculture" immediately after the word "Department."

2. In § 28.2 (o), the last word is changed from "varieties" to "growth."

3. Wherever in §§ 28.15 (b), 28.25 (c), and 28.57 the words "Cotton Division" appear, delete the word "Cotton" immediately before the word "Division."

4. In § 28.65, insert the words "or D" immediately after the words "Form A."

5. In § 28.66, fifth sentence, insert the words "for reviews of Form A and Form C determinations" immediately after the

words "Redrawn samples shall be required."

6. Section 28.80 (c) is revised.

7. In § 28.85 (a), first clause, insert a semicolon after the words "classification of cotton" and delete the words "as a licensed classer."

8. In § 28.86, insert a period after the word "reasonable" and delete the words "and shall be in accordance with a schedule previously submitted to, and approved by, the Director."

9. In § 28.87, next to last sentence, the word "will" is changed to the word "shall." In the last sentence, delete the words "Agricultural Marketing" immediately before the word "Service."

10. In § 28.90 (a), the word "classifier" is changed to the word "classer."

11. In § 28.95 (i), insert the word "of" between the words "sample" and "cotton."

12. In § 28.95, delete the last sentence reading "In addition, the class certificate may include any other matter not inconsistent with the act or this subpart."

13. In § 28.96, second sentence, insert the words "or memorandum" immediately after the words "The certificate."

14. In § 28.120, the last sentence is changed to read as follows: "For samples submitted for Form C determination, the party requesting the classification shall pay the fees prescribed in this subpart and, in addition, a fee of \$3 per hour, or each portion thereof, plus the necessary traveling expenses and subsistence, or per diem in lieu of subsistence, incurred on account of such request, in accordance with the fiscal regulations of the Department applicable to the Division employee supervising the sampling."

15. Wherever in §§ 28.9, 28.124, 28.143, 28.145 (b) (f) (g) (h) (i) and (j), 28.147, 28.148, 28.160, 28.179, and 28.183 the word "to" is used between section numbers in a reference to a group of section numbers, delete the word "to" and insert the word "through."

16. In § 28.147 (b), first sentence, the word "license" before the words "linters classer" is changed to the word "licensed."

17. Section 28.149 is revised.

All cotton classers holding licenses pursuant to the regulations during the 1956-57 season were notified individually by a

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FEDERAL REGISTER

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

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Title 26 (1954), Parts 1-169
(Rev. 1956) (\$4.25)
Title 50 (\$0.60)

Previously announced: Title 3, 1956 Supp. (\$0.40); Titles 4 and 5 (\$1.00); Title 7, Parts 1-209 (\$1.75), Parts 210-899 (\$2.00), 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 14, Part 400 to end (\$1.00); Title 16 (\$1.50); Title 17 (\$0.60); Title 18 (\$0.50); Title 19 (\$0.65); Title 20 (\$1.00); Title 21 (\$0.50); Titles 22 and 23 (\$1.00); Title 24 (\$1.00); Title 25 (\$1.25); 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. 1, and Title 27 (\$1.00); Title 26 (1954), Parts 170-220 (Rev. 1956) (\$2.25); Titles 28 and 29 (\$1.50); Titles 30 and 31 (\$1.50); Title 32, Parts 1-399 (\$1.00), Parts 400-699 (\$1.25), Parts 700-799 (\$0.50), Parts 800-1099 (\$0.55), Part 1100 to end (\$0.50); Title 32A (\$2.00); Title 33 (\$1.50); Titles 35, 36, and 37 (\$1.00); Title 38 (Rev. 1956) (\$8.00); Title 39 (\$0.50); Titles 40, 41, and 42 (\$1.00); Title 43 (\$0.60); Titles 44 and 45 (\$1.00); Title 46, Parts 1-145 (\$0.65); Titles 47 and 48 (\$2.75); 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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memorandum dated April 8, 1957, of the proposed changes effecting them. The notice of proposed rule making published May 23, 1957, in the FEDERAL REGISTER (22 F. R. 3630) and a press release issued on May 20, 1957, announced that the Department proposed to make the revised regulations effective July 1, 1957.

Good cause is hereby found for making the revised regulations effective July 1, 1957, for the reasons that: (1) All licenses for cotton classers expire July 31, 1957, and it is imperative that the Department have sufficient time to process and issue renewals of licenses under the revised regulations prior to July 31, 1957; (2) the cotton classing services offered to the public are improved by clarifying certain provisions and deleting a large number of obsolete provisions and in order to be of maximum benefit should be made effective immediately; and (3) no additional time is required in order for the industry to make preparation for compliance with the revised regulations.

Done at Washington, D. C., this 25th day of June 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

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AUTHORITY: §§ 28.1 to 28.184 issued under sec. 10, 42 Stat. 1517; sec. 205, 60 Stat. 1090; 7 U. S. C. 61, 1624.

SUBPART A—REGULATIONS UNDER THE UNITED STATES COTTON STANDARDS ACT

DEFINITIONS

§ 28.1 *Meaning of words.* Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 28.2 *Terms defined.* As used throughout this subpart, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) *The act.* The United States Cotton Standards Act, approved March 4, 1923 (42 Stat. 1517; 7 U. S. C. 51 et seq.) with such amendments as may be made from time to time.

(b) *Regulations.* Regulations mean the provisions in this subpart.

(c) *Department.* The United States Department of Agriculture.

(d) *Secretary.* The Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(e) *Service.* The Agricultural Marketing Service of the United States Department of Agriculture.

(f) *Deputy Administrator.* The Deputy Administrator for Marketing Services, or any officer or employee of the Service, to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(g) *Division.* The Cotton Division of the Agricultural Marketing Service.

(h) *Director.* The Director of the Division or any officer or employee of the Division to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated by the Director to act in his stead.

(i) *Board.* Board of cotton examiners.

(j) *Cotton examiner.* An officer of the Department so designated by the Director.

(k) *License.* A license issued under the act by the Secretary.

(l) *Licensed classer.* A person licensed under the act by the Secretary to classify cotton according to the official cotton standards of the United States and to certificate the classification of the same.

(m) *Cotton.* The word "cotton" as used in the act means cotton of any variety produced within the continental United States, including linters. In this subpart, for administrative convenience, the word "cotton" is used to signify vegetable hair removed from cottonseed in the usual process of ginning, and the word "linters" as defined in paragraph (n) of this section.

(n) *Linters.* Vegetable hair removed from cottonseed subsequent to the usual process of ginning.

(o) *Upland cotton.* All cotton grown anywhere within the continental United States including the growths sometimes referred to as Upland, Gulf, and Texas cotton, but excluding the Sea Island and American Egyptian growths.

(p) *Official cotton standards.* Official cotton standards of the United States for the grade of American upland cotton, American Egyptian cotton, and Sea Island cotton, and for length of staple, adopted by or established pursuant to the act, or any change or replacement thereof.

(q) *Universal standards.* The official cotton standards of the United States for the grade of American upland cotton.

(r) *Person.* Individual, association, partnership, or corporation, or two or more individuals having a joint or common interest.

(s) *Owner.* Person who through financial interest, owns, controls, or has the disposition either of cotton or of samples.

(t) *Custodian.* Person who has possession or control of cotton or of samples, as agent, controller, broker, or factor, as the case may be.

(u) *State.* A State, Territory, or district of the United States.

ADMINISTRATIVE AND GENERAL

§ 28.3 *Director.* The Director shall perform for and under the supervision of the Secretary and the Deputy Administrator, such duties as the Secretary or the Deputy Administrator may require in enforcing the provisions of the act and the regulations issued thereunder.

§ 28.4 *Boards of cotton examiners.* Boards of cotton examiners shall be maintained at points designated for the purpose by the Deputy Administrator. A board of supervising cotton examiners shall be constituted for duty as assigned; and an Appeal Board of Review Examiners shall be constituted to which may be referred requests for the review of the classification and/or comparison of cotton performed by other boards appointed in accordance with this section. The Appeal Board of Review Examiners shall be located at Memphis, Tennessee, except when the Director shall require that committees of the board meet to perform its functions elsewhere. The members of all boards and the chairman of each shall be designated for the purpose by the Director.

§ 28.5 *Secretary, board of cotton examiners.* The Director shall designate a secretary for each board. It shall be the duty of the secretary of the board to receive all correspondence relating to the classification of cotton under the act and to see that all samples are prepared for classification and/or comparison in such manner that the name of the owner and/or the custodian shall be unknown to the members of the board, who are detailed to classify or compare the cotton, until after the samples are classified.

§ 28.6 *Acting secretary of board.* In the event of the absence or incapacity of the secretary of the board the chairman of the board shall designate temporarily an acting secretary of the board in his stead. Any person thus designated shall be thereby disqualified to act as a member of the board in the classification of cotton during the term of such temporary appointment.

§ 28.7 *Chairman of board; responsibility.* Subject to this subpart and the instructions of the Director, the chairman of each board shall be responsible for the proper performance of the duties imposed on such board and on the persons connected therewith.

§ 28.8 *Classification of cotton; determination.* For the purposes of the act, the classification and comparison of any cotton, samples, or types submitted to the Department shall be determined or made only by cotton examiners properly qualified and designated as such by the Director, and the certificate of a board of cotton examiners with respect to any cotton shall be deemed to be the certificate of the Department.

§ 28.9 *Inspection; sampling; classification.* The inspection, sampling, and classification of cotton and cotton linters in the United States pursuant to the act shall be performed as prescribed in this subpart. Subject in general to the provisions of this subpart the Director may issue from time to time instructions for the sampling, classification, and issuance of classification memoranda for cotton or cotton linters classed for special programs and other Government agencies, including the review of any classification performed pursuant to §§ 28.901 through 28.919.

REQUESTS FOR CLASSIFICATION AND COMPARISON

§ 28.15 *Classification and comparison; requests.* All requests for classification and comparison shall be in writing on a form supplied by the Division and shall contain such information as the Director may require. For each lot or mark of cotton which the applicant desires classified or compared separately he shall specify which of the following forms of service is desired:

(a) *Form A determination.* The classification or comparison of samples freshly drawn and submitted to a board of cotton examiners direct from a public warehouse, at the request of the owner of the cotton or his agent. Such classification or comparison shall be evidenced by a Form A memorandum which shall be subject to review as provided in § 28.66.

(b) *Form C determination.* The classification of bales of cotton inspected and sampled under the supervision of an employee of the Division. The classification in such cases shall be evidenced by a Form C certificate which shall be subject to review as provided in § 28.66.

(c) *Form D determination.* The classification or comparison of samples submitted by the owner of the cotton or his agent. Such classification or comparison shall be evidenced by a Form D memorandum which shall be subject to review as provided in § 28.66.

§ 28.16 *Request for return of samples.* Any applicant desiring return of the samples after classification or comparison is completed, at his expense, shall indicate this service on the form used for requesting such classification or comparison.

§ 28.17 *Filing of requests for classification or comparison.* All requests for classification or comparison leading to Form A memoranda and Form C certificates shall be filed with the secretary of the board which serves the territory in which the cotton is located. All requests for classification or comparison leading to Form D memoranda shall be filed with the secretary of the board which serves the territory in which the samples are located. Samples which are submitted to any board for classification or comparison may be referred by such board to another board for classification or comparison.

§ 28.18 *One request only for classification.* Not more than one request each for a Form A determination, or a Form C determination, or a Form D determination of the same cotton, except a request for a review determination, shall be filed by the same owner within any 30-day period. Any subsequent request shall be accompanied by redrawn samples and the chairman of the board may require that any Form A or Form D memoranda, Form C certificates, or other classification data previously issued by a board with respect to samples purporting to represent the same cotton shall be returned before such redrawn samples are classed.

§ 28.19 *Withdrawal or rejection of classification request.* Any classification request may be withdrawn by the applicant at any time before the classification of the cotton covered thereby, subject to the payment of such fees, if any, as may be prescribed in these regulations. Any classification request may be rejected by the chairman of the board or the Director for noncompliance with the act or this subpart.

DRAWING, SUBMISSION AND DISPOSITION OF SAMPLES FOR FORM A, FORM C, AND FORM D DETERMINATIONS

§ 28.25 *Drawing of samples.* (a) Each sample to be submitted for Form A, C, or D determination shall be approximately 6 ounces in weight, not less than 3 ounces of which are to be drawn from each side of the bale. Each sample must be representative of the bale from which drawn. Samples shall not be dressed or trimmed and shall be carefully handled in such manner as not to cause loss of leaf, sand,

CLASSIFICATION

or other material, or otherwise change their representative character. Any sample or set of samples which does not meet these requirements may be rejected by the chairman of a board.

(b) Samples to be submitted for Form A determination shall be drawn under the supervision of a public warehouseman and shall be delivered immediately to the secretary of the board by such warehouseman. The samples shall not be handled by any person other than the sampling agent prior to shipment or delivery to the secretary of the board.

(c) Samples to be submitted for Form C determination shall be drawn under the supervision of a Division employee who shall retain custody or control of the samples until they are shipped or delivered to the secretary of the board.

§ 28.26 *Submission of samples.* Samples of cotton submitted to a board of cotton examiners for classification and/or comparison shall be delivered to the secretary of the board with which the request was filed, as soon as possible after the filing of such request. All transportation charges incident to the submission of samples for Form A, Form C, and Form D determinations shall be prepaid by the person making the request or his agent.

§ 28.27 *Preparation of samples.* For each sample to be submitted for classification a tag or coupon showing the bale number from which the sample was drawn shall be inserted between the two halves of the sample. The samples shall be enclosed in one or more wrappers, which shall be labeled or marked, or both, in such manner as to show the name and address of the owner, the lot number or marks, if any, the number of bales represented by the samples contained in each wrapper, and such other information as may be necessary in accordance with the instructions of the chairman of the board or of the Director. Each sample of sandy or dusty cotton shall be enclosed in a separate wrapper.

§ 28.28 *Lost or damaged samples.* If any samples are lost, damaged, or mutilated, or are received in packages arriving in a condition which may be considered to alter the representative character of the sample, the secretary of the board shall note all the facts, including the number of missing samples and the tag numbers identifying the samples received, and shall so inform the person who made the request.

§ 28.29 *Return of samples.* When so stipulated in the classification request for a Form A, C, or D determination, the samples submitted shall be returned to the person making the request, at his expense, at the time the memorandum is issued or when the request for classification is withdrawn or rejected.

§ 28.30 *Samples not removed, property of Department.* Samples not removed in accordance with this subpart and loose cotton separated from samples in the handling and classification thereof shall become the property of the Government and shall be disposed of in accordance with law and applicable regulations.

§ 28.35 *Method of classification.* All cotton samples shall be classified on the basis of the official cotton standards of the United States in effect at the time of classification.

§ 28.36 *Order of classification.* All samples for which classification requests are pending shall be classified, as far as practicable, in the order in which the samples are delivered for classification. When in the opinion of the chairman of the board an emergency exists, he shall designate which samples will be given priority in classification.

§ 28.37 *Exposing of samples for classification.* Classification shall not proceed until the samples, after being delivered to the board, shall have been exposed for such length of time as in the judgement of the chairman shall be sufficient to put them in proper condition for the purpose.

§ 28.38 *Lower grade (of two samples) to determine classification.* If a sample drawn from one portion of a bale is lower in grade or shorter in length than one drawn from another portion of such bale, except as otherwise provided in this subpart, the classification of the bale shall be that of the sample showing the lower grade or shorter length.

§ 28.39 *Cotton reduced in value; effect.* If cotton be reduced in value, by reason of the presence of extraneous matter of any character or irregularities or defects below its grade or below its apparent length of staple according to the official cotton standards of the United States, the grade or length of staple from which it is so reduced, and the grade or length of staple to which it is so reduced, and the quality or condition which so reduces its value shall be determined and stated.

§ 28.40 *Terms defined; cotton classification.* For the purposes of classification of any cotton or of its comparison with a type or other samples, the following terms shall be construed, respectively, to mean:

(a) *Cotton of perished staple.* Cotton that has had the strength of fiber, as ordinarily found in cotton, destroyed or unduly reduced through exposure to the weather either before picking or after baling, or through heating by fire, or on account of water packing, or by other causes.

(b) *Cotton of immature staple.* Cotton that has been picked and baled before the fiber has reached a normal state of maturity, resulting in a weakened staple of inferior value.

(c) *Gin-cut cotton.* Cotton that shows damage in ginning through cutting by the saws, to an extent that reduces its value more than two grades.

(d) *Reginned cotton.* Cotton that has passed through the ginning process more than once, and cotton that, after having been ginned, has been subjected to a cleaning process and then baled.

(e) *Repacked cotton.* Cotton that is composed of factors', brokers', or other samples, or of loose or miscellaneous lots collected and rebaled, or cotton in a bale

which is composed of cotton from two or more smaller bales or parts of bales.

(f) *False packed cotton.* Cotton in a bale (1) containing substances entirely foreign to cotton; (2) containing damaged cotton in the interior with or without any indication of such damage upon the exterior; (3) composed of good cotton upon the exterior and decidedly inferior cotton in the interior, in such manner as not to be detected by customary examination; or (4) containing pickings or linters worked into the bale.

(g) *Mixed packed cotton.* Cotton in a bale which, in the samples drawn therefrom, shows (1) a difference of three or more grades, or (2) a difference of three or more color gradations, or (3) a difference of two or more grades and two or more color gradations, or (4) a difference in length of staple of one-eighth inch or more.

(h) *Water-packed cotton.* Cotton in a bale that has been penetrated by water during the baling process, causing damage to the fiber, or a bale that through exposure to the weather or by other means, while apparently dry on the exterior, has been damaged by water in the interior.

SAMPLE OR TYPE COMPARISON

§ 28.45 *Scope of comparison; requests.* A comparison of cotton samples with a type may be requested with respect to grade, or to staple, including any of the component qualities embodied in the grade, or to all these factors. The classification of the type and the samples in accordance with the official cotton standards of the United States may also be requested. The applicant must specify in his written request the scope of service he desires.

§ 28.46 *Method of submitting samples and types.* The method of submitting samples and types for comparison shall be the same as that prescribed in this subpart for submitting samples for classification.

§ 28.47 *Statement of finding of board in comparisons.* For each quality factor (grade, staple, etc.) of the samples that the applicant has requested to be compared to the type, the board shall state in its findings whether such quality factor for each sample is "better," "equal," or "deficient" in comparison with the type. When appropriate, the findings of the board may also show the amount of difference in grade and in length between the sample and the type as measured by the official cotton standards of the United States, and other explanatory notations as needed.

CERTIFICATES AND MEMORANDA

§ 28.55 *Issuance of memoranda and certificates.* As soon as practicable after the classification of cotton has been completed by a board of cotton examiners, there shall be issued a cotton class memorandum or certificate of the appropriate kind showing the results of such classification. Upon request from an applicant, classification results may be issued in preliminary form on record sheets.

§ 28.56 *Form A and Form D memoranda.* (a) When a classification and/or comparison has been made of any samples submitted to a board of cotton examiners direct from a public warehouse, the results of such classification and/or comparison may be stated in a Form A memorandum.

(b) When a classification and/or comparison has been made of any samples submitted by the owner of the cotton or his agent, the results of such classification and/or comparison may be stated in a Form D memorandum.

(c) Form A and Form D memoranda shall not be deemed to be final certificates within the meaning of section 4 of the act (42 Stat. 1517; 7 U. S. C. 54).

§ 28.57 *Form C certificate.* When classification has been made of cotton inspected and sampled under supervision of a Division employee there shall be issued a cotton class certificate known as a Form C certificate. Each Form C certificate shall show the true classification of the cotton in the respects specified in the request. Such certificate, when it has been once reviewed in accordance with § 28.66, shall be deemed to be a final certificate as to the classification shown, within the meaning of section 4 of the act (42 Stat. 1517; 7 U. S. C. 54), in all cases except when superseded by a certificate or award made as provided in § 28.161.

§ 28.58 *New memorandum or certificate; issuance.* Upon the written request of a holder of a cotton class memorandum or certificate issued under this subpart, a new memorandum or certificate shall be issued, without the reclassification of the cotton, to take the place of the former memorandum or certificate for any cotton covered thereby, when necessary on account of the breaking or splitting of a lot or otherwise for the business convenience of such holder. In any case where a new memorandum or certificate is requested in accordance with this section the former memorandum or certificate shall be surrendered for cancellation, and such new memorandum or certificate shall bear a new number and the date of its issuance and the date of original classification and shall otherwise comply with this subpart.

§ 28.59 *Lost memorandum or certificate may be replaced by duplicate.* Upon the written request of the last holder of a valid Form A or Form D memorandum, or Form C certificate and a showing to the satisfaction of the chairman of the board which issued such memorandum or certificate that it has been lost or destroyed and, if lost, that diligent effort has been made to find it without success, a new memorandum or certificate shall be issued without the reclassification of the cotton. Such new memorandum or certificate shall bear the same number and date of issuance as the lost or destroyed memorandum or certificate and shall include a statement to the effect that it is a duplicate issued in lieu of the lost or destroyed original, as the case may be.

§ 28.60 *Surrender of memoranda or certificates.* For good cause any memo-

randum or certificate issued under this subpart shall be surrendered to the chairman of the board which issued it, upon his request or upon the request of the Director. A new memorandum or certificate complying with this subpart may be issued in substitution therefor. If such memorandum or certificate be not surrendered upon such request, it shall nevertheless be invalid for the purposes of the act and this subpart.

REVIEWS

§ 28.65 *Provisions for reviews.* Reviews of classifications or comparisons represented by Form A or D memoranda or Form C certificates shall be governed by § 28.66.

§ 28.66 *Review procedure.* A review of any Form A, C, or D determination may be requested by the owner or custodian of the cotton from which the sample was drawn within 30 days after the issuance of the original memorandum. Such review shall cover all of the quality factors for which the original determination was made. Requests for reviews of Form A or D determinations may be filed with, and the review made by, the board which issued such memorandum or the Appeal Board of Review Examiners. Requests for reviews of Form C determinations shall be filed with, and the reviews made by, the Appeal Board of Review Examiners. Redrawn samples shall be required for reviews of Form A and Form C determinations except in cases where the original samples have remained, identity preserved, in the custody of the Division. When redrawn samples are necessary, they shall be drawn and submitted as prescribed in this subpart. As evidence of a review determination, a Form A or D memorandum or Form C certificate appropriately marked to indicate that it represents a review determination shall be issued to the applicant requesting the review. The applicant may be required by the board or Appeal Board issuing such review determination to surrender the original classification memorandum or certificate. In any event the review determination shall supersede and invalidate the original determination.

§ 28.67 *Review of licensed classer's certificate.* In case a review is desired of the classification of any cotton represented in a certificate issued by a licensed classer, the procedure shall be as provided in § 28.98.

§ 28.68 *Withdrawal of application for review.* Any application for review may be withdrawn by the applicant at any time before the review classification of the cotton covered thereby has been completed, subject to the payment of such fees, if any, as may be prescribed in this subpart.

LICENSED CLASSERS

§ 28.80 *Applications for licenses to classify cotton.* (a) Applications for licenses to classify cotton under section 3 of the act (42 Stat. 1517; 7 U. S. C. 53) shall be made to the Director on forms furnished by the Division.

(b) Each such application shall be in English, shall be signed by the applicant,

and shall contain or be accompanied by (1) satisfactory evidence that he has passed his 21st birthday and that he is an actual resident of the continental United States, (2) satisfactory evidence of his training and experience in the actual classification of cotton, (3) a statement of the standards for cotton for the classification of which a license is desired, (4) a statement by the applicant that he agrees to comply with and abide by the terms of the act and this subpart so far as they may relate to him, and (5) such other information as may be required.

(c) The applicant shall furnish with his application a statement of the reasons he desires and needs a license.

§ 28.81 *Examination of applicant.* Each applicant for a license as a classer and each licensed classer shall, when requested by the Director submit to an examination or test to show his ability to classify cotton, and each applicant who already holds a license under the act shall make available for inspection copies of the standards for classification used or to be used by him. An applicant who fails in an examination may be denied immediate reexamination.

§ 28.82 *Examination; scope of "limited license."* Examinations of applicants for licenses shall cover the classification of cotton in accordance with any or all of the standards listed below:

(a) The official cotton standards of the United States for grades and for all lengths of staple of American upland cotton.

(b) The official cotton standards of the United States for the grades of American upland cotton and for staple lengths not exceeding 1½ inches.

(c) The official cotton standards of the United States for grades and staple lengths of American Egyptian cotton.

(d) The official cotton standards of the United States for grades and staple lengths of Sea Island cotton.

Each license under the act and each identification card shall specify the standards with respect to which it is issued. Any license which merely authorizes the licensee to determine the grade of American upland cotton and staple lengths not exceeding 1½ inches shall be conspicuously marked "Limited License."

§ 28.83 *Examination of licensees.* Examination of licensees, when required, shall cover the classification of cotton with respect to any or all of the standards specified in their licenses. In addition any licensee who makes the necessary application and pays the fee specified in this subpart may be examined and licensed with respect to the classification of cotton according to any of the foregoing standards for which he does not already hold a license.

§ 28.84 *Period of license.* The period for which a license may be issued shall be from the first day of August until and including the thirty-first day of July following. Renewals shall be for not more than 1 year beginning with the first day of August of each year: *Provided*, That licenses issued on and after

June 1 of each year shall be for the period ending on July 31 of the following year.

§ 28.85 *Conditions as to licensing of classer.* (a) It shall be a condition of the licensing of any cotton classer under this subpart and of the retention by him of a license, that he shall be actively engaged in the classification of cotton; that all cotton classified by him shall be graded and stapled in accordance with the official cotton standards of the United States; that his sample and type comparisons, if any, shall be truly and accurately made; that he shall not use his license or allow the same to be used for any improper purpose; and that he shall comply with the act and with the regulations in this subpart.

(b) It shall be a condition of the renewal of the license of any licensed cotton classer who has not issued any licensed classer's certificates in the three years immediately preceding his application for renewal that he take and satisfactorily pass the practical classing examination required for initial issuance of a license. When such re-examination is required, the applicant for renewal shall be required to pay the fee prescribed in this subpart for examination and issuance of a license.

§ 28.86 *Fee for classifying cotton.* Whenever any classer licensed under the act in accordance with this subpart shall classify and/or certificate any cotton or samples in consideration of a stated fee, the fee charged shall be reasonable.

§ 28.87 *Copies of class certificates; retention period; other requirements.* Each licensed classer shall keep for 1 year in a place accessible to interested persons a copy of each certificate issued by him as a licensed classer under this subpart. The Director may require that a copy of each such certificate be forwarded to a supervising office of the Division designated by him immediately after issuance of the certificate. Each licensed cotton classer who places his certificate of classification directly on warehouse receipts, weight certificates, or on other documents approved by the Director for showing such certificate of classification shall keep for 1 year a record listing each individual bale or sample classified by him in his capacity as a licensed classer. Such record shall show the bale number, grade, length of staple, or other class of each bale or sample, and date classed. A copy of the record shall be mailed weekly to the supervising office of the Service designated by the Director.

§ 28.88 *Supervisory samples and reports.* The Director may require each licensed classer to submit supervisory samples to a supervising office of the Division in accordance with instructions furnished to licensed classers from time to time. Any such samples submitted to the Division shall become the property of the Government and be disposed of in accordance with law and applicable regulations unless the licensee requests return of the samples at his expense. The Director may also require each licensed classer to make reports on forms

furnished by the Division, or otherwise, bearing upon his activities as such licensed classer.

§ 28.89 *Information of violations.* Every person licensed under the act shall immediately furnish the Director any information which comes to the knowledge of such person tending to show that any provision of the act or this subpart has been violated.

§ 28.90 *Suspension of license.* Pending investigation the Secretary or an authorized official of the Department may, whenever he deems necessary, suspend the license of a licensed classer temporarily without hearing. Whenever a licensed classer shall voluntarily surrender his license for suspension or cancellation the same may be suspended or canceled by the Secretary or an authorized official of the Department without a hearing. The Secretary, or an authorized official of the Department may, after opportunity for hearing has been afforded in the manner prescribed in this section, suspend or cancel a license issued to a licensed classer when such licensed classer (a) has ceased to perform services as such classer, (b) has knowingly or carelessly classified cotton improperly, (c) has violated or evaded any provisions of the act or the regulations thereunder so far as the same may relate to him, (d) has used his license or allowed it to be used for any improper purposes, or (e) has in any manner become incompetent or incapacitated to perform the duties of such licensed classer. Before the license of any licensed classer is finally suspended or revoked pursuant to section 3 of the act (42 Stat. 1517; 7 U. S. C. 53), such licensed classer shall be furnished by the Secretary, or by an authorized official of the Department, a written statement specifying the charges and shall be allowed a reasonable time within which he may answer the same in writing and apply for a hearing, an opportunity for which shall be accorded if requested in accordance with § 28.92.

§ 28.91 *Suspended license to be returned to Division.* If a license issued to a licensed classer is suspended, revoked, or canceled, such license shall be returned to the Division. At the expiration of any period of suspension of such license, unless in the meantime it be revoked or canceled, the dates of the beginning and termination of the suspension shall be indorsed thereon, and it shall be returned to the licensed classer to whom it was originally issued.

§ 28.92 *Hearings granted licensees.* For the purpose of a hearing under the act or this subpart, the licensee involved shall be allowed a reasonable time, fixed by the Secretary or by an authorized official of the Department, within which affidavits and other proper evidence may be submitted. If requested by the licensee within such time, an oral hearing, of which reasonable notice shall be given, shall be held before and at the time and place fixed by the Secretary or an authorized official of the Department. The testimony of the witnesses at such oral hearing shall be upon oath or affirmation administered by the official before whom the hearing is held when

required by him. Such oral hearing may be adjourned by him from time to time. After reasonable notice to all parties concerned, the deposition of any witness may be taken at a designated time and place and before an authorized official of the Department. Every written entry in the records of the Department made by an officer or employee thereof in the course of his official duty, which is relevant to the issue involved in a hearing, shall be admissible as prima facie evidence of the facts stated therein without the production of such officer or employee. Copies of all papers and all the evidence submitted or considered in such hearing shall be made a part of the records of the Department. Such records, and when there has been an oral hearing the recommendation of the official holding such oral hearing, shall be transmitted to the Secretary or an authorized official of the Department for his consideration. Each party shall pay all expenses contracted by him in connection with any hearing under this section.

§ 28.93 *Lost license may be duplicated.* Upon satisfactory proof of the loss or destruction of a license issued to a licensed classer, a duplicate thereof may be issued under the same or a new number, in the discretion of the Director.

§ 28.94 *Classer; misrepresentation.* No person shall in any way represent himself to be a classer licensed under the act unless he holds an unsuspended, unrevoked, unexpired, and uncanceled license issued under the act.

§ 28.95 *Class certificate; form.* Each class certificate issued under the act by a licensed classer shall be in a form approved for the purpose by the Director and shall embody within its written or printed terms:

(a) The caption "Licensed Cotton Classer's Certificate."

(b) The serial number assigned to it.

(c) The date and place of issuance.

(d) That the certificate is issued by a classer licensed under the United States Cotton Standards Act and this subpart.

(e) A list of the standards with respect to which the classer is licensed.

(f) The exact location of the cotton at the time of classification.

(g) A statement in accordance with the facts in each case, either (1) that the classer has drawn or supervised the drawing of the samples upon which his classification is based, or (2) that the samples were submitted to the classer by another person, in which case the name and address of such person shall be stated.

(h) The identification of each bale of cotton by the tag number or mark by which the bale was identified at the time the sample was taken.

(i) The grade, length of staple, or other class of each bale or sample of cotton covered thereby.

(j) The signature of the licensed classer.

§ 28.96 *Certificate by licensed classer not final.* A certificate issued by a licensed classer shall in no case be deemed a final certificate within the meaning of section 4 of the act (42 Stat. 1517; 7

U. S. C. 54). The certificate or memorandum of a board of cotton examiners covering any cotton represented in a licensed cotton classer's certificate shall at once invalidate and supersede a licensed classer's certificate as to such classification.

§ 28.97 *Licensed classer's certificate; when null and void.* The shipment, sale, or consignment of any cotton or the sale or hypothecation of any warehouse receipts, compress receipts, or bills of lading representing any cotton covered by a licensed classer's certificate shall render such certificate null and void unless the certificate be attached to the warehouse receipts, bills of lading, or invoices by which the cotton is moved or sold or by which title to the cotton is passed or hypothecated.

§ 28.98 *Review of classification.* In case a review is desired of the classification of any cotton represented in a valid certificate issued by a licensed classer as provided in this subpart, the holder of such certificate shall surrender the same, together with samples of the cotton, to a board and receive in its stead a certificate signed by the chairman of such board. The certificate of the board issued in lieu of the licensed classer's certificate in accordance with this section shall be subject to review by the Appeal Board of Review Examiners, provided a review would have been granted if the classification had been performed originally by a board.

§ 28.99 *Inconsistent classifications.* In the event any licensed classer or any employee of the Department shall find that any cotton has been inconsistently classified by two or more licensed classers, he shall thereupon bring the matter to the attention of an officer of the Division who shall review all the facts obtainable and, if possible, determine the classification of the cotton. Such officer may examine or requisition such samples of the cotton in question as may be in the hands of such licensed classers, or in his discretion, may request that new samples be drawn, if obtainable. In the event samples are not obtainable the supervising officer may, if in his judgment sufficient facts are available, decide which of the inconsistent classifications shall be sustained. The records of the licensed cotton classers concerned shall be corrected to show the findings of the supervising office.

PRACTICAL FORMS OF COTTON STANDARDS

§ 28.105 *Practical forms of cotton standards.* (a) Practical forms of the cotton standards of the United States prepared in physical form, each certified under the seal of the United States Department of Agriculture and under the signature of the Secretary, thereto affixed by himself or by some other official or employee of the Department duly authorized by him, and in the case of the standards for grade accompanied by photographs representing the cotton in such practical forms on the date of certification, are available for sale to any person requesting the same, subject to the other conditions of this section.

(b) Each application for practical forms of the cotton standards shall be upon an application form furnished by the Division, shall be signed by the applicant, and shall incorporate the following conditions:

(1) That no practical form of any of the cotton standards for grade, or the 6-sample guide boxes for the grade of American upland cotton shall be considered or used as representing such standards after the date of its cancellation in accordance with this section or in any event after the expiration of 12 months following the date of its certification: *Provided*, That sets of practical forms stored, protected, and preserved in accordance with certain agreements for the adoption of universal standards may be used for such periods as may be prescribed in such agreements.

(2) That said practical forms and the photographs accompanying them shall be subject to inspection on any business day, between the hours of 9 a. m. and 4 p. m., by the Secretary or by an officer or agent of the Department authorized by him for the purpose.

(3) That the signature of the Secretary certifying to any practical form, or any photograph of said practical form accompanying the same, or both, may be cancelled if it be found, upon such inspection, either that any of said forms for any reason misrepresents the cotton standards or that any such photograph has been altered or mutilated.

§ 28.106 *Universal cotton standards.* Whenever any of the official cotton standards shall have been adopted as universal standards by an association or exchange located in a country other than the United States, the name of such association or exchange may be shown on the outside of the box or container.

§ 28.107 *Containers of "original" cotton standards; where kept; reserve sets.* (a) The containers of the original universal standards and other official cotton standards of the United States currently adopted, whenever such official standards are represented by practical forms, shall be marked as prescribed in the order or orders of their establishment, wrapped, and sealed with wax seals. When so marked, wrapped, and sealed they shall be deposited in a suitable vault or in a steel safe or safes, which safe or safes shall be kept sealed with an imprinted seal. Such containers shall remain in the custody of the Director until the original standards contained therein are superseded by new or revised standards. The dies used to seal the first reserve set of the universal standards shall be deposited in the Treasury of the United States subject to the order of the Secretary of Agriculture; those used to seal the other official cotton standards of the United States shall remain in the custody of the Director. Such safes shall be sealed in the presence of the General Counsel of the Department and the Director, or of persons temporarily acting in their stead, and shall thereafter be opened only in the presence of the same.

(b) At each Universal Cotton Standards Conference held for approving key copies of the universal standards there

shall be prepared two full sets of practical forms of copies of the universal standards for grades of American upland cotton, which shall be known as "reserve sets" and which, upon the certification and recommendation of qualified experts, shall be certified by such experts as true copies of the currently adopted standards as and when established. Such reserve sets shall be enclosed in metal-lined cases, likewise sealed in the presence of the General Counsel of the Department and the Director, or of persons temporarily acting in their stead. One such set, to be known as the "first reserve set," shall then be delivered to agents of the Treasury Department of the United States to be deposited in the United States Treasury, and the other, to be known as the "second reserve set," shall be deposited in the vaults of the Division in the immediate control and custody of the Director. Such reserve sets shall remain so deposited until such time as they shall be required for examination, reproduction, and use, as set forth in paragraph (c) of this section. When so required they shall be withdrawn only upon the order of the Secretary or of the person temporarily acting in his stead. The seals upon the cases and containers of the practical forms shall be broken only in the presence of the General Counsel and the Director, or persons temporarily acting in their stead, and experts qualified in the classification of American upland cotton authorized to be present.

(c) As soon as practicable after the opening, as provided in paragraph (b) of this section, of the first reserve set, two new reserve sets shall be prepared by comparison with the first reserve set, which shall be taken to represent so far as possible the currently adopted standards as and when established, and which shall, in turn, be numbered, incased, sealed, and stored in the manner prescribed in paragraph (b) of this section. The first reserve set of the preceding 3-year period shall then be again sealed and shall remain in the custody of the Director. If, upon the opening and examination of the first reserve set as herein provided, it shall appear that such set has undergone any substantial change, the second reserve set shall, for the purposes of this paragraph, be used in its stead. The first and second reserve sets of each 3-year period shall be retained by the Division until the currently adopted standards which they represent have been superseded by new or revised standards.

FEES AND COSTS

§ 28.115 *Fees and costs; payment.* All charges for practical forms of cotton standards and all fees and expenses for services of inspection of bales and supervision of sampling, classification, comparison, or review by a board of examiners shall be paid at the time of filing the request for the service desired, except that in the discretion of the Director bills may be delivered to persons from whom payment for charges or fees may become due. Such bills shall be rendered as soon as practicable after the

last day of each month for amounts due and unpaid on such dates. When necessary, in the discretion of the chairman of the board, any bill may be rendered at an earlier date for any charges or fees then due from the person to whom such bill may be rendered. Payment of any such bill shall be made as soon as possible after the rendition thereof, but in any event not later than the expiration of 2 weeks thereafter.

§ 28.116 *Amounts of fees for classification; exemption.* (a) For the classification and certification of any cotton or samples or for the review of a licensed cotton classer's certificate, the person requesting the classification or review shall pay a fee, as follows, subject to the minimum fee provided in paragraph (d) of this section:

(1) If the classification is with respect to grade only, at the rate of 25 cents a sample.

(2) If the classification is with respect to staple only, at the rate of 25 cents a sample.

(3) If the classification is with respect to any other single quality, at the rate of 25 cents a sample.

(4) In other cases where the classification is with respect to two or more of the qualities specified in subparagraphs (1), (2), or (3) of this paragraph at the rate of 25 cents a sample.

(b) When a comparison is requested of any samples with a type or with other samples, the fees prescribed in paragraph (a) of this section shall apply to every sample involved, including each of the samples of which the type is composed.

(c) For any review of the classification or comparison of any cotton, the fee shall be 25 cents per sample, regardless of the number of quality factors involved in the review.

(d) A minimum fee of \$3.00 shall be assessed for services described in paragraphs (a), (b), and (c) of this section for each lot or mark of cotton reported or handled separately, unless the request for service is so worded that the samples become Government property immediately after classification.

(e) The fees provided for in paragraphs (a) and (b) of this section may be waived in whole or in part, as to the classification and comparison and the review, if any, of any cotton (1) for any governmental agency; (2) to facilitate a cotton program of any governmental agency, and (3) for a charitable or philanthropic organization if such cotton will be used in accordance with an act of Congress or a congressional resolution for the relief of distress or will be exchanged for goods to be so used. The samples accumulated in the classification or certification of cotton for a governmental agency or to facilitate a cotton program of any governmental agency shall be disposed of as required by such agency.

§ 28.117 *Fee for new memorandum or certificate.* For each new memorandum or certificate issued in substitution for a prior memorandum or certificate at the request of the holder thereof, on account of the breaking or splitting of the lot

of cotton covered thereby or otherwise for his business convenience, the person requesting such substitution shall pay a fee of 25 cents when the number of bales covered by the new memorandum or certificate is 10 or less, or a fee of 50 cents per sheet when the number of bales covered by such memorandum or certificate is more than 10.

§ 28.118 *When no fee collected for new certificate or memorandum.* No fee shall be collected for a new cotton class certificate or memorandum issued in lieu of a prior certificate or memorandum solely for the purpose of correcting clerical errors therein, or for the purpose of substituting a new form applicable to outstanding certificates or memorandums, or without an application therefor.

§ 28.119 *Fee when request for classification is withdrawn.* When the request for the classification or comparison of any cotton or an application for review shall be withdrawn after the classification of such cotton has been started pursuant thereto, the person filing the same shall pay the prescribed fee as to any such cotton already classified.

§ 28.120 *Expenses to be borne by party requesting classification.* For any samples submitted for Form A or Form D determinations, the expense of inspection and sampling, the preparation of the samples, and the delivery of such samples to the classification room of the board or other place specifically designated for the purpose by the Director or by the chairman of such board, shall be borne by the party requesting the classification. For samples submitted for Form C determination, the party requesting the classification shall pay the fees prescribed in this subpart and, in addition, a fee of \$3 per hour, or each portion thereof, plus the necessary traveling expenses and subsistence, or per diem in lieu of subsistence, incurred on account of such request, in accordance with the fiscal regulations of the Department applicable to the Division employee supervising the sampling.

§ 28.121 *Advance deposits.* Upon request, the person from whom any payment under this subpart may become due shall make an advance deposit to cover such payment in such amount as may be necessary in the judgment of the official of the Division requesting the same.

§ 28.122 *Fee for examination of applicant for license; renewals.* For the practical classing examination of an applicant for a license to classify cotton in accordance with this subpart, the fee shall be \$50.00, but no additional charge shall be made for the issuance of a license to an applicant found to be properly qualified. For each renewal of a classer's license the fee shall be \$25.00. The fee for the practical classing examination for persons not desiring a license shall be \$40.00. Any such person who passes the examination may be issued a certificate indicating this accomplishment.

§ 28.123 *Costs of practical forms of cotton standards.* The cost of practical

forms of the cotton standards of the United States shall be as follows:

Grade Standards	Domestic shipments f. o. b. Washington	Shipments delivered outside the Continental United States
	Dollars each box	Dollars each box
American Upland:		
12—sample official boxes (Universal Standards).....	10.00	12.00
6—sample guide boxes.....	5.00	6.50
American Egyptian: 6—sample official boxes.....	10.00	12.00
Sea Island: 12—sample official boxes.....	10.00	12.00
<i>Tentative Standards for Preparation of American Upland Long-Staple Cotton</i>		
6—sample boxes.....	5.00	6.50
<i>Standards for Length of Staple</i>		
American Upland (prepared in one pound rolls for each length).....	2.00	2.50
American Egyptian (prepared in one pound rolls for each length).....	2.00	2.50
Sea Island (prepared in one pound rolls for each length).....	2.00	2.50

§ 28.124 *Payments; procedure.* Any payment or advance deposit under §§ 28.115 through 28.123 shall be by check, draft, or money order, payable to the order of the "Agricultural Marketing Service, USDA", and may not be made in cash except in cases where the total payment or deposit does not exceed \$1.

§ 28.125 *No voiding or modifying claims for payment.* Nothing in this subpart shall be construed to void or modify any claim which a person or party requesting and paying for a service may have against any other person or party for the payment of part or all of such costs.

§ 28.126 *Loaning of forms and exhibits.* In the discretion of the Director, limited numbers of copies of the practical forms of any of the official standards, or specially prepared exhibits illustrating any of such standards or cotton samples, may be loaned to governmental agencies for official purposes or to educational and other institutions or organizations for demonstration purposes.

UNITED STATES COTTON LINTERS

§ 28.136 *Applicability of other sections of regulations.* Insofar as applicable, and not inconsistent with §§ 28.136 to 28.151, the provisions of this subpart relating to cotton shall likewise apply to cotton linters.

§ 28.137 *Boards of cotton linters examiners.* There shall be located at Washington, D. C., and, when necessary in the opinion of the Deputy Administrator, at any other point that he shall designate for the purpose, a board of cotton linters examiners. The members of all such boards and the chairman of each shall be designated by the Director.

§ 28.138 *Classification and comparison; requests, memorandums and certificates.* For each lot or mark of linters which the applicant desires classified or compared separately he shall make a separate written request specifying

which of the following forms of service is desired. Only one request within a 30-day period shall be made by the same owner for the classification or comparison of the same linters, except a request for a review determination. If the applicant desires that the samples be returned to him, at his expense, he must indicate this in the request for classification or comparison. If the return of samples is not requested they shall become the property of the Government and shall be disposed of in accordance with law and applicable regulations.

(a) *Form A determination.* The classification or comparison of samples of linters that have been freshly drawn by a licensed linters classer and submitted direct to a Board of Cotton Linters Examiners without classification or further handling by such classer. Such classification or comparison shall be evidenced by a Form A memorandum which shall be subject to review as provided in § 28.146. Composite samples composed of portions of linters drawn from more than one bale are not eligible for Form A determinations.

(b) *Form C determination.* The classification of bales of linters sampled under the supervision of an employee of the Department. The classification in such cases shall be evidenced by a Form C certificate which shall be subject to review as provided in § 28.146. Such certificate when it has been reviewed in accordance with § 28.146 shall be deemed to be a final certificate as to the classification shown, within the meaning of section 4 of the act (42 Stat. 1517; 7 U. S. C. 54).

(c) *Form D determination.* The classification or comparison of samples submitted for other than Form A or Form C determinations. Such classification or comparison shall be evidenced by a Form D memorandum which shall not be subject to review.

§ 28.139 *Filing of requests.* All requests for classification or comparison leading to Form A memoranda, Form D memoranda, or Form C certificates shall be filed with the secretary of the Board of Cotton Linters Examiners at Washington, D. C., unless otherwise directed by the Director.

§ 28.140 *Samples; weight; drawing.* Each sample submitted to a Board of Cotton Linters Examiners shall weigh not less than 8 ounces; shall be wrapped separately; shall contain a coupon or tag showing the bale number or identity of bale from which drawn; and shall be drawn in the following manner:

(a) *Condenser system linters.* Separate portions shall be drawn from three different places in either head of the bale so as to provide as representative sample as possible, each portion to be approximately 6 by 8 inches in size. All portions of the bale sample shall be placed in a single paper sack or wrapper together with an identifying tag stub or other identification. The portions together shall constitute the sample representing one bale.

(b) *Flue and beater system linters.* A sample of not less than 8 ounces, consisting of equal portions drawn from two

sides of a bale, or from two shoulders of a bale, shall be drawn.

§ 28.141 *Inspection of bales for special conditions.* A licensed linters classer drawing samples for submission to a Board of Cotton Linters Examiners for Form A classification or comparison shall inspect each bale and shall specify on his sampler's certificate accompanying the samples any conditions not fully indicated by the samples.

§ 28.142 *Submission of samples.* All samples submitted to a Board of Cotton Linters Examiners for classification or comparison under this subpart shall be delivered or sent to the secretary of the board with all transportation charges incident thereto prepaid. All samples submitted by a licensed linters classer for Form A classification must have been freshly drawn by such classer, must be submitted direct to the board without classification or further handling, and must be accompanied by a sampler's certificate. Such certificate shall be on a form furnished by the Division for this purpose.

§ 28.143 *Method of classification.* The classification of all cotton linters samples shall be in accordance with the official cotton linters standards of the United States and §§ 28.143 through 28.145. The grade, staple, and character of each sample shall be determined and designated separately, together with any special conditions of the sample or bale.

§ 28.144 *Samples falling between grades or staples.* In classification, a sample which is determined to be between two adjacent grades or between two adjacent staples shall be assigned the lower of the two grades or two staples.

§ 28.145 *Terms defined; linters classification.* For the purposes of classification of any cotton linters or comparison with a type or other samples, the following terms shall be construed, respectively, to mean:

(a) *Grade.* The term grade means the color and trash in cotton linters.

(b) *Staple.* The staples of cotton linters as defined in the official cotton linters standards of the United States for staple, §§ 28.215 through 28.222.

(c) *Character.* The term character means the relative harshness of linters. In linters classification, character shall be described as follows: Soft (symbol S); Average (symbol A); Harsh (symbol H); or Extra Harsh (symbol EH).

(d) *Prime linters.* Prime linters are cotton linters which are equivalent in grade to the official grade standards and do not show evidence of excess trash, physical deterioration, the presence of objectionable odors, or other characteristics which prohibit its description in terms of the official grade standards.

(e) *Off grade linters.* Cotton linters which show evidence of physical deterioration, the presence of objectionable odors, or other characteristics which prohibit its description in terms of the official grade standards shall be designated as "Off Grade," and no specific grade assigned.

(f) *Excess trash.* Cotton linters that contain more trash than is represented in the grades described in §§ 28.201 through 28.208 shall be assigned that grade to which it is equal in color and further described by the term "Excess Trash." Such linters shall not be considered as prime linters.

(g) *Compound grades.* Cotton linters which in grade show a variation equal to that shown in any 2 or 3 adjacent grades of those described in §§ 28.201 through 28.208 shall be designated by the compound name of such grades.

(h) *Compound staples.* Cotton linters which in staple show a variation equal to that shown in any 2 or 3 adjacent staples of those listed in §§ 28.215 through 28.222 shall be designated by the compound name of such staples.

(i) *Mixed packed grades.* Cotton linters which in grade show a variation greater than that shown in any 3 adjacent grades of those described in §§ 28.201 through 28.208 shall be designated as "Mixed Packed" for grade on classification certificates and memoranda and the grades constituting the mixture shown.

(j) *Mixed packed staples.* Cotton linters which in staple show a variation greater than that shown in any 3 adjacent staples of those listed in §§ 28.215 through 28.222 shall be designated as "Mixed Packed" for staple on classification certificates and memoranda and the staples constituting the mixture shown.

(k) *Weak staple.* Cotton linters in which the strength of staple is below that normally found in linters of otherwise comparable staple shall be designated by the term "Weak" and no specific staple assigned.

(l) *False packed linters.* Linters in a bale (1) containing substances entirely foreign to linters; (2) containing damaged linters in the interior with or without any indication of such damage upon the exterior; (3) composed of good linters upon the exterior and decidedly inferior linters in the interior, in such manner as not to be detected by customary examination; or (4) containing notes, sweepings, or hull fiber worked into the bale.

(m) *Repacked linters.* Linters that are composed of factors', brokers', or other samples, or of loose or miscellaneous lots collected and rebaled, or linters in a bale which is composed of linters from two or more smaller bales or parts of bales.

(n) *Water-packed linters.* Linters in a bale that has been penetrated by water during the baling process, causing damage to the fiber, or a bale that through exposure to the weather or by other means, while apparently dry on the exterior, has been damaged by water in the interior.

§ 28.146 *Reviews.* A review of any Form A or Form C determination may be requested by the owner of the linters from which the sample was drawn, or his agent, within 30 days after the issuance of the original memorandum or certificate. Such request shall be filed with the secretary of the Board of Cotton Linters Examiners at Washington, D. C., and shall be accompanied by the original

classification memorandum or certificate if it is in the possession of the applicant. The application shall state the reason for failure to submit such document. Form D determinations are not subject to review.

(a) *Form A and Form C Reviews.* Redrawn samples will be required except in cases where the original samples have remained in the custody of the Board of Cotton Linters Examiners. When redrawn samples are necessary, they shall be drawn and submitted in accordance with the applicable provisions of §§ 28.138, 28.140, 28.141, and 28.142. A Form A memorandum or Form C certificate, as applicable, appropriately marked to indicate that it represents a review determination shall be issued to the applicant requesting the review. The review classification memorandum shall supersede the original classification memorandum.

(b) *Review of licensed classer's certificate.* In case a review is desired of the classification of any linters represented in a valid certificate issued by a licensed linters classer, the holder of such certificate shall surrender the same, together with samples of the linters involved, to the Board of Cotton Linters Examiners and receive in its stead a Form D memorandum signed by the chairman of such board. Such Form D memorandum shall be appropriately marked to show it represents a review of a licensed classer's certificate. The Form D memorandum issued in lieu of the licensed classer's certificate shall not be subject to further review. The provisions of this paragraph do not prohibit the drawing of new samples and filing of a request with the Board of Cotton Linters Examiners leading to a Form A or Form D memorandum or a Form C certificate.

§ 28.147 *Licensed classers.* Subject to the applicable terms and conditions of §§ 28.80 through 28.99, any person may, upon presentation of evidence of competency, be licensed to grade or classify linters, and to certificate the grade or class thereof in accordance with the official cotton linters standards of the United States.

(a) *Class certificates; form; mailing to board.* Each class certificate issued by a licensed linters classer under this subpart shall be on a form furnished by the Division. A copy of each certificate shall be mailed to the Board of Cotton Linters Examiners at Washington, D. C., within 3 days after issuance.

(b) *Supervisory samples.* Some samples from each lot or mark of samples on which a licensed linters classer issues a certificate under this subpart shall be sent to the Board of Cotton Linters Examiners for supervisory purposes. Such supervisory samples shall be submitted to the board in accordance with instructions furnished licensees by the Director from time to time.

§ 28.148 *Fees and costs; classification; reviews; other.* The fee for the classification, comparison, or review of linters with respect to grade, staple, and character, or any of these qualities, shall be at the rate of 20 cents for each bale or sample involved. The provisions of

§§ 28.115 through 28.126 relating to other fees and costs shall, so far as applicable, apply to services performed with respect to linters.

§ 28.149 *Fees and costs; Form C determinations.* For samples submitted for Form C determination, the party requesting the classification shall pay the fees prescribed in this subpart and, in addition, a fee of \$3 per hour, or each portion thereof, plus the necessary traveling expenses and subsistence, or per diem in lieu of subsistence, incurred on account of such request, in accordance with the fiscal regulations of the Department applicable to the Division employee supervising the sampling.

§ 28.150 *Fee; licenses; renewals.* The fee for the examination of an applicant for a license to classify linters shall be \$10. No additional charge shall be made for the issuance of a license to an applicant found to be properly qualified. The fee for each renewal of such license shall be \$5.

§ 28.151 *Cost of practical forms; period effective.* Practical forms of the official cotton linters standards of the United States will be furnished to any person subject to the applicable terms and conditions specified in § 28.105: *Provided*, That no practical form of any of the official cotton linters standards of the United States for grade shall be considered as representing any of said standards after the date of its cancellation in accordance with this subpart, or, in any event, after the expiration of 12 months following the date of its certification. The cost of the official standards for grade shall be at the rate of \$5.00 each, f. o. b., Washington, D. C., for shipments within the continental United States, and \$6.50 each, delivered to destination, for shipments outside the United States. The cost of the official standards for staple shall be at the rate of \$1.00 each, f. o. b., Washington, D. C., for shipments within the continental United States, and \$1.50 each, delivered to destination, for shipments outside the continental United States.

ADJUSTMENT OF CONTRACT DISPUTES

§ 28.160 *Cotton examiners on foreign exchanges.* Whenever any association or exchange in any country other than the United States shall adopt the universal standards and establish them as the basis of all transactions and contracts for American upland cotton, made and executed according to its rules, the Director may appoint certain members or officials of such exchanges as cotton examiners. Insofar as the administration of the act applies to cotton involved in contracts made in accordance with the rules of such exchange, the administration shall be as prescribed in §§ 28.161 through 28.162.

§ 28.161 *Disputes involving contracts for shipment of cotton from United States.* When an association or exchange located in a country other than the United States shall adopt any of the official cotton standards of the United States and when the members of the committee of such association or ex-

change having final jurisdiction in the matter of appeals have been designated as cotton examiners by the Director, such committee may be constituted for the purposes of this act a Board of the Department and authorized to act as follows:

(a) Insofar as the exchange has adopted the universal standards the committee may pass upon the classification of cotton involved in a dispute between a party in the United States and a party without the United States to a contract made under the rules of the association or exchange.

(b) The submission of samples of cotton involved in such a dispute to such association or exchange or such committee in accordance with the rules of the association or exchange shall be deemed to be a submission to the Department.

(c) Determinations of classification made by the boards so constituted shall be final. When so provided in the articles, rules, or by-laws of the association or exchange, such determinations may be evidenced by awards. If an award is made which does not state the classification, such board will, upon request of the owner or custodian of the cotton and the payment of a reasonable additional fee, issue a certificate showing in detail the true classification for grade and color of such cotton, based upon a comparison of the samples with the universal standards or with a type or other samples on which the cotton has been sold, as the case may be.

§ 28.162 *Procedure.* The manner of procedure in submitting and handling samples, in classification and in instituting and conducting arbitrations and appeals shall be as prescribed in the articles, by laws, and rules of the association or exchange.

PUBLICATIONS

§ 28.165 *Publication media.* Publications under the act and this subpart may be made in service and regulatory announcements and by such other means as the Director shall from time to time designate for the purpose.

SUBPART B—CLASSIFICATION FOR FOREIGN GROWTH COTTON AND COTTON LINTERS

§ 28.175 *Administrative and general.* Insofar as applicable, and not inconsistent with this subpart, the provisions of Subpart A of this part shall likewise apply to the classification and comparison of cotton and cotton linters produced outside the continental United States.

§ 28.176 *Designation of official certificates, memoranda, marks, other identifications, and devices for purpose of the Agricultural Marketing Act.* Subsection 203 (h) of the Agricultural Marketing Act of 1946, as amended by Public Law 272, 84th Congress, provides criminal penalties for various specified offenses relating to official certificates, memoranda, marks or other identifications, and devices for making such marks or identifications, issued or authorized under section 203 of said act, and certain misrepresentations concerning the inspection or grading of agricultural prod-

ucts under said section. For the purposes of said subsection and the provisions in this subpart, the terms listed below shall have the respective meanings specified:

(a) "Official certificate" means any form of certification, either written or printed, used under this subpart to certify with respect to the inspection, sampling, class, grade, quality, quantity, or conditions of products (including the compliance of products with applicable specifications).

(b) "Official memorandum" means any initial record of findings made by an authorized person in the process of grading, inspecting, or sampling, pursuant to this subpart, any processing or plant-operation report made by an authorized person in connection with grading, inspecting, or sampling under this subpart, and any report made by an authorized person of services performed pursuant to this subpart.

(c) "Official mark" means the grade mark, inspection mark, and any other mark, approved by the Administrator and authorized to be affixed to any product, or affixed to or printed on the packaging material of any product, stating that the product was graded or inspected or both, or indicating the appropriate U. S. Grade or condition of the product, or for the purpose of maintaining the identity of products graded or inspected or both under this subpart.

(d) "Official identification" means any United States (U. S.) standard designation of class, grade, quality, quantity, or condition specified in this subpart or any symbol, stamp, label, or seal indicating that the product has been officially graded or inspected and/or indicating the class, grade, quality, quantity, or condition of the product, approved by the Administrator and authorized to be affixed to any product, or affixed to or printed on the packaging material of any product.

(e) "Official device" means a stamping appliance, branding device, stencil, printed label, or any other mechanically or manually operated tool that is approved by the Administrator for the purpose of applying any official mark or other identification to any product or the packaging material thereof.

§ 28.177 *Requests for classification and comparison of cotton.* The applicant shall make a separate written request, on a form supplied by the Division, for each lot or mark of cotton which he desires classified or compared separately. The same applicant shall not file more than one request for the classification or comparison of the same cotton within any 30-day period except for a review classification or comparison as provided in § 28.181. All requests for classification or comparison in the United States shall be filed with the Board of Cotton Examiners which serves the territory in which the samples are located. If the cotton is stored outside the United States the request shall be filed with the board designated by the Director. The chairman of any board may refer any request and the samples submitted to another board or to the Appeal Board of Review Examiners for classification or comparison.

§ 28.178 *Submission of cotton samples.* Samples of cotton submitted to a board of cotton examiners for classification and/or comparison shall be drawn from both sides of the bale and shall be delivered to the secretary of the board with which the request was filed, as soon as possible after the filing of such request. All such samples shall be inclosed in one or more wrappers, which shall be labeled or marked, or both, in such manner as to show the name and address of the owner, the lot number or marks, if any, the number of bales represented by the samples in each wrapper, and such other information as may be necessary in accordance with the instructions of the chairman of the board. All transportation charges incident to the submission of samples shall be prepaid by the party making the request or his agent.

§ 28.179 *Methods of cotton classification and comparison.* The classification of samples from cotton produced outside the continental United States shall be on the basis of the official cotton standards of the United States in effect at the time of classification. When a comparison of such cotton samples with other actual samples or with a type is requested, the procedure and methods shall be as outlined in §§ 28.45 through 28.47.

§ 28.180 *Issuance of cotton classification memoranda.* As soon as practicable after the classification or comparison of cotton has been completed by a board of cotton examiners, there shall be issued a cotton classification memorandum which shall embody within its written or printed terms:

(a) The results of the classification or comparison.

(b) The name of the country in which the cotton was produced.

(c) The source from which the samples were received for classification.

(d) A statement that any classification made has been on the basis of the official cotton standards of the United States in effect at the time of such classification.

(e) The signature of the Chairman of the Board, the location of the Board, and the date of issuance of the memorandum.

§ 28.181 *Review of cotton classification.* A review of any classification or comparison made pursuant to this subpart may be requested by the owner or custodian of the cotton from which the sample was drawn within 30 days after the issuance of the original memorandum. Such request, accompanied by the original memorandum, may be filed with either the board which issued the original memorandum or the Appeal Board of Review Examiners. Redrawn samples shall be required except in cases where the original samples have remained, identity preserved, in the custody of the board which issued the original memorandum. As evidence of any review determination, a classification memorandum marked to indicate that it represents a review determina-

tion shall be issued to the applicant requesting the review.

§ 28.182 *Surrender of memoranda.* For good cause any memorandum issued under this subpart shall be surrendered to the chairman of the board which issued it, upon his request or upon the request of the Director, and a new memorandum complying with this subpart issued in substitution therefor. If the memorandum be not surrendered upon such request, it shall nevertheless be invalid for the purposes of this subpart.

§ 28.183 *Fees and costs; payment.* The provisions of §§ 28.115 through 28.126 relating to fees, costs, and method of payment shall apply to services performed with respect to cotton produced outside the continental United States.

§ 28.184 *Cotton linters; general.* Requests for the classification or comparison of cotton linters pursuant to this subpart and the samples involved shall be submitted to the Board of Cotton Linters Examiners at Washington, D. C. All samples classed shall be on the basis of the official-cotton linters standards of the United States. The fee for classification or comparison and the issuance of a memorandum showing the results of such classification or comparison shall be 20 cents per sample.

[F. R. Doc. 57-5272; Filed, June 27, 1957; 8:51 a. m.]

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

SUBPART—UNITED STATES STANDARDS FOR FRESH TOMATOES¹

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.), the existing United States Standards for Fresh Tomatoes (21 F. R. 9559) are hereby amended, effective as of the date of the publication of this document in the FEDERAL REGISTER, to read as follows:

Sec.	GRADES
51.1855	U. S. No. 1.
51.1856	U. S. Combination.
51.1857	U. S. No. 2.
51.1858	U. S. No. 3.
	UNCLASSIFIED
51.1859	Unclassified.
	SIZE REQUIREMENTS
51.1860	Size requirements.
	APPLICATION OF TOLERANCES
51.1861	Application of tolerances.
	TYPES OF PACKS
51.1862	Types of packs.
	IRREGULAR PACK
51.1863	Irregular pack.
	COLOR CLASSIFICATION
51.1864	Color classification.

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.

DEFINITIONS

Sec.	
51.1865	Similar varietal characteristics.
51.1866	Mature.
51.1867	Soft.
51.1868	Clean.
51.1869	Well developed.
51.1870	Fairly well formed.
51.1871	Fairly smooth.
51.1872	Damage.
51.1873	Reasonably well formed.
51.1874	Slightly rough.
51.1875	Serious damage.
51.1876	Misshapen.
51.1877	Very serious damage.

AUTHORITY: §§ 51.1855 to 51.1877 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

GRADES

§ 51.1855 *U. S. No. 1*. "U. S. No. 1" consists of tomatoes of similar varietal characteristics which are mature but not overripe or soft, which are clean, well developed, fairly well formed, fairly smooth, and which are free from decay, freezing injury and sunscald, and free from damage caused by bruises, cuts and broken skins, internal discoloration, sunburn, puffiness, catfaces, other scars, growth cracks, hail, insects, disease, or mechanical or other means.

(a) *Tolerances*. In order to allow for variations incident to proper grading and handling the following tolerances shall be permitted:

(1) At shipping point (or in shipments from points outside the continental United States when inspected at points of entry) not more than a total of 10 percent, by count, for tomatoes in any lot which fail to meet the requirements of this grade: *Provided*, That not more than one-half of this amount, or 5 percent, shall be allowed for defects causing very serious damage, and including in this latter amount not more than 1 percent for tomatoes which are soft or affected by decay; and,

(2) En route or at destination, not more than a total of 15 percent, by count, for tomatoes in any lot which fail to meet the requirements of this grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for the defects listed:

5 percent for tomatoes which are soft or affected by decay;

10 percent for tomatoes which are damaged by shoulder bruises or by discolored or sunken scars on any parts of the tomatoes, and 10 percent for tomatoes which are otherwise defective: *Provided*, That not more than a total of 5 percent shall be allowed for tomatoes which are very seriously damaged by any cause, exclusive of soft or decayed tomatoes.

§ 51.1856 *U. S. Combination*. "U. S. Combination" consists of a combination of U. S. No. 1 and U. S. No. 2 tomatoes: *Provided*, That at least 60 percent, by count, meet the requirements of U. S. No. 1 grade.

(a) *Tolerances*. In order to allow for variations incident to proper grading and handling the following tolerances shall be permitted:

(1) At shipping point (or in shipments from points outside the continental United States when inspected at

points of entry) not more than a total of 10 percent, by count, for tomatoes in any lot which fail to meet the requirements of the U. S. No. 2 grade: *Provided*, That not more than one-half of this amount, or 5 percent, shall be allowed for defects causing very serious damage, and including in this latter amount not more than 1 percent for tomatoes which are soft or affected by decay; and,

(2) En route or at destination, not more than a total of 15 percent, by count, for tomatoes in any lot which fail to meet the requirements of the U. S. No. 2 grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for the defects listed:

5 percent for tomatoes which are soft or affected by decay;

10 percent for tomatoes which are seriously damaged by shoulder bruises or by discolored or sunken scars on any parts of the tomatoes, and 10 percent for tomatoes which are otherwise defective: *Provided*, That not more than a total of 5 percent shall be allowed for tomatoes which are very seriously damaged by any cause, exclusive of soft or decayed tomatoes.

(b) No part of any tolerance shall be allowed to reduce for the lot as a whole the percentage of U. S. No. 1 tomatoes required in the combination, but individual containers may have not more than 10 percent less than the percentage of U. S. No. 1 required: *Provided*, That the entire lot averages within the required percentage.

§ 51.1857 *U. S. No. 2*. "U. S. No. 2" consists of tomatoes of similar varietal characteristics which are mature but not overripe or soft, which are clean, well developed, reasonably well formed, which may be slightly rough, and which are free from decay, freezing injury and sunscald, and free from serious damage caused by bruises, cuts and broken skins, internal discoloration, sunburn, puffiness, catfaces, other scars, growth cracks, hail, insects, disease, or mechanical or other means.

(a) *Tolerances*. In order to allow for variations incident to proper grading and handling the following tolerances shall be permitted:

(1) At shipping point (or in shipments from points outside the continental United States when inspected at points of entry) not more than a total of 10 percent, by count, for tomatoes in any lot which fail to meet the requirements of this grade: *Provided*, That not more than one-half of this amount, or 5 percent, shall be allowed for defects causing very serious damage, and including in this latter amount not more than 1 percent for tomatoes which are soft or affected by decay; and,

(2) En route or at destination, not more than a total of 15 percent, by count, for tomatoes in any lot which fail to meet the requirements of this grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for the defects listed:

5 percent for tomatoes which are soft or affected by decay;

10 percent for tomatoes which are seriously damaged by shoulder bruises or by discolored or sunken scars on any parts of the tomatoes, and 10 percent for tomatoes which are otherwise defective: *Provided*, That not more than a total of 5 percent shall be allowed for tomatoes which are very seriously damaged by any cause, exclusive of soft or decayed tomatoes.

§ 51.1858 *U. S. No. 3*. "U. S. No. 3" consists of tomatoes of similar varietal characteristics which are mature but not overripe or soft, which are clean, well developed, which may be misshapen, which are free from decay and freezing injury, and free from serious damage caused by sunscald, and from very serious damage caused by bruises, cuts and broken skins, internal discoloration, sunburn, puffiness, catfaces, other scars, growth cracks, hail, insects, disease, or mechanical or other means.

(a) *Tolerances*. In order to allow for variations incident to proper grading and handling the following tolerances shall be permitted:

(1) At shipping point (or in shipments from points outside the continental United States when inspected at points of entry) not more than a total of 10 percent, by count, for tomatoes in any lot which fail to meet the requirements of this grade: *Provided*, That not more than one-half of this amount, or 5 percent, shall be allowed for tomatoes which are very seriously damaged by insects and not more than one-tenth of the tolerance, or 1 percent, shall be allowed for tomatoes which are soft or affected by decay; and,

(2) En route or at destination, not more than a total of 15 percent, by count, for tomatoes in any lot which fail to meet the requirements of this grade: *Provided*, That included in this amount not more than the following percentages shall be allowed for the defects listed:

5 percent for tomatoes which are soft or affected by decay;

10 percent for tomatoes which are very seriously damaged by shoulder bruises or by discolored or sunken scars on any parts of the tomatoes; and,

10 percent for tomatoes otherwise defective;

Provided, That not more than a total of 5 percent shall be allowed for tomatoes which are very seriously damaged by insect.

UNCLASSIFIED

§ 51.1859 *Unclassified*. "Unclassified" consists of tomatoes 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.

SIZE REQUIREMENTS

§ 51.1860 *Size requirements*. (a) Tomatoes when packed in Los Angeles type lugs or when packed in other types of containers, and the size is specified according to the size arrangements customarily used in Los Angeles type lugs, shall be within the ranges of diameters specified in Table 1, except when designated as "Irregular sizing."

TABLE I

Los Angeles type lug size arrangements	Minimum diameter	Maximum diameter
	Inches	Inches
4 x 4	3 ³ / ₁₆	3 ¹ / ₂
4 x 5	3	3 ¹ / ₁₆
5 x 5	2 ¹ / ₁₆	3 ³ / ₁₆
5 x 6	2 ¹ / ₁₆	3 ³ / ₁₆
6 x 6	2 ⁹ / ₁₆	2 ¹ / ₁₆
6 x 7	2 ⁹ / ₁₆	2 ¹ / ₁₆
7 x 7	2	2 ⁹ / ₁₆
7 x 8	1 ¹ / ₁₆	2 ³ / ₁₆

(b) Size arrangements not listed in Table I but which meet the diameter requirements for one of the above Los Angeles type lug size arrangements may be certified as meeting the Los Angeles type lug size requirements for the specified size: *Provided*, That there shall not be a variation of more than 2 tomatoes in a layer between the two size arrangements, except that a variation of not more than 4 tomatoes in a layer shall be permitted in sizes smaller than 6 x 7. For example, a 4-4 x 6 offset pack has 24 tomatoes per layer and should be sized in accordance with the diameter requirements for 5 x 5 which has 25 tomatoes per layer. A 4-5 x 9 diagonal pack has 40 or 41 tomatoes per layer and should be sized in accordance with the requirements for 6 x 7 which has 42 tomatoes per layer.

(c) In determining compliance with the above size arrangements the measurement for minimum diameter shall be the largest diameter of the tomato measured at right angles to a line from the stem end to the blossom end. The measurement for maximum diameter shall be the smallest dimension of the tomato determined by passing the tomato through a round opening in any position.

(d) In lieu of specifying size according to the Los Angeles type lug size arrangements, the size of tomatoes in any type of container may be specified in terms of minimum diameter or in terms of minimum and maximum diameters expressed in whole inches, or whole inches and not less than thirty-second inch fractions thereof, in accordance with the facts, without reference to Los Angeles type lug size arrangements. Such minimum diameter, or minimum and maximum diameters, shall be the largest diameter of the tomato measured at right angles to a line from the stem end to the blossom end.

(e) In order to allow for variations incident to proper sizing, not more than a total of 10 percent, by count, of the tomatoes in any lot may be smaller than the specified minimum diameter, or larger than the specified maximum diameter.

APPLICATION OF TOLERANCES

§ 51.1861 *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 for the grade:

(1) For packages which contain more than 5 pounds, and a tolerance of 10 percent or more is provided, individual packages in any lot shall have not more

than one and one-half times the tolerance specified. For packages which contain more than 5 pounds and a tolerance of less than 10 percent is provided, individual packages in any lot shall have 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 5 pounds or less, individual packages in any lot are not restricted as to the percentage of defects or off-size: *Provided*, That not more than one tomato which is soft, affected by decay or is otherwise seriously damaged, and one off-size specimen, may be permitted in any package.

TYPES OF PACKS

§ 51.1862 *Types of packs.* (a) The following terms may be used to describe types of packs of tomatoes in Los Angeles type lugs:

(1) *"Straight Pack."* When specified as "Straight Pack", all layers in any lug shall have the same number of tomatoes: *Provided*, That when an offset or a diagonal arrangement of tomatoes is used, a variation of not more than one tomato shall be permitted in different layers. For example, in a 5 x 5 pack the tomatoes in each layer shall be packed 5 rows wide with 5 tomatoes in each row. In a 4-5 x 9 diagonal pack the tomatoes shall be packed alternately 4 x 5 to the row the short way of the lug with 9 such rows in the layer and with either 40 or 41 tomatoes in each layer. When designated as "Straight Square—Offset Pack" or "Straight Square—Diagonal Pack" the top layer shall be packed with a square arrangement and all lower layers with either an offset or a diagonal arrangement and there may be a variation of not more than one tomato between the top layer and any of the lower layers. Not more than one tomato shall be placed in a wrapper:

(2) *"Extra Row Pack."* When specified as "Extra Row Pack", the lower layers shall not contain more than one additional row one way of the lug. For example, in a 5 x 5 pack, the tomatoes in the lower layers may be packed 5 x 6 but not 6 x 6 or 5 x 7. Not more than one tomato shall be placed in a wrapper;

(3) *"Bridge Pack."* When specified as "Bridge Pack", a part of one additional layer of tomatoes shall be packed in the lug and the remaining tomatoes in the lower layers shall not contain more than one additional row one way of the lug than is contained in the top layer. Not more than one tomato shall be placed in a wrapper;

(4) *"Double Wrap Pack."* When specified as "Double Wrap Pack", the tomatoes in the top layer shall be packed with not more than one tomato in a wrapper and the lower layer or layers shall be packed with not more than two tomatoes in a wrapper; and,

(5) *"Double Wrap Bridge Pack."* When specified as "Double Wrap Bridge Pack", the tomatoes in the top layer shall be packed with not more than one tomato in a wrapper and the lower layer or layers shall be packed with not more than two tomatoes in a wrapper: *Provided*, That part of one additional layer

which may have either one or two tomatoes in a wrapper shall be packed in the lug.

IRREGULAR PACK

§ 51.1863 *"Irregular Pack."* Lugs of tomatoes which are not packed in accordance with any of the methods of packing specified in § 51.1862 may be designated as "Irregular Pack".

COLOR CLASSIFICATION

§ 51.1864 *Color classification.* (a) The following terms may be used, when specified, in connection with the grade statement in describing the color of any lot of tomatoes which are characteristically red when ripe:

(1) *Turning.* "Turning" means that there is at least a definite break in color to yellow or pink at the blossom end but not more than one-half of the surface, in the aggregate, is yellow or pink;

(2) *Pink.* "Pink" means that more than one-half but not more than three-fourths of the surface, in the aggregate, shows pink or red color;

(3) *Hard ripe.* "Hard ripe" means that more than three-fourths of the surface, in the aggregate, shows pink or red color;

(4) *Firm ripe.* "Firm ripe" means that more than three-fourths of the surface, in the aggregate, shows red color characteristic of a reasonably well ripened tomato; and,

(5) *Ripe.* "Ripe" means that practically the entire surface shows a good shade of red color characteristic of a well ripened tomato.

(b) Incident to proper color classification, not more than a total of 10 percent, by count, of the tomatoes in any lot may fail to meet the color specified, including therein not more than 5 percent for tomatoes which are green in color, except that any lot of tomatoes which does not meet the requirements of any of the above color designations may be designated as "mixed color": *Provided*, That not more than 5 percent of the tomatoes are green in color.

DEFINITIONS

§ 51.1865 *Similar varietal characteristics.* "Similar varietal characteristics" means that the tomatoes are alike as to firmness of flesh and shade of color (for example, soft-fleshed, early maturing varieties are not mixed with firm-fleshed, mid-season or late varieties, or bright red varieties mixed with varieties having a purplish tinge);

§ 51.1866 *Mature.* "Mature" means that the contents of two or more seed cavities have developed a jelly-like consistency and the seeds are well developed.

§ 51.1867 *Soft.* "Soft" means that the tomato yields readily to slight pressure.

§ 51.1868 *Clean.* "Clean" means that the tomato is practically free from dirt or other foreign material.

§ 51.1869 *Well developed.* "Well developed" means that the tomato shows normal growth. Tomatoes which are ridged and peaked at the stem end, contain dry tissue, and usually contain open spaces below the level of the stem scar, are not considered well developed.

§ 51.1870 *Fairly well formed.* "Fairly well formed" means that the tomato is not more than moderately kidney-shaped, lop-sided, elongated, angular or otherwise moderately deformed.

§ 51.1871 *Fairly smooth.* "Fairly smooth" means that the tomato is not conspicuously ridged or rough.

§ 51.1872 *Damage.* "Damage" means any defect which materially affects the appearance, or the edible or shipping quality of the tomato. 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) Cuts and broken skins when not shallow or not well healed, or when the appearance of the tomato is affected to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having a shallow, well healed cut one-half inch in length, or other shallow, well healed skin breaks having an aggregate area equivalent to that of a circle three-eighths inch in diameter;

(b) Puffiness when the open space in one or more locules materially affects the appearance of the tomato when cut through the center at right angles to a line running from the stem to the blossom end;

(c) Catfaces when scars are rough or deep, when channels are very deep or wide, when channels extend into a locule, or when the appearance of the tomato is affected to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having a fairly smooth catface with an area equivalent to that of a circle one-half inch in diameter;

(d) Scars (other than catfaces) when the appearance of the tomato is affected to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having a scar with no depth which has an area equivalent to that of a circle three-eighths inch in diameter;

(e) Growth cracks (radiating from or concentric to the stem scar) when not well healed, when more than one-eighth inch in depth, or when affecting the appearance or shipping quality of the tomato to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having individual radial cracks one-half inch in length and an aggregate length of all radial cracks of 1 inch, measured from the edge of the stem scar, except that any lot of tomatoes which are at least turning may have growth cracks which are not well healed: *Provided*, That such cracks are not leaking;

(f) Hail injury when deep, rough, or not well healed and corked over, or when the appearance of the tomato is affected to a great extent than that of a tomato $2\frac{1}{2}$ inches in diameter having fairly smooth, shallow hail marks with an aggregate area equivalent to that of a circle three-eighths inch in diameter; and,

(g) Insect injury when the appearance, or the edible or shipping quality of the tomato is materially affected or when any insect is present in the fruit.

§ 51.1873 *Reasonably well formed.* "Reasonably well formed" means that the tomato is not decidedly kidney-shaped, lop-sided, elongated, angular or otherwise decidedly deformed.

§ 51.1874 *Slightly rough.* "Slightly rough" means that the tomato is not decidedly ridged or grooved.

§ 51.1875 *Serious damage.* "Serious damage" means any defect which seriously affects the appearance, or the edible or shipping quality of the tomato. 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) Cuts and broken skins when not shallow or not well healed, or when the appearance of the tomato is affected to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having a shallow, well healed cut one-half inch in length, or other shallow, well healed skin breaks having an aggregate area equivalent to that of a circle one-half inch in diameter;

(b) Puffiness when the open space in one or more locules seriously affects the appearance of the tomato when cut through the center at right angles to a line running from the stem to the blossom end;

(c) Catfaces when scars are rough or deep, when channels are very deep or wide, when channels extend into a locule, or when the appearance of the tomato is affected to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having a fairly smooth catface with an area equivalent to that of a circle three-fourths inch in diameter;

(d) Scars (other than catfaces) when the appearance of the tomato is affected to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having a scar with no depth which has an area equivalent to that of a circle five-eighths inch in diameter;

(e) Growth cracks (radiating from or concentric to the stem scar) when not well healed, when more than one-eighth inch in depth, or when affecting the appearance or shipping quality of the tomato to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having individual radial cracks three-fourths inch in length and an aggregate length of all radial cracks of one and three-fourths inches, measured from the edge of the stem scar, except that any lot of tomatoes which are at least turning may have growth cracks which are not well healed: *Provided*, That such cracks are not leaking;

(f) Hail injury when deep, rough, or not well healed and corked over, or when the appearance of the tomato is affected to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having fairly smooth, shallow hail marks with an aggregate area equivalent to that of a circle five-eighths inch in diameter; and,

(g) Insect injury when the appearance, or the edible or shipping quality of the tomato is seriously affected or when any insect is present in the fruit.

§ 51.1876 *Misshapen.* "Misshapen" means that the tomato is decidedly kidney-shaped, lop-sided, elongated, angular or otherwise decidedly deformed: *Provided*, That the shape is not affected to an extent that the appearance or the edible quality of the tomato is very seriously affected.

§ 51.1877 *Very serious damage.* "Very serious damage" means any defect which very seriously affects the appearance, or the edible or shipping quality of the tomato. 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 very serious damage:

(a) Cuts and broken skins when fresh, or when healed and extending through the tomato wall, or when the appearance of the tomato is very seriously affected;

(b) Puffiness when the open space in two or more locules very seriously affects the appearance of the tomato when cut through the center at right angles to a line running from the stem to the blossom end;

(c) Catfaces when channels extend into the locule, when the wall has been weakened to the extent that slight pressure will cause the tomato to leak, or when the appearance of the tomato is affected to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having a fairly smooth catface with an area equivalent to that of a circle 1 inch in diameter;

(d) Scars (other than catfaces) when the appearance of the tomato is affected to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having a scar with no depth which has an area equivalent to that of a circle 1 inch in diameter;

(e) Growth cracks (radiating from or concentric to the stem scar) when not well healed, when more than one-fourth inch in depth, or when affecting the appearance or shipping quality of the tomato to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having individual radial cracks 1 inch in length and an aggregate length of all radial cracks of $2\frac{3}{4}$ inches, measured from the edge of the stem scar, except that any lot of tomatoes which are at least turning may have growth cracks which are not well healed: *Provided*, That such cracks are not leaking, are not more than one-eighth inch in depth and that individual radial cracks are not more than three-fourths inch in length;

(f) Hail injury when fresh or very deep, or when the appearance of the tomato is affected to a greater extent than that of a tomato $2\frac{1}{2}$ inches in diameter having fairly smooth, shallow hail marks with an aggregate area equivalent to that of a circle 1 inch in diameter; and,

(g) Insect injury when the appearance or the edible or the shipping quality of the tomato is very seriously affected or when any insect is present in the fruit.

It is hereby found and determined that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and to postpone the

effective date of this amendment action later than the date of the publication of this document in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.). The amendatory actions in the present connection relate wholly to the provisos in §§ 51.1856 (a) (1), 51.1857 (a) (1), and 51.1858 (a) (1), which relate to the tolerances for "very serious damage" at shipping point in connection with U. S. Combination Grade, U. S. No. 2 Grade, and U. S. No. 3 Grade, respectively. The present provisions in that regard specify in each instance that, of the total tolerance of 10 percent, not more than one-tenth, or 1 percent, shall be allowed for tomatoes which are soft or affected by decay. Such specifications in those provisions are in error in that they permit the certification of tomatoes as meeting the tolerance requirements for the indicated grades which would not be able to meet the comparable requirements for tomatoes of the same respective grades while en route or at destination, as prescribed, respectively, in §§ 51.1856 (a) (2), 51.1857 (a) (2), and 51.1858 (a) (2). It is obvious that the tolerances in those three connections (i. e., at shipping point, en route, and at destination) should be consistent with each other, and the tolerances now provided for use en route and at destination are the ones which should also apply at shipping point. It is necessary that these indicated errors in tolerances for application at shipping point should be corrected as soon as possible, inasmuch as requests for inspection and certification of tomatoes in those grades are being received from day to day. This amendatory action will not require any preparation for compliance on the part of members of the tomato industry or of others which cannot be completed by the effective time hereof.

The amended United States Standards for Fresh Tomatoes contained in this subpart shall, effective on publication hereof, in the FEDERAL REGISTER, supersede the United States Standards for Fresh Tomatoes which have been in effect since December 15, 1956 (21 F. R. 9559; §§ 51.1855 to 51.1877).

Dated this 25th day of June 1957 to become effective on the date of the publication of this document in the FEDERAL REGISTER.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 57-5271; Filed, June 27, 1957;
8:51 a. m.]

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

SUBPART—UNITED STATES STANDARDS FOR GRADES OF FROZEN SWEET PEPPERS¹

DEFECTS

On April 3, 1957, a notice of proposed rule making was published in the FED-

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

ERAL REGISTER (22 F. R. 2200) regarding a proposed amendment to the United States Standards for Grades of Frozen Sweet Peppers (§§ 52.3001 to 52.3014).

After consideration of all relevant matters presented including the proposals in the aforesaid notice, the following amendment to said standards is hereby promulgated 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.), which amendment provides for the exclusion of excessive amounts of seeds, core and stem material in the product.

1. In § 52.3009, change the introductory paragraph of paragraph (a) to read:

§ 52.3009 Defects—(a) General. The factor of defects refers to the freedom from grit, sand or silt, seeds, undeveloped seeds, core and stem material; the trimmings; and damaged and seriously damaged units.

2. Change paragraph (b) of § 52.3009 to read:

(b) (A) classification. Frozen sweet peppers that are practically free from defects may be given a score of 26 to 30 points. "Practically free from defects" means that the pods in whole unstemmed, whole stemmed, and halved styles are well trimmed; that no grit, sand or silt may be present that affects the appearance and eating quality; and that seeds, undeveloped seeds, core and stem material, damaged and seriously damaged units individually or collectively do not materially affect the appearance and eating quality of the product.

3. Change paragraph (c) of § 52.3009 to read:

(c) (B) classification. Frozen sweet peppers that are reasonably free from defects may be given a score of 21 to 25 points. Frozen sweet peppers that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the pods in whole unstemmed, whole stemmed and halved styles are reasonably well trimmed; that no grit, sand, or silt may be present that affects the appearance and eating quality; and that seeds, undeveloped seeds, core and stem material, damaged and seriously damaged units individually or collectively do not seriously affect the appearance and eating quality of the product.

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

Dated this 25th day of June 1957, to become effective 30 days after publication of this document in the FEDERAL REGISTER.

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

[F. R. Doc. 57-5269; Filed, June 27, 1957;
8:50 a. m.]

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

[Docket Nos. AO-227-A7, AO-227-A7-RO1]

PART 928—MILK IN NEOSHO VALLEY MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED

Correction

In Federal Register Document 57-5102, published at page 4407 of the issue for Saturday, June 22, 1957, the proviso and subparagraph (4) (appearing as "(3)") of paragraph (b) of § 928.41 should read as follows:

§ 928.41 Classes of utilization. * * *

(b) * * * Provided, That during the months of April, May, and June such maximum shrinkage allowance on skim milk shall be not in excess of 5 percent, and (4) in actual plant shrinkage of skim milk and butterfat in other source milk.

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter I—Bureau of the Census, Department of Commerce

PART 30—FOREIGN TRADE STATISTICS

ADDITIONAL INFORMATION ON ENTRIES OF ARTICLES MANUFACTURED FROM COTTON

Pursuant to the authority of Revised Statutes 336, 337, and 161, as amended (15 U. S. C. 173, 174 and 5 U. S. C. 22), §§ 30.6 and 30.24 of the Foreign Commerce Statistical Regulations are amended to provide for more detailed descriptions on entries of articles manufactured from cotton.

Section 30.6 (a) is amended by the insertion in the second sentence following the phrase "statistical classification of imports" the following: "and the Supplement to Schedule A, Statistical Requirements for Reporting Imports of Cotton Manufactures".

Section 30.24 (a) is amended by changing the period at the end of the first sentence thereof to a comma, and by adding the following: "except that entries of cotton manufactures and withdrawals of cotton manufactures entered into warehouse on and after July 1, 1957, must describe the merchandise in the detail required by the Supplement to Schedule A, Statistical Requirements for Reporting Imports of Cotton Manufactures."

Within available supplies, copies of the Supplement to Schedule A, Statistical Requirements for Reporting Imports of Cotton Manufactures will be furnished to interested parties upon request to the Bureau of the Census.

(R. S. 161; 5 U. S. C. 22)

ROBERT W. BURGESS,
Director,
Bureau of the Census.

Approved: June 20, 1957.

SINCLAIR WEEKS,
Secretary of Commerce.

[F. R. Doc. 57-5200; Filed, June 27, 1957;
8:52 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

RECAPITULATION OF PART

Because of the number of outstanding amendments to Part 2 since it was last published in the FEDERAL REGISTER (June 25, 1955, 20 F. R. 4477), Part 2 is recapitulated as of July 9, 1957, to read as set forth below.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

Subpart A—Definitions

Sec.

2.1 Definitions.

Subpart B—Allocation Assignment and Use of Radio Frequencies

- 2.101 Station symbols.
- 2.102 Nomenclature of frequencies.
- 2.103 Assignment of frequencies.
- 2.104 Frequency allocations.

Subpart C—Emissions

- 2.201 Emission, modulation and transmission characteristics.
- 2.202 Bandwidths.

Subpart D—Identification of Radio Communication, and Allocation and Use of Call Signs

- 2.301 Identification of transmissions.
- 2.302 Table of allocation of call signs.
- 2.303 Table of geographic assignment of call signs.

Subpart E—Distress, Disaster and Emergency Communications

- 2.401 Distress messages.
- 2.402 Control of distress traffic.
- 2.403 Retransmission of distress message.
- 2.404 Resumption of operation after distress.
- 2.405 Operation during emergency.
- 2.406 National defense; free service.
- 2.407 National defense; emergency authorization.

Subpart F—Equipment Type Approval and Type Acceptance

- 2.501 Program defined.
- 2.510 Type approval.
- 2.511 Limitations on type approval.
- 2.512 Withdrawal or refusal of type approval.
- 2.520 Type acceptance.
- 2.521 Limitation on type acceptance.
- 2.522 Withdrawal or refusal of type acceptance.
- 2.523 General information required for type acceptance.
- 2.524 Measurement data required for type acceptance.
- 2.525 Measurement procedure for type acceptance.
- 2.530 Submission of technical information for application reference.
- 2.540 Identification and changes in equipment.
- 2.541 Radio equipment lists.
- 2.542 Limitation on availability of equipment files for public reference.
- 2.543 Making available type approved or type accepted equipment for testing or inspection.

Subpart G—Laws and International Treaties and Other Agreements

- 2.601 Laws, Treaties Agreements and Arrangements Relating to Radio.

Sec.

2.602 Date and method of entry into force of ITU Radio Regulations (Atlantic City, 1947) listed in Article 47 thereof as not entering into force on 1 January 1949, based on provisions of the Geneva Agreement (Agreement of the Extraordinary Administrative Radio Conference, Geneva, 1951).

AUTHORITY: §§ 2.1 to 2.602 issued under sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303.

SUBPART A—DEFINITIONS

§ 2.1 Definitions. The following definitions are issued:

Aeronautical advisory station (FAA). An aeronautical station used for advisory and civil defense communications with private aircraft stations.

Aeronautical fixed service. A fixed service intended for the transmission of information relating to air navigation, preparation for, and safety of flight.

Aeronautical fixed station (FXA). A station in the aeronautical fixed service.

Aeronautical marker beacon station (RLA). A radionavigation land station in the aeronautical radionavigation service which provides a signal to designate a small area above the station.

Aeronautical mobile service. A mobile service between aircraft stations and aeronautical stations, or between aircraft stations.

Aeronautical radionavigation service. A radionavigation service intended for the benefit of aircraft.

Aeronautical station (FA). A land station in the aeronautical mobile service, carrying on a service with aircraft stations. In certain instances an aeronautical station may be placed on board a ship.

Aeronautical utility land station (FLU). A land station located at airdrome control towers and used for control of ground vehicles and aircraft on the ground at airdromes.

Aeronautical utility mobile station (MOU). A mobile station used for communication, at airdromes, with the aeronautical utility land station, ground vehicles, and aircraft on the ground.

Aircarrier aircraft station (MAA). An aircraft station aboard an aircraft engaged in, or essential to, transportation of passengers or cargo for hire.

Aircraft station (MA). A mobile station installed on board any type of aircraft and continuously subject to human control.

Airdrome control station (FAC). An aeronautical station providing communication between an airdrome control tower and aircraft.

Altimeter station (ROA). A radio navigation mobile station, in the aeronautical radionavigation service, the emissions of which are intended to determine the altitude of the aircraft, aboard which the altimeter station is located, above the earth's surface.

Amateur service. A service of self training, intercommunication and technical investigations carried on by amateurs, that is, by duly authorized persons interested in radio technique solely with a personal aim and without pecuniary interest.

Amateur station (AR). A station in the amateur service.

Authorized frequency. The frequency assigned to a station by the Commission and specified in the instrument of authorization.

Authorized power. The power assigned to a radio station by the Commission and specified in the instrument of authorization. The authorized power does not necessarily correspond to the power used by the Commission for purposes of its Master Frequency Record (MFR) and notification to the Bureau of the International Telecommunications Union.

Aviation services. Aviation services are primarily for the safe, expeditious and economical operation of aircraft. They include the aeronautical fixed service, aeronautical mobile service, aeronautical radionavigation service, and secondarily, the handling of public correspondence to and from aircraft.

Base station (FB). A land station in the land mobile service carrying on a service with land mobile stations.

Broadcasting service. A radiocommunication service of transmissions to be received directly by the general public.

This service may include transmissions of sounds or transmissions by television, facsimile or other means.

Broadcasting station (BC). A station in the broadcasting service.

Carrier. In a frequency stabilized system, the sinusoidal component of a modulated wave whose frequency is independent of the modulating wave; or

The output of a transmitter when the modulating wave is made zero; or

A wave generated at a point in the transmitting system and subsequently modulated by the signal; or

A wave generated locally at the receiving terminal which when combined with the side bands in a suitable detector produces the modulating wave.

Carrier frequency. The frequency of the carrier.

Citizens radio service. A radiocommunication service of fixed, land, or mobile stations, or combinations thereof, intended for use by citizens of the United States for private or personal radiocommunication (including radio signaling, control of objects by radio, and other purposes).

Civil Air Patrol Land Station (FLV). A land station used exclusively for communications of the Civil Air Patrol.

Civil Air Patrol Mobile Station (MOV). A mobile station used exclusively for communications of the Civil Air Patrol.

Coast station (FC). A land station in the maritime mobile service carrying on a service with ship stations.

Common carrier fixed station (FXC). A fixed station open to public correspondence.

Contract developmental station (EXG). An Experimental Station operated by a manufacturer of radiocommunication equipment for the sole and express purpose of developing equipment or a technique to be employed by stations belonging to and operated by the United States.

Developmental fixed station (FXJ). A fixed station operated for the express purpose of developing equipment or a technique solely for use only in that por-

tion of the non-government fixed service which has been specifically allocated the authorized frequency of the developmental fixed station.

Developmental land station (FLA). A land station operated for the express purpose of developing equipment or a technique solely for use only in that portion of the non-government mobile service which has been specifically allocated the authorized frequency of the developmental land station.

Developmental mobile station (MOA). A mobile station operated for the express purpose of developing equipment or a technique solely for use only in that portion of the non-government mobile service which has been specifically allocated the authorized frequency of the developmental mobile station.

Disaster Communications Service. A service of fixed, land, and mobile stations licensed or authorized to provide essential communications incident to or in connection with disaster or other incidents which involve loss of communications facilities normally available or which require the temporary establishment of communications facilities beyond those normally available.

Distance measuring equipment. A radionavigation aid in the aeronautical radionavigation service that determines the distance of an interrogator from a transponder by measuring the time of transmission to and from the transponder.

Domestic fixed service. A fixed service intended for the transmission of information between points, all of which lie within the 48 states and the District of Columbia, except for the domestic haul of international traffic.

Domestic fixed public service. A fixed service, the stations of which are open to public correspondence, for radiocommunication between points all of which lie within: (a) the 48 states and the District of Columbia, or (b) within a single territory or possession of the United States. In cases where service is afforded on frequencies above 30 Mc, facilities within the United States for communication with facilities in Canada or Mexico and facilities for communication between United States territories and possessions in the Caribbean area are also deemed to be in the domestic Fixed Public Service.

Domestic public radiocommunication services. The land mobile and domestic fixed public services the stations of which are open to public correspondence.

Experimental station (EX). A station utilizing Hertzian waves in experiments with a view to the development of science or technique. This definition does not include amateur stations.

Export developmental station (EXE). An experimental station operated by a manufacturer of radiocommunication equipment for the sole and express purpose of developing equipment or a technique to be employed by stations under the jurisdiction of a foreign government.

Facsimile. A system of telecommunication for the transmission of fixed images with a view to their reception in a permanent form.

Facsimile broadcasting station (BCM). A broadcasting station utilizing facsimile primarily.

Fixed public control service. A fixed service carried on for the purpose of transmitting intelligence between transmitting or receiving stations in the Public Radiocommunication Services and the message centers or control points associated therewith.

Fixed service. A service of radiocommunication between specified fixed points.

Fixed station (FX). A station in the fixed service.

Flight test station. An aeronautical station used for the transmission of essential communications in connection with the testing of aircraft or major components of aircraft: *Provided, however,* flight test stations, when operating on the frequency 3281 kc, are designated as land stations, only with respect to operation on the frequency 3281 kc.

Flying school station (FAS). An aeronautical station used for radiocommunication pertaining to instructions to students or pilots while actually operating aircraft.

FM broadcast STL station (FXF). A fixed station utilizing telephony to transmit from a studio of an FM broadcasting station to the transmitter of that broadcasting station, programs to be broadcast by that station.

FM broadcasting station (BCF). A broadcasting station utilizing telephony by means of frequency modulation, and when authorized under a Subsidiary Communications Authorization (SCA), utilizing F9 emissions.

FM inter-city relay station (FXM). A fixed station used for the transmission of FM broadcasting programs from one FM broadcasting station to other FM broadcasting stations to provide simultaneous network FM broadcasting and operated only by FM broadcast licensees.

Glide path station (RLG). (This term will be defined at a later date.)

Harmful interference. Any radiation or any induction which endangers the functioning of a radionavigation service or of a safety service or obstructs or repeatedly interrupts a radio service operating in accordance with the regulations in this part.

Hertzian waves. Electromagnetic waves of frequencies between 10 kc and 3,000,000 Mc.

Industrial radio services. Any service of radio communication essential to, operated by, and for the sole use of, those enterprises which for purposes of safety or other necessity require radiocommunication in order to function efficiently, the radio transmitting facilities of which are defined as fixed, land or mobile stations.

Industrial, scientific, and medical equipment. Devices which use Hertzian waves for industrial, scientific, medical, or any other purposes including the transfer of energy by radio and which are neither used nor intended to be used for radiocommunication.

Instrument landing system. A system of radionavigation, intended to facilitate aircraft in landing, which provides lateral and vertical guidance, including indications of distance from the optimum point of landing.

International broadcasting station (BCI). A broadcasting station employing frequencies allocated to the broad-

casting service between 5950 kc and 26100 kc, whose transmissions are intended to be received directly by the general public in foreign countries.

International control station (FXI). A fixed station in the fixed public control service associated directly with the international fixed public radiocommunication service.

International fixed public radiocommunication service. A fixed service, the stations of which are open to public correspondence and which is intended to provide radiocommunication between the United States and its territories and foreign or overseas points.

Interzone station (FXY). A fixed station in the public safety (police) radio service using radiotelegraphy (A1 emission) for communication with zone stations within the zone and with interzone stations in other zones.

Kc (kilocycle). A kilocycle (kc) means one kilocycle per second and is equal to one thousand cycles per second.

Land mobile service. A mobile service between base stations and land mobile stations, or between land mobile stations.

Land mobile station (ML). A mobile station in the land mobile service capable of surface movement within the geographical limits of a country or continent.

Land Radiopositioning station (PL). A station in the radiolocation service, other than a radionavigation station, not intended for operation while in motion.

Land station (FL). A station in the mobile service not intended for operation while in motion.

Land transportation radio services. Any service of radio communication operated by, and for the sole use of certain land transportation carriers, the radio transmitting facilities of which are defined as fixed, land, or mobile stations.

Localizer station (RLL). A radionavigation land station in the aeronautical radionavigation service which provides signals for the lateral guidance of aircraft with respect to a runway center line.

Loran station (RLN). A long distance radionavigation land station transmitting synchronized pulses. Hyperbolic lines of position are determined by the measurement of the difference in the time of arrival of these pulses.

Marine radio beacon station (RLM). A radionavigation land station, the emissions of which are intended to enable a ship station to determine its bearing or its direction in relation to the marine radio beacon station.

Maritime mobile service. A mobile service between ship stations and coast stations, or between ship stations.

Maritime radionavigation service. A radionavigation service intended for the benefit of ships.

Mc (megacycle). A megacycle (Mc) means one thousand kilocycles.

Meteorological aids service. A service of emissions of special radio signals intended solely for meteorological, including hydrological, observations and exploration.

Meteorological radar station (WXD). A station in the meteorological aids service, employing radar, not intended for operation while in motion.

Mobile, except television pickup, station (MOZ). Any mobile station other than a television pickup station.

Mobile radiopositioning station (PO). A station in the radiolocation service, other than a radionavigation station, intended to be used while in motion or during halts at unspecified points.

Mobile service. A service of radiocommunication between mobile and land stations, or between mobile stations.

Mobile station (MO). A station in a mobile service intended to be used while in motion or during halts at unspecified points.

Modulation. The process of producing a wave some characteristic of which varies as a function of the instantaneous value of another wave, called the modulating wave.

Omni directional range station (RLO). A radionavigation land station in the aeronautical radionavigation service providing direct indication of the bearing (omni bearing) of that station from an aircraft.

Operational fixed station (FXO). A fixed station, not open to public correspondence, operated by and for the sole use of those agencies operating their own radiocommunication facilities in the Public Safety, Industrial, Land Transportation, Marine, or Aviation Service.

Primary standard of frequency. The primary standard of frequency for radio frequency measurements shall be the national standard of frequency maintained by the National Bureau of Standards, Department of Commerce, Washington, D. C. The operating frequency of all radio stations will be determined by comparison with this standard or the standard signals of station WWV of the National Bureau of Standards.

Private aircraft station (MAP). An aircraft station on board an aircraft not operated as an air carrier.

Public correspondence. Any telecommunication which the offices and stations, by reason of their being at the disposal of the public, must accept for transmission.

Public radiocommunication services. The land mobile and fixed services the stations of which are open to public correspondence.

Public safety radio service. Any service of radiocommunication essential to either the discharge of non-federal governmental functions relating to public safety responsibilities or the alleviation of an emergency endangering life or property, the radio transmitting facilities of which are defined as fixed, land, or mobile stations.

Racon. A radionavigation system transmitting, automatically or in response to a predetermined received signal, a pulsed radio signal with specific characteristics.

Racon station (RLC). A radionavigation land station which employs a racon.

Radar. Radiolocation system where transmission and reception are carried out at the same location, and which utilizes the reflecting or retransmitting properties of objects in order to determine their positions.

Radio. A general term applied to the use of Hertzian waves.

Radiobeacon station. A radionavigation station the emissions of which are intended to enable a mobile station to determine its bearing or its direction in relation to the radiobeacon station.

Radiocommunication. Any telecommunication by means of Hertzian waves.

Radio direction finding. Radiolocation in which only the direction of a station is determined by means of its emissions.

Radio direction finding station (RG). A radiolocation station intended to determine only the direction of other stations by means of transmissions from the latter.

Radiolocation. Determination of a position or of a direction by means of the constant velocity or rectilinear propagation properties of Hertzian waves.

Radiolocation service. A service involving the use of radiolocation.

Radiolocation station. A station in the radiolocation service.

Radionavigation. Radiolocation intended solely for the determination of position or direction or for obstruction warning, in navigation.

Radionavigation land station (RL). A station in the radionavigation service not intended for operation while in motion.

Radionavigation mobile station (RO). A station in the radionavigation service intended to be used while in motion or during halts at unspecified points.

Radionavigation service. A radiolocation service involving the use of radionavigation.

Radionavigation station. A station in the radionavigation service.

Radio range station (RLR). A radionavigation land station in the aeronautical radionavigation service providing radial equisignal zones.

Radiosonde. An automatic radio transmitter in the meteorological aids service usually carried on an aircraft, free balloon, kite or parachute, which transmits meteorological data.

Radiosonde station (WXR). A station in the meteorological aids service employing a radiosonde.

Remote pickup broadcast base station (FBR). A base station, licensed for the transmission of program material from remote points of origination to a broadcasting station for simultaneous or delayed broadcasting and for the transmission of orders pertaining to such programs.

Remote pickup broadcast mobile station (MLR). A land mobile station, licensed for the transmission of program material from remote points of origination to a broadcasting station for simultaneous or delayed broadcasting and for the transmission of orders pertaining to such programs.

Ship station (MS). A mobile station in the maritime mobile service located on board a vessel which is not permanently moored.

Standard broadcast station (BCS). A broadcasting station operated on a frequency in the band 535-1605 kilocycles.

Standard frequency service. A radiocommunication service for the transmission of standard and specified frequencies of known high accuracy, intended for general reception.

Standard frequency station (SS). A station in the standard frequency service.

Surveillance radar station (RLS). A radionavigation land station in the aeronautical radionavigation service employing radar to display the presence of aircraft within its range.

Telecommunication. Any transmission, emission or reception of signs, signals, writing, images, and sounds or intelligence of any nature by wire, radio, visual or other electromagnetic systems.

Telegraphy. A system of telecommunication for the transmission of written matter by the use of a signal code.

Telemetry. Automatic radiocommunication, in a fixed or mobile service intended to indicate or record a measurable variable quantity at a distance.

Telemetry fixed station (FXE). A fixed station, the emissions of which are used for telemetry.

Telemetry land station (FLE). A land station, the emissions of which are used for telemetry.

Telemetry mobile station (MOE). A mobile station, the emissions of which are used for telemetry.

Telephony. A system of telecommunication set up for the transmission of speech, or in some cases, other sounds.

Television. A system of telecommunication for transmission of transient images of fixed or moving objects.

Television broadcasting station (BCT). A broadcasting station utilizing both television and telephony to provide combination and simultaneous visual and aural programs intended to be received directly by the general public.

Television inter-city relay station (FXN). A fixed station used for inter-city transmission of television program material and related communications for use by television broadcast stations.

Television pickup station (MLT). A land mobile station used for the transmission of television program material and related communications from the scenes of events occurring at points removed from television broadcast station studios to television broadcast stations.

Television STL station (studio-transmitter link) (FXT). A fixed station used for the transmission of television program material and related communications from a studio to the transmitter of a television broadcast station.

Zone station (FXZ). A fixed station in the public safety (police) radio service using radiotelegraph (AI emission) for communication with other similar stations in the same zone and with an interzone station.

SUBPART B—ALLOCATION ASSIGNMENT AND USE OF RADIO FREQUENCIES

§ 2.101 **Station symbols.** The following symbols shall be used to designate the several classes of stations:

Symbol	Class of station
AR.....	Amateur station.
BC.....	Broadcasting station.
BCF.....	FM broadcasting station.
BCI.....	International broadcasting station.
BCM.....	Facsimile broadcasting station.
BCE.....	Standard broadcast station.
BCT.....	Television broadcasting station.
EX.....	Experimental station.
EXE.....	Export developmental station.
EXG.....	Contract developmental station.

Symbol	Class of station
FA	Aeronautical station.
FAA	Aeronautical advisory station.
FAC	Airdrome control station.
FAS	Flying school station.
FAT	Flight test station.
FB	Base station.
FBR	Remote pickup broadcast base station.
FC	Coast station.
FL	Land station.
FLA	Developmental land station.
FLE	Telemetering land station.
FLU	Aeronautical utility land station.
FLV	Civil air patrol land station.
FX	Fixed station.
FXA	Aeronautical fixed station.
FXC	Common carrier fixed station.
FXE	Telemetering fixed station.
FXF	FM broadcast STL station.
FXI	International control station.
FXJ	Developmental fixed station.
FXM	FM inter-city relay station.
FXN	Television inter-city relay station.
FXO	Operational fixed station.
FXY	Interzone station.
FXZ	Zone station.
FXT	Television STL station.
MA	Aircraft station.
MAA	Air carrier aircraft station.
MAP	Private aircraft station.
ML	Land mobile station.
MLR	Remote pickup broadcast mobile station.
MLT	Television pickup station.

Symbol	Class of station
MO	Mobile station.
MOA	Developmental mobile station.
MOE	Telemetering mobile station.
MOU	Aeronautical utility mobile station.
MOV	Civil air patrol mobile station.
MOZ	Mobile (except television pickup) station.
MS	Ship station.
PL	Land radiopositioning station.
PO	Mobile radiopositioning station.
RG	Radio direction-finding station.
RL	Radionavigation land station.
RLA	Aeronautical marker beacon station.
RLC	Racon station.
RLG	Glide Path (slope) station.
RLL	Localizer station.
RLM	Marine radio beacon station.
RLN	Loran station.
RLO	Omnidirectional range station.
RLR	Radio range station.
RLS	Surveillance radar station.
RO	Radionavigation mobile station.
ROA	Altimeter station.
SS	Standard frequency station.
WXD	Meteorological radar station.
WXR	Radiosonde station.

§ 2.102 *Nomenclature of frequencies.*
Frequencies shall be expressed in kilocycles per second (kc) at and below 30,000 kilocycles per second and in megacycles per second (Mc) above this frequency.

Frequency subdivision	Frequency range
VLF (very low frequency)	Below 30 kc.
LF (low frequency)	30 to 300 kc.
MF (medium frequency)	300 to 3,000 kc.
HF (high frequency)	3,000 to 30,000 kc.
VHF (very high frequency)	30,000 kc. to 300 Mc.
UHF (ultra high frequency)	300 Mc. to 3,000 Mc.
SHF (super high frequency)	3,000 Mc. to 30,000 Mc.
EHF (extremely high frequency)	30,000 Mc. to 300,000 Mc.

§ 2.103 *Assignment of frequencies.*
(a) Except as otherwise provided in this section the assignment of frequencies and bands of frequencies to all stations and classes of stations and the licensing and authorizing of the use of all such frequencies between 10 kc. and 30,000 Mc., and the actual use of such frequencies for radiocommunication or for any other purpose, including the transfer of energy by radio, shall be in accordance with the table of frequency allocations herein, except that in individual cases the Commission may, without rule-making proceedings, authorize, on a temporary basis only, the use of a frequency or frequencies not in accordance with the table below for projects of short duration or emergencies where the Commission finds that important or exceptional circumstances require such utilization: *Provided*, That no such authorization will be granted where harmful interference would be caused thereby to any service operating in accordance with the table of frequency allocations: *And provided further*, That such authorizations are not intended to develop a service to be operated on frequencies other than those allocated such service in the table of frequency allocations.¹

¹ From time to time when the Commission moves a service from one band to another it provides that existing stations may continue on the old band for a certain length of time, usually in order to provide for the amortization of equipment. Nothing in this section shall be construed as inconsistent with such authorizations.

(b) Experimental stations, for the development of techniques or equipment to be employed by services or classes of stations set forth in columns 8 and 9 of the table of frequency allocations in § 2.104 (a), may be authorized to use frequencies allocated to those services or classes of stations: *Provided*, That no harmful interference will be caused to the services or stations to which these frequencies are regularly assigned.

(c) The use of frequencies in the bands above 25 Mc allocated exclusively to Government stations and the use of frequencies below 25 Mc which may not be in accordance with § 2.104 (a) may be authorized to non-Government stations in those instances where the Commission finds, after consultations with the appropriate Government agency or agencies, that such assignment is necessary for intercommunication with Government stations or where such use by non-Government stations is required for coordination with Government activities.

(d) Aircraft stations may use those frequencies below 30 Mc allocated to the maritime mobile service as shown in column 8 of § 2.104 (a) (5) in accordance with paragraphs 570 and 571 of the Atlantic City 1947 Radio Regulations which are quoted herewith:

570 (1) Aircraft stations may communicate with stations of the maritime mobile service.

571 (2) For this purpose only, they may utilize frequencies allocated to the maritime mobile service and must then conform to

the provisions of these Regulations relating to the maritime mobile service.

(e) Non-Government services operating on frequencies in the band 25-50 Mc must recognize that it is shared with various services of other countries; that harmful interference may be caused by skywave signals received from distant stations of all services of the United States and other countries radiating power on frequencies in this band; and that no protection from such harmful interference generally can be expected. Persons desiring to avoid such harmful interference should consider operation on available frequencies higher in the radio spectrum not generally subject to this type of difficulty.

§ 2.104 *Frequency allocations—(a) Table of frequency allocations.* (1) In the table of frequency allocations below 25 Mc, the authority extended to stations in the fixed service, unless otherwise specified, extends only to those stations in the following categories of service:

- (i) Aeronautical fixed;
 - (ii) Fixed (in Territories);
 - (iii) International fixed public;
- (2) In the table of frequency allocations between 5000 and 25,000 kc, the authority extended to stations in the mobile service, unless otherwise specified, extends only to those stations in the following categories of service:

- (i) Aeronautical mobile;
 - (ii) Maritime mobile.
- (3) In the table of frequency allocations below 25,000 kc (25 Mc):

(i) Stations assigned, as of January 1, 1955, on frequencies in the band 8476-8745 kc, operating in a service other than indicated in column 8 for the frequency concerned, but operating in accordance with the Cairo table of frequency allocations, may continue to be authorized to use these frequencies only until the Atlantic City table of frequency allocations comes into force.

(ii) Stations in services shown in column 8, in bands for which the Atlantic City table of frequency allocations is not yet in force, shall observe the provisions with respect to non-interference contained in paragraph 79 of the Cairo, 1938, Radio Regulations.

(iii) The Commission may authorize on a temporary basis only, the use of a frequency contained in the bands indicated in subdivision (i) of this subparagraph for the special purpose of assisting the implementation of the Atlantic City, 1947, Radio Regulations. Stations which may be so authorized shall observe the non-interference conditions of paragraph 79 of the Cairo, 1938, Radio Regulations or paragraph 88 of the Atlantic City, 1947, Radio Regulations, depending upon which international allocation is in effect for the frequency so authorized.

(4) The effective dates of the Atlantic City table of frequency allocations are as follows:

Frequency band (kc):	Effective date
14-65	Aug. 15, 1952
55-150	Aug. 15, 1952
150-200	Dec. 1, 1952
200-535	Nov. 1, 1952
535-1605	Dec. 1, 1952
1605-2000	Jan. 1, 1952
2000-25,000	(¹)

¹ Date to be determined.

(5) The following is the table of frequency allocations.

World wide		Region 2		United States		Federal Communications Commission				
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
10-14	Radionavigation.					10-14	Radionavigation.	a. Radionavigation land. b. Radionavigation mobile.		RADIONAVIGATION.
14-70	a. Fixed. b. Maritime mobile. (110)					14-70 (NG1)	Fixed.	Fixed.		INTERNATIONAL FIXED PUBLIC
70-90		70-90	a. Fixed. b. Maritime mobile. (110)			70-90 (NG1)	Fixed.	Fixed.		INTERNATIONAL FIXED PUBLIC.
90-110	a. Fixed. b. Maritime mobile. (110) c. Radionavigation (112)					90-110	a. Fixed. b. Maritime mobile. c. Radionavigation.	a. Coast. b. Fixed. c. Radionavigation land. d. Radionavigation mobile.		a. FIXED (in Alaska). b. INTERNATIONAL FIXED PUBLIC. c. MARITIME MOBILE (telegraphy). d. RADIONAVIGATION
110-130		110-130	a. Fixed. b. Maritime mobile.			110-130 (NG1)	a. Fixed. b. Maritime mobile.	a. Coast. b. Fixed. c. Ship.		a. FIXED (in Alaska). b. INTERNATIONAL FIXED PUBLIC. c. MARITIME MOBILE (telegraphy).
130-150		130-150	a. Fixed. (116) b. Maritime mobile.			130-150 (NG1)	a. Fixed. b. Maritime mobile.	a. Coast. b. Fixed. c. Ship.		a. FIXED (in Alaska). b. INTERNATIONAL FIXED PUBLIC. c. MARITIME MOBILE (telegraphy).
150-160		150-160	a. Fixed. b. Maritime mobile.			150-160 (NG1)	a. Fixed. b. Maritime mobile.	a. Coast. b. Fixed. c. Ship.		a. FIXED (in Alaska). b. INTERNATIONAL FIXED PUBLIC. c. MARITIME MOBILE (telegraphy).
160-200		160-200	Fixed. (124)			160-200 (NG1)	Fixed.	Fixed.		a. FIXED (in Alaska). b. INTERNATIONAL FIXED PUBLIC.
200-285		200-285	a. Aeronautical mobile. b. Aeronautical radionavigation. (125)			200-285 (NG1)	a. Aeronautical mobile. b. Aeronautical radionavigation. (US31) (NG 36)	a. Aeronautical. b. Aircraft. c. Radionavigation land.		a. AERONAUTICAL MOBILE. b. AERONAUTICAL RADIONAVIGATION.
285-290		285-290	Maritime radionavigation (Radiobeacons). (127)			285-290	Maritime radionavigation. (US31)	Radionavigation land.		MARITIME RADIONAVIGATION.
290-325		290-325	Maritime radionavigation (Radiobeacons). (127)			290-325	Maritime radionavigation. (US31) (US28)	Radionavigation land.		MARITIME RADIONAVIGATION.
325-380	a. Aeronautical mobile. b. Aeronautical radionavigation. (129)					325-380 (NG1)	a. Aeronautical mobile. b. Aeronautical radionavigation. (US31)	a. Aeronautical. b. Aircraft. c. Radionavigation land.		a. AERONAUTICAL MOBILE. b. AERONAUTICAL RADIONAVIGATION.
380-405	a. Aeronautical mobile. b. Aeronautical radionavigation. (129)					380-405	a. Aeronautical mobile. b. Aeronautical radionavigation. (US31)	a. Aeronautical. b. Aircraft. c. Radionavigation land.		a. AERONAUTICAL MOBILE. b. AERONAUTICAL RADIONAVIGATION.
405-415		405-415	a. Aeronautical. b. Aeronautical radionavigation. c. Maritime radionavigation (radio direction finding). (133) (137)			405-415	a. Aeronautical mobile. b. Aeronautical radionavigation (US31) c. Maritime radionavigation (radio direction finding). (US31)	a. Aeronautical. b. Aircraft. c. Radionavigation land. d. Radionavigation mobile.	410	Radio direction finding.
415-490	Maritime mobile. (130)					415-490 (NG1)	Maritime mobile.	a. Coast. b. Ship.		MARITIME MOBILE (telegraphy).
490-510	Mobile (distress and calling). (140)					490-510	Mobile.	a. Coast. b. Mobile.	500	Distress and Calling.
510-535		510-535 (US26)	Mobile.			510-535 (US26)				
535-1005	Broadcasting.					535-1605 (US27) (NG24) (NG1)	Broadcasting.	Broadcasting.		Standard Broadcast.

See footnotes at end of table.

RULES AND REGULATIONS

World wide		Region 2		United States		Federal Communications Commission				
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
1605-1715		1605-1715	a. Aeronautical radionavigation. b. Fixed. c. Mobile.			1605-1715 (NG1)	a. Aeronautical radionavigation. (NG25) b. Fixed. c. Land mobile. d. Maritime mobile.	a. Base. b. Mobile. c. Fixed. d. Land mobile. e. Radionavigation land.	1638 1708	a. AERONAUTICAL FIXED b. AERONAUTICAL, RADIONAVIGATION, Radionavigation land, Do. c. FIXED (in Alaska). d. INDUSTRIAL. e. INTERNATIONAL FIXED PUBLIC. f. MARITIME MOBILE. g. PUBLIC SAFETY. h. Remote pickup broadcast base. i. Remote pickup broadcast mobile.
1715-1750		1715-1750	a. Aeronautical radionavigation. b. Fixed. c. Mobile.			1715-1750 (NG1)	a. Fixed. b. Land mobile. c. Maritime mobile.	a. Base. b. Mobile. c. Fixed. d. Land mobile. e. Ship.		a. AERONAUTICAL FIXED. b. FIXED (in Alaska). c. INDUSTRIAL. d. INTERNATIONAL FIXED PUBLIC. e. MARITIME MOBILE. f. PUBLIC SAFETY. g. Remote pickup broadcast base. h. Remote pickup broadcast mobile.
1750-1800		1750-1800	a. Aeronautical radionavigation. b. Fixed. c. Mobile.			1750-1800 (NG1) (NG21)	a. Fixed. b. Mobile. c. Radiolocation.	a. Fixed. b. Land. c. Mobile		a. DISASTER. b. RADIOLOCATION
1800-2000		1800-2000	a. Amateur. b. Fixed. c. Mobile except aeronautical mobile. d. Radionavigation. (147)			1800-2000 (NG23)	a. Amateur. b. Radionavigation.	a. Amateur b. Loran.		a. AMATEUR. b. Loran.
2000-2035		2000-2035	a. Fixed. b. Mobile.			2000-2035 (NG1)	Maritime mobile. (NG 26)	a. Coast. b. Ship.		MARITIME MOBILE.
2035-2065		2035-2065	a. Fixed. b. Mobile.			2035-2065 (NG1)	Maritime mobile	Coast.		Coast (telegraphy).
2065-2105		2065-2105	Maritime mobile. (115-269)			2065-2105 (NG1) (NG30)	Maritime mobile.	Ship.		Ship (telegraphy)
2105-2107		2105-2107	a. Fixed. b. Mobile. (151)			2105-2107 (NG1)	Maritime mobile.	Ship		Ship (telegraphy).
2107-2170		2107-2170	a. Fixed. b. Mobile. (151)			2107-2170 (NG1)	a. Fixed. (NG26) b. Land mobile. c. Maritime mobile.	a. Base. b. Coast. c. Fixed. d. Land mobile. e. Ship.		a. AERONAUTICAL FIXED. b. FIXED (in Alaska). c. INDUSTRIAL. d. INTERNATIONAL FIXED PUBLIC. e. MARITIME MOBILE. f. PUBLIC SAFETY.
2170-2194		2170-2194	a. Fixed. b. Mobile. (148, 151)			2170-2194 (NG1)	Maritime mobile. (NG29)	a. Coast. b. Ship.	2182	MARITIME MOBILE (telephony) Distress and Calling frequency.
2194-2300		2194-2300	a. Fixed. b. Mobile. (151)			2194-2300 (NG1)	a. Fixed. b. Land mobile. c. Maritime mobile. (NG26)	a. Base. b. Coast. c. Fixed. d. Land mobile. e. Ship.		a. AERONAUTICAL FIXED b. FIXED (in Alaska). c. INDUSTRIAL. d. INTERNATIONAL FIXED PUBLIC. e. MARITIME MOBILE. f. PUBLIC SAFETY
2300-2495		2300-2495	a. Broadcasting (150) b. Fixed. c. Mobile. (151)			2300-2495 (NG1)	a. Fixed (NG26) b. Land mobile. c. Maritime mobile.	a. Base b. Coast. c. Fixed. d. Land mobile. e. Ship.		a. AERONAUTICAL FIXED. b. FIXED (in Alaska). c. INDUSTRIAL. d. INTERNATIONAL FIXED PUBLIC. e. MARITIME MOBILE. f. PUBLIC SAFETY.
2495-2505		2495-2505	Standard frequency. (152)			2495-2505 (NG1)	Standard frequency.	Standard frequency.	2500	Standard frequency.

See footnotes at end of table.

World wide		Region 2		United States		Federal Communications Commission				
Band (kc) 1	Service 2	Band (kc) 3	Service 4	Band (kc) 5	Allocation 6	Band (kc) 7	Service 8	Class of station 9	Frequency (kc) 10	Nature (OF SERVICES of stations) 11
2505-2850		2505-2850	a. Fixed. b. Mobile.			2505-2850 (NG1)	a. Fixed. b. Land mobile. c. Maritime mobile. (NG27)	a. Base. b. Coast. c. Fixed. d. Land mobile. e. Ship.	2638 2738 2804 2808 2812	a. AERONAUTICAL FIXED. b. FIXED (in Alaska). c. INDUSTRIAL. d. INTERNATIONAL FIXED PUBLIC. e. MARITIME MOBILE. Intership (telephony). Do. f. PUBLIC SAFETY. Zone and interzone police. Do. Do.
2850-3025	Aeronautical mobile (R) (149)					2850-3025 (NG1)	Aeronautical mobile (R)	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
3025-3155	Aeronautical mobile (OR) (149)					3025-3155 (NG1)	Aeronautical mobile (OR)	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
3155-3200	a. Fixed. b. Mobile except aeronautical mobile (R) (149)					3155-3200 (NG1)	a. Fixed. b. Land mobile. c. Maritime mobile.	a. Base. b. Coast. c. Fixed. d. Land mobile. e. Ship.		a. AERONAUTICAL FIXED. b. FIXED (in Alaska and Puerto Rico). c. INDUSTRIAL. d. INTERNATIONAL FIXED PUBLIC. e. MARITIME MOBILE. f. PUBLIC SAFETY.
3200-3230	a. Broadcasting (150) b. Fixed. c. Mobile except aeronautical mobile (R) (149)					3200-3230 (NG1)	a. Fixed. b. Land mobile. c. Maritime mobile. (NG27)	a. Base. b. Coast. c. Fixed. d. Land mobile. e. Ship.		a. AERONAUTICAL FIXED. b. FIXED (in Alaska). c. INDUSTRIAL. d. INTERNATIONAL FIXED PUBLIC. e. MARITIME MOBILE. f. PUBLIC SAFETY.
3230-3240	a. Broadcasting (150) b. Fixed. c. Mobile except aeronautical mobile					3230-3240 (NG1)	a. Fixed. b. Land mobile. c. Maritime mobile.	a. Base. b. Coast. c. Fixed. d. Land mobile. e. Ship.		a. AERONAUTICAL FIXED. b. FIXED (in Alaska). c. INDUSTRIAL. d. INTERNATIONAL FIXED PUBLIC. e. MARITIME MOBILE. f. PUBLIC SAFETY.
3240-3400	a. Broadcasting (150) b. Fixed. c. Mobile except aeronautical mobile.					3240-3400 (NG1)	a. Fixed. b. Land mobile. c. Maritime mobile. d. Mobile (NG33)	a. Base. b. Coast. c. Fixed. d. Land. e. Land mobile. f. Mobile. g. Ship.		a. AVIATION (flight test and aeronautical fixed only). b. FIXED (in Alaska). c. INDUSTRIAL. d. INTERNATIONAL FIXED PUBLIC. e. MARITIME MOBILE. f. PUBLIC SAFETY.
3400-3500	Aeronautical mobile. (R) (149)					3400-3500 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
3500-4000		3500-4000	a. Amateur. b. Fixed. c. Mobile except aeronautical mobile. (R) (149)			3500-4000	Amateur.	Amateur.		AMATEUR.
4000-4063	Fixed.					4000-4063 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (in Alaska). c. INTERNATIONAL FIXED PUBLIC.
4063-4438	Maritime mobile. (155) (239)					4063-4133 (NG41)	Maritime mobile.	Ship.		Ship (telephony).
						4133-4177 (NG1)	Maritime mobile.	Ship.		Ship (telegraphy).
						4177-4187 (NG1)	Maritime mobile.	Ship.		Ship Calling (telegraphy).
						4187-4238 (NG1)	Maritime mobile.	Ship.		Ship (telegraphy).
						4238-4368 (NG1)	Maritime mobile.	Coast.		Coast (telegraphy).
						4368-4438 (NG41)	Maritime mobile.	Coast.		Coast (telephony).
4438-4650		4438-4650	a. Fixed. b. Mobile except aeronautical mobile. (R) (149)			4438-4650 (NG1)	a. Fixed. b. Mobile.	a. Base. b. Fixed. c. Mobile.		a. AERONAUTICAL FIXED. b. FIXED (in Alaska). c. INDUSTRIAL. d. INTERNATIONAL FIXED PUBLIC.

See footnotes at end of table.

World wide		Region 2		United States		Federal Communications Commission				
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
4650-4700	Aeronautical mobile. (R) (149)					4650-4700 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
4700-4750	Aeronautical mobile. (OR) (149)					4700-4750 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
4750-4770		4750-4770	a. Broadcasting. (150) b. Fixed.			4750-4770 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC.
4770-4850		4770-4850	a. Broadcasting. (150) b. Fixed.			4770-4850 (NG1)	Fixed. (NG33)	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC.
4850-4965		4850-4965	a. Broadcasting. (150) b. Fixed. c. Land mobile.			4850-4965 (NG1)	Fixed. (NG33)	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC.
4965-4995		4965-4995	a. Broadcasting. (150) b. Fixed. c. Land mobile.			4965-4995 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC.
4995-5005	Standard frequency. (159)					4995-5005	Standard frequency.	Standard frequency.	5000	Standard frequency.
5005-5060	a. Broadcasting. (150) b. Fixed.					5005-5060 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC.
5060-5250	Fixed.					5060-5250 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC. d. Zone and interzone police.
5250-5450		5250-5450	a. Fixed. b. Land mobile.			5250-5450 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC.
5450-5480		5450-5480	Aeronautical mobile. (R) (149)			5450-5480 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
5480-5680	Aeronautical mobile. (R) (149)					5480-5680	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
5680-5730	Aeronautical mobile (OR) (149)					5680-5730 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
5730-5950	Fixed.					5730-5950 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC.
5950-6200	Broadcasting.					5950-6200 (NG1)	Broadcasting.	International broadcasting.		International Broadcasting.
6200-6265	Maritime mobile. (157, 239).					6200.0-6265.5 (NG1) (NG34)	Maritime mobile.	Ship.		Ship (telegraphy).
						6265.5-6280.5 (NG1)	Maritime mobile.	Ship.		Ship calling (telegraphy).
						6280.5-6357.0 (NG1)	Maritime mobile.	Ship.		Ship (telegraphy).
						6357-6525 (NG1) (NG38)	Maritime mobile.	Coast.		Coast (telegraphy).
6525-6685	Aeronautical mobile (R) (149)					6525-6685 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
6685-6765	Aeronautical mobile (OR) (149)					6685-6765	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
6765-7000	Fixed.					6765-7000 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC.

See footnotes at end of table.

World wide		Region 2		United States		Federal Communications Commission				
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
7000-7100	Amateur.					7000-7100	Amateur.	Amateur.		AMATEUR.
7100-7300		7100-7300	Amateur.			7100-7300	Amateur.	Amateur.		AMATEUR.
7300-8195	Fixed.					7300-8195 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC. d. Zone and interzone police.
8195-8815	Maritime mobile. (239, 277).					8195-8265 (NG1) (NG41)	Maritime mobile.	Ship.		Ship (telephony).
						8265-8354 (NG1)	Maritime mobile.	Ship.		Ship (telegraphy).
						8354-8374 (NG1)	Maritime mobile.	Ship.		Ship calling (telegraphy).
						8374-8476 (NG1)	Maritime mobile.	Ship.		Ship (telegraphy).
						8476-8745 (NG1)	Maritime mobile.	Coast.		Coast (telegraphy).
						8745-8815 (NG1)	Maritime mobile.	Coast.		Coast (telephony).
8815-8965	Aeronautical mobile (R). (149)					8815-8965 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
8965-9040	Aeronautical mobile (OR). (149)					8965-9040 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
9040-9500	Fixed.					9040-9500 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. FIXED (In Alaska). c. INTERNATIONAL FIXED PUBLIC.
9500-9775	Broadcasting.					9500-9775 (NG1)	Broadcasting.	International broadcasting.		International broadcasting.
9775-9995	Fixed.					9775-9995 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
9995-10005	Standard frequency. (161)					9995-10005	Standard frequency.	Standard frequency.	10000	Standard frequency.
10005-10100	Aeronautical mobile (R). (149)					10005-10100 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
10100-11175	Fixed.					10100-11175 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
11175-11275	Aeronautical mobile. (OR) (149)					11175-11275 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
11275-11400	Aeronautical mobile (R). (149)					11275-11400 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
11400-11700	Fixed.					11400-11700 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
11700-11975	Broadcasting.					11700-11975 (NG1)	Broadcasting.	International broadcasting.		International broadcasting.
11975-12330	Fixed.					11975-12330 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
12330-13200	Maritime mobile. (239)					12330-12400 (NG1)	Maritime mobile.	Ship.		Ship (telephony).
						12400-12531 (NG1)	Maritime mobile.	Ship.		Ship (telegraphy).
						12531-12561 (NG1)	Maritime mobile.	Ship.		Ship calling (telegraphy).
						12561-12714 (NG1)	Maritime mobile.	Ship.		Ship (telegraphy).
						12714-13130 (NG1)	Maritime mobile.	Coast.		Coast (telegraphy).
						13130-13200 (NG1)	Maritime mobile.	Coast.		Coast (telephony).

See footnotes at end of table.

World wide		Region 2		United States		Federal Communications Commission				
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature OF SERVICES (of stations)
1	2	3	4	5	6	7	8	9	10	11
13200-13260	Aeronautical mobile. (OR). (149).					13200-13260 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
13260-13360	Aeronautical mobile (R). (149)					13260-13360 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
13300-14000	Fixed. (164)					13360-14000 (NG1)	Fixed.	Fixed.	13560	a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC. c. Industrial, scientific and medical equipment.
14000-14350	Amateur.					14000-14350	Amateur.	Amateur.		AMATEUR.
14350-14900	Fixed.					14350-14900 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
14900-15010	Standard frequency. (166)					14900-15010	Standard frequency.	Standard frequency.	15000	Standard frequency.
15010-15100	Aeronautical mobile (OR). (149)					15010-15100 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
15100-15450	Broadcasting.					15100-15450 (NG1)	Broadcasting.	International broadcasting.		International broadcasting.
15450-16460	Fixed.					15450-16460 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
16460-17360	Maritime mobile. (167, 239)					16460-16530 (NG1)	Maritime mobile.	Ship.		Ship (telephony).
						16530-16708 (NG1)	Maritime mobile.	Ship.		Ship (telegraphy).
						16708-16748 (NG1)	Maritime mobile.	Ship.		Ship calling (telegraphy).
						16748-16952 (NG1)	Maritime mobile.	Ship.		Ship (telegraphy).
						16952-17290 (NG1)	Maritime mobile.	Coast.		Coast (telegraphy).
						17290-17360 (NG1)	Maritime mobile.	Coast.		Coast (telephony).
17360-17700	Fixed.					17360-17700 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
17700-17900	Broadcasting.					17700-17900 (NG1)	Broadcasting.	International broadcasting.		International broadcasting.
17900-17970	Aeronautical mobile (R) (149)					17900-17970 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
17970-18030	Aeronautical mobile. (OR) (149)					17970-18030 (NG1)	Aeronautical mobile.	a. Aeronautical. b. Aircraft.		AERONAUTICAL MOBILE.
18030-19990	Fixed.					18030-19990 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
19990-20010	Standard frequency. (168)					19990-20010	Standard frequency.	Standard frequency.		Standard frequency.
20010-21000	Fixed.					20010-21000 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
21000-21450	Amateur.					21000-21450	Amateur.	Amateur.		AMATEUR.
21450-21750	Broadcasting.					21450-21750 (NG1)	Broadcasting.	International broadcasting.		International Broadcasting.
21750-21850	Fixed.					21750-21850 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
21850-22000	a. Aeronautical fixed. b. Aeronautical mobile. (R)					21850-22000 (NG1)	a. Aeronautical fixed. b. Aeronautical mobile.	a. Aeronautical. b. Aeronautical fixed. c. Aircraft.		a. AERONAUTICAL FIXED. b. AERONAUTICAL MOBILE.

See footnotes at end of table.

World wide		Region 2		United States		Federal Communications Commission				
Band (kc)	Service	Band (kc)	Service	Band (kc)	Allocation	Band (kc)	Service	Class of station	Frequency (kc)	Nature {OF SERVICES of stations
1	2	3	4	5	6	7	8	9	10	11
22000-22720	Maritime mobile. (239)					22000-22070 (NG1)	Maritime mobile.	Shp.		Ship (telephony).
						22070-22220 (NG1)	Maritime mobile.	Shp.		Ship (telegraphy).
						22220-22270 (NG1)	Maritime mobile.	Shp.		Ship calling (telegraphy).
						22270-22400 (NG1)	Maritime mobile.	Shp.		Ship (telegraphy).
						22400-22650 (NG1)	Maritime mobile.	Coast.		Coast (telegraphy).
						22650-22720 (NG1)	Maritime mobile.	Coast.		Coast (telephony).
22720-23200	Fixed.					22720-23200 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.
23200-23350	a. Aeronautical fixed. b. Aeronautical mobile. (OR) (149)					23200-23350 (NG1)	a. Aeronautical fixed. b. Aeronautical mobile.	a. Aeronautical. b. Aeronautical fixed. c. Aircraft.		a. AERONAUTICAL FIXED. b. AERONAUTICAL MOBILE.
23350-24990	a. Fixed. b. Land mobile. (169)					23350-24990 (NG1)	Fixed.	Fixed.		a. AERONAUTICAL FIXED. b. INTERNATIONAL FIXED PUBLIC.

World wide		Region 2		United States		Federal Communications Commission				
Band Mc	Service	Band Mc	Service	Band Mc	Allocation	Band Mc	Service	Class of station	Frequency Mc	Nature {OF SERVICES of stations
1	2	3	4	5	6	7	8	9	10	11
24.99-25.01 (170)	Standard frequency.			24.99-25.01 (US17)	G.					
25.01-25.00	a. Fixed. b. Mobile except aeronautical mobile.			25.01-25.33	NG.	25.01-25.33 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	25.02-25.32 (NG45)	INDUSTRIAL.
25.6-26.1	Broadcasting.			25.33-25.85 (US17) (US36)	G.					
26.1-27.5 (172)	a. Fixed. b. Mobile except aeronautical mobile.			25.85-26.48 (US37)	NG.	25.85-26.10 (NG1, 22, 32)	Broadcasting.	International broadcasting.		International broadcasting.
				26.10-26.48 (NG1, 22)		26.10-26.48 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	26.11-26.47 (NG45)	Remote pickup broadcast base; remote pickup broadcast mobile.
				26.48-26.95 (US17)	G.					
27.5-28.0 (171)		27.5-28.0	a. Fixed. b. Mobile.	26.95-27.54	NG.	26.95-26.96 (NG1)	Fixed.	Fixed.	26.955	INTERNATIONAL FIXED PUBLIC.
				26.96-27.23 (NG2)		26.96-27.23 (NG2)	Amateur. (US1)		27.12	Industrial, scientific, and medical equipment.
				27.23-27.28 (NG1, 2)		27.23-27.28 (NG1, 2)	a. Fixed. b. Mobile.	a. Fixed. b. Land. c. Mobile.		
				27.28-27.54 (NG1, 22)		27.28-27.54 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	27.29-27.53 (NG45)	INDUSTRIAL.
				27.54-28.00 (US17)	G.					

See footnotes at end of table.

RULES AND REGULATIONS

World wide		Region 2		United States		Federal Communications Commission				
Band Mc	Service	Band Mc	Service	Band Mc	Allocation	Band Mc	Service	Class of station	Frequency Mc	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
28.0-29.7	Amateur.			28.0-29.7	Amateur (US1)	28.0-29.7	Amateur.	Amateur.		AMATEUR.
29.7-88.0		29.7-44.0	a. Fixed. b. Mobile.	29.70-29.89	NG.	29.70-29.80 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	29.71- 29.79 (NG45)	INDUSTRIAL.
						29.80-29.89 (NG1)	Fixed.	Fixed.	29.81- 29.88 (NG44)	AERONAUTICAL FIXED; INTERNATIONAL FIX- ED PUBLIC.
				29.89-29.91 (US17)	G.					
				29.91-30.00	NG.	29.91-30.00 (NG1)	Fixed.	Fixed.	29.92- 29.99 (NG44)	AERONAUTICAL FIXED; INTERNATIONAL FIX- ED PUBLIC.
				30.00-30.56 (US17)	G.					
				30.56-32.00	NG.	30.56-32.00 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	30.58 30.62	INDUSTRIAL.
									30.65- 30.82 (NG46)	INDUSTRIAL; LAND TRANSPORTATION.
									30.86- 31.14 (NG46)	LAND TRANSPORTA- TION; PUBLIC SAFETY.
									31.18- 31.98 (NG46)	PUBLIC SAFETY.
				32-33 (US17)	G.					
				33-34	NG.	33-34 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	33.02 33.06 33.10	PUBLIC SAFETY. Do. Do.
									33.14- 33.38 (NG46)	INDUSTRIAL.
									33.42- 33.98 (NG46)	PUBLIC SAFETY.
				34-35 (US17)	G.					
				35-36	NG.	35.00-35.04 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	35.02	INDUSTRIAL.
						35.04-35.20 (NG1, 22)	a. Maritime mobile. b. Land mobile.	a. Coast. b. Ship. c. Base. d. Land mobile.	35.06 35.10 35.14 35.18	INDUSTRIAL; MARITIME MOBILE. Do. Do. Do.
						35.2-36.0 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	35.22- 35.66 (NG46)	DOMESTIC PUBLIC.
									35.70	LAND TRANSPORTA- TION.
									35.74- 35.94 (NG46)	INDUSTRIAL.
									35.98	LAND TRANSPORTA- TION.
				36-37 (US17)	G.					
				37-38	NG.	37-38 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	37.02- 37.42 (NG46)	PUBLIC SAFETY.
									37.46- 37.86 (NG46)	INDUSTRIAL.
									37.90 37.94 37.98	PUBLIC SAFETY. Do. Do.
				38-39 (US17)	G.					
				39-40	NG.	39-40 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	39.02- 39.98 (NG46)	PUBLIC SAFETY.
				40-42 (US2) (US17) (US29)	G.				40.68	Industrial, scientific and medi- cal equipment.
				42-44	NG.	42-43 (NG1, 22)	Land mobile.	a. Base. b. Land mobile.	42.02- 42.94 (NG46)	PUBLIC SAFETY.
									42.98	INDUSTRIAL.

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See footnotes at end of table.

World wide		Region 2		United States		Federal Communications Commission				
Band Mc	Service	Band Mc	Service	Band Mc	Allocation	Band Mc	Service	Class of station	Frequency Mc	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
									158.49 158.55 158.61 158.67	DOMESTIC PUBLIC. Do. Do. Do.
									158.73- 159.45 (NG48)	PUBLIC SAFETY.
									159.51- 161.79 (NG48)	LAND TRANSPORTATION. (NG11), (NG35), (NG40)
				(US24)		161.85- 162.00 (NG1)	Maritime mobile.	Coast.	161.90 162.00	Coast. (NG7, 19, 37) Do. (NG7)
				162-174 (US17) (US19) (US22) (US25)	G.				166.25 170.15	PUBLIC SAFETY; Remote pickup. Do.
									170.425 170.475 170.575 171.425 171.475 171.575 172.225 172.275 172.375	PUBLIC SAFETY. Do. Do. Do. Do. Do. Do. Do. Do.
				(US20)		173.2- 173.4 (NG1)	a. Fixed. b. Land mobile.	a. Base. b. Fixed. c. Land mobile.	173.225 173.275 173.325 173.375	INDUSTRIAL. Do. Do. Do.
		174-216	a. Broadcasting. b. Fixed. c. Mobile.	174-216	NG.	174-216 (NG1)	Broadcasting.	Television broadcasting.	175.25 179.75 181.25 185.75 187.25 191.75 193.25 197.75 199.25 203.75 205.25 209.75 211.25 215.75	Video } Channel 7. Sound } Video } Channel 8. Sound } Video } Channel 9. Sound } Video } Channel 10. Sound } Video } Channel 11. Sound } Video } Channel 12. Sound } Video } Channel 13. Sound }
		216-220	a. Fixed. b. Mobile.	216-220 (US 8, 17)	G.				217.425 217.475 217.525 217.550 217.575 217.625 217.675	Telemetering land; Telemetering mobile. Do. Do. Do. Do. Do. Do.
									219.325 219.375 219.425 219.450 219.475 219.525 219.575	Telemetering land; Telemetering mobile. Do. Do. Do. Do. Do. Do.
		220-225	Amateur.	220-225	Amateur. (US1)	220-225 (NG20)	Amateur.	Amateur.		AMATEUR.
		225-235	a. Fixed. b. Mobile.	225.0-328.6 (US10, 17)	G.	(US30)				
235.0-328.6	a. Fixed. b. Mobile.									
328.6-335.4 (250)	Aeronautical radionavigation.			328.6-335.4	G, NG.	328.6-335.4	Aeronautical radionavigation.	Radionavigation land.		Glide path.
335.4-420.0	a. Fixed. b. Mobile. (208)			335.4-400.0 (US10, 17)	G.					
				400-406	G, NG.	400-406	Meteorological aids.	Radiosonde.		
				406-420 (US17, 25)	G.					
420-450	a. Aeronautical radionavigation. b. Amateur. (210) (211)			420-450 (US11)	Amateur. (US1) (US18)	420-450	Amateur.	Amateur.		AMATEUR.

See footnotes at end of table.

World wide		Region 2		United States		Federal Communications Commission				
Band Mc	Service	Band Mc	Service	Band Mc	Allocation	Band Mc	Service	Class of station	Frequency Mc	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
450-460		450-460	a. Aeronautical radionavigation. b. Fixed. c. Mobile. (210) (211)	450-960 (US11)	NG.	450-460 (NG1, 22)	Land mobile	a. Base. b. Land mobile.	450.05- 450.95 (NG49)	Remote pickup broadcast base. Remote pickup broadcast mobile.
									451.05- 451.95 (NG49)	INDUSTRIAL.
									452.05- 452.95 (NG49)	LAND TRANSPORTATION
									453.05- 453.95 (NG49)	PUBLIC SAFETY.
									454.05- 454.95 (NG49)	DOMESTIC PUBLIC.
									455.05- 455.95 (NG49)	Remote pickup broadcast base. Remote pickup broadcast mobile.
									456.05- 456.95 (NG49)	INDUSTRIAL.
									457.05- 457.95 (NG49)	LAND TRANSPORTATION
									458.05- 458.95 (NG49)	PUBLIC SAFETY.
									459.05- 459.95 (NG49)	DOMESTIC PUBLIC.
460-470	a. Fixed. b. Mobile.					460-470 (NG1)	a. Fixed. b. Mobile.	a. Fixed. b. Land. c. Mobile.		CITIZENS RADIO.
470-585	Broadcasting.					470-500 (NG 1)	Broadcasting.	Television. Broadcasting.		
585-610		585-610	Broadcasting.			600-890 (NG1) (NG42)	Broadcasting.	Television broadcasting.		
610-940 (212)	Broadcasting. (214)					890-940 (NG1)	a. Broadcasting. b. Fixed.		915	Industrial, scientific and medical equipment.
940-960		940-960	Fixed.			940-952 (NG1, 13)	Fixed.	FM broadcast STL. (NG14)		
						952-960 (NG1, 15)	Fixed.	a. International control. b. Operational fixed.		
960-1215	Aeronautical radionavigation.			960-1215 (US12)	G, NG.	960-1215	Aeronautical radionavigation.			
1215-1300	Amateur.			1215-1300	Amateur. (US1)	1215-1300	Amateur.	Amateur.		AMATEUR.
1300-1700	(216)	1300-1660	Aeronautical radionavigation. (218)	1300-1700 (US14)	G, NG.	1300-1365	Aeronautical radionavigation.	Surveillance radar. (Pulsed emission only.)		
						1365-1660	Aeronautical radionavigation.	Radionavigation (including altimeter).		
		1660-1700	Meteorological aids (radiosonde).			1660-1700	Meteorological aids (radiosonde).		1680	Radiosonde.
1700-2300	a. Fixed. b. Mobile.			1700-1850 (US17)	G.					
				1850-2200	NG.	1850-1990 (NG1, 13)	Fixed.	a. International control. b. Operational fixed.		
						1990-2110 (NG1)	a. Fixed. b. Mobile.	a. Television pickup. b. Television STL. (NG 16)		
						2110-2200 (NG1, 13)	Fixed.	a. International control. b. Operational fixed.		
				2200-2300 (US17)	G.					

See footnotes at end of table.

World wide		Region 2		United States		Federal Communications Commission				
Band Me	Service	Band Me	Service	Band Me	Allocation	Band Me	Service	Class of station	Frequency Me	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
2300-2450 (220)	Amateur.			2300-2450	Amateur.	2300-2450	Amateur.	Amateur.		
2450-2700 (220)	a. Fixed. b. Mobile.			2450-2700	NG.	2450-2500 (NG1) 2500-2700 (NG1, 13)	a. Fixed. b. Mobile. (NG17) Fixed.	a. International control. b. Operational fixed.	2450	Industrial, scientific and medical equipment.
2700-2900	Aeronautical radionavigation. (222)			2700-3300	G, NG.	2700-2900	a. Aeronautical radionavigation. b. Meteorological aids.			
2900-3300	Radionavigation. (223, 224)					2900-3246 (NG18) (NG39) 3246-3266 3266-3300 (NG18)	Radionavigation. Radionavigation. Radionavigation.			
3300-3900		3300-3500 3500-3900	Amateur. a. Fixed. b. Mobile.	3300-3500 3500-4200	Amateur. NG.	3300-3500 3500-3700 (NG1)	Amateur. Mobile.	Amateur. a. Land. (NG12) b. Mobile (except television pickup).		AMATEUR.
3900-4200	a. Fixed. b. Mobile.					3700-4200 (NG1)	Fixed.	Common carrier fixed.		
4200-4400 (200)	Aeronautical radionavigation.			4200-44.0	G, NG.	4200-4400	Aeronautical radionavigation.	Altimeter.		
4400-5000	a. Fixed. b. Mobile.			4400-5000 (US17)	G.					
5000-5250 (261)	Aeronautical radionavigation.			5000-5650	G, NG.	5000-5250	Aeronautical radionavigation.			
5250-5650	Radionavigation. (226, 227)					5250-5440 (NG18) 5440-5460 5460-5650 (NG18)	Radionavigation. Radionavigation. Radionavigation.	Racon. Racon.	5450	Racon.
5650-5850 (228)	Amateur.			5650-5925	Amateur.	5650-5925	Amateur.	Amateur.	5850	Industrial, scientific, and medical equipment.
5850-5925 (228)		5850-5925	Amateur.							
5925-8500	a. Fixed. b. Mobile.			5925-7125	NG.	5925-6425 (NG1) 6425-6575 (NG1) 6575-6875 (NG1, 13) 6875-7125 (NG1)	Fixed. Mobile Fixed. a. Fixed. b. Mobile.	Common carrier fixed. a. Land. (NG12) b. Mobile (except television pickup). a. International control. b. Operational fixed. a. Television pickup. b. Television STL. (NG16)		
8500-9800	Radionavigation. (230, 231)			7125-8500 (US17) 8500-9800	G. G, NG.	8500-9000 9000-9300 (NG18) 9300-9320 9320-9500 (NG18) 9500-9800	Radionavigation. Radionavigation. Radionavigation. Radionavigation. Radionavigation.		9310	Racon.

See footnotes at end of table.
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World wide		Region 2		United States		Federal Communications Commission				
Band Mc	Service	Band Mc	Service	Band Mc	Allocation	Band Mc	Service	Class of station	Frequency Mc	Nature (OF SERVICES of stations)
1	2	3	4	5	6	7	8	9	10	11
9800-10000	a. Fixed. b. Radionavigation.			9800-10000 (US17)	G.					
10000-10500	Amateur.			10000-10500	Amateur.	10000-10500	Amateur.	Amateur.		AMATEUR.
Above 10500 not allocated.				10500-10550 (US1)	G, NG.	10500-10550	Radiolocation.	Radiolocation (CW emission only).		RADIOLOCATION.
				10550-10700	NG.	10550-10700 (NG1).	a. Fixed. b. Mobile.			
				10700-13200	NG.	10700-11700 (NG1)	Fixed.	Common carrier fixed.		
						11700-12200 (NG1)	Mobile.	a. Land (NG12) b. Mobile (except television pickup).		
						12200-12700 (NG1, 13)	Fixed.	a. International control. b. Operational fixed.		
						12700-13200 (NG1)	a. Fixed. b. Mobile.	a. Television pickup. b. Television STL (NG16)		
				13200-13225	NG.	13200-13225 (NG1).	a. Fixed. b. Mobile.			
				13225-16000 US17	G.					
				16000-18000 (US16)	NG.	16000-18000 (NG1)	a. Fixed. b. Mobile.		18000	Industrial, scientific and medical equipment.
				18000-21000 (US16) (US17)	G.					
				21000-22000	Amateur.	21000-22000	Amateur.	Amateur.		AMATEUR.
				22000-26000 (US17)	G.					
				26000-30000	NG.	26000-30000 (NG1)	a. Fixed. b. Mobile.			
				Above 30000	G, NG.			a. Amateur. b. Experimental.		

FOOTNOTES

ATLANTIC CITY FOOTNOTES

(110) Limited to coastal telegraph stations using unmodulated emission (A1 only).

(112) The development of long distance radionavigation systems is authorized in this band which will become exclusively allocated wholly or in part for the use of any one such system as soon as it is internationally adopted. Other considerations being equal, preference should be given to the system requiring the minimum bandwidth for world-wide service and causing the least harmful interference to other services. If a pulse radionavigation system is employed, the pulse emissions nevertheless must be confined within the band, and must not cause harmful interference outside the band to stations operating in accordance with the Regulations.

During the experimental period prior to the international adoption of any long distance radionavigation system in this band, the rights of existing stations operating in this band will continue to be recognized.

(115) Limited to ship stations (telegraphy exclusively).

(116) The fixed service is authorized, provided no harmful interference is caused to ship telegraphy in the North Atlantic and the Mediterranean areas.

(124) Priority is given to the aeronautical fixed service in northern areas which are subject to auroral disturbances.

(125) Priority is given to the aeronautical radionavigation service in Region 2, China, India and Pakistan.

(127) In Region 2, the aeronautical radionavigation service is permitted in the band 285-325 kc provided that no harmful interference is caused to the maritime radionavigation service.

(129) The aeronautical radionavigation service has priority except in New Zealand.

(133) The frequency 410 kc is designated for the maritime radionavigation service (radio direction-finding). Other services shall not cause harmful interference to radio direction finding.

(137) In Region 2, in addition to the provisions of Note 133, the aeronautical radionavigation service has priority over the aeronautical mobile service.

(139) Limited to telegraphy.

(140) The frequency 500 kc is the international distress and calling frequency. The conditions for its use are prescribed in article 33 of the Radio Regulations (Atlantic City, 1947).

(147) In any particular area the Loran system of radionavigation operates either on 1850 or 1950 kc, the band occupied being 1800-1900 kc or 1900-2000 kc. Any of the authorized services may employ whichever of these two bands is not required for Loran on the condition that they do not cause harmful interference to Loran.

(148) The frequency 2182 kc is the distress and calling frequency for the maritime mobile service (telephony). The interested administrations will insure by special arrangement where necessary, that an adequate guard-band is provided. The conditions for the use of this frequency are prescribed in article 34 of the Radio Regulations (Atlantic City, 1947).

(149) For the explanation of the terms "Aeronautical mobile (R)" and "Aeronautical mobile (OR)" see 256 and 257.

(150) For the conditions of use of this band by the broadcasting service see 243, 244

ATLANTIC CITY FOOTNOTES—continued

and 250-254 (in article 5 of the Radio Regulations, Atlantic City, 1947).

(151) In Region 2, provision will be made for coastal telegraphy in the maritime mobile service by special arrangement.

(152) The standard frequency is 2500 kc.

(155) The band 4063-4438 kc may be used, exceptionally and on the essential condition that harmful interference is not caused to the maritime mobile service, by fixed stations of mean power not exceeding 50 watts communicating only within the national boundaries of the countries concerned. At the time of notification of these cases the attention of the International Frequency Registration Board is drawn to the above condition.

(156) The standard frequency is 5000 kc.

(157) The band 6200-6525 kc may be used, exceptionally and on the essential condition that harmful interference is not caused to the maritime mobile service by fixed stations of mean power not exceeding 50 watts communicating only within the national boundaries of the countries concerned. At the time of notification of these cases the attention of the International Frequency Registration Board is drawn to the above condition.

(161) The standard frequency is 10,000 kc.

(163) Between 12,925 and 13,200 kc the U. S. S. R. will meet their special requirements for the fixed service with due regard to technical provisions (power, location, antenna, etc.) with a view to minimizing the possibility of harmful interference with the maritime mobile service. Coast stations in the maritime mobile service will also have due regard to technical provisions (power, location, antenna, etc.), with a view to minimizing the possibility of harmful interference with the fixed service in the U. S. S. R. The International Frequency Registration Board will be consulted regarding these arrangements.

(164) The frequency 13,560 kc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of $\pm 0.05\%$ of this frequency. Radiocommunication services operating within these limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(168) The standard frequency is 15,000 kc.

(167) Between 17,160 and 17,360 kc, the U. S. S. R. will meet their special requirements for the fixed service with due regard to technical provisions (power, location, antenna, etc.) with a view to minimizing the possibility of harmful interference with the maritime mobile service. Coast stations in the maritime mobile service will also have due regard to technical provisions (power, location, antenna, etc.) with a view to minimizing the possibility of harmful interference with the fixed service in the U. S. S. R. The International Frequency Registration Board will be consulted regarding these arrangements.

(168) The standard frequency is 20,000 kc.

(169) Inter-ship telegraphy in the maritime mobile service is permitted in the band 23,350-24,000 kc.

(170) The standard frequency is 25 Mc.

(171) The frequency 27.12 Mc is designated for industrial, scientific, and medical purposes. Emissions must be confined within the limits of ± 0.6 percent of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific, and medical equipment.

(172) In Region 2, Australia, New Zealand, the Union of South Africa, and the territory under mandate of Southwest Africa, the amateur service will operate within the band 26.96-27.23 Mc.

(176) The frequency 40.68 Mc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of $\pm 0.05\%$ of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(184) The frequency 75 Mc is designated for aeronautical marker beacons. In Region 1, the guard band is ± 0.2 Mc; in Regions 2 and 3, ± 0.4 Mc.

(195) The frequency 121.5 Mc is the aeronautical emergency frequency in this band.

(198) The frequency 156.80 Mc is designated for world-wide use for safety, calling and intership and harbor control communications in the maritime mobile service (simplex telephony). Any other use of this frequency should be avoided in areas where such other use is liable to cause harmful interference to the maritime mobile service. The interested administrations will ensure, by special arrangements where necessary, that an adequate guard band is provided. In Region 2, its use for this purpose will be restricted to the frequency modulated type of transmission (F3) and it is strongly recommended that the same type of transmission be adopted for this purpose in Regions 1 and 3.

(208) The meteorological aids service (radiosonde) may be operated in the band 400-420 Mc.

(210) In the band 420-460 Mc the aeronautical radionavigation service has priority. The other services are admitted to this band only on condition that harmful interference is not caused to the aeronautical radionavigation service.

(211) In Region 2, the allocation for the aeronautical radionavigation service in the band 420-460 Mc is temporary and is exclusively for altimeters.

(212) In Region 2, the frequency 915 Mc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 25 Mc of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(214) In Region 2, the fixed service may operate in the band 890-940 Mc.

(216) In Region 2, the band 1300-1660 Mc is intended for an integrated system of electronic aids to air navigation and traffic control. Administrations of the other Regions should envisage the possibility of the future application of such a system on a world-wide basis.

(218) In Region 2 and the United Kingdom, the use of the band 1300-1365 Mc is restricted to surveillance radar.

(220) In Region 2, Australia, New Zealand, Northern Rhodesia, Southern Rhodesia, the Union of South Africa, the territory under mandate of Southwest Africa, and the United Kingdom, the frequency 2450 Mc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 50 Mc of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(222) The meteorological aids service may be operated in the band 2700-2900 Mc.

(223) The band 3246-3266 Mc is designated for racons.

(224) In the band 2900-3300 Mc shipborne radar in merchant ships is confined within the band 3000-3246 Mc.

(226) The band 5440-5460 Mc is designated for racons.

(227) In the band 5250-5650 Mc shipborne radar in merchant ships is confined within the band 5460-5650 Mc.

(228) In Region 2, Australia, New Zealand, Northern Rhodesia, Southern Rhodesia, the Union of South Africa, the territory under mandate of Southwest Africa, and the United Kingdom the frequency 5850 Mc is designated for industrial, scientific and medical purposes. Emissions must be confined within the limits of ± 75 Mc of that frequency. Radiocommunication services operating within those limits must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

(230) The band 9300-9320 Mc is designated for racons.

(231) In the band 8500-9800 Mc shipborne radar in merchant ships is confined within the band 9320-9500 Mc.

(239) In certain cases, for which provision is made in articles 33 and 34 (of the Radio Regulations, Atlantic City, 1947), aircraft stations are authorized to use frequencies in the maritime mobile bands between 4000 and 23,000 kc for the purpose of entering into communication with stations of the maritime mobile service.

(256) Frequencies in any band allocated to the aeronautical mobile (R) service are reserved for communications between any aircraft and those aeronautical stations primarily concerned with the safety and regularity of flight along national or international civil air routes.

(259) The band 328.6-335.4 Mc is for the use of the Instrument Landing System (glide path).

(260) The band 4200-4400 Mc is for the use of radio altimeters.

(261) The band 5000-5250 Mc is for the use of instrument landing systems.

(269) In Region 2, the frequency band 2088.5-2093.5 kc is reserved exclusively for calling (telegraphy only).

(277) The frequency 8364 kc is designated for the use of survival craft equipped to transmit on frequencies between 4000 and 23,000 kc and wishing to establish, with stations of the maritime mobile service, communications relating to search and rescue.

NG FOOTNOTES

NG1 On the condition that harmful interference will not be caused to services operating in accordance with the table of frequency allocations, the following classes of stations may be authorized to use frequencies in this band: (1) Experimental stations engaged solely in scientific or technical radio experiments not related to an existing or proposed service nor intended to develop a proposed service or specific use of radio, (2) contract developmental stations, and (3) export developmental stations.

NG2 Emissions from industrial, scientific, and medical equipment using the frequency 27.12 Mc must be confined to the band 26.96-27.28 Mc.

NG3 Operational fixed stations may be authorized to use frequencies in this band in accordance with columns 10 and 11 of the table of frequency allocations, on the condition that harmful interference will not be caused to the reception of television stations on channels 4 or 5. In any area in the continental United States, the Aviation service and Marine service may each be authorized to use four of the frequencies in the band 72-76 Mc listed in column 10 for operational fixed stations in these services.

NG4 Facsimile broadcasting stations may be authorized in the band 88-108 Mc.

NG5 Fixed stations in the Domestic Fixed Public Service and control stations in the Domestic Public Radio Services may be authorized to use any of the frequencies in the band 72-76 Mc indicated in column 10, on the conditions that (a) harmful interference will not be caused to the reception of television stations on channels 4 or 5 and (b) that harmful interference will not be caused to operational fixed stations.

NG FOOTNOTES—continued

NG6 The use of the frequencies in the block 152.87-153.35 Mc may be authorized, in any area, to Remote Pickup broadcast base and mobile stations on the condition that harmful interference will not be caused to the Industrial Radio services.

NG7 The use of the frequencies 156.27, 156.33, 156.39, 156.45, 156.51, 156.57, 156.63, 156.69, 156.75, 156.87, 156.93, 156.99, 157.05, 157.11, 157.29, 157.35, 157.41, 157.47, 161.85, 161.91, and 161.97 Mc may be authorized to base and land mobile stations in the Public Safety Radio Services on the condition that no harmful interference will be caused to the Maritime Mobile Service except that on the frequencies 157.05 and 157.11 Mc this authority may be extended only to those stations authorized prior to April 28, 1952, Public Safety Service operations at points within 150 statute miles of coastal areas and navigable gulfs, bays, rivers, and lakes may be authorized only after factual finding indicates that, on an engineering basis, no harmful interference will be caused to the Maritime Mobile Service.

NG8 The international intership service has priority on this frequency.

NG9 The international port operational service, on a simplex basis, has priority on this frequency.

NG10 The frequency 156.80 Mc has been designated for world-wide use for safety, calling and intership and harbor control communications in the maritime mobile service.

NG11 The use of the frequencies in the block 159.51-161.79 Mc may be authorized to base and land mobile stations in the Public Safety Radio Services, in any area except Puerto Rico and the Virgin Islands, on the condition that harmful interference will not be caused to stations in the Railroad Radio Service. In Puerto Rico and the Virgin Islands, this authority extends only to frequencies in the block 160.05-161.37 Mc.

NG12 Only those land stations which communicate with mobile (except television pickup) stations, are authorized to use frequencies in this band.

NG13 Frequencies in this band will be selected for assignment in such a manner that, on an engineering basis, the lowest frequency in the band is assigned which will not cause harmful interference to stations in that area already assigned frequencies in accordance with the table of frequency allocations.

NG14 FM inter-city relay stations may be authorized to use the band, 940-952 Mc on the condition that harmful interference will not be caused to stations operating in accordance with the table of frequency allocations.

NG15 Frequencies in this band will be selected for assignment in such a manner that, on an engineering basis, the highest frequency in the band is assigned which will not cause harmful interference to stations in that area already assigned frequencies in accordance with the table of frequency allocations.

NG16 Television inter-city relay stations may be authorized to use frequencies in this band on the condition that harmful interference will not be caused to stations operating in accordance with the table of frequency allocations.

NG17 Land radiopositioning stations and mobile radiopositioning stations, including speed measuring devices, may be authorized to use frequencies in the band 2450-2500 Mc on the condition that harmful interference will not be caused to the fixed and mobile services.

NG18 Land radiopositioning stations and mobile radiopositioning stations, excluding speed measuring devices, may be authorized to use frequencies in this band on the condition that harmful interference will not be caused to the radionavigation service.

NG19 In the Chicago area only, the frequency 161.85 Mc may be authorized to base and land mobile stations only for train communications in the Railroad Radio Service.

NG20 In those portions of the States of Texas and New Mexico in the area bounded on the south by parallel 31°53' N., on the east by longitude 105°40' W., on the north by parallel 33°24' N., and on the west by longitude 106°40' W., the frequency band 220-225 Mc is not available for use by amateur stations engaged in normal amateur operation between the hours of 0500 and 1800 local time Monday through Friday inclusive of each week. However, the entire frequency band 220-225 Mc shall be available in all areas to those amateur stations authorized to operate in an organized civil defense network during all periods when civil defense emergencies exist and, in addition, special arrangements for civil defense drills between the hours and within the area set forth above may be made upon mutual agreement between the Federal Communications Commission Engineer in Charge at Dallas, Texas, and the Area Frequency Coordinator at White Sands, New Mexico, if it appears necessary to conduct such drills. Such arrangements shall specify dates and times, and will depend upon the degree of use of the frequency band at White Sands at any particular time.

NG21 For radiolocation activities of the petroleum industry only, land radiopositioning stations and mobile radiopositioning stations may be authorized to use frequencies in this band, provided that such use (a) shall be limited to locations within 150 miles of the shoreline of the Gulf of Mexico,

(b) shall be subject, internationally, to the provisions of paragraph 88 of the Atlantic City, 1947, Radio Regulations and to the use-in-derogation provisions of Article 7 of the Cairo General Radio Regulations, (c) shall not cause harmful interference to stations in the Disaster Communications Service between the times at New Orleans of sunset and sunrise or at any time during an actual or imminent disaster in any area. Stations in the Disaster Communications Service shall not cause harmful interference to radiopositioning stations between the times at New Orleans of sunrise and sunset except during an actual or imminent disaster in any area.

NG22 Fixed stations in services in column 11, allocated frequencies in this band, may use the frequencies in column 10 allocated to such services on the condition that harmful interference will not be caused to services operating in accordance with the table of frequency allocations.

NG23 (a) The amateur service may use, in any area, whichever bands, 1800-1825, 1875-1900, 1900-1925 or 1975-2000 kc, are not required for Loran in that area, in accordance with the following conditions:

(1) The use of these frequencies by the amateur service shall not be a bar to the expansion of the radionavigation (Loran) service;

(2) The amateur service shall not cause harmful interference to the radionavigation (Loran) service;

(3) Only types A1 and A3 emission shall be employed;

(4) Amateur operation shall be limited to:

Area	Bands (kc)	DC plate input power in watts	
		Day	Night
Minnesota, Iowa, Wisconsin, Michigan, Pennsylvania, Maryland, Delaware, and States to the north of these, including the District of Columbia.	1800-1825 1875-1900	500	200
North Dakota, South Dakota, Nebraska, Colorado, New Mexico, and States to the west of these States (except State of Washington).	1900-1925 1975-2000	500	200
State of Washington	1900-1925 1975-2000	200	50
Oklahoma, Kansas, Missouri, Arkansas, Illinois, Indiana, Kentucky, Tennessee, Ohio, West Virginia, Virginia, North Carolina, South Carolina, Texas (West of 99° W. or North of 32° N).	1800-1825 1875-1900	200	50
Hawaiian Islands	1900-1925 1975-2000	500	200
Texas (East of 99° W. and South of 32° N.), Louisiana, Mississippi, Alabama, Georgia, Florida, Puerto Rico, Virgin Islands, Alaska, Guam, and other Territories and possessions of the U. S. not listed above.	None	No operation	No operation

(b) The provisions of (a) above shall be considered as temporary in the sense that they shall remain subject to cancellation or to revision, in whole or in part, by order of the Commission without hearing whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran system of radionavigation.

NG24 For conditions which apply to the use of this band, refer to the North American Regional Broadcasting Agreement.

NG25 The aeronautical radionavigation service may be authorized the use of the frequencies 1638 kc and 1708 kc only.

NG26 Fixed stations associated with the maritime mobile service may be authorized, for purposes of communication with coast stations, to use frequencies assignable to ship stations in this band on the condition that harmful interference will not be caused to services operating in accordance with the Table of Frequency Allocations.

NG27 Fixed stations in the Public Safety Radio Service may be authorized the use of frequencies in this band which are authorized to base and mobile stations of this service on the condition that harmful interference will not be caused to services oper-

ating in accordance with the Table of Frequency Allocations.

NG28 In the Territory of Hawaii, the frequency bands 76-88 Mc and 98-108 Mc are allocated exclusively to the fixed service for use by common carrier fixed stations for inter-island communications only.

NG29 The frequency 2182 kc may be authorized to fixed stations associated with the maritime mobile service for the sole purpose of transmitting distress calls and distress traffic, and urgency and safety signals and messages.

NG31 On the condition that harmful interference will not be caused to services operating in accordance with the table of frequency allocations, land stations authorized and used primarily as coast stations (not open to public correspondence) and associated land mobile stations may be authorized to use, on a secondary basis, the frequencies 156.4, 156.5, and 157.0 Mc: *Provided*, That, in each case, the frequency assignment will be common to the maritime mobile and land mobile services and that the maritime mobile service shall, at all times, have priority.

NG32 The use of frequencies in the band 25.85-26.1 Mc may be authorized in any area to remote pickup broadcast base and mobile

NG FOOTNOTES—continued

stations on the condition that harmful interference is not caused to stations in the broadcast service.

NG33 As a special condition placed upon the use of frequencies in this band, the authority contained in 2.104 (a) (3) does not extend to stations in the broadcasting service.

NG34 The frequency, 6240 kc, may be authorized to ship telephone stations and coast telephone stations operating in the Mississippi River maritime mobile service system on the condition that harmful interference will not be caused to services operating in accordance with the table of frequency allocations.

NG35 In Puerto Rico and the Virgin Islands only, the bands 154.04 Mc to 154.46 Mc and 161.40 Mc to 161.85 Mc are allocated exclusively to (a) Aeronautical Fixed service, (b) Domestic Fixed Public Service, and (c) International Fixed Public service. Spacings between assignments in these services are unspecified.

NG36 Stations in the fixed service in Alaska may continue to be authorized the use of frequencies in this band on the condition that the provisions of Paragraph 88 of the Atlantic City, 1947, Radio Regulations are observed.

NG37 Transmission on the frequency 161.9 Mc by coast stations at Chicago, Illinois, may be authorized on condition that harmful interference is not caused to the Land Transportation Radio Services on 161.85 Mc.

NG38 The frequency 6455 kc may be authorized to ship telephone stations and coast telephone stations operating in the Mississippi River maritime mobile service system on the condition that harmful interference will not be caused to services operating in accordance with the table of frequency allocations.

NG39 Experimental stations used by educational institutions for purposes of technical instruction in, and demonstration of, microwave techniques using pulsed emissions only may be authorized to use frequencies in this band on the condition that harmful interference will not be caused to stations in the Radiolocation Service.

NG40 In Puerto Rico only, the frequencies 159.51 to 159.99 Mc, inclusive, may be authorized to remote pickup base and remote pickup mobile stations on the condition that harmful interference will not be caused to stations operating in the Land Transportation Radio Services.

NG41 The frequencies 4067, 4372.4 and 8205.5 kc may be authorized for use by either ship or coast radiotelephone stations operating in the Mississippi River system.

NG42 Stations in the International Fixed Public Radiocommunication Service in Florida, South of 25°30' North Latitude, may be authorized to use frequencies in the band 716-890 Mc on the condition that harmful interference will not be caused to the broadcasting service of any country. This is an interim allocation the termination of which will later be specified by the Commission when it is determined that equipments are generally available for use in bands allocated internationally to the fixed service.

NG44 The spacing between frequency assignments in this band shall be 10 kc. The first and last assignable frequencies are those indicated in column 10.

NG45 The spacing between frequency assignments in this band shall be 20 kc. The first and last assignable frequencies are those indicated in column 10.

NG46 The spacing between frequency assignments in this band shall be 40 kc. The first and last assignable frequencies are those indicated in column 10.

NG47 The spacing between frequency assignments in this band shall be 50 kc. The first and last assignable frequencies are those indicated in column 10.

NG48 The spacing between frequency assignments in this band shall be 60 kc. The first and last assignable frequencies are those indicated in column 10.

NG49 The spacing between frequency assignments in this band shall be 100 kc. The first and last assignable frequencies are those indicated in column 10.

NG50 The spacing between frequency assignments in this band shall be 200 kc. The first and last assignable frequencies are those indicated in column 10.

US FOOTNOTES

US1 Pulsed emissions prohibited.

US2 Emissions from industrial, scientific and medical equipment using the frequency 40.68 Mc must be confined to the band 40.66-40.70 Mc.

US4 The use of the frequency 75 Mc by aeronautical marker beacons is temporary and may be authorized until they are moved to a frequency band allocated for the aeronautical radionavigation service, or until they are no longer required. (See notes 216 and US12).

US5 The frequency assignment plan in effect for both governmental and nongovernmental stations in the band 108-132 Mc is indicated in columns 10 and 11.

US6 Public correspondence in the frequency bands allocated exclusively to the aeronautical mobile service is not permitted.

US8 In the government band 216-220 Mc, the frequencies 217.425 through 217.675 Mc and 219.325 through 219.575 Mc, inclusive, may be authorized for use by non-government telemetering mobile stations aboard aircraft and telemetering land stations, for telemetering to and from aircraft in flight, when an engineering study indicates that harmful interference will not be caused to stations operating in accordance with the table of frequency allocations.

US10 This band is designated for government stations, with adequate channels to be reserved for civil aviation.

US11 The aeronautical radionavigation service will not be permitted to use the band 420-460 Mc after Feb. 15, 1958.

US12 The band 960-1215 Mc is for distance measuring and other functions related to those performed in the band 1365-1660 Mc.

US14 In non-military aviation, it is not anticipated that the altimeter function will be performed in the band 1365-1660 Mc except in coordination with other functions required for an aeronautical radionavigation system.

US16 Emissions from industrial, scientific and medical equipment using the frequency 18000 Mc must be confined to the band 17850-18150 Mc. Radiocommunication services operating within the band 17850-18150 Mc must accept any harmful interference that may be experienced from the operation of industrial, scientific and medical equipment.

US17 Contract developmental stations and export developmental stations may be authorized to use frequencies in this band on the condition that harmful interference will not be caused to services operating in accordance with the table of frequency allocations.

US18 The power to be employed by amateur stations in this band will not exceed 50 watts DC plate power input to the final stage of the transmitter.

US19 The use of the frequencies 170.475, 171.425, 171.575 and 172.275 Mc east of the Mississippi River and 170.425, 170.575, 171.475, 172.225 and 172.375 Mc west of the Mississippi River may be authorized to fixed, land and mobile stations operated by non-Federal forest fire-fighting agencies. In addition, land stations and mobile stations operated by non-Federal conservation agencies, for mobile relay operation only, may be authorized to use the frequency 172.275 Mc east of the Mississippi River and the frequency 171.475 Mc west of the Mississippi River.

The use of any of the foregoing nine frequencies shall be on the condition that no harmful interference will be caused to Government stations.

US20 In order to provide for inter-communication for safety purposes between government and non-government stations in the maritime mobile service, the frequencies 157.1 and 157.2 Mc are allocated exclusively in all areas, to government stations in the fixed and mobile services, and the frequencies 173.225, 173.275, 173.325, 173.375 Mc are allocated exclusively in all areas, to non-government stations in the fixed and land mobile services.

US21 The use of the frequency 148.14 Mc may be authorized to Civil Air Patrol land stations and Civil Air Patrol mobile stations on the condition that harmful interference will not be caused to government stations in the band 148-152 Mc.

US22 The use of the frequencies 166.250 and 170.150 Mc may be authorized to non-government Remote Pickup broadcast base and land mobile stations and to non-government base, fixed, and land mobile stations in the Public Safety Radio services (the sum of the band width of emission and tolerance not to exceed 60 kc) in Continental U. S. only, except within the area bounded on the west by the Mississippi River, on the north by the parallel of latitude 37°30' N., and on the east and south by that arc of the circle with center at Springfield, Ill., and radius equal to the airline distance between Springfield, Ill., and Montgomery, Ala., subtended between the foregoing west and north boundaries, on the condition that harmful interference will not be caused to government stations present or future in the government band 162-174 Mc. The use of these frequencies by Remote Pickup broadcast stations will not be authorized for locations within 150 miles of New York City; and the use of these frequencies by the Public Safety radio services will not be authorized except for locations within 150 miles of New York City.

US24 The use of the frequency 162.0 Mc may be authorized to non-government coast stations only.

US25 For the specific purpose of transmitting hydrological and meteorological data in cooperation with agencies of the federal government, the following frequencies may be authorized to non-government fixed stations on the condition that harmful interference will not be caused to government stations:

Mc.	Mc.	Mc.	Mc.
169.425	170.325	171.825	406.250
169.475	170.375	171.875	406.350
169.525	171.025	171.925	412.450
169.575	171.075	171.975	412.550
170.225	171.125	406.050	412.650
170.275	171.175	406.150	412.750

(US26) This frequency band is not available to non-government stations, except that, in regions 1 and 3 only, the frequency 512 kc may be authorized for use by non-government ship telegraph stations as a working frequency and, when 500 kc is being used for distress purposes, as a supplementary calling frequency.

US27 The use of the frequency 540 kc is subject to the conditions that no harmful interference is caused to the services operating on 500 kc, and in the band 510-535 kc.

US28 Airdrome control stations may continue to be authorized to use frequencies in this band on the condition that harmful interference will not be caused to services operating in accordance with the table of frequency allocations.

US29 For the specific purpose of transmitting hydrological and meteorological data in cooperation with agencies of the federal government, the frequency 40.68 Mc may be authorized to non-government fixed stations in the states of Pennsylvania and West Virginia on the condition that harmful interference will not be caused to Government stations.

US FOOTNOTES—continued

US30 For the radiolocation activities of the petroleum industry only, land radiopositioning stations and mobile radiopositioning stations making use of SHORAN equipment may be authorized the use of the frequencies 230 Mc, 250 Mc and 310 Mc at locations within 150 miles of the shoreline of the Gulf of Mexico and the shoreline of the State of California, provided that no harmful interference is caused to services operating in accordance with the Table of Frequency Allocations and provided that SHORAN operations are coordinated locally in advance with Federal Government authorities making use of frequencies in this band in the same area.

US31 Navigation aids in U. S. and possessions between 200 and 415 kc are normally operated by the U. S. Government. However, authorizations may be made by the Commission for non-government operation in this band subject to the conclusion of appropriate arrangements between the Commission and the government agencies concerned and upon special showing of need for service which the government is not yet prepared to render.

US32 In the Territory of Alaska, Government stations in the fixed service may be authorized to use frequencies in the band 72-76 Mc, on the condition that harmful interference will not be caused to the reception of TV channel 4.

US33 In the Territory of Alaska, the frequency bands 76-88 Mc and 88-100 Mc are allocated to Government radio services and the non-Government fixed service.

US36 Frequencies in the band 25.6-25.85 Mc may be authorized for use by non-Government international broadcasting stations.

US37 Frequencies in the band 25.85-26.1 Mc may be authorized for use by Government international broadcasting stations.

(b) *Stipulation regarding frequencies below 27.5 Mc.* The international table of frequency allocations below 27.5 Mc in force is stipulated by the provisions of paragraphs 1076 and 1077 of the Atlantic City, 1947 Radio Regulations.

(c) *Explanation and instructions regarding use of table.* (1) Columns 1, 2, 3 and 4 of the table of frequency allocations are those stipulated in the Atlantic City Radio Regulations.

(2) In column 6 (above 25 Mc) the letter G means Federal Government radio stations, i. e., those belonging to and operated by the United States. The symbol NG means other than Federal Government radio stations, i. e., those whose frequencies are assigned by the Commission.

(3) Column 10 lists frequencies available for assignment to stations which conform to the nature of service or station listed in column 11 opposite the assignable frequency. The assignment and use of the frequencies listed in column 10 is limited to those stations which, by definition, are included in the services and classes of stations (columns 8 or 9) to which the frequency band (column 7) is allocated.

(4) In column 11 "Services" are in large block print and "Stations" in small print.

(5) The following symbols are used to designate footnotes in the table of frequency allocations.

(1) Any footnote consisting only of digits, e. g., (170), denotes a paragraph

in the Atlantic City (1947) Radio Regulations.

(ii) Any footnote consisting of the letters US followed by one or more digits, e. g., US1, denotes a stipulation the application of which is not limited to non-government stations.

(iii) Any footnote consisting of the letters NG followed by one or more digits, e. g., NG1, is a stipulation applicable to the use of a band by non-Government stations.

SUBPART C—EMISSIONS

§ 2.201 *Emission, modulation and transmission characteristics.* The following system of designating emission, modulation and transmission characteristics shall be employed.

(a) The emission characters used in connection with frequency assignments express:

- (1) Necessary bandwidth.
- (2) Type of modulation or emission.
- (3) Type of transmission.
- (4) Supplementary characteristics authorized.

(b) Types of modulation and emission are symbolized according to the following letters:

- (1) Amplitude modulation..... A
- (2) Frequency (or phase) modulation... F
- (3) Pulsed emission..... P

(c) Types of transmission are symbolized according to the following numbers:

- (1) Absence of any modulation intended to carry information..... 0
- (2) Telegraphy without the use of modulating audio frequency..... 1
- (3) Telegraphy by the keying of a modulating audio frequency or audio frequencies or by the keying of the modulated emission (special case: an unkeyed modulated emission)..... 2
- (4) Telephony..... 3
- (5) Facsimile..... 4
- (6) Television..... 5
- (7) Composite transmissions and cases not covered by the above..... 9

(d) Supplementary characteristics are symbolized in accordance with the following letters:

- (1) Double sideband, full carrier... (None)
- (2) Single sideband, reduced carrier... a
- (3) Two independent sidebands, reduced carrier..... b
- (4) Other emissions, reduced carrier... c
- (5) Pulse, amplitude modulated..... d
- (6) Pulse, width modulated..... e
- (7) Pulse, phase (or position) modulated..... f

(e) The classification of emissions is tabulated below:

Type of modulation or emission	Type of transmission	Supplementary characteristics	Symbol	
1. Amplitude.	Absence of any modulation.....		A0	
	Telegraphy without the use of modulating audio frequency (on-off keying).....		A1	
	Telegraphy by the keying of a modulating audio frequency or audio frequencies or by the keying of the modulated emission (special case: an unkeyed modulated emission).....		A2	
	Telephony.....	Double sideband, full carrier... Single sideband, reduced carrier.....	A3 A3a	
		Two independent sidebands, reduced carrier.....	A3b	
	Facsimile.....		A4	
	Television.....		A5	
	Composite transmissions and cases not covered by the above.....		A9	
	Composite transmissions.....	Reduced carrier.....	A9c	
	2. Frequency (or phase) modulated.	Absence of any modulation.....		F0
Telegraphy without the use of modulating audio frequency (frequency shift keying).....			F1	
Telegraphy by the keying of a modulating audio frequency or audio frequencies or by the keying of the modulated emission (special case: an unkeyed emission modulated by audio frequency).....			F2	
Telephony.....			F3	
Facsimile.....			F4	
Television.....			F5	
Composite transmissions and cases not covered by the above.....			F9	
3. Pulsed emissions.		Absence of any modulation intended to carry information.....		P0
		Telegraphy without the use of modulating audio frequency.....		P1
		Telegraphy by the keying of a modulating audio frequency or audio frequencies, or by the keying of the modulated pulse (special case: an unkeyed modulated pulse).....	Audio frequency or audio frequencies modulating their pulse in amplitude..... Audio frequency or audio frequencies modulating the width of the pulse.....	P2d P2e
		Audio frequency or audio frequencies modulating the phase (or position) of the pulse.....	P2f	
	Telephony.....	Amplitude modulated pulse... Width modulated pulse.....	P3d P3e	
		Phase (or position) modulated pulse.....	P3f	
	Composite transmissions and cases not covered by the above.....		P9	

II. FREQUENCY MODULATION

Description and class of emission	Necessary bandwidth in cycles per second	Examples	Designation of emission
Frequency-shift telegraphy: F1.	$BK+2D$ $K=5$ for fading circuits, $K=3$ for non-fading circuits.	Four-channel multiplex with 7-unit code, 60 words per minute per channel: $B=170$, $K=5$, $D=425$, Bandwidth: 1,700 c/s.	1.7F1
Commercial telephony and broadcasting: F3.	$2M+2DK$ For commercial telephony, $K=1$. For high-fidelity transmission higher values of K may be necessary.	For an average case of commercial telephony with: $D=15,000$, $M=3,000$, Bandwidth: 36,000 c/s.	36F3
Facsimile: F4.	$\frac{KN}{T} + 2M + 2D$ $K=1.5$	(See facsimile, amplitude modulation). Cylinder diameter: 70 mm. Lines per mm = 3.77. P. D. S. Cyclic speed = 1 ft. D. S. Modulation tone = 1,800 c/s. $D=10,000$ c/s. Bandwidth: 25,000 c/s (approximately).	25F4

III. PULSED EMISSIONS

Description and class of emission	Necessary bandwidth in cycles per second	Examples	Designation of emission
Unmodulated pulse: P0.	$\frac{2K}{t}$ K varies from 1 to 10 according to the permissible deviation in each particular case from a rectangular pulse shape. In many cases the value of K does not need to exceed 6.	$t=3 \times 10^{-4}$ $K=6$ Bandwidth: 4×10^6 c/s.	4000P0
Modulated pulse: P2 or P3.	The bandwidth depends upon the particular types of modulation used, many of these being still in the development stage.		

SUBPART D—IDENTIFICATION OF RADIO COMMUNICATION, AND ALLOCATION AND USE OF CALL SIGNS

§ 2.302 Table of allocation of call signs. The table which follows indicates the composition and blocks of international call signs available for assignment when such call signs are required to be transmitted for station identification by the rules pertaining to particular classes of stations. Assignments will be made in each block beginning with the lowest alphabetic and numerical combination available in each call sign district and increasing until requirements are met. When stations operating in two or more classes are authorized to the same license, for the same location, the Commission will assign a separate call sign to each station in a different class, according to the following table:

§ 2.301 Identification of transmissions. For the purpose of identifications, with a view to the elimination of harmful interference and the general enforcement of applicable radio treaties, conventions, regulations, arrangements and agreements in force, and the enforcement of the Communications Act of 1934, as amended, and the Commission's rules, each station using radio frequencies shall identify its transmissions as prescribed by the rules governing the class of station to which it belongs.

$\frac{N}{T}$ = Maximum possible number of black plus white elements to be transmitted per second, in facsimile television.
 M = Maximum modulation frequency expressed in cycles per second.
 D = Half the difference between the maximum and minimum values of the instantaneous frequencies; D being greater than $2M$, greater than $\frac{N}{T}$ or greater than B , as the case may be. Instantaneous frequency is the rate of change of phase.
 t = Pulse length expressed in seconds.
 K = An over-all numerical factor which differs according to the emission and depends upon the allowable signal distortion, and, in television, the time lost from the inclusion of a synchronizing signal.

(b) Table of necessary bandwidths.

I. AMPLITUDE MODULATION

Description and class of emission	Necessary bandwidth in cycles per second	Examples	Designation of emission
Continuous wave telegraphy: A1.	BK $K=5$ for fading circuits, $K=3$ for non-fading circuits.	Morse code at 25 words per minute, $B=20$ bandwidth: 100 c/s. Four channel multiplex, 7 unit code, 60 words per minute per channel, $B=170$, $K=5$, bandwidth: 850 c/s.	0.1A1 0.85A1
Telegraphy modulated at audio frequency: A2.	$BK+2M$ $K=5$ for fading circuits, $K=3$ for non-fading circuits.	Morse code at 25 words per minute with 1,000-cycle tone, $B=20$ bandwidth: 2,100 c/s.	2.1A2
Commercial telephony: A3.	M , for single sideband. $2M$, for double sideband.	For ordinary single sideband telephony, $M=3,000$. For high-quality single sideband telephony, $M=4,000$.	3A3s 4A3s
Broadcasting: A3.	$2M$	M may vary between 4,000 and 10,000 depending upon the quality desired.	8A3 to 20A3
Facsimile.	$\frac{KN}{T} + 2M$	The total number of picture elements (black and white) transmitted per second = the circumference of the cylinder (height of picture) X number of lines per unit length X speed of rotation of cylinder in revolutions per second. Diameter of cylinder = 70 mm. Number of lines per mm = 3.77. Speed of rotation 1 turn per second. Frequency of modulation = 1,800 c/s. Bandwidth: $3,600 + 1,242 = 4,842$ c/s.	4.84A4
Carrier modulated by tone and by keying: A4.	$K=1.5$		
Television: A5.	$\frac{KN}{T}$ $K=1.5$ (this allows for synchronization and filter shaping). Note: This band can be appropriately reduced when asymmetrical transmission is employed.	The total number of picture elements (black and white) transmitted per second = the number of lines forming line X number of pictures transmitted per second X number of lines = 500. Number of elements per line = 500. Number of pictures per second = 25. Bandwidth: approximately 9 Mc/s.	9000A5

(f) Type B emission. As an exception to the above principles, damped waves are symbolized in the Commission's rules and regulations as type B emission.

§ 2.202 Bandwidths—(a) Necessary bandwidths. The necessary bandwidth is the width of the frequency band which is necessary in the over-all system, including both transmitter and receiver, for the proper reproduction at the receiver of the desired information, and does not necessarily indicate the interfering characteristics of an emission. For the determination of this necessary bandwidth, the following table may be considered as a guide. In the formulation of the table, the following working terms have been employed:

B = Telegraph speed in bauds.

RULES AND REGULATIONS

Col. 1 Class of station	Col. 2 Composition of call sign	Col. 3 Call sign blocks available
Coast ¹	3 letters.....	KAA thru KZZ. WAA thru WZZ.
Aeronautical ²	3 letters, 1 digit.....	KAA2 thru KZZ9. WAA2 thru WZZ9.
Fixed, ³ coastal telephone in Alaska.....	3 letters, 2 digits.....	KAA20 thru KZZ99. WAA20 thru WZZ99.
Land (other than aeronautical and coast) ³	3 letters, 3 digits.....	KAA200 thru KZZ999. WAA200 thru WZZ999.
Mobile telegraph (other than ship and aircraft).....	4 letters, 1 digit.....	KAAA2 thru KZZZ9. WAAA2 thru WZZZ9.
Mobile telephone (other than ship and aircraft).....	2 letters, 4 digits.....	KA2000 thru KZ9999.
Ship telegraph.....	4 letters.....	KAAA thru KZZZ. WAAA thru WZZZ. WA2000 thru WZ9999.
Ship telephone ⁴	2 letters, 4 digits.....	
Ship telegraph and telephone.....	Same as for ship telegraph.....	
Ship radar ⁵	Same as ship telephone.....	
Ship radar and telegraph.....	Same as for ship telegraph.....	
Ship radar and telephone.....	Same as for ship telephone.....	
Aircraft telegraph.....	5 letters.....	KAAAA thru KYZZZ. WAAAA thru WZZZZ.
Aircraft telephone.....	Registration Number.....	
Aircraft telegraph and telephone.....	Same as for Aircraft telegraph.....	
Lifeboats, liferafts and other survival craft.....	Call sign of parent ship or Aircraft plus 2 digits from 20 to 99 inclusive. The parent call sign must in such cases be a 5 letter call, if aircraft, or a 4 letter call, if a ship. See Parts 8 and 9 of this chapter.	
Broadcasting ⁶ (standard).....		KAAA thru KZZZ. WAAA thru WZZZ.
Broadcasting (FM).....	4 letters.....	KAAA thru KZZZ. WAAA thru WZZZ.
Broadcasting (FM) (where the last 2 letters are FM). Do.....	5 letters ² 6 letters.....	KAA-FM thru KZZ-FM. WAA-FM thru WZZ-FM. KAAA-FM thru KZZZ-FM. WAAA-FM thru WZZZ-FM.
Broadcasting (television).....	4 letters.....	KAAA thru KZZZ. WAAA thru WZZZ.
Broadcasting (television) (where the last 2 letters are TV). Do.....	5 letters ⁵ 6 letters.....	KAA-TV thru KZZ-TV. WAA-TV thru WZZ-TV. KAAA-TV thru KZZZ-TV. WAAA-TV thru WZZZ-TV.
Experimental (where the letter "X" follows the digit). Amateur (letter X may not follow digit).....	(2 letters, 1 digit, 3 letters).....	KA2XAA thru KZ9XZZ. WA2XAA thru WZ9XZZ.
Do.....	(1 letter, 1 digit, 2 letters).....	KIAA thru K9ZZ. WIAA thru W9ZZ.
Do.....	(1 letter, 1 digit, 3 letters).....	KIAAA thru K9ZZZ. WIAAA thru W9ZZZ.
Do.....	(2 letters, 1 digit, 2 letters).....	KA1AA thru KZ9ZZ. WA1AA thru WZ9ZZ.
Do.....	(2 letters, 1 digit, 3 letters).....	KA1AAA thru KZ9ZZZ. WA1AAA thru WZ9ZZZ.
Standard frequency.....		WW1, WWV, WWVH, and WWVL.

¹ Except for coastal telephone stations in the Territory of Alaska.
² Assignment shall be made according to the call sign district in which the station is located.
³ See Part 8 of this chapter for assignment of call signs to ships documented by the Customs Bureau of the Treasury Department and provided with distinguishing signals for visual and aural signaling.
⁴ Any three-letter call sign now authorized for use by a licensee of a standard broadcast station may continue to be available to such licensee for use by the station to which it now is authorized.
⁵ A available only to licensees of Standard broadcast stations already assigned a three-letter call sign.

§ 2.303 *Table of geographic assignment of call signs.* The following geographic allocation of call signs will be used for all fixed, land, and radionavigation land stations except coast stations (other than coastal telephone stations in Alaska).

Call sign area	Call sequence ^{1 2}
Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota.	KAA-KBZ WAA-WBZ
Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont.	KCA-KDZ WCA-WDZ
New Jersey, New York.....	KEA-KFZ WEA-WFZ
Delaware, District of Columbia, Maryland, Pennsylvania.....	KGA-KHZ WGA-WHZ
Alabama, Georgia, Florida, Kentucky, North Carolina, South Carolina, Tennessee, Virginia.	KIA-KJZ WIA-WJZ
Arkansas, Louisiana, Mississippi, New Mexico, Oklahoma, Texas.....	KKA-KLZ WKA-WLZ
California.....	KMA-KNZ WMA-WNZ
Arizona, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming.....	KOA-KPZ WOA-WPZ
Michigan, Ohio, West Virginia.....	KQA-KRZ WQA-WRZ
Illinois, Indiana, Wisconsin.....	KSA-KTZ WSA-WTZ
Pacific areas.....	KUA-KVZ
Alaska.....	KWA-KZZ
Atlantic-Caribbean areas.....	WWA-WWZ

¹ Broadcasting station calls do not follow the sequence of this table.
² The first two letters of Experimental Station calls will follow the sequence of this table.

SUBPART E—DISTRESS, DISASTER AND EMERGENCY COMMUNICATIONS

§ 2.401 *Distress messages.* Each station licensee shall give absolute priority to radiocommunications or signals relating to ships or aircraft in distress; shall cease all sending on frequencies which will interfere with hearing a radiocommunication or signal of distress and except when engaged in answering or aiding the ship or aircraft in distress, shall refrain from sending any radiocommunications or signals until there is assurance that no interference will be caused with the radiocommunications or signals relating thereto; and shall assist the ship or aircraft in distress, so far as possible, by complying with its instructions.

§ 2.402 *Control of distress traffic.* The control of distress traffic is the responsibility of the mobile station in distress or of the mobile station which, by the application of the provisions of § 2.403, has sent the distress call. These stations may, however, delegate the control of the distress traffic to another station.

§ 2.403 *Retransmission of distress message.* Any station which becomes aware that a mobile station is in distress may transmit the distress message in the following cases:

(a) When the station in distress is not itself in a position to transmit the message.

(b) In the case of mobile stations, when the master or the person in charge of the ship, aircraft, or other vehicles carrying the station which intervenes believes that further help is necessary.

(c) In the case of other stations, when directed to do so by the station in control of distress traffic or when it has reason to believe that a distress call which it has intercepted has not been received by any station in a position to render aid.

§ 2.404 *Resumption of operation after distress.* No station having been notified to cease operation shall resume operation on frequency or frequencies which may cause interference until notified by the station issuing the original notice that the station involved will not interfere with distress traffic as it is then being routed or until the receipt of a general notice that the need for handling distress traffic no longer exists.

§ 2.405 *Operation during emergency.* The licensee of any station, except amateur, may, during a period of emergency in which normal communication facilities are disrupted as a result of hurricane, flood, earthquake, or similar disaster, utilize such station for emergency communication service in communicating in a manner other than that specified in the instrument of authorization: *Provided:* (a) That as soon as possible after the beginning of such emergency use, notice be sent to the Commission at Washington, D. C., and to the Engineer in Charge of the district in which the station is located, stating the nature of the emergency and the use to which the station is being put, and (b) That the emergency use of the station

shall be discontinued as soon as substantially normal communication facilities are again available, and (c) That the Commission at Washington, D. C., and the Engineer in Charge shall be notified immediately when such special use of the station is terminated: *Provided further,* (d) That in no event shall any station engage in emergency transmission on frequencies other than, or with power in excess of, that specified in the instrument of authorization or as otherwise expressly provided by the Commission, or by law: *And provided further,* (e) That the Commission may, at any time, order the discontinuance of any such emergency communication undertaken under this section.

§ 2.406 *National defense; free service.* Any common carrier subject to the Communications Act may render to any agency of the United States Government free service in connection with the preparation for the national defense. Every such carrier rendering any such free service shall make and file, in duplicate, with the Commission, on or before the 31st day of July and on or before the 31st day of January in each year, reports covering the periods of 6 months ending on the 30th day of June and the 31st day of December, respectively, next prior to said dates. These reports shall show the names of the agencies to which free service was rendered pursuant to this rule, the general character of the communications handled for each agency, and the charges in dollars which would have accrued to the carrier for such service rendered to each agency if charges for all such communications had been collected at the published tariff rates.

§ 2.407 *National defense; emergency authorization.* The Federal Communications Commission may authorize the licensee of any radio station during a period of national emergency to operate its facilities upon such frequencies, with such power and points of communication, and in such a manner beyond that specified in the station license as may be requested by the Army, Navy, or Air Force.

SUBPART F—EQUIPMENT TYPE APPROVAL AND TYPE ACCEPTANCE

§ 2.501 *Program defined.* In order to carry out its responsibilities under the Communications Act and the various treaties and international regulations, it is necessary for the Commission to ascertain that the equipment involved is capable of meeting the technical operating standards set forth in said statutes, treaties and the Commission's rules and regulations. To facilitate such determinations in those services where equipment is generally standardized, to promote the improvement of equipment and to promote the efficient use of the radio spectrum the Commission has designed two specific procedures for securing advance approval of equipment. These procedures are designated as type approval and type acceptance. Ordinarily, type approval contemplates tests conducted by Commission personnel, while type acceptance is based on data concerning the equipment submitted by the

manufacturer or the individual prospective licensee. The procedures described in the sections that follow are intended to apply to equipment in those services which specifically require either type approval or type acceptance. These procedures may also be applied to equipment components, such as radio frequency power amplifiers, etc., to the extent specified in the rules of the particular service in which such components will be used.

§ 2.510 *Type approval.* (a) Type approval is normally based on tests performed at the Commission's laboratory at Laurel, Maryland. In certain cases, type approval may be based on tests performed at other locations provided the tests are conducted in accordance with procedures specified by the Commission and by or under the direction and supervision of Commission personnel.

(b) Application for type approval may be in the form of a letter addressed to the Secretary of the Commission. The letter shall specify the part of the rules under which type approval is desired and shall include any information specifically required to be submitted under such part of the rules. In addition the request shall describe the equipment to be tested and include the size and weight of each component. In most cases, the Commission will advise the applicant to ship the equipment prepaid to Chief, Laboratory Division, P. O. Box 31, Laurel, Md., complete with operating instructions and circuit diagrams. Upon completion of the tests, the equipment will be returned to the applicant, shipping charges collect.

(c) In the event of failure of the equipment to meet the Commission's technical requirements, notice may be given directly by the Chief, Laboratory Division, and arrangements made for modification or adjustment as required.

§ 2.511 *Limitations on type approval.* (a) Type approval is limited to a determination that, if the equipment is properly maintained and operated and no unauthorized change whatsoever is made in its construction, it is capable of complying with the technical requirements of the applicable part of the rules. Type approval shall not be construed as a determination with respect to features not covered by the rules of the service under which the equipment is approved.

(b) Type approval shall not be construed to mean that the equipment will continue to be satisfactory as the Commission's technical standards may be changed to conform with progress in the state of the art.

§ 2.512 *Withdrawal or refusal of type approval.* (a) Type approval may be withdrawn, if upon subsequent inspection or operation it is determined that the manufacturer has made unauthorized changes in the equipment or that the equipment does not comply with the technical requirements of the applicable part of the rules. The procedure for withdrawal of type approval in such cases shall be the same as that prescribed by the Commission for revocation of a

radio station license pursuant to the provisions of the Communications Act of 1934, as amended.

(b) In the event changes in the Commission's technical standards necessitate the withdrawal of type approval, the procedure to be followed will be set forth in the order finalizing the revised technical standards after appropriate rule making proceedings.

(c) When type approval has been withdrawn, the manufacturer shall make no further sale of equipment which in any manner indicates that such equipment meets the type approval requirements of the Commission.

(d) When type approval has been withdrawn for unauthorized changes by the manufacturer, the Commission will consider that fact in determining whether the manufacturer in question is eligible to receive any new type approval.

(e) Any person affected by a refusal to grant type approval may file a petition for reconsideration within 30 days after written notice of such refusal has been issued, as provided in section 0.202 of the Commission's rules.

§ 2.520 Type acceptance. (a) Type acceptance of equipment is based on representations and test data submitted to the Commission by the manufacturer or prospective licensee. This information may be subject to check by Commission measurements.

(b) A separate request for type acceptance shall be submitted for each different type of equipment. Each request shall be in triplicate, signed by the applicant or by a duly authorized representative who shall certify that the application was prepared by him or at his direction and that to the best of his knowledge and belief the facts set forth in the application and accompanying technical data are true and correct. The technical test data required to be submitted shall be certified by the engineer who performed or supervised the tests who shall attach a brief statement of his qualifications.

(c) In the event there is no Commission action on an application for type acceptance within thirty (30) days after the application is filed, or within 30 days after the applicant has submitted additional data at the request of the Commission, the equipment will be deemed approved in accordance with the Commission's type acceptance procedure. The term Commission action as used in this section means either issuance of a public notice, a listing of the accepted equipment on the equipment list or sending a letter or post card to the applicant.

(d) Notice to applicant of type acceptance will be by post card and public notice will be given by listing the accepted equipment on the Commission's equipment list. Notice that an application has been found unacceptable for type acceptance will be by letter to the applicant.

§ 2.521 Limitation on type acceptance. (a) Type acceptance is limited to a finding that, insofar as can be deter-

mined from the data submitted, and if the equipment is properly maintained and operated and no change is made in its construction, except as provided for in § 2.540 (c), the equipment complies with current technical standards of the service in which the equipment will be operated. The fact that a particular equipment has been type accepted for licensing purposes shall not be construed as a determination with respect to mechanical features, nor of reliability under service conditions, except as provided for in the rules of the service under which the equipment is accepted.

(b) Type acceptance shall not be construed to mean that the equipment will continue to be satisfactory as the Commission's technical standards may be changed to conform with progress in the state of the art.

§ 2.522 Withdrawal or refusal of type acceptance. (a) Type acceptance may be withdrawn, if upon subsequent inspection or operation it is determined that the manufacturer has made changes in the equipment other than as provided for in § 2.540 (c), or that the equipment does not comply with the technical requirements of the applicable part of the rules. The procedure for withdrawal of type acceptance shall be the same as that prescribed by the Commission for revocation of a radio station license pursuant to the provisions of the Communications Act of 1934, as amended.

(b) In the event changes in the Commission's technical standards necessitate the withdrawal of type acceptance, the procedure to be followed will be set forth in the order finalizing the revised technical standards after appropriate rule making proceedings.

(c) When type acceptance has been withdrawn, the manufacturer shall make no further sale of equipment which in any manner indicates that such equipment meets the type acceptance requirements of the Commission.

(d) When type acceptance has been withdrawn for changes made by the manufacturer where such changes are not in accordance with the provisions of § 2.540 (c), the Commission will consider that fact in determining whether the manufacturer in question is eligible to receive any new type acceptance.

(e) Any person affected by a refusal to grant type acceptance may file a petition for reconsideration within 30 days after written notice of such refusal has been issued, as provided in section 0.202 of the Commission's rules.

§ 2.523 General information required for type acceptance. (a) Each request for type acceptance of equipment shall include the information listed in paragraph (b) of this section and in §§ 2.524 and 2.525. This information is general and is the minimum required for all equipments. In many cases, additional information specific to a particular service is also required. The applicant should carefully read the rules of the service in which the proposed equipment is intended to be operated to make sure that such additional specific

information is furnished. If deemed necessary, the Commission may require additional information, test data, or testing in its own Laboratory at Laurel, Maryland, before determining the acceptability of any specific equipment.

(b) The request shall include the following information insofar as it is applicable to the equipment:

(1) The type number of the equipment in accordance with § 2.540.

(2) The service and rule part under which the equipment is intended to be operated.

(3) Description of equipment: The description of equipment should include the type of emission, frequency range, power rating as defined in the applicable part of the rules, voltages applied to and currents into the several elements of the final amplifier tube or tubes for normal operation, function of each tube, circuit diagrams, instruction books when available, tune-up procedure, a description of the oscillator circuit and any devices installed for the purpose of frequency stabilization. When circuits or devices are employed for limiting modulation or suppression of spurious radiation a description of these should be included. The description should be sufficiently complete to develop all factors that may affect a determination as to whether the equipment will comply with the technical standards of the applicable rule parts.

§ 2.524 Measurement data required for type acceptance. Measurements shall be made to establish the following:

(a) Radio frequency power output at the RF output terminals when the transmitter is adjusted in accordance with the tune-up procedure to give the values of current and voltage on the circuit elements specified in § 2.523 (b) (3). Give details of the radio frequency load attached to the output terminals when this test is made.

(b) Modulation characteristics: (1) Voice modulated communications equipment: A curve or equivalent data showing the frequency response of the audio modulating circuit over a frequency range of 100 to 5000 cycles shall be submitted.

(2) Other types of equipment: A curve or equivalent data will be submitted which shows that the equipment will meet the modulation requirements of the rules under which the equipment is to be licensed.

(3) Equipment which employs modulation limiting: If a modulation limiting device or circuit is incorporated in the equipment a curve showing the percentage of modulation versus the modulation input voltage shall be supplied.

(c) Bandwidth occupied: The band of frequencies comprising 99 percent of the total radiated power extended to include any discrete frequency on which the power is at least 0.25 percent of the total radiated power; measured under the following conditions as applicable:

(1) Telegraph transmitters for manual operation—when keyed at 16 dots per second.

(2) Other keyed transmitters—when keyed at the maximum machine speed.

(3) Voice modulated transmitters equipped with a device to prevent overmodulation when modulated by an input signal 16 db greater than that required to produce 50 percent modulation: Test at 2500 cycles.

(4) Voice modulated transmitter without a device to prevent overmodulation when modulated by an input signal large enough to produce at least 85 percent modulation: Test at 2500 cycles.

(5) Standard broadcast transmitters—when modulated with a frequency of 7500 cycles at 85 percent modulation. FM broadcast transmitters, including TV aural transmitters, when modulated with a frequency of 15 kc at 85 percent modulation.

(6) Transmitters designed for other types of modulation—when modulated by an appropriate signal of sufficient amplitude to be representative of the type of service in which used. A description of the input signal used should be supplied.

(d) Spurious emissions from the transmitting equipment for the following conditions:

(1) *Radio frequency voltage measurements at the antenna terminals.* The radio frequency voltages generated within the equipment and appearing on a spurious frequency shall be checked at the equipment output terminals when properly loaded with a suitable artificial antenna. Curves or equivalent data shall show the magnitude of each harmonic and other spurious emission that can be detected when the equipment is operated with a carrier modulated under the conditions specified in paragraph (c) of this section for determining the band width occupied. The amplitude of spurious emissions which are more than 20 db below the permissible value need not be shown.

(2) *Field intensity measurements of spurious radiations.* On and after June 1, 1957, a report of field intensity measurements made to detect spurious emissions that may be radiated directly from the cabinet, control circuits, power leads or intermediate circuit elements under normal conditions of installation and operation shall be made for the following equipments:

(i) Those in which the spurious emissions are required to be 60 db or more below the carrier level.

(ii) All equipment operating on frequencies higher than 25 Mc.

(iii) Hand carried transmitters, or others, where the antenna is an integral part of and attached directly to the transmitter.

(iv) Other types of equipment as required, when in the opinion of the Commission, there is need for such measurement.

(e) In all of the measurements set forth in paragraph (d) of this section, the spectrum should be investigated from the lowest radio frequency generated in the equipment up to at least the tenth harmonic of the carrier frequency or to the highest frequency possible in the present state of the art

of measuring techniques. Particular attention should be paid to harmonics and subharmonics of the carrier frequency as well as to those frequencies removed from the carrier by multiples of the oscillator frequency. Radiation at the frequencies of multiplier stages should also be checked. The amplitude of spurious emissions which are more than 20 db below the permissible value need not be reported.

(f) *Frequency stability:* The frequency stability of transmitting equipment shall be checked with variations in:

(1) *Temperature.* Vary the ambient temperature from -30° to $+50^{\circ}$ Centigrade for non-broadcast equipment. Use suitable limits for broadcast equipment. Only the oscillator need be subjected to this test.

(2) *Primary supply voltage.* Vary the primary supply voltage from 85 percent to 115 percent of the normal supply voltage at the input to the cable normally provided with the equipment, or at the power supply terminals if cables are not normally provided.

§ 2.525 *Measurement procedure for type acceptance.* (a) The Commission will accept data in full accordance with established standards and measurement procedures as published by engineering societies and associations such as the Institute of Radio Engineers, American Institute of Electrical Engineers, the Radio-Electronics-Television Manufacturers Association and the American Standards Association. Specific reference should be made to the standards used. In lieu of such standards, the applicant will submit a description of each measurement procedure together with a listing of the actual test equipment used. The Commission will accept measurements made by a qualified engineer where the procedures employed are based upon sound engineering principles.

(b) For radio frequency equipment other than transmitters, appropriate tests and performance requirements may be specified in other parts of the rules.

§ 2.530 *Submission of technical information for application reference.*

(a) Applications for station authorizations in some services require a detailed technical description of the equipment proposed to be used. In order to simplify the preparation and processing of applications by eliminating the need for submission of equipment specifications with each application, the Commission will accept for application reference purposes detailed technical specifications of equipment designed for use in these services. Manufacturers desiring to avail themselves of this procedure should submit in triplicate all information required by the application forms and the rules for the services in which the equipment is to be used. Applications for station authorizations submitted subsequent to such filing may refer to the technical information so filed.

(b) Receipt by the Commission of data for application reference purposes does

not imply that the Commission has made or intends to make any finding regarding the acceptability of the equipment for licensing and such equipment will not be included on the list of equipment acceptable for licensing. Each applicant is expected to exercise appropriate care in the selection of equipment to insure that the unit selected will comply with the rules governing the service in which it is proposed to operate.

§ 2.540 *Identification and changes in equipment.* (a) Equipment of the same type is defined for the purposes of type acceptance as being equipment which is electrically and mechanically interchangeable. In addition, transmitters of the same type will have the same basic tube line up, frequency multiplication, basic oscillator circuit, basic modulator circuit, and maximum rated power input.

(b) Each type of equipment for which type approval, type acceptance, or filing for application reference purposes is requested shall be identified by a type number assigned by the manufacturer of the equipment. The type number shall consist of a series of not more than a total of seventeen digits, letters, punctuation marks and spaces. The type number shall be shown on a name plate affixed in a conspicuous place to such equipment. All equipment used pursuant to type approval or type acceptance shall have affixed to it such indication of type approval or type acceptance as may be required in the service rules governing such equipment.

(c) No change whatsoever may be made in the design of type approved equipment without prior authorization from the Commission. When a change is requested, the Commission may authorize the change or require that the modified equipment be identified with a new number and be resubmitted for type approval tests.

(d) Permissive changes may be made in type accepted equipment without prior Commission approval. There are two classifications of permissive changes, neither of which may involve change of type as defined in paragraph (a) of this section. The first classification includes those modifications in type accepted equipment which do not change the equipment characteristics beyond the rated limits established by the manufacturer and accepted by the Commission when obtaining type acceptance. There is no requirement that the Commission be notified of such changes. The second classification of permissive changes includes those which bring the performance of the equipment outside the manufacturers' rated limits as originally filed but not below the minimum requirements of the applicable rules. The Commission shall be supplied with complete information and results of tests regarding this class of permissive changes, in accordance with § 2.520 (b), prior to the operation of the modified equipment under an authorization of the Commission.

(e) Changes in type accepted equipment, except permissive changes as set forth in paragraph (d) of this section, shall not be made except under prior au-

thorization of the Commission. When such a change is requested the Commission may authorize the change or require that the modified equipment be identified with a new type number and that additional information be submitted for further consideration as to type acceptance.

(f) If the assignment of a different type number is required as a result of equipment modification, a new name plate bearing the new type number shall be affixed to the modified equipment.

(g) Users shall not modify their own equipment except as provided in paragraph (c) or (d) of this section, as applicable.

§ 2.541 *Radio equipment lists.* Lists of type approved and type accepted equipment are expected to be published monthly by the Commission when there are changes to be entered. Public notice of type acceptance and type approval will be by publication in the equipment list, a copy of which will be furnished each manufacturer of listed equipment. Equipment which was listed prior to May 16, 1955, will be continued on the list unless it is removed by Commission action in accordance with the provisions of § 2.522. Copies of the Radio Equipment Lists are available for inspection at the Commission's offices in Washington, D. C., and at each of its field offices. The Radio Equipment List is published in three parts:

- Part A, Television Broadcast Equipment.
- Part B, Aural Broadcast Equipment.
- Part C, Other than Broadcast Equipment.

§ 2.542 *Limitation on availability of equipment files for public reference.*

(a) Files containing information about equipment submitted by manufacturers and other persons pursuant to the rules in this part will not be open to the public.

(b) The Commission will cooperate with a manufacturer's desire to withhold the addition of new equipment to the radio equipment list until a date no earlier than that specified by the manufacturer.

§ 2.543 *Making available type approved or type accepted equipment for testing or inspection.* Upon request by the Commission any manufacturer of equipment which has been type approved or type accepted by the Commission shall cooperate in making available to the Commission models of said type approved or type accepted equipment in order that the equipment may be tested or inspected either at the place of manufacture or at the Commission's laboratory at Laurel, Maryland.

SUBPART G—LAWS AND INTERNATIONAL TREATIES AND OTHER AGREEMENTS

§ 2.601 *Laws, Treaties, Agreements and Arrangements Relating to Radio.* (Corrected to March 1, 1957. Unless otherwise indicated, copies of these documents listed below may be obtained from the Government Printing Office, Washington 25, D. C.)

(a) The applicable Federal Laws, International Treaties, Agreements, and Arrangements in force relating to radio and to which the United States of America is a party, are listed below:

Date	Series ¹	Subject
1925	T. S. 724-A	Arrangements between the United States, Great Britain, Canada, and Newfoundland. Effected by exchange of notes signed Sept. and Oct., 1925, providing for the prevention of interference by ships off the coast of these countries with radio broadcasting. Entered into force Oct. 1, 1925. (Not available at the Government Printing Office.)
1928 and 1929	T. S. 767-A	Arrangement between the United States and the Dominion of Canada governing radio communication between private experimental stations. Effected by exchange of notes signed Oct. 2, and Dec. 20, 1928, and Jan. 12, 1929. Entered into force Jan. 1, 1929. This Arrangement is continued by the Arrangement contained in E. A. S. 62. (Not available at the Government Printing Office.)
1929	T. S. 777-A	Arrangement between the United States, Canada, Cuba, and Newfoundland relating to assignment of high frequencies on the North American Continent. Effected by exchange of notes signed at Ottawa on Feb. 26 and 28, 1929. Entered into force Mar. 1, 1929. (Cuba ceased to be a party by virtue of notice to the Canadian Government of Oct. 5, 1933.) Arrangement still in force with respect to the United States and Canada (including Newfoundland). (Not available at the Government Printing Office.)
1934	E. A. S. 62	Communications Act of 1934, as amended.
1934	E. A. S. 62	Arrangement between the United States and the Dominion of Canada relative to radio communications between private experimental stations and between amateur stations. Continues the Arrangement effected by the Arrangement contained in T. S. 767-A. Effected by exchange of notes Apr. 23, and May 2 and 4, 1934. Entered into force on May 4, 1934. (Not available at the Government Printing Office.)
1934	E. A. S. 66	Arrangement between the United States and Peru concerning radio communications between amateur stations on behalf of third parties. Effected by exchange of notes signed Feb. 16, and May 23, 1934. Entered into force May 23, 1934. (Not available at the Government Printing Office.)
1934	E. A. S. 72	Arrangement between the United States and Chile relative to radio communications between amateur stations on behalf of third parties. Effected by exchange of notes signed Aug. 2 and 17, 1934. Entered into force Aug. 17, 1934. (Not available at the Government Printing Office.)
1937	E. A. S. 109	Agreement between the United States and Canada relating to the exchange of information concerning issuance of radio licenses. Effected by exchange of notes signed Mar. 2 and 10, Aug. 17, Sept. 8 and 20, Oct. 9, 1937. Entered into force Sept. 8, 1937. This Agreement was largely superseded by the notification procedure established in the NARBA (T. S. 962, E. A. S. 227, and TIAS 1553) and under the Inter-American Radio Communications Convention (T. S. 938). (Not available at the Government Printing Office.)
1937	T. S. 938	Inter-American Radio Communications Convention between the United States and Other Powers. Signed at Havana, Dec. 13, 1937 (First Inter-American Conference). Entered into force Apr. 17, 1939. (Not available at the Government Printing Office.)
1937	T. S. 962	North American Regional Broadcasting Agreement (NARBA) between the United States, Canada, Cuba, Dominican Republic, Haiti, and Mexico. Signed at Havana, Dec. 13, 1937. Entered into force Mar. 29, 1941. E. A. S. 227 and TIAS 1553 supplement this Agreement. (Not available at the Government Printing Office.)
1938	T. S. 949	Regional Radio Convention between the United States (in behalf of the Canal Zone) and Other Powers. Signed at Guatemala City, Dec. 8, 1938. Entered into force Oct. 8, 1939. (Not available at the Government Printing Office.)
1938	E. A. S. 136	Arrangement between the United States and Canada relative to Radio Broadcasting. Effected by exchange of notes signed Oct. 28, and Dec. 10, 1938. Entered into force Mar. 29, 1941. (Not available at the Government Printing Office.)
1938	E. A. S. 142	Agreement between the United States and Canada concerning Radio Communications. Effected by exchange of notes signed in June, July, August, September, October, November and December 1938. Entered into force Aug. 1, 1938. (Not available at the Government Printing Office.)
1939	E. A. S. 143	Arrangement between the United States and Canada concerning the Use of Radio for Civil Aeronautical Services. Effected by exchange of notes signed Feb. 20, 1939. Entered into force Feb. 20, 1939. (Not available at the Government Printing Office.)
1940	E. A. S. 196	Agreement between the United States and Mexico with regard to Broadcasting. Effected by exchange of notes signed Aug. 24, and 28, 1940. Entered into force Mar. 29, 1941. (Not available at the Government Printing Office.)
1941	E. A. S. 227	Supplementary North American Regional Broadcasting Agreement signed at Washington, D. C., Jan. 30, 1941. Entered into force Mar. 29, 1941. (See T. S. 962 and TIAS 1553.) (Not available at the Government Printing Office.)
1946	TIAS 1527	Agreement between the United States and the Union of Soviet Socialist Republics on Organization of Commercial Radio Teletype Communication Channels. Signed at Moscow, May 24, 1946. Entered into force May 24, 1946. (Not available at the Government Printing Office.)
1946	TIAS 1553	North American Regional Broadcasting (NARBA) Interim Agreement between the United States and Other Governments (Modus Vivendi). Signed at Washington, D. C., Feb. 25, 1946. Entered into force Mar. 29, 1946. (See T. S. 962 and E. A. S. 227.) Amended by an Arrangement between the United States and Canada concerning Engineering Standards Applicable to the Allocation of Standard Broadcasting Stations (540-1600 kc) (TIAS 1802 which entered into force Apr. 1, 1948). (Not available at the Government Printing Office.)
1947	TIAS 1652	Agreement between the United States and the United Kingdom of Great Britain and Northern Ireland concerning Telecommunication Standardization of Distance Measuring Equipment. Signed at Washington, D. C., Oct. 13, 1947. Entered into force Oct. 13, 1947. (Not available at the Government Printing Office.)
1947	TIAS 1670	Agreement between the United States and the United Nations relative to headquarters of the U. N. Signed at Lake Success, June 26, 1947. Entered into force Nov. 21, 1947, by an exchange of notes between the United States Representative to the United Nations and the Secretary-General of the U. N. (The provisions of this Agreement were also made Public Law 357 of the 80th Congress, approved Aug. 4, 1947.) (Not available at the Government Printing Office.)
1947	TIAS 1726	Agreement between the United States and Canada providing for Frequency Modulation Broadcasting in Channels in the r. f. band 88-108 Mc. Effected by exchange of notes signed at Washington, D. C., Jan. 8, and Oct. 15, 1947. Entered into force Oct. 15, 1947. (Not available at the Government Printing Office.)
1947		Agreement between the United States and the Republic of the Philippines concerning the use of radio facilities in the Philippines. Signed at Manila, Sept. 4, 1947. Entered into force on the date of its signature as a modus vivendi pending ratification by the Senate of the Philippines. (Not available at the Government Printing Office.)
1947	TIAS 1901	International Radio Regulations. Signed at Atlantic City, Oct. 2, 1947. Entered into force Jan. 1, 1949, except for those Radio Regulations enumerated in Article 47. However, the effective date provisions of the Radio Regulations Article 47 have been superseded by the provisions of the Agreement signed at the Extraordinary Administrative Radio Conference, Geneva, 1951. (This printing contains also the International Telecommunication Convention, Atlantic City, 1947, which is superseded by the International Telecommunication Convention, Buenos Aires, 1952. The printing does not contain the Additional Radio Regulations since the United States is not a party thereto. Copies of the Atlantic City Radio Regulations which include the Additional Radio Regulations, are available only from the International Telecommunication Union, Geneva, Switzerland.) (Not available at the Government Printing Office.)

¹ T. S.—Treaty Series. International Acts Series.

E. A. S.—Executive Agreement Series. TIAS—Treaties and other

Date	Series 1	Subject
1956	TIAS 3665	Agreement between the United States and Costa Rica concerning Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes signed at Washington, D. C., August 13, and Oct. 19, 1956. Entered into force Oct. 19, 1956.
1956	TIAS 3694	Agreement between the United States and Nicaragua concerning Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes signed at Managua Oct. 8, and 16, 1956. Entered into force Oct. 16, 1956.
<p>¹ T. S.—Treaty Series. E. A. S.—Executive Agreement Series. TIAS—Treaties and other International Acts Series.</p> <p>(b) In addition, the United States of America is bound by certain treaties and agreements which are generally considered as superseded because some of the contracting countries other than the United States did not become a party to subsequent treaties and agreements. The United States is, in such instances, bound by the older agreement with respect to its relations with those particular countries. These include the following:</p>		
Date	Series 1	Subject
1912	T. S. 581	International Radiotelegraph Convention. Final Protocol and Service Regulations. Signed at London, July 5, 1912. Entered into force July 1, 1913. (Not available at the Government Printing Office.)
1927	T. S. 767	International Radiotelegraph Convention and General Regulations. Signed at Washington, D. C., Nov. 25, 1927. Entered into force Jan. 1, 1929. (Not available at the Government Printing Office.)
1932	T. S. 867	International Telecommunication Convention, General Radio Regulations annexed to the International Telecommunication Convention. Signed at Madrid Dec. 9, 1932. Entered into force for the United States June 12, 1934. (Not available at the Government Printing Office.)
1937	E. A. S. 200	Inter-American Arrangement concerning Radiocommunications and Annex. Signed at Havana Dec. 13, 1937. Entered into force for the United States July 18, 1938. This Arrangement was replaced by the Inter-American Agreement concerning Radiocommunications signed at Santiago Jan. 26, 1940 (E. A. S. 231). (Not available at the Government Printing Office.)
1938	T. S. 948	General Radio Regulations (Cairo Revision, 1938) and Final Radio Protocol (Cairo Revision, 1938) annexed to the International Telecommunication Convention of Madrid, 1932. Superseded by the Radio Regulations (Atlantic City, 1947) annexed to the International Telecommunication Convention. Entered into force Sept. 1, 1939. (Not available at the Government Printing Office.)
1940	E. A. S. 231	Inter-American Radio Communications Agreement between the United States, Canada, and Other American Republics. (Second Inter-American Radio Conference). Signed at Santiago Jan. 26, 1940. Entered into force with respect to the United States June 26, 1941. Replaced by the Inter-American Radio Agreement signed at Washington, D. C., July 9, 1949. (TIAS 2489.) (Not available at the Government Printing Office.)
1947	TIAS 1901	International Telecommunication Convention. Signed at Atlantic City, Oct. 2, 1947. Entered into force Jan. 1, 1949. Superseded by the International Telecommunication Convention signed at Buenos Aires, Dec. 22, 1952 (TIAS 3286). This printing contains also the Radio Regulations and other documents still in force. (Not available at the Government Printing Office.)
<p>¹ T. S.—Treaty Series. E. A. S.—Executive Agreement Series. TIAS—Treaties and other International Acts Series.</p> <p>(c) The following agreements have been signed by the United States and are included because of their importance or of the imminence of their effective dates:</p>		
Date	Series 1	Subject
1950	-----	North American Regional Broadcasting Agreement (NARBA) between the United States, Canada, Cuba, Dominican Republic, United Kingdom (Great Britain and Northern Ireland) for the Territories in the North Atlantic Region (Bahamas, Barbados, Bermuda, British Virgin Islands, Cayman Islands, Cuba, Haiti, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Trinidad and Tobago, and the United States. Subject to ratification procedures in the United States. (Not available at the Government Printing Office. Available from the Department of State, Telecommunications Division, Washington 25, D. C.)

Date	Series 1	Subject
1948	TIAS 1802	Arrangement between the United States and Canada concerning Radio Broadcasting, Engineering Standards Applicable to the Allocation of Standard Broadcasting Frequencies (540-1600 kc.). Effected by exchange of notes signed at Washington, D. C., Dec. 24, 1947, and Apr. 1, 1948. Entered into force Apr. 1, 1948. (Not available at the Government Printing Office.)
1948	TIAS 2405	International Convention for the Safety of Life at Sea and Annexed Regulations. Signed at London June 10, 1948. Entered into force Nov. 19, 1952.
1949	TIAS 2175	Telegraph Regulations (Paris Revision, 1949), annexed to the International Telecommunication Convention and Final Protocol to the Telegraph Regulations. Signed at Paris Aug. 5, 1949. Entered into force with respect to the United States Sept. 26, 1950.
1949	TIAS 2435	Agreement between the United States and Certain British Commonwealth Governments regarding Telecommunications. Signed at London, Aug. 12, 1949. Entered into force Feb. 24, 1950. This Agreement was amended by TIAS 2705 which was signed Oct. 1, 1952.
1949	TIAS 2489	Inter-American Radio Agreement between the United States and Canada and Other American Republics. (Fourth Inter-American Radio Conference). Signed at Washington, D. C., July 9, 1949. Entered into force Apr. 13, 1952, subject to the provisions of Article 13.
1950	TIAS 2433	Arrangement between the United States and Ecuador concerning Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes signed at Quito, Mar. 16 and 17, 1950. Entered into force Mar. 17, 1950.
1951	TIAS 2223	Agreement between the United States and Liberia regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes signed at Monrovia, Nov. 9, 1950, and Jan. 8, 9, and 10, 1951. Entered into force Jan. 11, 1951.
1951	TIAS 2508	Treaty with Canada relating to Mutual Recognition by the United States and Canada of Certain Radio Station and Operator Licenses issued in either country. Signed at Ottawa, Feb. 8, 1951. Entered into force May 15, 1952. (Not available at the Government Printing Office.)
1951	TIAS 2259	Agreement between the United States and Ceylon concerning the Use of Facilities of Radio Ceylon. Effected by exchange of notes signed at Colombo, May 12 and 14, 1951. Entered into force May 14, 1951.
1951	TIAS 2366	Agreement between the United States and Mexico which assigns Television Frequency Channels to Cities within 250 Miles of the United States-Mexico Border. Effected by exchange of notes signed at Mexico Aug. 10, and Sept. 26, 1951. Entered into force Sept. 26, 1951. (TIAS 2386 is amended by TIAS 2654 which was signed at Mexico City, June 4 and 25, 1952.)
1951	TIAS 2459	Agreement between the United States and Cuba concerning the Control of Electromagnetic Radiation. Effected by exchange of notes signed at Havana, Dec. 10 and 18, 1951. Entered into force Dec. 18, 1951.
1951	TIAS 2753	Agreement signed at the Extraordinary Administrative Radio Conference to bring into force the Table of Frequency Allocations and other provisions of the Radio Regulations (Atlantic City, 1947) not brought into force Jan. 1, 1949. Signed at Geneva, Dec. 3, 1951. Entered into force Mar. 1, 1952.
1952	TIAS 2520	Agreement between the United States and Cuba regarding Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes signed at Havana, Sept. 17, 1951, and Feb. 27, 1952. Entered into force Feb. 27, 1952. (Not available at the Government Printing Office.)
1952	TIAS 2594	Agreement between the United States and Canada which assigns Television Frequency Channels to Cities within 250 miles of the United States-Canadian Border. Effected by exchange of notes signed at Ottawa April 23, 1952, and June 23, 1952. Entered into force June 23, 1952. (Not available at the Government Printing Office.)
1952	TIAS 2654	Amendment to TIAS 2386. Amends the Agreement between the United States and Mexico on the Allocation of Television Channels Along the United States-Mexican Border. Signed at Mexico June 4, and 25, 1952. Entered into force June 25, 1952.
1952	TIAS 2666	Agreement between the United States and Canada for the Purpose of Promoting Safety on the Great Lakes by Means of Radio. The Agreement applies to vessels of all countries as provided for in Article 3. Signed at Ottawa, Feb. 21, 1952. Entered into force Nov. 13, 1954. (Not available at the Government Printing Office.)
1952	TIAS 2705	London Revision (1952) of the London Telecommunication Agreement (1949) between the United States and Canada and Certain British Commonwealth Governments. Signed at London Oct. 1, 1952. Entered into force Oct. 1, 1952. This amends the agreement contained in TIAS 2435 signed at London Aug. 12, 1949.
1952	TIAS 3286	International Telecommunication Convention. Signed at Buenos Aires, Dec. 22, 1952. Entered into force with respect to the United States June 27, 1956.
1953	TIAS 3138	Understanding between United States and Canada relating to the sealing of mobile radio transmitting equipment. Effected by exchange of notes signed at Washington, D. C., Mar. 8 and 17, 1953. Entered into force Mar. 17, 1953.
1956	TIAS 3617	Agreement between the United States and Panama concerning Radio Communications between Amateur Stations on Behalf of Third Parties. Effected by exchange of notes signed at Panama July 19, and Aug. 1, 1956. Entered into force Sept. 1, 1956.

¹ T. S.—Treaty Series. E. A. S.—Executive Agreement Series. TIAS—Treaties and other International Acts Series.

² In addition, certain Resolutions and Recommendations were adopted by a number of countries, members of the International Telecommunication Union Region 2 at Washington, D. C., on July 9, 1949. (Not available at the Government Printing Office. Available from the International Telecommunication Union, Geneva, Switzerland.)

NOTE: Below, items in lower case letters refer only to ITU Regions 1 or 3.

Number	Subject	Date (day, month, year) and method of entry into force and remarks	Reference, G. A.
ARTICLE 2	DESIGNATION OF EMISSIONS, TABLE OF FREQUENCY ALLOCATIONS	1 MARCH 52	294
108	10-14 KC	ARTICLE 47 RR APPLIES	
	14-55 KC WORLD-WIDE	15 AUG 52	171
	55-180 KC WORLD-WIDE	15 AUG 52	173, 174
	150-285 kc Region 1 African area	1 July 52	177
	150-285 kc Region 1 (exc. Afr. area), KC REGION 2	15 Mar. 1948	178.1
	180-200 kc Region 2	1 Dec. 52	183
	190-200 kc Region 3	1 Feb. 52	189
	200-355 KC REGION 2	1 NOV. 52	183
	210-215 kc Region 3	4 Jan. 53	189
	235-285 kc Region 1 (exc. Afr. area)	1 July 52	178
	285-315 kc Region 1 African area	1 Jan. 53	177
	285-320 kc Region 1 (exc. Afr. area)	1 Aug. 53	178
	315-415 kc Region 1 African area	1 July 52	177
	320-415 kc Region 1 (exc. Afr. area)	1 July 52	178
	405-525 kc Region 1 African area	1 May 52	177
	415-1005 kc Region 1 (exc. Afr. area)	15 Mar. 50 in accordance with Plans, 1948	178.1
	415-605 kc Region 3	1 Feb. 53	189
	525-1605 kc Region 1 African area	1 APR. 52	177
	535-1605 KC REGION 2	1 DEC. 52	183
	1605-2850 kc (exc. ship freqs. other than 2182 kc) Region 1	1 May 53	179
	1605-2850 kc ship frequencies (exc. 2182 kc) Region 1	1 Nov. 53	179
	1605-2000 KC REGION 2	1 JAN. 52	183
	1605-2850 kc (exc. ship stns.) Region 3	1 Feb. 53	189
	1605-2805 kc ship stations (exc. 2182 kc) Region 3	30 Apr. 53	189
	2000-2850 KC REGION 2	EFF. DATE TO BE DETERMINED PER 1076.1 RR	185
	2182 KC WORLD-WIDE	PER 148 RR, SHALL BE BROUGHT INTO EFFECT 0200 GMT 1 May 53. Eff. date to be determined by Admin. Radio Conference.	192
	2850-3950 kc Region 1	EFF. DATE TO BE DETERMINED BY ADMIN. RADIO CONFERENCE.	180
	2850-4000 KC REGION 2	EFF. DATE TO BE DETERMINED BY ADMIN. RADIO CONFERENCE.	186
	2850-3950 kc Region 3	Eff. date to be determined by Admin. Radio Conference.	190
	3950-27500 kc Region 1	Eff. date to be fixed by Admin. Radio Conference.	170
	3950-27500 kc Region 3	Eff. date to be fixed by Admin. Radio Conference.	170
	4000-27500 KC REGION 2	EFF. DATE TO BE FIXED BY ADMIN. RADIO CONFERENCE.	170

Date	Series 1	Subject
1957		Agreement between the United States and Mexico on the use of standard band broadcasting channels (535-1605 kc.). Signed at Mexico City, Jan. 29, 1957. Agreement will enter into force immediately subsequent to ratification by the constitutional procedures of each government. Subject to ratification procedure in the United States. (Not available at the Government Printing Office.)

1 TIAS—Treaties and Other International Acts Series.

(d) There are, in addition to the foregoing, certain treaties, agreements, or arrangements primarily concerned with matters other than the use of radio but which affect the work of the Federal Communications Commission, insofar as they involve communications. Among the most important of these are the following:

Date	Series 1	Subject
1944 to present	TIAS 1591	International Civil Aviation Convention. ¹ Signed at Chicago, Dec. 7, 1944. Entered into force Apr. 4, 1947.
1946		ICAO Regional Air Navigation Meetings, Communications Committee Final Reports (1946)
1949		ICAO Communication Division, Second Session, Montreal. ²
1951		ICAO Communication Division, Third Session, Montreal. ²
1951		ICAO Communication Division, Fourth Session, Montreal. ²
1954		ICAO Communication Division, Fifth Session, Montreal. ²

¹ TIAS—Treaties and Other International Acts Series.
² Not available at the Government Printing Office. Available from the Secretary General of ICAO, International Aviation Bldg., 1080 University St., Montreal, Canada.

§ 2.602 Date and method of entry into force of the ITU Radio Regulations (Atlantic City, 1947) listed in Article 47 thereof as not entering into force on 1 January 1949, based on provisions of the Geneva Agreement (Agreement of the Extraordinary Administrative Radio Conference, Geneva, 1951).

EXPLANATION

Admin.—Administrative.
 Aero. Mol.—Aeronautical Mobile.
 At. City. Band—frequency band in Table of Frequency Allocations in Radio Regulations (Atlantic City, 1947).
 Eff.—Effective.
 ex.—except.
 G. A.—Agreement signed at the ITU Extraordinary Administrative Radio Conference, Geneva, 1951.
 ITU—International Telecommunication Union.
 KC or kc—Kilocycles per second.
 MC or Mc—Megacycles per second.
 MM—maritime mobile.
 P.—one of the three Regions of the world designated by the ITU for purposes of frequency allocation (see 100.1 R.R.). Region 2 includes the Western Hemisphere.
 R.R.—ITU Radio Regulations of Atlantic City, 1947.

Description of the provisions of the Radio Regulations, Atlantic City, 1947		Reference G. A.	Date (day, month, year) and method of entry into force and remarks	Description of the provisions of the Radio Regulations, Atlantic City, 1947		Reference G. A.
Number	Subject			Number	Subject	
590-594	CONDITIONS TO BE OBSERVED BY MOBILE STATIONS—SHIPS.	294	AS FROM DATE WHEN EACH STATION COMMENCES OPERATION IN APPROPRIATE AT. CITY BANDS. 1 MARCH 52.	828, 829	MM. RADIOTELEPHONE SERVICE.	294
595-599	CONDITIONS TO BE OBSERVED BY MOBILE STATIONS—SHIPS & AIRCRAFT.	294	1 MARCH 52.	830-834	MM. RADIOTELEPHONE SERVICE.	294
600 (1st sentence)	CONDITIONS TO BE OBSERVED BY MOBILE STATIONS—SURVIVAL CRAFT.	294	1 MARCH 52.	839	DISTRESS TRAFFIC.	294
600 (2d sentence)	CONDITIONS TO BE OBSERVED BY MOBILE STATIONS—SURVIVAL CRAFT.	294, 301	SAME DATES AS CALLING BANDS APP. 10; DATES TO BE AGREED PER PROCEDURE 130, 134 & 138 GEN. AGR. 1 MARCH 52.	1045	RADIO DIRECTION FINDING STATIONS.	294
601	CONDITIONS TO BE OBSERVED BY MOBILE STATIONS—SURVIVAL CRAFT.	294	1 MARCH 52.	1032	RADIO BEACON STATIONS.	294
621	GENERAL RADIOTELEGRAPH PROCEDURE IN MM & AERO MBL SERVICES.	294	AS FROM DATE WHEN EACH STATION COMMENCES OPERATION IN APPROPRIATE AT. BAND. 1 MARCH 52.	APPENDIX 1	FORM OF NOTICE FOR NOTIFYING TO IFRB.	294-299
711-724	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294	1 MARCH 52.	APPENDIX 3	TABLE OF FREQUENCY TOLERANCES (AS MODIFIED BY 296-299 GEN. AGR.)	300
725 (1st sentence)	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294	1 MARCH 52.	APPENDIX 4	TABLE OF TOLERANCES FOR INTENSITY OF HARMONICS & PARASITICS.	300
725 (2d sentence)	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM. & AERO MBL SERVICES.	294	DATES SPECIFIED IN 176-191 G. A. FOR ENTRY INTO FORCE OF APPROPRIATE BAND (SEE 109 RR ABOVE). 1 MARCH 52.	APPENDIX 5	BAND OF FREQUENCIES REQUIRED FOR RADIOCOM. MUNIFICATION.	300
726-729	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM. & AERO MBL SERVICES.	294	1 MARCH 52.	APPENDIX 6	SERVICE DOCUMENTS.	300
730-732	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294	DATES SPECIFIED IN 176-191 G. A. FOR ENTRY INTO FORCE OF APPROPRIATE BAND (SEE 109 RR ABOVE). 1 MARCH 52.	APPENDIX 7	SERVICE DOCUMENTS SYMBOLS.	300
733-754	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294	1 MARCH 52.	APPENDIX 8	DOCUMENTS WITH WHICH SHIP AND AIRCRAFT STATIONS MUST BE PROVIDED.	301
755-763	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294, 301	SAME DATE AS APPROPRIATE BAND APP. 10; DATE TO BE AGREED PER PROCEDURE 130, 134 & 138 G. A. 1 MARCH 52.	APPENDIX 10	FREQUENCIES ASSIGNABLE TO SHIP RADIOTELEGRAPH STNS. 4-23 MC. CHANNELING OF MM 'PHONE BANDS 4-23 MC (AS MODIFIED BY 302 G. A.).	302, 303
764-767	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294	1 MARCH 52.	APPENDIX 12		
768	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294, 301	SAME DATE AS APPROPRIATE BAND APP. 10; DATE TO BE AGREED PER PROCEDURE 130, 134 & 138 G. A. 1 MARCH 52.			
769, 770	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294	1 MARCH 52.			
771, 772	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294, 301	SAME DATE AS APPROPRIATE BAND APP. 10; DATE TO BE AGREED PER PROCEDURE 130, 134 & 138 G. A. 1 MARCH 52.			
773	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294	1 MARCH 52.			
774	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294	AS FROM DATE WHEN EACH COAST STATION COMMENCES OPERATION IN APPROPRIATE AT. CITY BANDS.			
775-800	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294, 301	SAME DATES AS CALLING BANDS APP. 10; DATES TO BE AGREED PER PROCEDURE 130, 134 & 138 G. A. 1 MARCH 52.			
801-803	USE OF FREQUENCIES FOR RADIOTELEGRAPHY IN MM & AERO MBL SERVICES.	294	1 MARCH 52.			
804-812	MM. RADIOTELEPHONE SERVICE.	294	1 MARCH 52.			
813-827	MM. RADIOTELEPHONE SERVICE.	294	1 MAY 53.			

[F. R. Doc. 57-5275; Filed, June 27, 1957; 8:51 a. m.]

TITLE 14—CIVIL AVIATION
Chapter II—Civil Aeronautics Administration, Department of Commerce
 [Amdt. 9]

PART 600—DESIGNATION OF CIVIL AIRWAYS
 ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and 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 public interest and therefore is not required as follows:

- Part 600 is amended as follows:
 - Section 600.14 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)*, is amended by changing the portion which reads: "Columbus, Ohio, radio range stations; Wheeling, W. Va., nondirectional radio beacon," to read: "Columbus, Ohio, radio range station; Zanesville, Ohio, nondirectional radio beacon; Wheeling, W. Va., nondirectional radio beacon."
 - Section 600.108 *Amber civil airway No. 8 (Los Angeles, Calif., to Ellensburg, Wash.)*, is amended by changing the first portion to read: "From the Los Angeles, Calif., radio range station via the intersection of the west course of the Los Angeles, Calif., radio range and the south-east course of the Camarillo, Calif.,

radio range; Camarillo, Calif., radio range station to the Santa Barbara, Calif., radio range station."

3. Section 600.652 *Blue civil airway No. 52 (Paso Robles, Calif., to Fresno, Calif.)* is revoked.

4. Section 600.6002 *VOR civil airway No. 2 (Seattle, Wash., to Boston, Mass.)* is amended by changing the portion which reads: "La Crosse, Wis., omnirange station, including a north alternate;" to read: "Nodine, Minn., omnirange station, including a north alternate;"

5. Section 600.6003 *VOR civil airway No. 3 (Key West, Fla., to Presque Isle, Maine.)* is amended by changing the portion which reads: "West Chester, Pa., omnirange station; intersection of the West Chester omnirange 051° True and the Caldwell omnirange 217° True radials; Caldwell, N. J., omnirange station;" to read: "West Chester, Pa., omnirange station; Caldwell, N. J., omnirange station;"

6. Section 600.6008 *VOR civil airway No. 8 (Long Beach, Calif., to Washington, D. C.)* is amended by changing the portion which reads: "Akron, Colo., omnirange station, including a south alternate via the intersection of the Denver omnirange 101° True and the Akron omnirange 242° True radials;" to read "Akron, Colo., omnirange station, including a south alternate via the intersection of the Denver omnirange 101° True and the Akron omnirange 238° True radials;"

7. Section 600.6016 *VOR civil airway No. 16 (Los Angeles, Calif., to Boston, Mass.)* is amended changing the portion which reads: "Dover, Del., omnirange station via the Dover omnirange 244° True radial;" to read: "Kenton, Del., omnirange station via the Kenton omnirange 244° True radial;"

8. Section 600.6017 *VOR civil airway No. 17 (Laredo, Tex., to Goodland, Kans.)* is amended by changing the portion which reads: "intersection of the Waco omnirange 352° True and the Fort Worth omnirange 159° True radials;" to read: "point of intersection of the Fort Worth, Tex., (Meacham Field) ILS localizer south course with the Britton, Tex., omnirange 264° True radial;"

9. Section 600.6029 *VOR civil airway No. 29 (Salisbury, Md., to United States-Canadian Border)* is amended by changing the portion which reads: "Dover, Del., omnirange station;" to read: "Kenton, Del., omnirange station;"

10. Section 600.6082 *VOR civil airway No. 82 (Minneapolis, Minn., to La Crosse, Wis.)* is amended by changing the portion which reads: "to the La Crosse, Wis., omnirange station, including a south alternate." to read: "to the Nodine, Minn., omnirange station, including a south alternate."

11. Section 600.6084 *VOR civil airway No. 84 (Shabbona, Ill., to Buffalo, N. Y.)* is amended by changing the portion which reads: "That airspace over United States territory from the point of intersection of the Moline, Ill., omnirange 088° True and the Wheeling omnirange 238° True radials via the Wheeling, Ill.,

omnirange station;" to read: "That airspace over United States territory from the point of intersection of the Moline, Ill., omnirange 088° True and the Northbrook omnirange 238° True radials via the Northbrook, Ill., omnirange station;"

12. Section 600.6097 *VOR civil airway No. 97 (Miami, Fla., to Minneapolis, Minn.)* is amended by changing the portion which reads: "La Crosse, Wis., omnirange station; intersection of the La Crosse omnirange 311° True radial and the Minneapolis-St. Paul International Airport ILS 121° True localizer course;" to read: "Nodine, Minn., omnirange station; intersection of the Nodine omnirange 311° True radial with the Minneapolis-St. Paul International Airport ILS localizer 121° True course;"

13. Section 600.6100 *VOR civil airway No. 100 (North Platte, Nebr., to Detroit, Mich.)* is amended by changing the portion which reads: "Wheeling, Ill., omnirange station; intersection of the Wheeling omnirange 093° True and the Keeler omnirange 271° True radials;" to read: "Northbrook, Ill., omnirange station; intersection of the Northbrook omnirange 093° True and the Keeler omnirange 271° True radials;"

14. Section 600.6129 *VOR civil airway No. 129 (Rockford, Ill., to Eau Claire, Wis.)* is amended by changing the portion which reads: "La Crosse, Wis., omnirange station;" to read: "Nodine, Minn., omnirange station;" and by changing the portion which reads: "the Lone Rock omnirange 162° True radials;" to read: "the Lone Rock omnirange 164° True radials;"

15. Section 600.6157 is amended by changing the caption to read: "*VOR civil airway No. 157 (Miami, Fla., to Richmond, Va.)*" and by adding a new first portion to read: "From the Miami, Fla., omnirange station via the LaBelle, Fla., omnirange station; Lakeland, Fla., omnirange station; to the Gainesville, Fla., omnirange station."

16. Section 600.6193 is amended to read:

§ 600.6193 *VOR civil airway No. 193 (Keeler, Mich., to Traverse City, Mich.)*. From the Keeler, Mich., omnirange station via the Pullman, Mich., omnirange station; Grand Rapids, Mich., Kent County Airport, ILS outer marker; White Cloud, Mich., omnirange station; to the Traverse City, Mich., radio range station.

17. Section 600.6228 is amended to read:

§ 600.6228 *VOR civil airway No. 228 (Wheeling, Ill., to South Bend, Ind.)*. From the Northbrook, Ill., omnirange station to the South Bend, Ind., omnirange station.

18. Section 600.6239 is amended by changing the caption to read: "*VOR civil airway No. 239 (Wildwood, N. J., to Newark, N. J.)*" and by adding a new last portion to read: "From the Philadelphia, Pa., International Airport ILS localizer via the Yardley, Pa., omnirange station; to the Newark, N. J., Airport ILS outer marker."

19. Section 600.6256 is amended to read:

§ 600.6256 *VOR civil airway No. 256 (Reinhold, Pa., to Yardley, Pa.)*. From the point of intersection of the West Chester, Pa., omnirange 314° True and the Allentown, Pa., omnirange 228° True radials via the Pottstown, Pa., omnirange station; to the Yardley, Pa., omnirange station.

20. Section 600.6273 *VOR civil airway No. 273 (Downsville, N. Y., to Syracuse, N. Y.)* is amended by changing the portion which reads: "Binghamton, N. Y., omnirange 071° True" to read: "Binghamton, N. Y., omnirange 070° True".

21. Section 600.6275 is added to read: § 600.6275 *VOR civil airway No. 275*. [Unassigned.]

22. Section 600.6276 is added to read:

§ 600.6276 *VOR civil airway No. 276 (Yardley, Pa., to Monmouth, N. J.)*. From the Yardley, Pa., omnirange station to the point of intersection of the Yardley omnirange 098° True radial with the Coyle, N. J., omnirange direct radial to the Idlewild, N. Y., omnirange station.

23. Section 600.6277 is added to read:

§ 600.6277 *VOR civil airway No. 277 (Fort Wayne, Ind., to Keeler, Mich.)*. From the Fort Wayne, Ind., omnirange station to the Keeler, Mich., omnirange station.

24. Section 600.6606 *VOR civil airway No. 1506 (San Francisco, Calif., to Washington, D. C.)* is amended by changing the portion which reads: "Wheeling, Ill., omnirange station; intersection of the Wheeling omnirange 093° True and the Keeler omnirange 271° True radials;" to read: "Northbrook, Ill., omnirange station; intersection of the Northbrook omnirange 093° True and the Keeler omnirange 271° True radials;"

25. Section 600.6608 *VOR civil airway No. 1508 (Los Angeles, Calif., to New York, N. Y.)* is amended by changing the portion which reads: "Wheeling, Ill., omnirange station; intersection of the Wheeling omnirange 093° True and the Keeler omnirange 271° True radials;" to read: "Northbrook, Ill., omnirange station; intersection of the Northbrook omnirange 093° True and the Keeler omnirange 271° True radials;"

26. Section 600.6612 *VOR civil airway No. 1512 (Los Angeles, Calif., to New York, N. Y.)* is amended by changing the first portion to read: "From the Los Angeles, Calif., omnirange station via the intersection of the Los Angeles omnirange 057° True and the Daggett omnirange 235° True radials; Daggett, Calif., omnirange station; Valle, Ariz., omnirange station; to the Farmington, N. Mex., omnirange station."

27. Section 600.6616 *VOR civil airway No. 1516 (San Francisco, Calif., to Washington, D. C.)* is amended by adding a new middle portion to read: "From the Valle, Ariz., omnirange station to the Farmington, N. Mex., omnirange station."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452).

This amendment shall become effective 0001 e. s. t. August 1, 1957.

[SEAL]

WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

JUNE 21, 1957.

[F. R. Doc. 57-5234; Filed, June 27, 1957;
8:45 a. m.]

[Amdt. 11]

PART 601—DESIGNATION OF CONTROL AREAS,
CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee Airspace Panel, and 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 public interest and therefore is not required.

Part 601 is amended as follows:

1. Section 601.652 *Blue civil airway No. 52 control areas (Paso Robles, Calif., to Fresno, Calif.)* is revoked.

2. Section 601.1067 *Control area extension (Dayton, Ohio)* is revoked.

3. Section 601.1200 *Control area extension (Columbia, S. C.)* is amended by changing the words which read: "on the southwest by Red civil airway No. 10" to read: "on the southwest by VOR civil airway No. 18".

4. Section 601.1243 *Control area extension (La Crosse, Wis.)* is amended by changing the name of the facility "La Crosse omnirange station." to read: "Nodine, Minn., omnirange station."

5. Section 601.1424 is added to read:

§ 601.1424 *Control area extension (Rocky Mount, N. C.)*. Within 5 miles either side of the 083° True radial of the Rocky Mount omnirange extending from the omnirange station to a point 15 miles east.

6. Section 601.1428 is added to read:

§ 601.1428 *Control area extension (Gainesville, Fla.)*. That airspace within a 15-mile radius of the Gainesville Municipal Airport.

7. Section 601.1984 *Five-mile radius zones* is amended by deleting the following airport: "Goldsboro, N. C.: Seymour-Johnson AFB."

8. Section 601.2013 is amended to read:

§ 601.2013 *Newark, N. J., control zone*. Within a 5-mile radius of Newark Municipal Airport including the area encompassed between tangent line extending from this 5-mile radius zone to but not including the Teterboro, N. J., 5-mile radius control zone; within 2 miles either side of the Newark ILS localizer front course extending from the localizer

to a point 10 miles southwest of the ILS outer marker.

9. Section 601.2090 is amended to read:

§ 601.2090 *Columbus, Ohio, control zone*. Within a 5-mile radius of the Port Columbus Municipal Airport and within a 5-mile radius of the Lockbourne, Ohio Air Force Base including the airspace within 2 miles either side of a direct line extending from the Columbus radio range station to the Lockbourne AFB.

10. Section 601.2091 *Dayton, Ohio, control zone*, is amended by deleting the portion which reads: "and extending 2 miles either side of the 360° True radial of the Dayton omnirange from the omnirange station to a point 10 miles north of the omnirange station."

11. Section 601.2181 is amended to read:

§ 601.2181 *Ogden, Utah, control zone*. Within a 5-mile radius of Hill Air Force Base, Ogden, Utah, including the airspace within a 5-mile radius of the Ogden Municipal Airport, and within 2 miles either side of the 345° True and 166° True radials of the Ogden omnirange extending to a point 10 miles north of the omnirange station and southward to the Layton, Utah, fan marker.

12. Section 601.2221 *La Crosse, Wis., control zone* is amended by changing the name of the facility "La Crosse omnirange" to read: "Nodine, Minn., omnirange".

13. Section 601.2367 *Fort Bragg, N. C., control zone* is amended by adding the following sentence to present control zone: "The portion of this control zone which overlaps Restricted area R-115 is excluded."

14. Section 601.2405 is added to read:

§ 601.2405 *Goldsboro, N. C., control zone*. Within a 5-mile radius of Seymour-Johnson Air Force Base, Goldsboro, N. C., and within 2 miles either side of a line extending from the Air Force Base to a point 2 miles southwest of the AFB nondirectional radio beacon.

15. Section 601.2406 is added to read:

§ 601.2406 *Rocky Mount, N. C., control zone*. Within a 5-mile radius of the Rocky Mount Airport and within 2 miles either side of the 263° True and 083° True radials of the Rocky Mount omnirange extending from the 5-mile radius zone to a point 10 miles east of the omnirange station.

16. Section 601.4014 *Green civil airway No. 4 (Los Angeles, Calif., to Philadelphia, Pa.)* is amended by deleting the following reporting point: "the intersection of the east course of the Columbus, Ohio, radio range and the southwest course of the Akron, Ohio, radio range;" and by substituting the following in lieu thereof: "Zanesville, Ohio, nondirectional radio beacon."

17. Section 601.4652 *Blue civil airway No. 52 (Paso Robles, Calif., to Fresno, Calif.)* is revoked.

18. Section 601.6045 is amended to read:

§ 601.6045 *VOR civil airway No. 45 control areas (Charleston, W. Va., to Lansing, Mich.)*. All of VOR civil airway No. 45.

19. Section 601.6057 is amended to read:

§ 601.6057 *VOR civil airway No. 57 control areas (Evergreen, Ala., to York, Ky.)*. All of VOR civil airway No. 57.

20. Section 601.6157 is amended to read:

§ 601.6157 *VOR civil airway No. 157 control areas (Miami, Fla., to Richmond, Va.)*. All of VOR civil airway No. 157.

21. Section 601.6193 is amended to read:

§ 601.6193 *VOR civil airway No. 193 control areas (Keeler, Mich., to Traverse City, Mich.)*. All of VOR civil airway No. 193.

22. Section 601.6239 is amended to read:

§ 601.6239 *VOR civil airway No. 239 control areas (Wildwood, N. J., to Newark, N. J.)*. All of VOR civil airway No. 239.

23. Section 601.6256 is amended to read:

§ 601.6256 *VOR civil airway No. 256 control areas (Reinholds, Pa., to Yardley, Pa.)*. All of VOR civil airway No. 256.

24. Section 601.6275 is added to read:

§ 601.6275 *VOR civil airway No. 275 control areas*. [Unassigned.]

25. Section 601.6276 is added to read:

§ 601.6276 *VOR civil airway No. 276 control areas (Yardley, Pa., to Monmouth, N. J.)*. All of VOR civil airway No. 276.

26. Section 601.6277 is added to read:

§ 601.6277 *VOR civil airway No. 277 control areas (Fort Wayne, Ind., to Keeler, Mich.)*. All of VOR civil airway No. 277.

27. Section 601.7001 *VOR domestic reporting points* is amended by adding the following reporting points:

Northbrook, Ill., omnirange station.
Valle, Ariz., omnirange station.
Fort Dodge, Iowa, omnirange station.
Macon, Mo., omnirange station.
Dubuque, Iowa, omnirange station.
Nodine, Minn., omnirange station.

and by revoking the following reporting points:

Wheeling, Ill., omnirange station.
La Crosse, Wis., omnirange station.

(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)

This amendment shall become effective 0001 e. s. t., August 1, 1957.

[SEAL]

WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

JUNE 21, 1957.

[F. R. Doc. 57-5235; Filed, June 27, 1957;
8:45 a. m.]

[Amdt. 10]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

ALTERATIONS

The control area and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee Airspace Panel, and 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 public interest and therefore is not required.

Part 601 is amended as follows:

1. Section 601.1150 is amended to read:

§ 601.1150 *Control area extension (Wilmington, N. C.)*. That area within a 5-mile radius circle of the Wilmington, N. C., (Carolina Beach), nondirectional radio beacon including the area bounded on the west by a line tangent to the circumference of this circle extending to the circumference of a circle 15 miles in radius centered at latitude 30°24'00", longitude 79°05'30" thence to the circumference of a circle 5 miles in radius centered on the West Palm Beach, Fla., radio range station, and bounded on the east by a line tangent to the circumference of the 5-mile radius circle centered on the Wilmington (Carolina Beach) nondirectional radio beacon extending to the circumference of a circle 35 miles in radius centered at latitude 30°24'00", longitude 79°05'30", thence to the circumference of a circle 5 miles in radius centered on the West Palm Beach, Fla., radio range station, excluding the portion below 2000 feet mean sea level which lies outside of the continental limits of the United States.

2. Section 601.5001 *Other reporting points* is amended by changing the following reporting points to read:

Azalea Intersection: The intersection of the southeast course of the Charleston, S. C., radio range and a line bearing 195° True from the Wilmington (Carolina Beach), N. C., nondirectional radio beacon.

Gateway Intersection: The intersection of the east course of the Jacksonville, Fla., radio range and a line bearing 195° True from the Wilmington (Carolina Beach), N. C., nondirectional radio beacon.

Snapper Intersection: The intersection of the northeast course of the Melbourne, Fla., radio range and a line bearing 14° True from West Palm Beach, Fla., radio range station.

(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)

This amendment shall become effective 0001 e. s. t., July 15, 1957.

[SEAL] WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

JUNE 21, 1957.

[F. R. Doc. 57-5236; Filed, June 27, 1957; 8:45 a. m.]

[Amdt. 5]

PART 617—AIR TRAFFIC CONTROL RULES
STATEMENT OF FIGURES IN RADIOTELEPHONE TRANSMISSIONS

This amendment revises certain rules under which air traffic control tower operators issue clearances to aircraft. This amendment has been included in the ANC "Procedures for the Control of Air Traffic" Manual and has been coordinated with the Army, Air Force, Navy, Coast Guard, and with the civil operators through the Aircraft Owners and Pilots Association, National Business Aircraft Association, Air Line Pilots Association, and Air Transport Association of America. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is impracticable and is not required.

1. Section 617.25 (d) is revised to read:

(d) *Statement of figures in radiotelephone transmissions*. (1) Figures indicating hundreds and thousands in round numbers up to and including 9,000 shall be spoken in hundreds and thousands as appropriate. Examples:

Number	Statement
500	"Five hundred."
1,300	"One thousand three hundred."
4,500	"Four thousand five hundred."
9,000	"Nine thousand."

(2) Numbers above 9,000 shall be spoken by separating the word 'thousand.' Examples:

Number	Statement
10,000	"One zero thousand."
13,000	"One three thousand."
18,500	"One eight thousand five hundred."
27,000	"Two seven thousand."

(Sec. 205, 52 Stat. 934, as amended; 49 U. S. C. 425)

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

[SEAL] WILLIAM B. DAVIS,
Acting Administrator.

JUNE 21, 1957.

[F. R. Doc. 57-5238; Filed, June 27, 1957; 8:45 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

Subchapter B—Trade Practice Conference Rules

[File No. 21-515]

PART 23—JEWELRY INDUSTRY

PART 69—EDUCATIONAL JEWELRY INDUSTRY

PART 128—WHOLESALE JEWELRY INDUSTRY

PART 157—CATALOG JEWELRY AND GIFTWARE INDUSTRY

PART 208—PEARL, CULTURED PEARL, AND IMITATION PEARL INDUSTRY

PROMULGATION OF TRADE PRACTICE RULES

Due proceedings having been held under the trade practice conference procedure in pursuance of the act of Con-

gress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission:

It is now ordered, That the trade practice rules as hereinafter set forth, which have been approved by the Commission in this proceeding, be promulgated as of June 28, 1957.

Statement by the Commission. Trade practice rules for the Jewelry Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure. The rules constitute a revision, extension, and consolidation of the rules for the Educational Jewelry Industry, the Wholesale Jewelry Industry, the Pearl, Cultured Pearl and Imitation Pearl Industry, the Diamond Industry, and the Catalog Jewelry and Giftware Industry with respect only to jewelry items covered thereby all heretofore promulgated by the Commission (Parts 69, 128, 208, 23, and 157, respectively). The coverage of the rules herein for the Jewelry Industry includes that of the pending trade practice conference proceedings for establishment of the rules "Relating to Use of the Terms 'Gold,' 'Karat,' and 'Solid' in Describing Articles or Parts of Articles Which Are Solidly and Throughout of an Alloy of Gold," and of rules for the Low and Medium-Priced Jewelry Industry, and such pending proceedings are therefore terminated.

The industry for which these rules are established is composed of persons, firms, corporations, or organizations engaged in the manufacture, importation, sale, offering for sale, or distribution (1) of any kind or type of jewelry products; or (2) of unset diamonds, pearls, or cultured pearls, whether finished, semi-finished, or in the rough, which are designed for jewelry as distinguished from an industrial use. They do not have application to watches, watchcases, or wrist watch bands.

The rules are directed to the elimination and prevention of unfair trade practices to the end that the industry, the trade, and the public may be protected from the harmful effects of unfair methods of competition, unfair or deceptive acts or practices, and other trade abuses. They are to be applied to such end and to the exclusion of any unlawful acts or practices which suppress competition or otherwise unreasonably restrain trade.

Proceedings under which the rules have been established were instituted upon application from members of the industry. Proposed rules were published by the Commission and made available to all industry members and other interested or affected parties upon public notice whereby they were afforded opportunity to present their views, including such pertinent information, suggestions, or amendments as they desired to offer, and to be heard in the premises. Pursuant to such notice, a public hearing was held in New York City on March 15, 1957, and all matters there presented, or otherwise received in the proceeding, were duly considered by the Commission.

Thereafter, and upon full consideration of the entire matter, final action was taken by the Commission whereby it approved the rules as hereinafter set forth.

Such rules become operative thirty (30) days from the date of promulgation: *Provided, however*, That rule Number 22 shall become operative six months from the date of promulgation.

These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which fixes or controls prices through combination or agreement, or which unreasonably restrains trade or suppresses competition, or otherwise unlawfully injures, destroys, or prevents competition, that the rules are to be applied.

Listing and classification of rules for convenient reference by industry members. Some of the rules have application to all industry products without regard to the kind, type, or composition thereof. The application of other rules is dependent on the kind, type, or composition of the products. For convenient reference thereto by industry members, there is appended immediately following the text of the rules a list of the number and title of each rule under five separate categories as listed below.

Category I. Rules having application to all industry products regardless of their composition.

Category II. Rules having application to industry products composed in whole or in part of a precious metal or metals.

Category III. Rules having application to industry products containing diamonds or imitations thereof.

Category IV. Rules having application to industry products containing pearls, cultured pearls, or imitations thereof.

Category V. Rules having application to industry products containing rubies, sapphires, and emeralds and other precious or semi-precious stones, and synthetic and imitation stones.

General statement. The unfair trade practices embraced in the rules herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission, and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Sec.	Definitions.
23.0	Definitions.
23.1	Deception (general).
23.2	Misleading illustrations.
23.3	Misrepresentation as to character of business.
23.4	Deceptive pricing.
23.5	Misuse of terms "close-outs," "discontinued lines," "special bargains," etc.
23.6	Substitution of products.
23.7	Use of the word "free."
23.8	Guarantees, warranties, etc.
23.9	Misuse of term "certified," etc.
23.10	Misrepresentation as to origin and disclosure of foreign origin.

23.11	Misuse of terms "hand-made," "hand-polished," etc.
23.12	Deceptive use and imitation of trade or corporate names, trade-marks, etc.
23.13	Commercial bribery.
23.14	Consignment distribution.
23.15	Inducing breach of contract.
23.16	Defamation of competitors or false disparagement of their products.
23.17	Enticing away employees of competitors.
23.18	Push money.
23.19	Prohibited forms of trade restraints (unlawful price fixing, etc.)
23.20	Prohibited sales below cost.
23.21	Prohibited discrimination.
23.22	Misrepresentation as to gold content.
23.23	Misrepresentation as to silver content.
23.24	Misuse of words "platinum," "iridium," "palladium," "ruthenium," "rhodium," and "osmium."
23.25	Additional requirements relating to quality marks.
23.26	Misuse of the word "diamond."
23.27	Misuse of word "perfect," etc.
23.28	Misuse of term "blue white."
23.29	Misuse of the term "property cut," etc.
23.30	Misuse of the words "brilliant" and "full cut."
23.31	Misuse of term "clean," etc.
23.32	Misrepresentation of weight, "total weight."
23.33	Misuse of word "pearl."
23.34	Misuse of terms "cultured pearl," "cultivated pearl," "seed pearl," "oriental pearl," "oriental," "natura," and "kultured."
23.35	Misrepresentation as to cultured pearls.
23.36	Deception as to precious and semi-precious stones.
23.37	Misuse of words "ruby," "sapphire," "emerald," "topaz," "stone," "birthstone," etc.
23.38	Misuse of words "real," "genuine," "natural," etc.
23.39	Misuse of words "gem," "reproduction," "replica," "synthetic," etc.

AUTHORITY: §§ 23.0 to 23.39 issued under sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45.

§ 23.0 *Definitions.* As used in the rules in this part, the terms hereinafter set forth shall be understood to have the following meanings:

(a) *Diamond.* A diamond is a natural mineral consisting essentially of pure carbon crystallized in the isometric system and is found in many colors. Its hardness is 10; its specific gravity approximately 3.52; and it has a refractive index of 2.42.

(b) *Pearl.* A calcareous concretion consisting essentially of alternating concentric layers of carbonate of lime and organic material formed within the body of certain mollusks, the result of an abnormal secretory process caused by an irritation of the mantle of the mollusk consequent on the intrusion of some foreign body inside the shell of the mollusk, or due to some abnormal physiological condition in the mollusk, neither of which has in any way been caused or induced by man.

(c) *Cultured pearl.* The composite product created when a nucleus (usually a sphere of calcareous mollusk shell) planted by man inside the shell or in the mantle of a mollusk is coated with nacre by the mollusk.

(d) *Imitation pearl.* A manufactured product (composed of any material or

materials which simulates in appearance a pearl or cultured pearl.

§ 23.1 *Deception (general).* (a) It is an unfair trade practice for an industry member to sell or offer for sale any industry product under any representation, description, circumstance, or condition having the capacity and tendency or effect of deceiving purchasers or prospective purchasers thereof as to the type, kind, grade, quality, quantity, metallic content, size, weight, cut, color, character, substance, durability, serviceability, origin, price, value, preparation, production, manufacture, or distribution of such industry product, or which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public in any other material respect.

(b) The inhibitions of this section are applicable to all forms of advertising, whether in periodicals, on the radio or television, and whether written or oral, and to any form of marking or labeling of products or their containers. [Rule 1]

§ 23.2 *Misleading illustrations.* It is an unfair trade practice, in connection with the offering for sale, sale, or distribution of industry products, to use, as part of any packaging material, label, advertisement, or other sales promotion matter, any visual representation, picture, illustration, diagram, or other depiction which, either alone or in conjunction with any accompanying words or phrases, has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers concerning the type, kind, grade, quality, quantity, metallic content, size, weight, cut, color, character, substance, durability, serviceability, origin, preparation, production, manufacture, or distribution of any industry product, or which has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public in any material respect.

NOTE: Among practices inhibited by this section are illustrations and depictions of diamonds in greater than actual size without a clear and conspicuous disclosure of the fact that the illustrations or depictions are enlargements, when the failure to make such disclosure has the capacity and tendency or effect of deceiving purchasers or prospective purchasers of such diamonds or any products containing same.

[Rule 2]

§ 23.3 *Misrepresentation as to character of business.* It is an unfair trade practice for any member of the industry to represent, directly or indirectly, through the use of any word or term in his corporate or trade name, in his advertising, or otherwise, that he is a producer, manufacturer, processor, wholesaler, or importer of products of the industry, or that he owns or controls a factory making or processing such products, or has connections abroad through which imports are secured, or maintains offices abroad, when such is not the fact, or in any other manner to misrepresent the character, extent, volume, or type of his business. [Rule 3]

§ 23.4 *Deceptive pricing.* (a) It is an unfair trade practice for any member of

the industry to represent, directly or indirectly, in advertising or otherwise, that the price of an industry product has been reduced from what is in fact a fictitious price, or that such price is a reduced or a special price when it is in fact the regular selling price of such product, or that the regular price thereof is higher when such is not the fact, or otherwise falsely or deceptively to represent the past or current price of an industry product.

(b) It is an unfair trade practice for any member of the industry, directly or indirectly, to use or to supply to dealers, or to aid or assist in the use of, price tags, labels, or similar devices which are false or fictitious, or which such member has reason to believe are intended to be used or will be used by dealers or salesmen for the purpose of misleading or deceiving the purchasing or consuming public in regard to price, or in any other material respect.

(c) It is an unfair trade practice for any member of the industry to distribute catalogs to retail outlets in which retail prices for products are specified, or in which any figures, words, letters, or symbols appear in conjunction with the catalog presentation of products which likely would be construed by consumer-purchasers or prospective consumer-purchasers as retail prices specified by the industry member, or which would be subject to use by the retail outlet to create such an impression in the minds of consumer-purchasers or prospective consumer-purchasers, when the industry member knows, or has good reason to believe, that such products customarily will be sold by such retail outlets at lower prices with consequent deception of the consumer-purchasers or prospective consumer-purchasers as to the usual retail price for such products.

NOTE: Except under the limitations and conditions prescribed by the McGuire Act (see footnote to § 23.19), any arrangement between an industry member and others, including retailer-customers of the industry member, whereby resale prices for products are fixed, maintained, or enhanced, is an unlawful restraint of trade violative of section 5 of the Federal Trade Commission Act.

[Rule 4]

§ 23.5 *Misuse of terms "close-outs," "discontinued lines," "special bargains," etc.* It is an unfair trade practice to offer for sale, sell, advertise, describe, or otherwise represent, industry products as "Close-Outs," "Discontinued Lines," or "Special Bargains," by use of such terms, or by words or representations of similar import, when such is not true in fact; or to so offer for sale, sell, advertise, describe, or otherwise represent, industry products where the capacity and tendency or effect thereof is to lead the purchasing or consuming public to believe such products are being offered for sale or sold at greatly reduced prices, or at so-called "bargain" prices, when such is not the fact. [Rule 5]

§ 23.6 *Substitution of products.* It is an unfair trade practice for a member of the industry to make an unauthorized substitution of products, where such substitution has the capacity and

tendency or effect of misleading or deceiving purchasers or prospective purchasers, by—

(a) Shipping or delivering industry products which do not conform to samples submitted, to specifications upon which the sale is consummated, or to representations made prior to securing the order, without advising the purchaser of the substitution and obtaining his consent thereto prior to making shipment or delivery; or

(b) Falsely representing the reason for making a substitution. [Rule 6]

§ 23.7 *Use of the word "free."* In connection with the sale, offering for sale, or distribution of the industry products, it is an unfair trade practice to use the word "free," or any other word or words of similar import, in advertisements or in other offers to the public, as descriptive of an article of merchandise, or service, which is not an unconditional gift, under the following circumstances:

(a) When all the conditions, obligations, or other prerequisites to the receipt and retention of the "free" article of merchandise or service offered are not clearly and conspicuously set forth at the outset so as to leave no reasonable probability that the terms of the offer will be misunderstood; and, regardless of such disclosure:

(b) When, with respect to any article of merchandise required to be purchased in order to obtain the "free" article or service, the offerer (1) increases the ordinary and usual price of such article of merchandise, or (2) reduces its quality, or (3) reduces the quantity or size thereof.

NOTE: The disclosure required by paragraph (a) of this section shall appear in close conjunction with the word "free" (or other word or words of similar import) wherever such word first appears in each advertisement or offer. A disclosure in the form of a footnote, to which reference is made by use of an asterisk or other symbol placed next to the word "free," will not be regarded as compliance.

[Rule 7]

§ 23.8 *Guarantees, warranties, etc.* (a) In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member—

(1) To represent that any industry product is guaranteed unless, in close conjunction with such representation, the identity of the guarantor, the extent and nature of the guarantee, and any material conditions or limitations relating to the liability of the guarantor under the guarantee, are adequately and non-deceptively disclosed; or

(2) To offer or use any guarantee respecting an industry product under which the guarantor fails to observe his obligations thereunder; or

(3) To offer or use any guarantee which is otherwise deceptive or unfair.

(b) This section shall be applicable not only to guarantees but also to warranties, to purported guarantees and warranties, and to any promise or representation in the nature of a guarantee or warranty. [Rule 8]

§ 23.9 *Misuse of term "certified," etc.* It is an unfair trade practice to describe, identify, or refer to an industry product as "Certified," or to use respecting it any other word or words of similar meaning or import, unless—

(a) The identity of the certifier and the specific matters or qualities certified are clearly disclosed in conjunction therewith; and

(b) The certifier has examined such product, has made such certification, and is qualified to certify as to such matters and qualities; and

(c) There is available to the purchaser a certificate setting forth clearly and nondeceptively the name of the certifier and the matters and qualities certified. [Rule 9]

§ 23.10 *Misrepresentation as to origin and disclosure of foreign origin.* (a) It is an unfair trade practice to misrepresent the place of origin, production, or manufacture of industry products or their components.

(b) It is an unfair trade practice to offer for sale, sell, or distribute any industry product manufactured or produced in a foreign country, or any industry product containing a part or parts manufactured or produced in a foreign country, without affirmatively and clearly disclosing thereon, or in immediate conjunction therewith, by a truthful and nondeceptive mark, stamp, brand, or label, the country of origin of such product or part, where failure to so disclose the country of origin has the capacity and tendency or effect of misleading or deceiving the purchasing or consuming public in any material respect.

NOTE: Nothing in paragraph (b) of this section shall be construed as requiring disclosure as to the foreign origin of such small and primarily functional parts as rivets, screws, bolts, washers, springs, spring bars and spring rings; or as to the foreign origin of pearls, cultured pearls, diamonds, or any other precious or semi-precious stones, or glass insets which imitate precious or semi-precious stones, when same are primarily obtained from sources outside the United States and its territories and possessions; or as to the foreign origin of any other part or parts which, by reason of further processing in this country, no longer retain the appearance and essential characteristics possessed by them at the time of their importation. Disclosure of the foreign origin of imitation pearls which have not been subjected to processing in this country to the extent of losing the appearance and essential characteristics possessed by them at the time of their importation must be made though such imitation pearls after importation have been strung and made into necklaces in this country.

[Rule 10]

§ 23.11 *Misuse of terms "hand-made," "hand-polished," etc.* (a) It is an unfair trade practice to represent, directly or by implication, that any industry product is hand-made or hand-wrought unless the entire shaping and forming of such product from raw materials and its finishing and decoration were accomplished by hand labor and manually-controlled methods which permit the maker to control and vary the construction, shape, design, and finish of each part of each individual product.

NOTE: As used here, "raw materials" include bulk sheet, strip, wire, and similar items that have not been cut, shaped, or formed into jewelry parts, semi-finished parts, or blanks.

(b) It is an unfair trade practice to represent, directly or by implication, that any industry product is hand-forged, hand-engraved, hand-finished, or hand-polished, or has been otherwise hand-processed, unless the operation described was accomplished by hand labor and manually-controlled methods which permit the maker to control and vary the type, amount, and effect of such operation on each part of each individual product. [Rule 11]

§ 23.12 *Deceptive use and imitation of trade or corporate names, trade-marks, etc.* It is an unfair trade practice for any member of the industry to use any trade name, corporate name, trade-mark, or other trade designation, which has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers as to the character, name, nature, or origin of any product of the industry, or of any material used therein, or which is false or misleading in any material respect. [Rule 12]

§ 23.13 *Commercial bribery.* It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products imported, manufactured, or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. [Rule 13]

§ 23.14 *Consignment distribution.* (a) It is an unfair trade practice for any member of the industry to employ the practice of shipping industry products on consignment without the express request or prior consent of the purchasers.

(b) It is an unfair trade practice for any member of the industry to employ the practice of shipping industry products on consignment or pretended consignment for the purpose and with the effect of artificially clogging or closing trade outlets and unduly restricting competitors' use of said trade outlets in getting their products to purchasers through regular channels of distribution, thereby injuring, destroying or preventing competition or tending to create a monopoly or unreasonably to restrain trade.

(c) Nothing in this section shall be construed to authorize any understanding or agreement, combination or conspiracy, or planned common course of action, by and between industry members, mutually to conform or restrict their practice of shipping goods on con-

signment with the intent or effect of lessening competition. [Rule 14]

§ 23.15 *Inducing breach of contract.* (a) Knowingly inducing or attempting to induce the breach of existing lawful contracts between competitors and their customers or their suppliers, or interfering with or obstructing the performance of their contractual duties or services, under any circumstance having the capacity and tendency or effect of substantially injuring or lessening present or potential competition, is an unfair trade practice.

(b) Nothing in this section is intended to imply that it is improper to solicit the business of a customer of a competing industry member; nor is the section to be construed as in anywise authorizing any agreement, understanding, or planned common course of action by two or more industry members not to solicit business from the customers of either of them, or from customers of any other industry member. [Rule 15]

§ 23.16 *Defamation of competitors or false disparagement of their products.* The defamation of competitors by falsely imputing to them dishonorable conduct, inability to perform contracts, questionable credit standing, or by other false representations, or the false disparagement of competitors' products in any respect, or of their business methods, selling prices, values, credit terms, policies, or services, is an unfair trade practice. [Rule 16]

§ 23.17 *Enticing away employees of competitors.* It is an unfair trade practice for any member of the industry wilfully to entice away employees or sales-contact personnel of competitors with the intent and effect of thereby unduly hampering or injuring competitors in their business and destroying or substantially lessening competition: *Provided*, That nothing in this section shall be construed as prohibiting such persons from seeking more favorable employment, or as prohibiting employers from hiring or offering employment to employees of a competitor in good faith and not for the purpose of inflicting injury on such competitor. [Rule 17]

§ 23.18 *Push money.* It is an unfair trade practice for any industry member to pay or contract to pay anything of value to a salesperson employed by a customer of the industry member, as compensation for, or as an inducement to obtain, special or greater effort or service on the part of the salesperson in promoting the resale of products supplied by the industry member to the customer—

(a) When the agreement or understanding under which the payment or payments are made or are to be made is without the knowledge and consent of the salesperson's employer; or

(b) When the terms and conditions of the agreement or understanding are such that any benefit to the salesperson or customer is dependent on lottery or chance; or

(c) When any provision of the agreement or understanding requires or contemplates practices or a course of con-

duct unduly and intentionally hampering sales of products of competitors of an industry member; or

(d) When, because of the terms and conditions of the agreement or understanding, including its duration, or the attendant circumstances, the effect may be to substantially lessen competition or tend to create a monopoly; or

(e) When similar payments are not accorded to salespersons of competing customers on proportionally equal terms in compliance with sections 2 (d) and (e) of the Clayton Act.

NOTE: Payments made by an industry member to a salesperson of a customer under any agreement or understanding that all or any part of such payments is to be transferred by the salesperson to the customer, or is to result in a corresponding decrease in the salesperson's salary, are not to be considered within the purview of this section, but are to be considered as subject to the requirements and provisions of section 2 (a) of the Clayton Act, as amended by the Robinson-Patman Act.

[Rule 18]

§ 23.19 *Prohibited forms of trade restraints (unlawful price fixing, etc.)*¹ It is an unfair trade practice for any member of the industry, either directly or indirectly, to engage in any planned common course of action, or to enter into or take part in any understanding, agreement, combination, or conspiracy, with one or more members of the industry, or with any other person or persons, to fix or maintain the price of any goods or otherwise unlawfully to restrain trade; or to use any form of threat, intimidation, or coercion to induce any member of the industry or other person or persons to engage in any such planned common course of action, or to become a party to any such understanding, agreement, combination, or conspiracy. [Rule 19]

§ 23.20 *Prohibited sales below cost.*

(a) The practice of selling products of the industry at a price less than the cost thereof to the seller, with the purpose or intent, and where the effect is, or where there is a reasonable probability that the effect will be, to substantially injure, suppress, or stifle competition or

¹ The inhibitions of this section are subject to Public Law 542, approved July 14, 1952, 68 Stat. 632 (the McGuire Act), which provides that with respect to a commodity which bears, or the label or container of which bears, the trade-mark, brand, or name of the producer or distributor of such commodity and which is in free and open competition with commodities of the same general class produced or distributed by others, a seller of such a commodity may enter into a contract or agreement with a buyer thereof which establishes a minimum or stipulated price at which such commodity may be resold by such buyer when such contract or agreement is lawful as applied to intrastate transactions under the laws of the State, Territory, or territorial jurisdiction in which the resale is to be made or to which the commodity is to be transported for such resale, and when such contract or agreement is not between manufacturers, or between wholesalers, or between brokers, or between factors, or between retailers, or between persons, firms, or corporations in competition with each other.

tend to create a monopoly, is an unfair trade practice.

(b) This section is not to be construed as prohibiting all sales below cost, but only such selling below the seller's cost as is resorted to and pursued with the wrongful intent or purpose referred to and where the effect is, or where there is reasonable probability that the effect will be, to substantially injure, suppress, or stifle competition or to create a monopoly. Among the situations in which the requisite purpose or intent would ordinarily be lacking are cases in which such sales were: (1) Of seasonal goods near the conclusion of the season; (2) of obsolescent goods; (3) made under judicial process; or (4) made in bona fide discontinuance of business in the goods concerned.

(c) As used in paragraph (b) (1) through (4) of this section, the term "cost" means the respective seller's cost and not an average cost in the industry whether such average cost be determined by an industry cost survey or some other method. It consists of the total outlay or expenditure by the seller in the acquisition, production, and distribution of the products involved, and comprises all elements of cost such as labor, material, depreciation, taxes (except taxes on net income and such other taxes as are not properly applicable to cost), and general overhead expenses, incurred by the seller in the acquisition, manufacture, processing, preparation for marketing, sale, and delivery of the products. Not to be included are dividends or interest on borrowed or invested capital, or nonoperating losses, such as fire losses and losses from the sale or exchange of capital assets. Operating cost should not be reduced by items of nonoperating income, such as income from investments, and gain on the sale of capital assets.

(d) Nothing in this section shall be construed as relieving an industry member from compliance with any of the requirements of the Robinson-Patman Act. [Rule 20]

§ 23.21 Prohibited discrimination²—

(a) *Prohibited discriminatory prices, rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential, where such rebate, refund, discount, credit, or other form of price differential, effects a discrimination in price between different purchas-

ers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce, and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however:*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States, and are not purchased by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit, as supplies for their own use;

(2) That nothing contained in this paragraph shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

NOTE: Cost justification under the above proviso depends upon net savings in cost based on all facts relevant to the transactions under the terms of subparagraph (2) of this paragraph. For example, if a seller regularly grants a discount based upon the purchase of a specified quantity by a single order for a single delivery, and this discount is justified by cost differences, it does not follow that the same discount can be cost justified if granted to a purchaser of the same quantity by multiple orders or for multiple deliveries.

(3) That nothing contained in this section shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing contained in this paragraph shall prevent price changes from time to time where made in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned;

(5) That nothing contained in this section shall prevent the meeting in good faith of an equally low price of a competitor.

NOTE: See subsection (b) of section 2 of the Clayton Act as amended, which is set forth in the note following paragraph (f) of this section.

(b) The following are examples of price differential practices to be considered as subject to the prohibitions of paragraph (a) of this section when involving goods of like grade and quality which are sold for use, consumption, or resale within any place under the jurisdiction of the United States, and which are not purchased by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit, as supplies for their own use, and when—

(1) The commerce requirements specified in paragraph (a) of this section are present; and

(2) The price differential has a reasonable probability of substantially lessening competition or tending to create a monopoly in any line of commerce, or of injuring, destroying, or preventing competition with the industry member or with the customer receiving the benefit of the price differential, or with customers of either of them; and

(3) The price differential is not justified by cost savings (see subparagraph (2) of paragraph (a) of this section); and

(4) The price differential is not made in response to changing conditions affecting the market for or the marketability of the goods concerned (see subparagraph (4) of paragraph (a) of this section); and

(5) The lower price was not made to meet in good faith an equally low price of a competitor (see subparagraph (5) of paragraph (a) of this section).

Example No. 1. At the end of a given period an industry member grants a discount to a customer equivalent to a fixed percentage of the total of the customer's purchases during such period and fails to grant such discount to other customers under like conditions.

Example No. 2. An industry member sells goods to one or more of his customers at a higher price than he charges other customers for like merchandise. It is immaterial whether or not such discrimination is accomplished by misrepresentation as to the grade and quality of the products sold.

NOTE: As previously indicated, the foregoing are examples of practices to be considered violative of the prohibitions of paragraph (a) of this section when involving goods of like grade and quality and when not subject to the other exemptions, exclusions, or defenses set forth in this paragraph.

(c) *Prohibited brokerage and commissions.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(d) *Prohibited advertising or promotional allowances, etc.* It is an unfair trade practice for any member of the industry engaged in commerce to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is

² As used in this section, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States."

available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

NOTE: Industry members giving advertising allowances to competing customers must exercise precaution and diligence in seeing that all of such allowances are used in accordance with the terms of their offers.

When an industry member gives allowances to competing customers for advertising in a newspaper or periodical, the fact that a lower advertising rate for equivalent space is available to one or more, but not all, such customers, is not to be regarded by the industry member as warranting the retention by such customer or customers of any portion of the allowance for his or their personal use or benefit.

(e) *Prohibited discriminatory services or facilities.* It is an unfair trade practice for any member of the industry engaged in commerce to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any service or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all competing purchasers on proportionally equal terms.

NOTE: See subsection (b) of section 2 of the Clayton Act as amended, which is set forth in the note following paragraph (f) of this section.

(f) *Inducing or receiving an illegal discrimination in price.* It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by the foregoing provisions of this section.

NOTE: Paragraph (f) of this section is a restatement of section 2 (f) of the Clayton Act as amended. In a complaint proceeding under this section, in order to make out a prima facie violation, the Commission must show that the favored buyer induced or received the lower price knowing, or knowing facts from which he should have known, that such price was violative of section 2 (a) of said Act and not justified under subparagraph (2), (4), or (5) of paragraph (a) of this section. When, in any such proceeding, the issue is limited to the question of whether the price differential involved made only due allowance for differences in cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which the goods were sold and delivered, the Commission may establish a prima facie case in a number of ways, including:

(1) By showing that the buyer paying the lower price knew that the methods by, and quantities in, which the goods were sold and delivered to him by the seller were the same as in the case of the competing buyer or buyers paying the higher price or prices; or

(2) By showing where there is a difference in the methods or quantities in which the goods were sold and delivered by the seller to the buyer than in the case of the competing buyer or buyers paying the higher price or prices, that the buyer paying the lower price or prices knew the nature and extent of such differences and knew or should have known that they could not have resulted in sufficient cost savings of the kind and character specified as to justify the price differential.

NOTE: This section is based on the provisions of section 2 of the Clayton Act, as amended by the Robinson-Patman Act.

Subsection (b) of section 2 of the Clayton Act as amended, which reads as follows, is in amplification of the note to subparagraph (5) of paragraph (a) of this section and the note to paragraph (e) of this section:

"Upon proof being made, at any hearing on a complaint under this section, that there has been discrimination in price or services or facilities furnished, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged with a violation of this section, and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination: *Provided, however,* That nothing herein contained shall prevent a seller rebutting the prima facie case thus made by showing that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor."

[Rule 21]

§ 23.22 *Misrepresentation as to gold content.* (a) It is an unfair trade practice to sell or offer for sale any industry product under any trade or product name or designation or other representation having the capacity and tendency or effect of deceiving purchasers or prospective purchasers thereof as to the presence of gold or gold alloy in the product, or as to the quantity or fineness of gold alloy contained in the product, or as to the fineness, thickness, weight ratio, or manner of application of any gold or gold alloy plating, covering, or coating on any surface of any industry product or part thereof.

(b) The following practices are among those to be regarded as inhibited by paragraph (a) of this section:

(1) Use of the unqualified word "Gold," or any abbreviation thereof, as descriptive of any industry product, or part thereof, which is not composed throughout of fine (24 karat) gold.

(2) Use of the word "Gold," or any abbreviation thereof, as descriptive of any industry product, or part thereof, which is composed throughout of an alloy of gold, unless a correct designation of the karat fineness of the alloy immediately precedes the word "Gold," or abbreviation thereof, and such fineness designation is of at least equal conspicuousness therewith.

(3) Use of the word "Gold," or any abbreviation thereof, as descriptive of any industry product, or part thereof, which is not composed throughout of gold or gold alloy, but is surface-plated or coated with gold alloy, unless the word "Gold," or abbreviation thereof, is so qualified as adequately and nondeceptively to disclose that the product or part is but surface-plated or coated with an alloy of gold; and, when such plating has been mechanically applied, unless such word "Gold," or abbreviation thereof, is immediately preceded by a correct designation of the karat fineness of the alloy and such fineness designation is of at least equal conspicuousness therewith.

NOTE: See acceptable forms of markings and descriptions for such products set out in paragraph (c) (2) of this section.

(4) Use of the terms "Gold Filled," "Rolled Gold Plate," "Rolled Gold Plated," "Gold Overlay," "Gold Plated," or "Gold Plate," as descriptive of an industry product or part thereof, unless such product or part contains a surface-plating of gold alloy applied by a mechanical process which is of such thickness and extent of surface coverage that use of the term as descriptive of the product or part will not have the capacity and tendency of deceiving purchasers or prospective purchasers, and unless the term is immediately preceded by a correct designation of the karat fineness of the alloy and such designation is of at least equal conspicuousness as the term used.

NOTE: See acceptable forms of markings and descriptions for such products set out in paragraph (c) (2) of this section.

(5) Use of the term "Gold Electroplate," or "Gold Electroplated," as descriptive of any industry product or part thereof, unless such product or part is plated or coated with gold or a gold alloy and such plating or coating is of such karat fineness, thickness, and extent of surface coverage that the use of the term will not have the capacity and tendency of deceiving purchasers or prospective purchasers.

NOTE: See acceptable forms of markings and descriptions for such products set out in paragraph (c) (3) of this section.

(6) Representing, directly or by implication, by use of any name, terminology, or otherwise, that an industry product is equal or superior to, or different than, a known and established type of industry product with reference to its gold content or method of manufacture, unless the representation is true in fact (namely, that it is equal or superior to or different than the established type in the respects represented or implied).

NOTE: Requirements for use of the word "Gold," or any abbreviation thereof, as above set forth, are applicable to "Duragold," "Diragold," "Noblegold," "Goldline," or any words or terms of similar import.

NOTE: See also § 23.25 entitled "Additional requirements relating to quality marks."

(c) Markings and descriptions of industry products or parts thereof will be considered as meeting the requirements of this section when in conformity with the following:

(1) An industry product or part thereof composed throughout of an alloy of gold of not less than 10 karat fineness may be marked and described as "Gold" when such word "Gold," wherever appearing, is immediately preceded by a correct designation of the karat fineness of the alloy and such karat designation is of equal conspicuousness as the word "Gold" (as, for example, "14 Karat Gold," and "14 K. Gold," and "14 Kt. Gold"). Such product may also be marked and described by a designation of the karat fineness of the gold alloy unaccompanied by the word "Gold" (as, for example, "14 Karat," "14 Kt.," and "14 K.").

NOTE: When the term "Gold," or any abbreviation thereof, is used as descriptive of any product or part of a product which is composed throughout of gold alloy but con-

tains a concealed hollow center or interior, the term or its abbreviation shall also be immediately accompanied by a disclosure of the fact that the product or part contains a hollow center or interior (as, for example, "14 Karat Gold-Hollow Center" and "14 K. Gold Tubing," when of a gold alloy tubing of such a karat fineness), when the failure to make such disclosure has the capacity and tendency or effect of deceiving purchasers or prospective purchasers. Such products must not be marked or described as "solid" or as being solidly of gold or of a gold alloy. For example, though the composition of such a product is 14 karat gold alloy, it shall not be described or marked as either "14 Kt. Solid Gold" or as "Solid 14 Kt. Gold."

(2) An industry product or part thereof on which there has been affixed on all significant surfaces, by soldering, brazing, welding, or other mechanical means, a plating of gold alloy of not less than 10 karat fineness which is of substantial thickness,³ may be marked or described as "Gold Filled," "Gold Plate," "Gold Plated," "Gold Overlay," "Rolled Gold Plate," or adequate abbreviations thereof, when such plating constitutes at least 1/20th of the weight of the metal in the entire article, and when the term is immediately preceded by a designation which is of equal conspicuousness as the term used (as, for example, "14 Kt. Gold Filled," "14 Kt. G. F.," "14 Kt. Gold Plated," "14 Kt. G. P.," and "14 Kt. Gold Overlay"). When conforming to all such requirements except the specified minimum of 1/20th of the weight of the metal in the entire article, the terms "Gold Plate," "Gold Plated," "Rolled Gold Plate," and "Gold Overlay" may be used when the karat fineness designation is immediately preceded by a fraction which accurately discloses the portion of the weight of the metal in the entire article accounted for by the plating, and when such fraction is of equal conspicuousness as the term used (as, for example, "1/40 12 Kt. Rolled Gold Plate," and "1/40 12 Kt. R. G. P.").

(3) An industry product or part thereof, all significant surfaces on which there has been affixed by an electrolytic process a coating or plating of gold, or of a gold alloy of not less than 10 karat fineness, the minimum thickness throughout of which is equivalent to 7/1,000,000ths of an inch of fine gold, may be marked or described as "Gold Electroplate" or "Gold Electroplated." When the coating or plating meets the minimum fineness, but not the minimum thickness, above specified, the marking or description may be "Gold Flashed" or "Gold Washed," and when of the minimum fineness above specified and of a minimum thickness throughout which is equivalent to 100/1,000,000ths of an inch of fine gold, the marking or description may be "Heavy Gold Electroplate"

³ As here used, the term "substantial thickness" is to be construed as requiring that all areas of the plating be of such thickness as to assure of a durable coverage of the base metal to which it has been affixed. Since industry products embrace items having surfaces and parts of surfaces which are subject to different degrees of wear, this requirement of substantial thickness may not necessitate uniformity of thickness of plating for all items or for different areas of the surface or surfaces of individual items.

or "Heavy Gold Electroplated." When coatings or platings qualify for the term "Gold Electroplate" (or "Gold Electroplated"), or the term "Heavy Gold Electroplate" (or "Heavy Gold Electroplated"), and have been applied by use of a special kind of an electrolytic process, the designation for which the coating or plating is qualified may be accompanied by an identification of the process used, as for example, "Gold Electroplated (X Process)"; "Heavy Gold Electroplated (Y Process)."

(d) The requirements of this section relating to markings and descriptions of industry products and parts thereof are subject to the tolerances applicable thereto under the National Stamping Act (15 U. S. Code, sections 294, et seq.). Such requirements are also subject to exemptions applicable thereto under section 10 (a) of Commercial Standard CS 67-38, relating to articles made of karat gold, and under section 12 (a) of Commercial Standard CS 47-34, relating to articles having mechanically-applied surface platings of gold alloy. [Rule 22]

§ 23.23 *Misrepresentation as to silver content.* (a) It is an unfair trade practice to misrepresent in any way the silver content or fineness of silver content of any industry product, or to represent such product as having a silver content, plating, electroplating, or coating, when such is not the fact.

(b) It is an unfair trade practice to mark, describe, or otherwise represent, any industry product, or part thereof, as "silver," "solid silver," "Sterling," or "Sterling Silver," unless it is at least 925/1,000ths pure silver.

(c) It is an unfair trade practice to mark, describe, or otherwise represent, any industry product, or part thereof, as "coin" or "coin silver," unless it is at least 900/1,000ths pure silver.

(d) It is an unfair trade practice to apply the term "Sterling" or "coin," either alone or in conjunction with any other word or words, in any manner to a silver-plated article or to the plating thereon.

(e) It is an unfair trade practice to mark, describe, or otherwise represent, any industry product, or part thereof, as being plated or coated with silver, unless all significant surfaces of the product or part contain a plating or coating of silver which is of substantial thickness.

NOTE: See also § 23.25 entitled "Additional requirements relating to quality marks."

[Rule 23]

§ 23.24 *Misuse of words "platinum," "iridium," "palladium," "ruthenium," "rhodium," and "osmium."* It is an unfair trade practice to use the words "platinum," "iridium," "palladium," "ruthenium," "rhodium," or "osmium,"

⁴ Provisions of the National Stamping Act (15 U. S. C. 294-300) relative to articles composed wholly or in part of silver must be complied with. The requirements of this section are subject to the exemptions enumerated in section 8 of Commercial Standard CS118-44 (Marking of Jewelry and Novelties of Silver) and section 8 (a) of Commercial Standard CS51-35 (Marking Articles Made of Silver in Combination with Gold).

or any abbreviations thereof, as a marking on, or as descriptive of, any industry product or part thereof, under any circumstance or condition having the capacity and tendency or effect of deceiving purchasers or prospective purchasers as to the true composition of such product or part.

NOTE: Commercial Standard CS66-38, issued by the National Bureau of Standards of the U. S. Department of Commerce, covers the marking of articles made wholly or in part of platinum. Markings on industry products which are in compliance with the requirements of CS66-38 will be regarded as among those fulfilling the requirements relating thereto which are contained in this section.

NOTE: See also § 23.25 entitled "Additional requirements relating to quality marks."

[Rule 24]

§ 23.25 *Additional requirements relating to quality marks.* (a) As used in this section, the term "quality mark" means any letter, figure, numeral, symbol, sign, word, or term, or any combination thereof, which has been stamped, embossed, inscribed, or otherwise placed, on any industry product and which indicates or suggests that any such product is composed throughout of any precious metal or any alloy thereof or has a surface or surfaces on which there has been plated or deposited any precious metal or alloy thereof. Included are the words "gold," "karat," "carat," "silver," "sterling," "platinum," "iridium," "palladium," "ruthenium," "rhodium," or "osmium," or any abbreviation thereof, whether used alone or in conjunction with the word "filled," "plated," "overlay," "electroplated," or any abbreviation thereof.

(b) Requirements of this section are additional to those provided for in §§ 23.22, 23.23, and 23.24.

(a) *Deception as to applicability of marks.* (1) It is an unfair trade practice to sell, offer for sale, or distribute any industry product on which a quality mark appears when by reason of the location of such mark, the failure to conjunctively identify the part or portion of the product to which same is applicable (or part or portion to which same is inapplicable), or otherwise, such mark has the capacity and tendency or effect of deceiving purchasers or prospective purchasers as to the metallic composition of the product or any part thereof.

(2) When a quality mark has proper application but to one or more parts of an industry product and not to another part or parts thereof which are of similar surface appearance, each quality mark should be closely accompanied by an identification of the part or parts to which the mark is applicable.

(b) *Deception by reason of difference in the size of letters or words in a marking or markings.* It is an unfair trade practice to sell, offer for sale, or distribute any industry product on which there appears a quality mark in which words or letters appear in greater size than other words or letters of the marking, or when different markings placed on the product have different applications and are in different sizes, when any such marking has the capacity, tendency, or effect of deceiving purchasers or pro-

spective purchasers of the product as to the metallic composition of such product or any part thereof. (An example of improper marking subject to the inhibitions of this paragraph would be the marking of a gold electroplated product with the word "electroplate" in small type and the word "gold" in larger type, with the result that purchasers and prospective purchasers of the product would observe the word "gold" of the marking and unlikely observe the word "electroplate".)

NOTE: Legibility of markings. Quality markings on industry products should be of sufficient size type as to be legible to persons of normal vision, and be so placed as likely to be observed by purchasers or prospective purchasers thereof. When such size marking cannot be achieved without injury to the appearance of the article, a tag or label on which the marking appears in type which is readable by persons of normal vision should be attached to the product and remain thereon until consumer purchase.

NOTE: Disclosure of identity of manufacturers, processors, or distributors. It is the consensus of the members of this industry that all quality markings on industry products should be accompanied by the name, or other adequate identification, of the manufacturer, processor, or distributor responsible for such marking. Quality markings include those in which the words or terms "gold," "karat," "silver," "platinum" (or platinum related metals), or their abbreviations, are included, either separately or as suffixes, prefixes, or syllables.)

[Rule 25]

§ 23.26 *Misuse of the word "diamond."*

(a) In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for any industry member to use the unqualified word "diamond" as descriptive of, or as an identification for, any object or product not meeting the requirements specified in the definitions of diamond hereinabove set forth, or which, though meeting such requirements, has not been symmetrically fashioned with at least seventeen (17) polished facets.

(b) The foregoing provisions of this section have application to the unqualified use of the word "diamond." They are not to be construed as inhibiting:

(1) The use of the words "rough diamond" as descriptive of, or as a designation for, uncut or uncut objects or products meeting the requirements specified in the mentioned definition of diamond; or

(2) The use of the word "diamond" as descriptive of, or as a designation for, objects or products meeting the requirements of said definition of diamond but which have not been symmetrically fashioned with at least seventeen (17) polished facets when in immediate conjunction with the word "diamond" there is either a disclosure of the number of facets and shape of the diamond or the name of a type of diamond which denotes shape and which usually has less than seventeen (17) facets (e. g., "rose diamond").

NOTE: Additional requirements relating to imitation and synthetic diamond representations and misuse of words "reproduction," "replica," "gem," "real," "genuine," "nat-

ural," etc., are set forth in §§ 23.37, 23.38, and 23.39.

[Rule 26]

§ 23.27 *Misuse of word "perfect," etc.*

(a) It is an unfair trade practice to use the word "perfect," or any other word, expression, or representation of similar import, as descriptive of any diamond which discloses flaws, cracks, carbon spots, clouds, or other blemishes or imperfections of any sort when examined in normal daylight, or its equivalent, by a trained eye under a ten-power, corrected diamond eye loupe or other equal magnifier.

NOTE: The use, with respect to a stone which is not perfect, of any phrase (such as "commercially perfect") containing the word "perfect" or "perfectly" is regarded as misleading and in violation of this section.

Paragraph (a) of this section shall not be construed as approving the use of the word "perfect," or any word or representation of like import, as descriptive of any diamond that is of inferior color or make.

Nothing in this section is to be construed as inhibiting the use of the word "flawless" as descriptive of a diamond which meets the requirements for "perfect" set forth in paragraph (a) of this section.

(b) It is an unfair trade practice, in connection with the offering of any ring or rings or other articles of jewelry having a perfect center stone or stones, and side or supplementary stones which are not of such quality, to use the word "perfect" without clearly disclosing that such description applies only to the center stone or center stones. [Rule 27]

§ 23.28 *Misuse of term "blue white."*

It is an unfair trade practice to use the term "blue white," or any other term, expression, or representation of similar import, as descriptive of any diamond which under normal, north daylight or its equivalent, shows any color or any trace of any color other than blue or bluish.

NOTE: For additional requirements respecting artificially colored diamonds, see the note immediately following § 23.36.

[Rule 28]

§ 23.29 *Misuse of the term "properly cut," etc.*

It is an unfair trade practice to use the terms "properly cut," "proper cut," "modern cut," "well made," or expressions of similar import, to describe any diamond that is lopsided, or so thick or so thin in depth as materially to detract from the brilliance of the stone.

NOTE: This section prohibits the commonly called "fisheye" or "old mine" stone from being offered as "properly cut," "modern cut," etc.

[Rule 29]

§ 23.30 *Misuse of the words "brilliant" and "full cut."*

It is an unfair trade practice to use the unqualified expressions "brilliant," "brilliant cut," or "full cut" to describe, identify, or refer to any diamond except a round diamond which has at least thirty-two facets plus the table above the girdle and at least twenty-four facets below.

NOTE: Such terms should not be applied to single or rose-cut diamonds, either with

or without qualification. They may be applied to emerald- (rectangular) cut, pear-shaped, heart-shaped, oval-shaped, and marquise- (pointed oval) cut diamonds meeting the above-stated facet requirements when, in immediate conjunction with the term used, disclosure is made of the fact that the diamond is of such form.

[Rule 30]

§ 23.31 *Misuse of term "clean," etc.*

It is an unfair trade practice to use the term "clean," "eye clean," "commercially clean," "commercially white," or any other term, expression, or representation of similar import, in advertising, labeling, representing, or describing any diamond, when such terms are used for the purpose, or with the capacity and tendency or effect, of misleading or deceiving purchasers, prospective purchasers, or the consuming public. [Rule 31]

§ 23.32 *Misrepresentation of weight, "total weight."*

(a) It is an unfair trade practice to misrepresent the weight of any diamond or to deceive purchasers or prospective purchasers as to the weight of any diamond.

NOTE: The standard unit for designation of the weight of a diamond is the carat, which is equivalent to two hundred milligrams ($\frac{1}{5}$ gram). While advertisements may state the range of weights of a group of products, all weight representations regarding individual products shall be subject to a 1/200th of a carat (one-half "point") tolerance.

(b) It is an unfair trade practice to state or otherwise represent the weight of all diamonds contained in a ring or other article of jewelry unless such weight figure is accompanied with equal conspicuity by the words "total weight," or words of similar import, so as to indicate clearly that the weight shown is that of all stones in the article and not that of the center or largest stone. [Rule 32]

§ 23.33 *Misuse of word "pearl."*

(a) It is an unfair trade practice to use the unqualified word "pearl," or any other word or phrase of like meaning or connotation, to describe, identify, or refer to any object or product which is not in fact a pearl as defined hereinabove.

(b) It is an unfair trade practice to use the word "pearl" to describe, identify, or refer to a cultured pearl unless it is immediately preceded, with equal conspicuity, by the word "cultured" or "cultivated," or by some other word or phrase of like meaning and connotation, so as to indicate definitely and clearly that the product is not a pearl.

(c) It is an unfair trade practice to use the word "pearl" to describe, identify, or refer to an imitation pearl unless it is immediately preceded, with equal conspicuity, by the word "imitation" or "simulated," or by some other word or phrase of like meaning and connotation, so as to indicate definitely and clearly that the product is not a pearl.

NOTE: The placing of an asterisk next to the word "pearl," which asterisk makes reference to a footnote explanation of the fact that the product is an imitation or cultured pearl, is not regarded as compliance with the requirements of this section.

[Rule 33]

§ 23.34 *Misuse of terms "cultured pearl," "cultivated pearl," "seed pearl," "Oriental pearl," "Oriental," "natura," and "kultured."* (a) It is an unfair trade practice to use the term "cultured pearl," "cultivated pearl," or any other word, term, or phrase of like meaning or connotation, to describe, identify, or refer to any imitation pearl.

(b) It is an unfair trade practice to use the term "seed pearl," or any word, term, or phrase of like meaning or connotation, to describe, identify, or refer to any cultured pearl or imitation pearl.

(c) It is an unfair trade practice to use the term "Oriental pearl," or any word, term, or phrase of like meaning or connotation, to describe, identify, or refer to any product of the industry other than a pearl taken from a salt water mollusk and of the distinctive appearance and type of pearls obtained from mollusks inhabiting the Persian Gulf and recognized in the jewelry trade as Oriental pearls.

(d) It is an unfair trade practice to use the word "Oriental" to describe, identify, or refer to any cultured or imitation pearl.

(e) It is an unfair trade practice to use the word "natura," or any word, term, or phrase of like meaning or connotation, to describe, identify, or refer to a cultured or imitation pearl.

(f) It is an unfair trade practice to use the word "kultured," or any word, term, or phrase of like meaning or connotation, to describe, identify, or refer to an imitation pearl. [Rule 34]

§ 23.35 *Misrepresentation as to cultured pearls.* It is an unfair trade practice, in connection with the distribution, sale, or offering for sale of industry products, to make publish, or disseminate, or cause to be made, published, or disseminated, any false, misleading, or deceptive statement, representation, or illustration concerning the matter in which cultured pearls are produced, the size of the nucleus artificially inserted in the oyster and included in cultured pearls, the length of time that such products remained in the oyster, the thickness of the nacre coating, the value and quality of cultured pearls as compared with the value and quality of pearls and imitation pearls, or concerning any other material matter relating to the formation, structure, properties, characteristics, and qualities of cultured pearls.

NOTE: Additional requirements relating to misuse of the words "real," "genuine," "natural," "reproduction," "replica," "synthetic," "gems," etc., are set forth in §§ 23.38 and 23.39.

[Rule 35]

§ 23.36 *Deception as to precious and semi-precious stones.* It is an unfair trade practice, in connection with the offering for sale, sale, or distribution of precious or semi-precious gem stones, to use or cause or promote the use of any trade promotional literature, advertising matter, mark, brand, label, trade name, picture, design or device, or other type of oral or written representation, however disseminated or published, which has the capacity and tendency or

effect of misleading or deceiving the purchasing or consuming public in any other material respect.

NOTE: One of the practices to be considered as inhibited by this section is as follows: The sale, or offering for sale, of any diamond or other natural precious or semi-precious stone which has been artificially colored or tinted by coating, irradiating, or heating, or by use of nuclear bombardment, or by any other means, without disclosure of the fact that such natural stone is colored, and disclosure that such artificial coloring or tinting is not permanent if such is the fact.

[Rule 36]

§ 23.37 *Misuse of words "ruby," "sapphire," "emerald," "topaz," "stone," "birthstone," etc.* (a) It is an unfair trade practice to use the unqualified words "ruby," "sapphire," "emerald," "topaz," or the name of any other precious or semi-precious stone, as descriptive of any product which is not in fact a natural stone of the type described.

(b) It is an unfair trade practice to use the words "ruby," "sapphire," "emerald," "stone," "birthstone," or the name of any other precious or semi-precious stone, as descriptive of a synthetic stone or an imitation or simulated stone unless such word or name is immediately preceded, with equal conspicuity, by the word "synthetic," or by the word "imitation" or "simulated," whichever is applicable, or by some other word or phrase of like meaning, so as clearly to disclose the nature of such product and the fact that it is not a natural stone.

NOTE: The placing of an asterisk next to the word "stone" or "birthstone," or the name of any natural stone referring to a footnote explanation that the product is a synthetic or imitation is not to be regarded as compliance with the requirements of this section.

[Rule 37]

§ 23.38 *Misuse of words "real," "genuine," "natural," etc.* It is an unfair trade practice to use the words "real," "genuine," "natural," or similar terms, as descriptive of any article or articles which are manufactured or produced synthetically or artificially, or artificially cultured or cultivated, with the capacity and tendency or effect of misleading or deceiving purchasers, prospective purchasers, or the consuming public. [Rule 38]

§ 23.39 *Misuse of words "gem," "reproduction," "replica," "synthetic," etc.*

(a) It is an unfair trade practice to use the word "gem" or similar terms to describe, identify, or refer to a pearl, cultured pearl, diamond, ruby, sapphire, emerald, topaz, or other product of the industry, which does not possess the beauty, symmetry, rarity, and value necessary for qualification as a gem.

(b) It is an unfair trade practice to use the word "gem" as descriptive of any synthetic industry product unless the product meets the requirements of paragraph (a) of this section and unless such word is immediately accompanied, with equal conspicuity, by the word "synthetic," or by some other word or

phrase of like meaning, so as clearly to disclose the fact that it is not a natural gem.

NOTE: Use of the word "gem" with respect to cultured pearls and synthetic stones should be avoided since few cultured pearls or synthetic stones possess the necessary qualifications to properly be termed "gems." Imitation pearls, imitation diamonds, and other imitation stones cannot be described as "gems" under any circumstances. Not all diamonds or natural stones, including those classified as precious stones, possess the necessary qualifications to properly be termed "gems."

(c) It is an unfair trade practice to use the words "reproduction," "replica," or similar terms, to describe, identify, or refer to a cultured or imitation pearl, or to any imitation of precious or semi-precious stones.

(d) It is an unfair trade practice to use the word "synthetic" as descriptive of cultured or imitation pearls, or to use the word "synthetic" with the name of any natural stone as descriptive of any industry product, unless such industry product has essentially the same optical, physical, and chemical properties as the stone named. [Rule 39]

Issued: June 25, 1957.

Promulgated by the Federal Trade Commission June 28, 1957.

[SEAL] ROBERT M. PARRISH,
Secretary.

APPENDIX—LISTING AND CLASSIFICATION OF RULES FOR CONVENIENT REFERENCE BY INDUSTRY MEMBERS

Category I. Rules in this part having application to all industry products regardless of their composition:

- Rule 1—Deception (General).
- Rule 2—Misleading Illustrations.
- Rule 3—Misrepresentation as to Character of Business.
- Rule 4—Deceptive Pricing.
- Rule 5—Misuse of Terms "Close-Outs," "Discontinued Lines," "Special Bargains," Etc.
- Rule 6—Substitution of Products.
- Rule 7—Use of the Word "Free."
- Rule 8—Guarantees, Warranties, Etc.
- Rule 9—Misuse of Term "Certified," Etc.
- Rule 10—Misrepresentation as to Origin and Disclosure of Foreign Origin.
- Rule 11—Misuse of Terms "Hand-Made," "Hand-Polished," Etc.
- Rule 12—Deceptive Use and Imitation of Trade or Corporate Names, Trade-Marks, Etc.
- Rule 13—Commercial Bribery.
- Rule 14—Consignment Distribution.
- Rule 15—Inducing Breach of Contract.
- Rule 16—Defamation of Competitors or False Disparagement of Their Products.
- Rule 17—Enticing Away Employees of Competitors.
- Rule 18—Push Money.
- Rule 19—Prohibited Forms of Trade Restraints (Unlawful Price Fixing, Etc.)
- Rule 20—Prohibited Sales Below Cost.
- Rule 21—Prohibited Discrimination.

Category II. Rules in this part having application to industry products composed in whole or in part of a precious metal or metals:

- Rule 22—Misrepresentation as to Gold Content.
- Rule 23—Misrepresentation as to Silver Content.
- Rule 24—Misuse of Words "Platinum," "Iridium," "Palladium," "Ruthenium," "Rhodium," and "Osmium."
- Rule 25—Additional Requirements Relating to Quality Marks.

Category III. Rules in this part having application to industry products containing diamonds or imitations thereof:

- Rule 26—Misuse of the Word "Diamond."
 Rule 27—Misuse of Word "Perfect," Etc.
 Rule 28—Misuse of Term "Blue White."
 Rule 29—Misuse of the Term "Properly Cut," Etc.
 Rule 30—Misuse of the Words "Brilliant" and "Full Cut."
 Rule 31—Misuse of Term "Clean," Etc.
 Rule 32—Misrepresentation of Weight, "Total Weight."

Note: These rules also have application to diamonds which are sold in the loose and unset state.

Category IV. Rules in this part having application to industry products containing pearls, cultured pearls, or imitations thereof:

- Rule 33—Misuse of Word "Pearl."
 Rule 34—Misuse of Terms "Cultured Pearl," "Cultivated Pearl," "Seed Pearl," "Oriental Pearl," "Oriental," "Natura," and "Kultured."
 Rule 35—Misrepresentation as to Cultured Pearls.

Note: These rules also have application to pearls, cultured pearls, and imitation pearls sold in the loose (unstrung and unset) state.

Category V. Rules in this part having application to industry products containing rubies, sapphires, and emeralds and other precious or semi-precious stones, and synthetic and imitation stones:

- Rule 36—Deception as to Precious and Semi-Precious Stones.
 Rule 37—Misuse of Words "Ruby," "Sapphire," "Emerald," "Topaz," "Stone," "Birthstone," Etc.
 Rule 38—Misuse of Words "Real," "Genuine," "Natural," Etc.
 Rule 39—Misuse of Words "Gem," "Reproduction," "Replica," "Synthetic," etc.

Note: Industry products covered by the rules in Categories II through V are also subject to the rules in Category I.

[F. R. Doc. 57-5246; Filed, June 27, 1957; 8:47 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54380]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

REQUIREMENTS FOR ADDITIONAL INFORMATION ON CUSTOMS INVOICES AND ENTRIES OF MANUFACTURES OF COTTON

In order to facilitate the examination and identification of articles manufactured from cotton and to provide for more detailed descriptions of such articles on customs invoices and entries, customs invoices, in addition to all other information required by law or regulations, shall include by attachment of customs Form 5517 (Annex to Special Customs Invoice (for cotton Manufactures)), or in substantially that form, a description of the articles in accordance with the supplement to Schedule A entitled "Statistical Requirements for Reporting Imports of Cotton Manufactures" and the Customs Regulations are amended as follows:

1. Section 8.8 (a) of the Customs Regulations is amended by adding thereto the following sentence: "In the case of manufactures of cotton, the description shall be in accordance with the supplement to Schedule A entitled "Statistical

Requirements for Reporting Imports of Cotton Manufactures".

2. Section 8.13 (h) of the Customs Regulations is amended by adding in the proper alphabetical order the following to the list of merchandise with respect to which additional information is required to be furnished on customs invoices, and by placing opposite such addition the number and date of this Treasury decision:

Manufactures of Cotton.

3. Section 8.27 of the Customs Regulations is amended by substituting the following for the third sentence: "The dutiable entries shall be made in triplicate, except that entries covering manufactures of cotton shall be in quintuple. Free entries shall be made in duplicate."

4. Section 8.30 (a) of the Customs Regulations is amended by striking out the period at the end of the first sentence and adding the following: "except that in the case of manufactures of cotton, it shall be in quintuple."

5. Section 8.37 (a) of the Customs Regulations is amended by adding a new sentence to read as follows: "In the case of articles manufactured from cotton, the description shall correspond with the description on the related warehouse entry, or any correction thereof reported after the filing of the warehouse entry."

These requirements shall become effective as to articles imported on and after July 1, 1957.

Notice of the proposed issuance of the foregoing requirements was published in the FEDERAL REGISTER on May 28, 1957 (22 F. R. 103).

Supplies of customs Form 5517 may be secured without charge from the United States consular offices and from the Customs Information Exchange, 201 Varick Street, New York 14, New York. The form may be reproduced privately.

(R. S. 251, sec. 624, 46 Stat. 759; 19 U. S. C. 66, 1624. Interpret or apply sec. 481, 46 Stat. 719, sec. 484, 46 Stat. 722, as amended, sec. 557, 46 Stat. 744, as amended; 19 U. S. C. 1481, 1484, 1557)

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

Approved: June 24, 1957.

DAVID W. KENDALL,
Acting Secretary of the Treasury.

[F. R. Doc. 57-5274; Filed, June 27, 1957; 8:52 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Departmental Reg. 108.320]

PART 65—PAYMENTS TO AND ON BEHALF OF PARTICIPANTS IN THE INTERNATIONAL EDUCATIONAL EXCHANGE PROGRAM

REVISION OF PART

Part 65—Payments to and on Behalf of Participants in the Technical and Cultural-Cooperation Program, containing §§ 65.1 through 65.11, is revised and reissued as follows:

Sec.

- 65.1 Definitions.
 65.2 Applicability of this part under special circumstances.

Sec.

- 65.3 Grants to foreign participants to observe, consult, or demonstrate special skills.
 65.4 Grants to foreign participants to lecture, teach, and engage in research or training.
 65.5 Grants to foreign participants to study.
 65.6 Assignment of U. S. Government employees to consult, lecture, teach engage in research, or demonstrate special skills.
 65.7 Grants to U. S. participants to consult, lecture, teach, engage in research, or demonstrate special skills.
 65.8 Grants to U. S. participants to study.
 65.9 General provisions.

AUTHORITY: §§ 65.1 to 65.9 issued under R. S. 161, sec. 4, 63 Stat. 111, as amended; 5 U. S. C. 22, 151c. Interpret or apply secs. 537, 3, 12, 70 Stat. 561, 890, 892; 22 U. S. C. 1797 (b), 5 U. S. C. 170-h, 170q.

§ 65.1 **Definitions.** For the purpose of this part the following terms shall have the meaning here given:

(a) **International educational exchange program of the Department of State.** A program to promote mutual understanding between the people of the United States and those of other countries and to strengthen cooperative international relations in connection with which payments are made direct by the Department of State, as well as similar programs carried out by other Government departments and agencies and by private organizations with funds appropriated or allocated to the Department of State when the regulations in this part apply under the provisions of § 65.2 (a) and (b).

(b) **Program and Department.** For convenience, the international educational exchange program of the Department of State will hereinafter be referred to as the "program", and the Department of State will hereinafter be referred to as the "Department".

(c) **Participant.** Any person taking part in the program for purposes listed in §§ 65.3 through 65.8, including both citizens of the United States and citizens and nationals of the other countries with which the program is conducted.

(d) **Transportation.** All necessary travel on railways, airplanes, steamships, busses, streetcars, taxicabs, and other usual means of conveyance.

(e) **Excess baggage.** Baggage in excess of the weight or size carried free by public carriers on first-class service.

(f) **Per diem allowance.** Per diem in lieu of subsistence includes all charges for meals and lodging; fees and tips; telegrams and telephone calls reserving hotel accommodations; laundry, cleaning and pressing of clothing; transportation between places of lodging or business and places where meals are taken. Maximum rates of per diem have been approved by the Bureau of the Budget in accordance with Public Law 885, 84th Congress.

§ 65.2 **Applicability of this part under special circumstances.**—(a) **Funds administered by another department or agency.** The regulations in this part shall apply to payments made to or on behalf of participants from funds appropriated or allocated to the Department and transferred by the Department to some other department, agency or in-

dependent establishment of the Government unless the terms of the transfer provide that such regulations shall not apply in whole or in part or with such modifications as may be prescribed in each case to meet the exigencies of the particular situation.

(b) *Funds administered by private organizations.* The regulations in this part shall apply to payments made to or on behalf of participants from funds appropriated or allocated to the Department and administered by an institution, facility, or organization in accordance with the terms of a contract or grant made by the Department with or to such private organizations, unless the terms of such contract or grant provide that the regulations in this part are not to be considered applicable or that they are to be applied with such modifications as may be prescribed in each case to meet the exigencies of the particular situation.

(c) *Appropriations or allocations.* The regulations in this part shall apply to payments made by the Department with respect to appropriations or allocations which are or may hereafter be made available to the Department for the program so far as the regulations in this part are not inconsistent therewith.

§ 65.3 *Grants to foreign participants to observe, consult, or demonstrate special skills.* A citizen or national of a foreign country who has been awarded a grant to observe, consult with colleagues, or demonstrate special skills may be entitled to any or all of the following benefits when authorized by the Department:

(a) *Transportation.* First-class accommodations on steamship, airplane, railway, or other means of conveyance. For travel in a privately owned vehicle, reimbursement will be in accordance with the provisions of the Standardized Government Travel Regulations.

(b) *Excess baggage.* Excess baggage as deemed necessary by the Department.

(c) *Per diem allowances.* (1) Per diem allowance not to exceed \$17 in lieu of subsistence expenses while traveling to and from the United States (except for the period spent on seagoing vessels), while on authorized or emergency stopovers, and while participating in the program.

(2) Per diem allowance not to exceed \$6 in lieu of subsistence expenses while traveling on seagoing vessels outside the continental limits of the United States.

(d) *Tuition and related expenses.* Tuition and related expenses in connection with attendance at seminars and workshops, professional meetings, or other events in keeping with the purpose of the grant.

(e) *Books and educational materials allowance.* A reasonable allowance for books and educational materials.

(f) *Advance of funds.* Advance of funds including per diem.

§ 65.4 *Grants to foreign participants to lecture, teach, and engage in research or training.* A citizen or national of a foreign country who has been awarded a grant to lecture, teach, and engage in research or training may be entitled to

any or all of the following benefits when authorized by the Department:

(a) *Transportation.* First-class accommodations on steamship, airplane, railway, or other means of conveyance. For travel in a privately owned vehicle, reimbursement will be in accordance with the provisions of the Standardized Government Travel Regulations.

(b) *Excess baggage.* Excess baggage as deemed necessary by the Department.

(c) *Per diem allowance.* (1) Per diem allowance not to exceed \$12 in lieu of subsistence expenses while traveling to and from the United States (except for the period spent on seagoing vessels), while on authorized or emergency stopovers, and while participating in the program.

(2) Per diem allowance not to exceed \$6 in lieu of subsistence expenses while traveling on seagoing vessels outside the continental limits of the United States.

(d) *Allowance.* An allowance of not to exceed \$50 in lieu of per diem while traveling to and from the United States.

(e) *Tuition and related expenses.* Tuition and related expenses in connection with attendance at educational institutions, seminars and workshops, professional meetings, or other events in keeping with the purpose of the grant.

(f) *Books and educational materials allowance.* A reasonable allowance for books and educational materials.

(g) *Advance of funds.* Advance of funds including per diem.

§ 65.5 *Grants to foreign participants to study.* A citizen or national of a foreign country who has been awarded a grant to study may be entitled to any or all of the following benefits when authorized by the Department:

(a) *Transportation.* First-class accommodations on steamship, airplane, railway, or other means of conveyance. For travel in a privately owned vehicle, reimbursement will be in accordance with the provisions of the Standardized Government Travel Regulations.

(b) *Excess baggage.* Excess baggage as deemed necessary by the Department.

(c) *Per diem allowance.* (1) Per diem allowance not to exceed \$9 in lieu of subsistence expenses while traveling to and from the United States (except for the period spent on seagoing vessels), while on authorized or emergency stopovers, or in a travel status within the United States.

(2) Per diem allowance not to exceed \$6 in lieu of subsistence expenses while traveling on seagoing vessels outside the continental limits of the United States.

(3) Per diem allowance not to exceed \$8 while present and in attendance at an educational institution, facility or organization.

(4) Per diem allowance not to exceed \$12 while participating in authorized field trips or conferences.

(d) *Allowance.* An allowance of not to exceed \$35 in lieu of per diem while traveling to and from the United States.

(e) *Tuition.* Tuition and related fees for approved courses of study.

(f) *Books and educational materials allowance.* A reasonable allowance for books and educational materials.

(g) *Tutoring assistance.* Special tutoring assistance in connection with approved courses of study.

(h) *Advance of funds.* Advance of funds including per diem.

§ 65.6 *Assignment of United States Government employees to consult, lecture, teach, engage in research, or demonstrate special skills.* An employee of the United States Government who has been assigned for service abroad to consult, lecture, teach, engage in research, or demonstrate special skills, may be entitled to any or all of the following benefits when authorized by the Department:

(a) *Transportation.* Transportation and miscellaneous expenses in the United States and abroad, including baggage charges, and per diem in lieu of subsistence at the maximum rates allowable while in a travel status in accordance with the provisions of the Standardized Government Travel Regulations and the Travel Expense Act of 1949, as amended. The participant shall be considered as remaining in a travel status during the entire period covered by his assignment unless otherwise designated.

(b) *Advance of funds.* Advances of per diem as provided in the Travel Expense Act of 1949, as amended.

(c) *Compensation.* Compensation in accordance with Civil Service rules; or in accordance with the grade in which the position occupied may be administratively classified; or Foreign Service Act, as amended.

(d) *Allowances for cost of living and living quarters.* Allowances for living quarters, heat, fuel, light, and to compensate for the increased cost of living in accordance with the Standardized Regulations (Government Civilians, Foreign Areas), when not in a travel status as provided in paragraph (a) of this section.

(e) *Books and educational materials allowance.* A reasonable allowance for books and educational materials. Such books and materials, unless otherwise specified, shall be selected by the employee and purchased and shipped by the Department or its agent. At the conclusion of the assignment, the books and educational materials shall be transferred to and become the property of an appropriate local institution or be otherwise disposed of as directed by the Department.

(f) *Families and effects.* Cost of transportation of immediate family and household goods and effects when going to and returning from posts of assignment in foreign countries in accordance with the provisions of the Foreign Service Regulations of the United States of America.

§ 65.7 *Grants to United States participants to consult, lecture, teach, engage in research, or demonstrate special skills.* A citizen of the United States who has been awarded a grant to consult, lecture, teach, engage in research, or demonstrate special skills may be entitled to any or all of the following benefits when authorized by the Department:

(a) *Transportation.* Transportation and miscellaneous expenses in the

United States and abroad, including baggage charges, and per diem in lieu of subsistence while in a travel status. Per diem at the maximum rates allowable in accordance with the provisions of the Standardized Government Travel Regulations and the Travel Expense Act of 1949, as amended, unless otherwise specified. The participant shall be considered as remaining in a travel status during the entire period covered by his grant unless otherwise designated.

(b) *Orientation and debriefing within the United States.* For the purpose of orientation and debriefing within the United States compensation, travel and per diem at the maximum rates allowable in accordance with the provisions of the Standardized Government Travel Regulations and the Travel Expense Act of 1949, as amended, unless otherwise specified.

(c) *Advance of funds.* Advance of funds including per diem.

(d) *Compensation.* Compensation at a rate to be specified in each grant.

(e) *Allowances.* Appropriate allowances as determined by the Department.

(f) *Books and educational materials allowance.* A reasonable allowance for books and educational materials. Such books and materials, unless otherwise specified, shall be selected by the grantee and purchased and shipped by the Department or its agent. At the conclusion of the grant, the books and materials shall be transferred to and become the property of an appropriate local institution or be otherwise disposed of as directed by the Department.

§ 65.8 *Grants to United States participants to study.* A citizen of the United States who has been awarded a grant to study may be entitled to any or all of the following benefits when authorized by the Department.

(a) *Transportation.* Transportation and miscellaneous expenses in the United States and abroad, including baggage charges, and per diem in lieu of subsistence while in a travel status. Per diem at the maximum rates allowable in accordance with the provisions of the Standardized Government Travel Regulations and the Travel Expense Act of 1949, as amended, unless otherwise specified. Travel status shall terminate upon arrival at the place of study designated in the grant and shall recommence upon departure from that place to return home.

(b) *Orientation and debriefing within the United States.* For the purpose of orientation and debriefing within the United States travel and per diem at the maximum rates allowable in accordance with the provisions of the Standardized Government Travel Regulations and the Travel Expense Act of 1949, as amended, unless otherwise specified.

(c) *Advance of funds.* Advance of funds including per diem.

(d) *Maintenance allowance.* A maintenance allowance at a rate to be specified in each grant.

(e) *Tuition.* Tuition and related fees for approved courses of study.

(f) *Books and educational materials allowance.* A reasonable allowance for books and educational materials.

(g) *Tutoring assistance.* Special tutoring assistance in connection with approved courses of study.

§ 65.9 *General provisions.* The following provisions shall apply to the foregoing regulations:

(a) *Health and accident insurance.* Payments for the costs of health and accident insurance for foreign participants while such participants are en route or absent from their homes for purposes of participation in the program when authorized by the Department.

(b) *Transportation of remains.* Payments for the actual expenses of preparing and transporting to their former homes the remains of persons, not United States Government employees, who may die away from their homes while participating in the program are authorized.

(c) *Maxima not controlling.* Payments and allowances may be made at the rate or in the amount provided in the regulations in this part unless an individual grant or travel order specifies that less than the maximum will be allowed under any part of the regulation in this part. In such case, the grant or travel order will control.

(d) *Individual authorization.* Where the regulations in this part provide for compensation, allowance, or other payment, no payment shall be made therefore unless a definite amount or basis of payment is authorized in the individual case, or is approved as provided in paragraph (f) of this section.

(e) *Computation of per diem and allowance.* In computing per diem and allowances payable while on a duty assignment, except for travel performed under the Standardized Government Travel Regulations, fractional days shall be counted as full days, the status at the end of the calendar day determining the status for the entire day.

(f) *Subsequent approval.* Whenever without prior authority expense has been incurred by a participant, or an individual has commenced his participation in the program as contemplated by the regulations in this part, the voucher for payments in connection therewith may be approved by an official designated for this purpose, such approval constituting the authority for such participation or the incurring of such expense.

(g) *Additional authorization.* Any emergency, unusual or additional payment deemed necessary under the program if allowable under existing authority, may be authorized whether or not specifically provided for by this part.

(h) *Biweekly payment.* Unless otherwise specified in the grant, all compensation and allowances for U. S. participants shall be payable biweekly and shall be computed as follows: an annual rate shall be derived by multiplying a monthly rate by 12; a biweekly rate shall be derived by dividing an annual rate by 26; and a calendar day rate shall be derived by dividing an annual rate by 364. If any maximum compensation or allowance authorized by these regulations or by the terms of any grant is exceeded by this method of computation and payment, such excess payment is hereby

authorized. This paragraph may apply to payments made to participants from funds administered as provided in § 65.2 (a) and (b) in the discretion of the department, agency, independent establishment, institution, facility, or organization concerned.

(i) *Payments.* Payments of benefits authorized under any part of the regulations in this part may be made either by the Department of State or by such department, agency, institution, or facility as may be designated by the Department.

(j) *Duration.* The duration of the grant shall be specified in each case.

(k) *Cancellation.* If a recipient of a grant under this program fails to maintain a satisfactory record or demonstrates unsuitability for furthering the purposes of the program as stated in § 65.1 (a), his grant shall, in the discretion of the Secretary of State or such officer as he may designate, be subject to cancellation.

(l) *Outstanding grant authorizations.* Grants and other authorizations which are outstanding and in effect on the date the present regulations become effective, and which do not conform to this part, shall nevertheless remain in effect and be governed by the regulations under which they were originally issued, unless such grants or other authorizations are specifically amended and made subject to the present regulations in which case the individual concerned will be notified.

Dated: June 25, 1957.

For the Secretary of State.

I. W. CARPENTER, JR.,
Assistant Secretary—Controller.

[F. R. Doc. 57-5278; Filed, June 27, 1957;
8:52 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter C—Claims and Accounts

PART 836—CLAIMS AGAINST THE UNITED STATES

PERSONNEL CLAIMS

In Part 836, §§ 836.90 to 836.108 are revised to read as follows:

Sec.	Purpose.
836.90	Purpose.
836.91	Claims payable.
836.92	Claims not payable.
836.93	Statute of limitations.
836.94	Type, quantity and ownership.
836.95	Amount of the award.
836.96	Demand on carrier or insurer.
836.97	Claims within provisions of other regulations.
836.98	Action by claimant.
836.99	Notice to claimant.

AUTHORITY: §§ 836.90 to 836.99 issued under sec. 8012, 70A Stat. 488; 10 U. S. C. 8012. Interpret or apply sec. 2732, 70 Stat. 255; 10 U. S. C. 2732.

DERIVATION: AFR 112-7, June 6, 1957.

§ 836.90 *Purpose.* Sections 836.90 to 836.99 govern the administrative settlement of claims filed by military and civilian personnel of the Department of the Air Force for personal property damaged or lost incident to their service.

§ 836.91 *Claims payable*—(a) *General*. Any claim falling within the statutory provisions of 10 U. S. C. 2732, as amended, and not excluded herein, may be submitted for consideration and, in proper cases, approved for payment in an amount not more than \$6,500.

(b) *Examples*. The following are the principal types of claims payable under §§ 836.90 to 836.99 when the damage or loss of personal property occurs incident to the claimant's service:

(1) *Property located at quarters or other authorized places*. Claims are payable when property is damaged or lost by fire, flood, hurricane, or other serious occurrence while located at:

(i) Quarters, wherever situated, that are occupied by the claimant, and were assigned to him or otherwise provided in kind by the Government; or

(ii) Quarters outside the continental United States or in Alaska that are occupied by the claimant but were not assigned to him or otherwise provided in kind by the Government. This does not apply when the claimant is a civilian employee who is a local inhabitant.

(iii) Any warehouse, hospital, baggage dump, storeroom or other place (except quarters, but see subdivisions (i) and (ii) of this subparagraph designated by competent authority as suitable for the reception and storage of property.

(2) *Transportation losses*. Claims are payable when property, including baggage checked or in the claimant's personal custody, is damaged or lost incident to transportation by a common or contract carrier or an agent or agency of the Government, or in a private conveyance, as follows:

(i) When shipped under orders; or

(ii) In connection with travel under orders; or

(iii) In connection with travel in performance of military duty with or without troops; or

(iv) In connection with travel on aircraft or in a leave or pass status, on a space-available basis, by members of the Air Force on active military duty (i. e., "hitch-hikers")

(3) *Marine or aircraft disaster*. Claims are payable when property is damaged or lost in consequence of perils of the sea or hazards connected with the operation of aircraft.

(4) *Enemy action or public service*. Claims are payable when property damage or loss is the result of enemy action or threat thereof, combat or related activities, belligerent activities or unjust confiscation by a foreign power or its nationals, civil disturbances, public disasters, or action by the claimant in trying to save Government property or human life.

(5) *Money*. Claims are payable when commercial facilities are not available or are not normally utilized and personal funds are accepted by responsible personnel with apparent authority to receive them for such purposes as safekeeping, deposit in airman deposit accounts, purchase of United States bonds or postal money order, or conversion into military payment order, Government check or other kind of currency, or other authorized disposition, and such personal

funds are neither applied as directed by the owner nor are returned to him.

(6) *Motor vehicles and boats*. Claims are payable when the following are damaged or lost: Privately owned boats, automobiles, and other motor vehicles, and their component parts (including tools), when shipped to, from, or between over-sea areas under change of station orders or on a space-available basis in connection with oversea travel under orders. (This includes storage, on-loading, and off-loading operations.) Under special or unusual circumstances, damage or loss of component parts (including tools) that have been accepted by the Government for shipment may be recommended to the approving authority for consideration as a transportation loss (see subparagraph (2) of this paragraph).

(7) *Theft*. Claims are payable when property is stolen, provided the claimant exercised due care in protecting his property, while located at:

(i) Quarters outside the continental United States, but not in Alaska. Quarters may or may not have been assigned or provided in kind by the Government, except when the claimant is a civilian employee who is a local inhabitant; or

(ii) Any warehouse, hospital, baggage dump, storeroom or other place, designated by competent authority as suitable for reception and/or storage of the property;

(iii) Quarters within the continental United States, including Alaska that were assigned to the claimant or otherwise provided in kind by the Government. However, claims of this nature will be recommended to the approving authority for consideration only where definite proof of a larceny, burglary or housebreaking exists (see § 836.98 (c) (7)).

§ 836.92 *Claims not payable*. Claims otherwise within the scope of §§ 836.90 to 836.92 (see § 836.91) are nevertheless not payable under its provisions when the damage or loss of personal property incident to service involves any of the following:

(a) *Articles acquired for other persons*. Claims are not payable for articles intended directly or indirectly for persons other than the claimant or members of his immediate family. This includes articles acquired at the request of others, and articles to be disposed of as gifts or for sale.

(b) *Jewelry*. Claims are not payable for small articles of substantial value, when shipped with household goods or as unaccompanied baggage. Such articles, which are usually worn or carried and are easily pilfered, include watches and expensive jewelry, for example, rings, pins, brooches, necklaces, bracelets, and the like. These limitations do not apply to the articles described when the loss is cognizable under § 836.91 (b) (1).

(c) *Intangible property*. Claims are not payable for choses in action, or evidence thereof, such as bankbooks, checks, promissory notes, stock certificates, bonds, bills of lading, warehouse receipts, baggage checks, insurance poli-

cies, money orders, and travelers' checks.

(d) *Government property*. Claims are not payable for property owned by the United States, including property furnished through the Armed Forces Clothing Monetary Allowance System or through issue.

(e) *Enemy property*. Claims are not payable for property of civilian employees who are nationals of a country at war with the United States, or of any ally of such enemy country, except where the claimant is determined to be friendly to the United States at the time of the loss.

(f) *Losses at quarters*. Claims are not payable for losses, including thefts, occurring at quarters occupied by the claimant within the continental United States, excluding Alaska, if such quarters are not assigned to him, or otherwise provided in kind by the Government.

(g) *Clothing being worn*. Claims for clothing being worn are not payable except under the circumstances described in § 836.91 (b) (3) and (4), or when clothing is lost in performance of assigned duties. If paragraph (k) of this section applies, claims are not payable under any circumstances.

(h) *Losses of subrogees*. Claims are not payable for losses of insurers or other subrogees.

(i) *Losses recoverable from insurer or carrier*. Claims are not payable for losses, or any portion thereof, that are recovered or recoverable from an insurer or carrier (see § 836.96).

(j) *Contractual coverage*. Claims are not payable for losses, or any portion thereof, that have been recovered or are recoverable pursuant to contract.

(k) *Negligence of claimant*. Claims are not payable when the damage or loss of personal property was caused in whole or in part by any negligent or wrongful act on the part of the claimant, or his agent or employee while acting within the scope of his employment.

(l) *Money*. Claims are not payable for United States money or currency, when shipped with household goods or as accompanied or unaccompanied baggage. This includes military payment certificates and money or currency of foreign countries in amounts in excess of reasonable souvenir quantities.

(m) *Fees for obtaining estimates of repair*. Claims are not payable for fees paid to obtain estimates of repair in conjunction with submitting a claim under §§ 836.90 to 836.99. Exception: Where, in the opinion of the approving authority, the claimant could not obtain an estimate without paying a fee, such fee will be allowed. However, it will be allowed in an amount determined by the approving authority to be reasonable in relation to the value and/or the cost of repairs of the item on which the estimate was made.

(n) *Violation of directives*. Claims are not payable for items which, according to the evidence, were acquired, possessed, or transported in violation of pertinent directives or regulations of any of the armed services.

§ 836.93 *Statute of limitations*. No claim may be paid under §§ 836.90 to 836.99 unless it is presented in writing

within 2 years after it accrues; except that if the claim accrues in time of war or in time of armed conflict in which the Armed Forces of the United States are engaged or if such a war or armed conflict intervenes within 2 years after it accrues, and if good cause is shown, the claim may be presented not later than 2 years after that cause ceases to exist, or 2 years after the war or armed conflict is terminated, whichever is earlier. For the purposes of §§ 836.90 to 836.99, a claim will be determined to have accrued at such time as the loss or damage is or should have been discovered or ascertained through the exercise of due diligence by the claimant, even though such loss or damage may have happened at a prior time.

§ 836.94 *Type, quantity, and ownership*—(a) *Type and quantity.* Claims are payable under §§ 836.90 to 836.99 only for such types, quantities, or amounts of tangible personal property, including money, as the approving authority shall determine to be reasonable, useful, or proper under the circumstances existing at the time of the loss. In determining what is reasonable, useful, or proper, the approving authority will consider the type and quantity of property involved; the circumstances attending acquisition and use of the property; and whether possession or use by the claimant at time of loss or damage was incident to his service.

(b) *Ownership of custody.* Claims which are otherwise within the provisions of §§ 836.90 to 836.99 will not be disapproved for the sole reason that the property was not in the possession of the claimant at the time the claim accrued, or because the claimant was not the legal owner of the property in relation to which the claim is made, provided that the property was lawfully under his dominion, custody, or control. For example, property may be the subject of a claim even though borrowed from others.

§ 836.95 *Amount of the award*—(a) *Cost or value.* The amount awarded on any item of property will not exceed the cost of the item (either the price paid in cash or property, or the value at the time of acquisition if not acquired by purchase or exchange). The amount payable will be determined by applying the principles of depreciation to the cost price or other base price of property lost or damaged beyond economical repair; and by allowing the cost of repairs where an item is economically repairable, provided such cost of repairs does not exceed the depreciated value of the item.

(b) *Depreciation.* Depreciation in value of an item is determined by considering the type of article involved, its cost, condition when lost or damaged beyond economical repair, and the time elapsed between the date of acquisition and the date of accrual of the claim. The Chief, Claims Division, Office of The Judge Advocate General, is authorized to publish from time to time guides for determining estimated life of various classes of items. Such guides will assure Air Force-wide uniformity in applying the principles of depreciation. In applicable cases, the Chief, Claims Divi-

sion, Office of The Judge Advocate General, will make adjustments in the method of computing the base cost of items on which depreciation will be figured to make allowances for increases in the cost of living index.

(c) *Appreciation.* There will be no allowance for replacement cost or appreciation in the value of the property.

(d) *Expensive articles.* Allowance for expensive items, including heirlooms, or for items purchased at unreasonably high prices, will be based on fair and reasonable purchase price for substitute articles of a similar nature. Allowance for the loss or damage of a bona-fide antique will be based on its proved value; however, if the genuineness of the item as an antique cannot be established, the award will be based on the application of the normal principles of depreciation.

(e) *Acquisition.* Allowance for articles acquired by barter will not exceed the cost of the articles tendered in barter. No reimbursement will be made for articles acquired in black market or other prohibited activities (see § 836.92 (n)).

(f) *Maximum allowances.* The Chief Claims Division, Office of The Judge Advocate General, is authorized to promulgate from time to time guides for determining the maximum amount allowable for specific articles, and for establishing maximum quantities that will be allowed. In applying such guides, the claimant's standard of living will be considered, as well as his income and social obligations, the size of his family, and his need to have more than the average quantities.

§ 836.96 *Demand on carrier or insurer*—(a) *Carrier*—(1) *General.* In all cases where personal property is damaged or lost while being transported by carrier, the owner-claimant must make a written demand for reimbursement in accordance with provisions of the bill of lading or other contract. He will make this demand on the carrier who was in possession of the property when it was lost or damaged. If this carrier is not known or cannot be determined, the claimant must make demand on the last such (delivering) carrier known or believed to have handled the shipment. However, the claimant will make no demand if it is apparent that the estimated weight of the damaged or lost property is such that recovery, if any, would be insignificant, or if it is clearly evident that the damage or loss was caused by faulty packing by Government employees, or if there is some other cogent reason why a demand would be impracticable. If more than one bill of lading or contract was issued, the claimant must make a separate demand on the last carrier under each. He must make his demand within the period provided in the bill of lading or contract, and within 9 months after the date delivery was made, or should reasonably have been made.

(2) *Action on claim while demand pending.* As soon as the base claims officer is notified that the claimant desires to file a claim under §§ 836.90 to 836.99, he should help the claimant initiate his demand on the carrier. The claimant will make his demand on AF Form 1157,

"Demand on Carrier." Normally, if the claim is otherwise ready for transmittal to the approving authority, it may be forwarded without further delay and before negotiations with the carrier are concluded. However, if it appears that recovery from the carrier will be made within a reasonable time, forwarding of the claim file may be delayed until negotiations are completed. (In disaster or other unusual cases where the claimant would suffer actual hardship if the file were held at base level for any appreciable period, the file should be forwarded as soon as it is complete, without regard to the status of the demand on the carrier.) If action on the demand is not concluded at the time the file is forwarded, the base claims officer shall be charged with the responsibility of monitoring the demand to its conclusion and notifying the approving authority of the final results. If the claimant makes any carrier recovery after his claim is paid by the United States, he will be advised to endorse the check to the Treasurer of the United States. The check will then be forwarded to the approving authority, along with any pertinent documents from the carrier.

(3) *Proration of recovery from carrier.* When the amount recovered or recoverable from the carrier is less than the total loss, the approving authority will prorate the amount recovered or recoverable between the amount approved and the amount disapproved as not being payable under §§ 836.92, 836.96 and 836.97.

(b) *Insurer*—(1) *General.* In all cases where damaged or lost personal property was insured in whole or in part, the claimant must make written demand on the insurer for reimbursement under the terms and conditions of the insurance coverage. Such demand should be made prior to filing the claim against the Government under §§ 836.90 to 836.99 and within the time limit prescribed by the policy.

(2) *Action on claim while demand on insurer pending.* Normally, the demand upon the insurer should be concluded before the claim file is forwarded, unless this will unduly delay processing of the claim. The base claims officer has the same responsibility regarding insurance recovery that he has for monitoring carrier recovery when the claim is forwarded before settlement with carrier and forwarding recovery made after claim is forwarded to the approving authority.

(3) *Proration of recovery from insurer.* When the amount recovered or recoverable from the insurer is less than the total loss, the approving authority will prorate the amount recovered or recoverable between the amount approved and the amount disapproved as not being payable under §§ 836.92, 836.96 and 836.97.

(c) *Failure to make demand on carrier or insurer.* Paragraphs (a) (1) and (b) (1) of this section describe cases where demand on a carrier or insurer is required. If the claimant fails to make such demand seasonably, or fails to make reasonable efforts to collect the amount recoverable, the amount otherwise payable under §§ 836.90 to 836.99 will be reduced by the maximum that could have

been recovered if the claim had been filed seasonably or diligently prosecuted. However, this requirement may be waived where the circumstances of the claimant's service precluded seasonable filing or diligent prosecution of the claim, or where demand was impracticable.

(d) *Transfer and assignment of rights.* The claimant will assign to the United States, to the extent of any payment on his claim accepted by him, all his right, title and interest in any claim he may have against any carrier, insurer or other party, arising out of the incident on which the claim against the United States is based. He will also, upon request, furnish such evidence as may be required to enable the United States to enforce the claim. After payment of his claim by the United States, the claimant will, upon receipt of any payment from a carrier, insurer, or other party, pay the proceeds to the United States to the extent of the payment received by him from the United States.

§ 836.97 *Claims within provisions of other regulations.* The provisions of §§ 836.90 to 836.99 are preemptive of other claims regulations; and claims which, but for this regulation would be within the provisions of §§ 836.11 to 836.24, 836.31 to 836.46, 836.51 to 836.56, 836.61 to 836.83 or 836.141 to 836.148 will be initially investigated and processed under §§ 836.90 to 836.99 and forwarded to the approving authority. The approving will determine whether such claims should be settled under other regulations.

§ 836.98 *Action by claimant—(a) Claimants.* A claim may be presented only by a military member or civilian employee of the Department of the Air Force, or in his name by his authorized agent or legal representative. If the military or civilian person is deceased, the claim may be presented by his survivor, regardless of whether the claim arose before or after the decedent's death. Survivors' claims will be presented in the following order of precedence:

- (1) Spouse;
- (2) Child or children;
- (3) Father or mother, or both; or
- (4) Brothers or sisters, or both.

(b) *Form of claim.* The claim will be submitted by presenting a detailed statement, in triplicate, signed by or on behalf of the claimant, on AF Form 529, "Claim for Personal Property." However, any writing will be received and considered a claim if it makes demand for a definite sum, sets forth the facts and circumstances in detail, and contains substantially the same information required by the claim form.

(c) *Evidence to be submitted by claimant.* Requirements as to evidence generally are covered in § 836.3. However, under the statute, the claim must be substantiated as prescribed by §§ 836.90 to 836.99, which, in the following classes of claims, requires certain specific types of evidence in addition to the actual facts and circumstances attending the loss:

(1) *Claim under § 836.91 (b) (1), property located at quarters or other*

authorized places, a statement indicating. (i) Geographical location;

(ii) Whether quarters were assigned by Government or otherwise provided in kind;

(iii) Whether quarters were regularly occupied by the claimant;

(iv) If claimant is a civilian employee, statement as to whether he is a local inhabitant;

(v) If claimant is a civilian employee, a statement from civilian personnel officer or other competent authority stating that when the claim accrued the claimant was a civilian employee of the Department of the Air Force or of the United States Air Force;

(vi) If property is located at a place other than quarters (see § 836.91 (b) (1)

(iii), the geographical location thereof and the name of the authority, if any, who designated the place of storage of the property; and

(vii) Measures taken to protect the property.

(2) *Claim under § 836.91 (b) (2), transportation losses, the following evidence.* (i) Copy of orders authorizing the travel, transportation, or shipment. If such copies are not obtainable, a certificate explaining their absence, and giving their substance and sufficient facts to establish the travel, transportation, or shipment.

(ii) If transportation or shipment of property was by common or contract carrier or Government agent or agency, the bill of lading, if applicable, and the inventory of property shipped and delivered.

(iii) Copy of demand on carrier or insurer, or both, when required, and the reply, if any (see § 836.97).

(iv) In cases of missing baggage or household effects, a statement indicating action taken by claimant and/or claims officer to locate property, with related correspondence.

(v) Whether, at the time the shipment was received from the last common carrier or local civilian carrier, a "clear" receipt was given; or whether the paper acknowledging receipt of the shipment was noted to indicate any loss, damage, or discrepancy.

(vi) Statement as to whether application was made pursuant to section 8052 (1) (b), Joint Travel Regulations, for shipment of articles of gold or silver, paintings, or other items of extraordinary value. For the purposes of §§ 836.90 to 836.99, sterling silver flatware, hollowware, and silver service are not included within the meaning of "items of extraordinary value" and do not require special handling in accordance with the cited section.

(3) *Claim under § 836.91 (b) (3), marine or aircraft disaster.* Copy of orders or other available evidence to establish claimant's lawful right, and/or that of his property, to be on board.

(4) *Claim under § 836.91 (b) (4), enemy action or public service.* (i) Copy of orders or other available evidence to establish claimant's rightful entry into area or location involved.

(ii) Statement showing applicable cause enumerated in § 836.91 (b) (4), with facts and circumstances involved.

(5) *Claim under § 836.91 (b) (5), money delivered to another, statement indicating.* (i) Geographical location of the unit;

(ii) Lack of commercial facilities (including Government agencies), if applicable;

(iii) Name, grade, service number (if any), and address of the person or persons who received the money, and any others involved;

(iv) The name and designation of the authority who authorized such personnel to accept personal funds, and the disposition requested;

(v) Receipts, or written sworn statements explaining the failure to account for the funds.

(6) *Claim under § 836.91 (b) (6), motor vehicles and boats.* Copy of orders or other available evidence to establish claimant's lawful right to have the property shipped. Also, evidence to establish damage.

(7) *Claim under § 836.91 (b) (7), theft statement indicating.* (i) Geographical area of the loss;

(ii) Facts and circumstances surrounding the loss, including evidences of larceny, burglary or housebreaking, such as breaking and entering, capture of the thief, recovery of part of the stolen goods, etc.

(iii) Evidence that the claimant exercised due care in protecting his property prior to the loss. Attention will be given to the degree of care normally exercised in the locale of the loss due to any unusual risks involved.

(d) *Filing of claim.* After discovery of the damage or loss, all claims within §§ 836.90 to 836.99 should be submitted as soon as possible to the commander of the organization with which the claimant is serving or to which he belongs. If a person inquires about the procedure for filing such a claim, he will be furnished appropriate claim forms, advised where they may be filed, and informed of the statute of limitations (see § 836.93). However, acceptance of a claim will not be refused even though it is filed at the wrong place, on the wrong form, or appears not to be within the provisions of §§ 836.90 to 836.99 (see paragraph (b) of this section).

§ 836.99 *Notice to claimant.* When the authorized designee of the Secretary of the Air Force disapproves a claim, the claimant will be notified in writing of the action taken and the reasons therefore.

[SEAL]

J. L. TARR,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 57-5268; Filed, June 27, 1957;
8:50 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 1—GENERAL RULES OF PRACTICE

MISCELLANEOUS AMENDMENTS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 19th day of June A. D. 1957

There being under consideration §§ 1.200 and 1.225 of the Special Rules of Practice:

It is ordered, That paragraph (b) of § 1.200 be amended to read as follows:

(b) Petitions for reconsideration of orders of the Board of Suspension and Fourth Section Board may be filed by any interested person within 20 days after the date of the service of the order. The original and six copies of every pleading, document or paper filed under this section shall be furnished for the use of the Commission. Any interested person may file and serve a reply to any petition for reconsideration permitted under this paragraph within 20 days after the filing of such petition with the Commission. In all other respects, such petitions and replies thereto will be governed by the Commission's general rules of practice.

It is further ordered, That § 1.225 be amended by: (1) Revising paragraph (b) thereof to read as follows:

(b) A petition for reconsideration of an order of the Motor Carrier Board may be filed by any interested person. Such petition and the reply thereto will be governed by the Commission's general rules of practice, except as otherwise provided in paragraphs (c) and (d) of this section.

and (2) adding thereto a new paragraph (d) as follows:

(d) A petition seeking reconsideration of an order of the Motor Carrier Board entered under section 210a (a) of the Interstate Commerce Act must be filed within 20 days after the date of the service of the order. Within 20 days after the filing of such petition with the

Commission any interested person may file and serve a reply thereto.

It is further ordered, That this order shall become effective on July 31, 1957.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission, Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

(Secs. 12, 17, 24 Stat. 383, as amended, 385, as amended, 49 Stat. 546, as amended, 548, as amended, sec. 201, 54 Stat. 933, sec. 1, 56 Stat. 285; 49 U. S. C. 12, 17, 304, 305, 904, 1003)

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 57-5248; Filed, June 27, 1957;
8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1019]

[Docket No. AO-288]

MILK IN BALTIMORE, MD., MARKETING AREA

DECISION TERMINATING PROCEEDING WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND PROPOSED ORDER

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 at Baltimore, Maryland, on October 22-30, November 5-9, and December 10-13, 1956, pursuant to notice thereof issued on September 26, 1956 (21 F. R. 7546) and on November 20, 1956 (21 F. R. 9193). The period until March 4, 1957, was allowed interested parties for the filing of briefs on the record.

The Department has now been advised by the Maryland Cooperative Milk Producers, Inc. (representing the majority of producers in the market) which made the original request for consideration of a marketing order to regulate the handling of milk in the Baltimore, Maryland, marketing area, that conditions in the market have changed since the hearing closed and the association no longer believes that a marketing order is necessary at this time. Under the circumstances the association has withdrawn its request for an order.

In view of this substantial change in the material facts to be considered, it is concluded that no action relative to the proposed marketing agreement and proposed order should be taken on the basis of the existing public hearing

record and the proceeding is hereby terminated.

This decision filed at Washington, D. C., this 24th day of June 1957.

[SEAL]

EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 57-5256; Filed, June 27, 1957;
8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 16]

[Docket No. 12066; FCC 57-675]

LAND TRANSPORTATION RADIO SERVICES FREQUENCY COORDINATION

In the matter of amendment of § 16.8 (a) and promulgation of a new § 16.9, of Part 16, rules governing the Land Transportation Radio Services to require an applicant to submit evidence that he has cooperated with existing licensees in the selection of a frequency; Docket No. 12066.

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

2. Section 16.8 (a) of the Commission's rules governing the Land Transportation Radio Services now requires, in part, that: " * * * all applicants for, and licensees of, stations in these services shall cooperate in the selection and use of the frequencies assigned, in order to minimize interference and thereby obtain the most effective use of the authorized facilities."

3. In many of the applications presently being received, it appears that the applicant has failed to comply with the above requirements and his choice of a frequency appears to be inconsistent with the frequency loading in the particular area involved when compared with the Commission's record of assign-

ments in that area. As a result, it frequently becomes necessary for the Commission to request further information in the matter, which may cause considerable delay in the processing of the application.

4. Therefore, the Commission proposes to establish a new § 16.9 of the above rules to require that in all cases where a choice of frequencies exists, each application for new radio facilities in the Land Transportation Radio Services, or for a change in the assigned frequency of an existing facility, shall clearly indicate to the Commission the basis upon which a particular frequency has been selected and that the applicant has in fact coordinated that frequency selection in some definite manner.

5. In addition, the Commission proposes to amend § 16.8 (a) so as to clearly indicate that licensees are expected to resolve their own interference problems and to specifically provide that, in the event they are unable to do so, the Commission may specify a time-sharing arrangement in addition to placing such restrictions upon station transmitter power, antenna height, hours of operation, or geographical area of operation as may otherwise be necessary.

6. The proposed amendments, which are set forth in detail below, are issued under the authority contained in sections 4 (i) and 303 of the Communications Act of 1934, as amended.

7. Any interested person who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before August 1, 1957 written data, views or arguments setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments in reply to the original comments may be filed within 15 days from the last day for filing said original data, views or argu-

ments. No additional comments may be filed unless (1) specifically requested by the Commission or (2) good cause for the filing of such additional comments is established. The Commission will consider all such comments prior to taking final action in this matter, and if comments are submitted warranting oral argument, notice of the time and place of such oral argument will be given.

Adopted: June 21, 1957.

Released: June 25, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

1. It is proposed to amend paragraph (a) of § 16.8 to read as follows:

(a) The frequencies which normally may be assigned to stations in any one of the several Land Transportation Radio Services are listed in the applicable subparts of this part. Each frequency or band of frequencies thus listed is available on a shared basis only and will not be assigned for the exclusive use of any licensee. All applicants and licensees in these services shall cooperate in the selection and use of the frequencies in order to minimize interference and obtain the most effective use of their radio facilities. In the event of interference between stations, the licensees of the stations involved are expected to resolve such interference problems by mutually

satisfactory agreement. If the licensees are unable to reach such an agreement the Commission, at its discretion, may specify a time sharing arrangement, or may restrict the use of the station as to transmitting power, antenna height, and hours or area of operation.

2. It is proposed to amend Subpart A, General Information, by the addition of the following new section:

§ 16.9 Frequency coordination. Except for applications in the Automobile Emergency Radio Service proposing to use a frequency made available under provisions of § 16.503 (b), each application requesting assignment of a frequency not currently authorized for use by that station shall be accompanied by a statement as evidence that applicant is aware of and has complied with the requirement that he cooperate with other licensees in the selection of a frequency. This statement may be submitted in any one of the following forms, but any recommendations submitted in connection therewith are purely advisory in character and cannot be considered as binding upon the Commission.

(a) A statement, including an engineering survey if necessary, which sets forth the technical and other considerations in support of the selection of the particular frequency requested. The Commission expects that the applicant will notify the licensees of all known stations in the same service, located within the local interference range of

the proposed station location and operating on the frequency proposed to be used by the applicant, of the applicant's intention to request that frequency.

(b) A statement from a local frequency advisory committee of users suggesting a specific frequency or commenting upon the frequency which in its opinion would result in the least interference being caused to existing stations in the area by the proposed station. In the event the frequency recommended in accordance with the above is not in the frequency band desired by the applicant, the Committee should also indicate a frequency in the band desired by the applicant which in its opinion would result in the least amount of interference and would therefore appear to be most suitable. Such statements may appropriately include comments on other technical factors such as power, antenna height and other limitations which may serve to mitigate any possible interference. The frequency advisory committee must be so organized that it is representative of the industry eligible for radio facilities in the service concerned in the area in which the committee functions and for which recommendations are made.

(c) A recommendation from a frequency coordinating committee, or other appropriate representative of a national association composed of a majority of persons eligible for radio facilities in the particular service involved.

[F. R. Doc. 57-5264; Filed, June 27, 1957; 8:49 a. m.]

NOTICES

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12017; FCC 57-655]

CLASS B FM BROADCAST STATIONS REVISED TENTATIVE ALLOCATION PLAN

In the matter of amendment of the Revised Tentative Allocation Plan for Class B FM Broadcast Stations; Docket No. 12017.

As a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of June 1957;

The Commission having under consideration a proposal to amend the Revised Tentative Allocation Plan for Class B FM Broadcast Stations, and

It appearing that notice of proposed rule making (FCC 57-469) setting forth the above proposal was issued by the Commission on May 9, 1957, and was duly published in the FEDERAL REGISTER (22 F. R. 3396), which notice provided that interested parties might file statements or briefs with respect to the said amendment on or before June 10, 1957; and

It further appearing that no comments were received either favoring or opposing the proposed amendment;

It further appearing that the immediate adoption of the proposed amendment would facilitate action on an appli-

cation (File No. BPH-2209) for a new FM broadcast station in Philipsburg, Pennsylvania, to operate on Channel 235;

It further appearing that authority for the adoption of the proposed amendment is contained in sections 4 (i), 301, 303 (c), (d), (f), and (r), and 307 (b) of the Communications Act of 1934, as amended.

It is ordered, That effective immediately, the Revised Tentative Allocation Plan for Class B FM Broadcast Stations is amended as follows in respect to the following listed city:

General Area	Channel Delete	Add
Philipsburg, Pennsylvania	-----	235

Released: June 25, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-5265; Filed, June 27, 1957; 8:50 a. m.]

[Docket Nos. 12060, 12061; FCC 57M-605]

VIDEO INDEPENDENT THEATRES, INC., AND
SOUTHWEST BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of Video Independent Theatres, Inc., Elk City, Oklahoma,

Docket No. 12060, File No. BPCT-2230; Southwest Broadcasting Company, Elk City, Oklahoma, Docket No. 12061, File No. BPCT-2243; for construction permits for new television broadcast station.

It is ordered, This 24th day of June 1957, that Hugh B. Hutchison will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 24, 1957, in Washington, D. C.

Released: June 24, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-5266; Filed, June 27, 1957; 8:50 a. m.]

[Docket Nos. 12062, 12063; FCC 57M-604]

ARTHUR W. SCHWIEDER AND COPPER
BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of Arthur W. Schwieder, Butte, Montana, Docket No. 12062, File No. BPCT-2242; Copper Broadcasting Company, Butte, Montana, Docket No. 12063, File No. BPCT-2245; for construction permits for new television stations.

It is ordered, This 24th day of June 1957, that J. D. Bond will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 26, 1957, in Washington, D. C.

Released: June 24, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-5267; Filed, June 27, 1957;
8:50 a. m.]

[Docket Nos. 12062, 12063; FCC 57-650]

ARTHUR SCHWIEDER AND COPPER
BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Arthur W. Schwieder, Butte, Montana, Docket No. 12062, File No. BPCT-2242; Copper Broadcasting Company, Butte, Montana, Docket No. 12063, File No. BPCT-2245; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of June 1957;

The Commission having under consideration the above-captioned applications, each requesting a construction permit for a new television broadcast station to operate on Channel 6 in Butte, Montana; and

It appearing that the above-captioned applications are mutually exclusive, in that operation by more than one of the applicants would result in mutually destructive interference; and

It further appearing that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters of the fact that their applications were mutually exclusive, of the necessity for a hearing and of all objections to their applications, and were given an opportunity to reply; and

It further appearing that upon due consideration of the above-captioned applications, the amendments filed thereto and the replies to the above letters, the Commission finds that each of the applicants is legally, financially, technically and otherwise qualified to construct, own and operate the proposed television stations;

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-captioned applications of Arthur W. Schwieder and Copper Broadcasting Company are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order to determine on a comparative basis which of the operations proposed in the above-captioned applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applicants as to:

a. The background and experience of each having a bearing on its ability to own and operate the proposed television broadcast station.

b. The proposals of each with respect to the management and operation of the proposed television station.

c. The programming service proposed in each of the above-captioned applications.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the Examiner on his motion or on petition properly filed by a party to the proceeding and upon a sufficient allegation of facts in support thereof, by the addition of the following issue: To determine whether the funds available to the applicants will give reasonable assurance that the proposals set forth in the application will be effectuated.

It is further ordered, That to avail themselves of the opportunity to be heard, Arthur W. Schwieder and Copper Broadcasting Company, pursuant to § 1.387 of the Commission's rules, in person or by attorney, shall within 20 days of the mailing of this order file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

Released: June 24, 1957.

By direction of the Commission.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-5229; Filed, June 26, 1957;
8:49 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Document 150]

ARIZONA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JUNE 18, 1957.

The U. S. Forest Service has filed an application, Serial No. AR-011033, for the withdrawal of the lands described below, from all forms of appropriation including the mining and mineral leasing laws. The applicant desires the land for recreation areas, campground and picnic areas, and roadside zones.

For a period of 30 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, Post Office Box No. 148, Phoenix, Arizona.

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:

GILA AND SALT RIVER MERIDIAN—SITGREAVES
NATIONAL FOREST
RECREATION AREAS

Lakeside Recreation Area

T. 9 N., R. 22 E.,

Sec. 25: S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Total area described aggregates 210 acres.

Jacques Lake Recreational Area

T. 9 N., R. 22 E.,

Sec. 10: E $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$;

Sec. 15: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Total area described aggregates 590 acres.

L. D. S. Church Recreation Area

T. 9 N., R. 22 E.,

Sec. 16: Lots 1, 2, 3, 4, 7, 8, 9, 10, 11, 16, 17 and 18.

Total area described aggregates 446.38 acres.

Show Low Camp Ground and Picnic Area

T. 10 N., R. 22 E.,

Sec. 19: Lot 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 10 N., R. 21 E.,

Sec. 24: NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Total area described aggregates 96.25 acres.

T. 10 N., R. 22 E.,

Sec. 16: S $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$;

Sec. 15: W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$;

Total area described aggregates 880 acres.

ROADSIDE ZONES

Springerville-Globe (U. S. Highway 60 F. H. 30) Highway Roadside Zone. A strip of land 200 feet on each side of the center line of U. S. Highway 60 through the following legal subdivisions:

T. 10 N., R. 23 E.,

Sec. 12: N $\frac{1}{2}$;

Sec. 11: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 10: S $\frac{1}{2}$;

Sec. 9: S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 16: N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$;

Sec. 17: N $\frac{1}{2}$ N $\frac{1}{2}$;

Sec. 18: S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 10 N., R. 22 E.,

Sec. 13: S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 14: N $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 15: E $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 30: Lot 1.

T. 10 N., R. 21 E.,

Sec. 25: E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 36: E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$.

T. 9 N., R. 21 E.,

Sec. 1: NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 2: Lots 5, 13 and 14.

The area described aggregates 510 acres.

Holbrook-Show Low (State #77 F. H. 16) Highway, Roadside Zone. A strip of land 200 feet on each side of the center line of State Highway 77 through the following legal subdivisions:

T. 11 N., R. 21 E.,

Sec. 1: Lots 1, 2 and 6.

T. 11 N., R. 22 E.,

Sec. 18: E $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 19: NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;

Sec. 30: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;

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

Sec. 32: W $\frac{1}{2}$.

T. 10 N., R. 22 E.,

Sec. 5: Lot 3, Lot 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 8: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;

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

The area described aggregates 327 acres.

Show Low-McNary (State No. 173 F. H. 17) Highway Roadside Zone. A strip of land 200 feet on each side of the center line of State

Highway No. 173 through the following legal subdivisions:

- T. 10 N., R. 22 E.,
Sec. 29: SE $\frac{1}{4}$ SE $\frac{1}{4}$;
- Sec. 32: W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 9 N., R. 22 E.,
Sec. 5: Lot 1;
Sec. 4: Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 22: W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.
- T. 9 N., R. 23 E.,
Sec. 31: W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.

The area described aggregates 375 acres.

EUGENE H. NEWELL,
State Lands and Minerals
Staff Officer.

[F. R. Doc. 57-5202; Filed, June 27, 1957;
8:45 a. m.]

[Classification 15]

COLORADO

AMENDMENT TO SMALL TRACT CLASSIFICATION; SMALL TRACT OPENING (PUBLIC SALE)

1. Effective immediately, the words "lease and sale for residence purposes" in paragraph one of Federal Register Document 55-9231, appearing on page 8523 of the issue for November 17, 1955, are hereby amended to read "public sale."

2. Pursuant to authority delegated to me by Bureau Order 541, dated April 21, 1954 (19 F. R. 2473), I hereby offer the following described lands, which are classified by Classification Order No. 15, dated November 8, 1955 (20 F. R. 8523), as amended, for public sale under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 862a), as amended:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 3 N., R. 76 W.,
Sec. 22, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
Containing 200 acres, more or less, subdivided into 78 small tracts numbered 1 through 78, inclusive, for reference purposes only. Three of these small tracts, described in paragraph 4 below, are covered by applications from persons entitled to preference under 43 CFR 257.5 (a).

3. This tract of land is about 100 miles from Denver, Colorado, via U. S. Highway 40, over Berthoud Pass to the Town of Granby; thence by U. S. Highway 34 between the Town of Granby and the Town of Grand Lake, Colorado, and over county and private roads. The tract is one and one-half to two miles directly north of the Shadow Mountain Recreation Area Campground, which is located along the northwest edge of Granby reservoir.

Vegetation consists of fairly thick stands of lodgepole pine, interspersed with small open sagebrush parks and fringe areas of sagebrush. Some of the individual tracts afford good views of the mountains to the east. The entire tract is somewhat rough and preparation of building sites may require some clearing of trees or leveling of land. The Federal Government does not guarantee access to the land or to individual tracts within the area classified. Development of culinary water may be difficult and expensive. It will probably be necessary to

bring in electrical power for a distance of one or two miles from power lines along U. S. Highway 34. Telephone lines are within one or two miles of the tract. Small grocery stores are located in the Town of Granby, about 11 miles distant, or in the Town of Grand Lake, about six miles away. There are also a few small stores along the shores of Granby reservoir. The area is not adapted to use for more than five or six months of the year, during the late spring, summer, and ending in the fall with the first snow.

4. Each of the tracts numbered 1 through 78 for reference purposes only contains 2.5 to 5 acres, more or less, An

unofficial plat showing the approximate location of each tract within the area classified can be obtained by writing to the Land Office Manager, Box 1018, 357 New Custom House, Denver 1, Colorado. Sale of these tracts will be by aliquot parts of a legal subdivision. The fair market value of the tracts, the reference number, and legal description are shown below. The tracts will be subject to all rights of way of record, and rights of way for roads and public utilities, in accordance with 43 CFR 257.17 (b) will be reserved as described below. All minerals will be reserved by the United States.

Reference No.	Legal description (6th P. M. Colorado, T. 3 N., R. 76 W., sec. 22)	Acres ¹	Location and width of rights of way	Purchase price
1	NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along W. and S. sides; 50' along N. and E. sides.	\$450
2	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along W., S., and E. sides; 50' along N. side.	450
3	NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along W., S., and E. sides; 50' along N. side.	450
4	NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along W., S., and E. sides; 50' along N. side.	400
5	NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along W., S., and E. sides; 50' along N. side.	450
6	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along W., S., and E. sides; 50' along N. side.	450
7	NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along W., S., and E. sides; 50' along N. side.	400
8	NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along E. and S. sides; 50' along N. and W. sides.	400
9	SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., S., and E. sides; 50' along W. side.	400
10	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' on all sides.	450
11	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' on all sides.	450
12	SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' on all sides.	450
13	SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' on all sides.	450
14	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' on all sides.	500
15	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' on all sides.	500
16	SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., W., and S. sides; 50' along E. side.	450
17	NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	450
18	NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
19	NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	450
20	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	450
21	NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	450
22	NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	400
23	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., S., and E. sides; 50' along W. side.	350
24	NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., S., and E. sides; 50' along W. side.	350
25	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	400
26	SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
27	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
28	SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
29	SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
30	SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	450
31	E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	5	25' along N., W., and S. sides; 50' along E. side.	400
32	NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., W., and S. sides; 50' along E. side.	450
33	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	400
34	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
35	NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
36	NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
37	NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
38	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	400
39	NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along E., N., and S. sides; 50' along W. side.	400
40	SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides; 50' along W. side.	400
41	SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	400
42	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	450
43	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
44	SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	450
45	SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
46	SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	350
47	SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., W., and S. sides; 50' along E. side.	400
48	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., W., and S. sides; 50' along E. side.	350
49	NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	400
50	NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	450
51	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	450
52	NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
53	NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	700
54	NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	400
55	NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., S., and E. sides; 50' along W. side.	400
56	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., S., and E. sides; 50' along W. side.	400
57	SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	450
58	SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	600
59	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along all sides.	500
60	SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., W., and E. sides; 50' along S. side.	400
61	SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., W., and E. sides; 50' along S. side.	350
62	SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N., W., and E. sides; 50' along S. side.	350
63	SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.5	25' along N. and W. sides; 50' along S. and E. sides.	400
64	NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along N., W., and S. sides; 50' along E. side.	500
65	NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along all sides.	500
66	NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along all sides.	500
67	NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along N., S., and E. sides; 50' along W. side.	450
68	SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along N., S., and E. sides; 50' along W. side.	450
69	SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along all sides.	550
70	SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along all sides.	550
71	SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along N., W., and S. sides; 50' along E. side.	500
72	NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along N., W., and S. sides; 50' along E. side.	500
73	NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along all sides.	600
74	NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along all sides.	450
75	NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along N. and W. sides; 25' along S. side; 50' along E. side.	300
76	S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	5	25' along N. and E. sides; 50' along W. and S. sides.	300
77	SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along N., W., and E. sides; 50' along S. side.	500
78	SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	2.5	25' along N. and W. sides; 50' along S. and E. sides.	300

¹ Acreages shown are only approximate.
² Under application from an individual having statutory preference.

5. Persons who have previously acquired a tract under the Small Tract Act will not qualify to purchase a tract at the sale unless they can make a showing satisfactory to the BLM that the acquisition of another tract is warranted in the circumstances.

6. The above described tracts, except those for which statutory preference claimants exercise their rights, will be sold only to those persons entitled to veteran preference as outlined in Paragraph 9 below, at a public sale to be held at Denver, Colorado, at 10:00 a. m. October 16, 1957. Bids may be made personally by an individual or his agent at the sale or by mail. Bids sent by mail will be considered only if received at the Colorado Land Office prior to 10:00 a. m. October 14, 1957. No bid will be accepted if it is less than the appraised price of the tract. See paragraph 4 above for appraised prices.

7. To facilitate the completion of the sale, all oral bidders at the sale should bring with them a photostatic copy of their discharge papers or other acceptable certification to their proof of right to veterans preference as outlined in Paragraph 9 below.

8. Each bid sent by mail must clearly show: (a) The full name and mailing address of the bidder; (b) Classification Order No. 15; (c) the legal description of the tract for which the bid is made, described in accordance with paragraph 4 of this order. Each bid must be accompanied by the full amount of the bid in the form of a certified or cashier's check, post office money order, or bank draft, made payable to the Bureau of Land Management. All unsuccessful bids will be promptly returned after the sale. A photostatic copy of bidder's discharge papers or other certification showing proof of veteran's preference, as outlined in 9 below, must accompany the bid. Such papers will be returned promptly after the sale. Bids for separate lots must be enclosed in separate envelopes, but payment and proof of veterans' preference need only accompany the highest bid, providing all other bids designate the envelope containing the payment and the veterans' preference proof. Each envelope must be addressed to Land Office Manager, Bureau of Land Management, Box 1018, 357 New Custom House, Denver 1, Colorado, and carry in the lower left hand corner of its face the following information and nothing else: (a) "Bid for Small Tract," (b) "Classification Order No. 15"; (c) "Veterans' Preference"; and (d) The description of the tract for which the bid is made, described in accordance with paragraph 4 above. Sender's name and return address should be shown on reverse side of envelope.

9. In accordance with 43 CFR 257.14 (e), each tract at the 10:00 a. m. sale will be awarded to the highest bidder among persons entitled to veterans' preference. No person will be awarded more than one tract. Persons entitled to veterans' preference, in brief, are (a) Honorably discharged veterans who served at least 90 days after September 15, 1940; (b) surviving spouse or minor orphan children of such veterans; and

(c) with the consent of the veteran, the spouse of living veterans. The 90 day requirement does not apply to veterans who were discharged on account of wounds or disability incurred in the line of duty, or to the surviving spouse or minor children of veterans killed in line of duty. Successful bidders among preference claimants will be called upon for proof of the military service upon which the claim is based.

10. Sealed bids will be opened in the presence of the public in Room 367, New Custom House, Denver, Colorado, beginning at 10:00 a. m., on October 14, 1957.

11. All inquiries concerning these lands should be addressed to the Land Office Manager, Bureau of Land Management, Box 1018, 357 New Custom House, Denver 1, Colorado, and should be accompanied by a stamped, self-addressed envelope.

MAX CAPLAN,
State Supervisor.

JUNE 19, 1957.

[F. R. Doc. 57-5204; Filed, June 27, 1957;
8:45 a. m.]

[Document 151]

ARIZONA

SMALL TRACT CLASSIFICATION ORDER
NO. 15, AMENDED

JUNE 21, 1957.

Pursuant to authority delegated by Document No. 43, Arizona, effective May 19, 1955 (20 F. R. 3514-15), Small Tract Classification Order No. 15, dated March 10, 1949, as amended by Order, dated April 8, 1949, which classified the lands as suitable for business, home, cabin, health, and convalescent sites, is hereby amended and additionally classified as suitable for recreational sites.

EUGENE H. NEWELL,
Lands and Minerals Officer.

[F. R. Doc. 57-5240; Filed, June 27, 1957;
8:46 a. m.]

[Document 152]

ARIZONA

SMALL TRACT CLASSIFICATION ORDER
NO. 119, AMENDED

JUNE 21, 1957.

Pursuant to authority delegated by Document No. 43, Arizona, effective May 19, 1955 (20 F. R. 3514-15), Small Tract Classification Order No. 119, dated May 12, 1947, as amended by Order, dated January 27, 1949, which classified the S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, Township 13 South, Range 5 West, Gila and Salt River Meridian, as suitable for business and for combination home and business site purposes is hereby amended and the lands classified for home and/or business purposes.

EUGENE H. NEWELL,
Lands and Minerals Officer.

[F. R. Doc. 57-5241; Filed, June 27, 1957;
8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MINNESOTA

DESIGNATION OF AREA FOR PRODUCTION EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)), as amended, it has been determined that in the following counties in the State of Minnesota a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MINNESOTA

Brown.	Redwood.
Lyon.	Yellow Medicine.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after June 30, 1958, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D. C., this 24th day of June 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-5257; Filed, June 27, 1957;
8:48 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 2929]

SOCIEDAD AERONAUTICA MEDELLIN, S. A.

NOTICE OF HEARING

In the matter of the application of Sociedad Aeronautica Medellin, S. A., for a foreign air carrier permit.

Notice is hereby given that pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 thereof, the above-entitled proceeding is assigned for hearing on July 2, 1957, at 10:00 a. m., e. d. t., in Room 5855, Commerce Building, 14th Street and Constitution Avenue, NW., Washington, D. C., before Examiner Merritt Ruhlen.

For further details of the issues involved in this proceeding, interested persons are referred to the application and the Examiner's Prehearing Conference Report, which are on file with the Civil Aeronautics Board.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding shall file with the Board, on or before July 2, 1957, a statement setting forth the issues of fact or law which he desires to controvert.

Dated at Washington, D. C., June 24, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-5273; Filed, June 27, 1957;
8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. E-6716, E-6760]

CITIZENS UTILITIES CO.**ORDER INSTITUTING INVESTIGATION, CONSOLIDATING PROCEEDINGS, AND FIXING HEARING**

JUNE 24, 1957.

Citizens Utilities Company (Citizens), a Delaware corporation having its principal office at Stamford, Connecticut, and a place of business at Newport, Vermont, in the spring of 1956 commenced construction of project works for water power development in or along the Clyde River approximately one mile upstream from the point at which Clyde River flows into Lake Memphremagog near Newport, Orleans County, Vermont.

By letter dated September 11, 1956, the Commission informed Citizens that it had come to the Commission's attention that Citizens had commenced the aforesaid construction without having filed a declaration of intention, or application for license therefor pursuant to the mandatory provisions of section 23 (b) of the Federal Power Act (16 U. S. C. 817). On November 30, 1956, Citizens filed a declaration of intention with respect to the aforesaid construction, Docket No. E-6716.

The Clyde River flows in a generally northwesterly direction and is a tributary of Lake Memphremagog, which extends across the international boundary into Canada, the greater part of the lake being in Canada. The confluence of the Clyde River and Lake Memphremagog is at the south end of the lake near Newport, Vermont.

The preliminary investigation on the declaration of intention indicates that the Clyde River has been utilized as a highway for commerce principally for the floating of forest products, and that Clyde River together with Lake Memphremagog in their natural condition, or with minor improvements, would be capable of transportation of persons and property in interstate or foreign commerce. Prior investigation shows that in the colonial period the Clyde River, together with the Nulhegan River, Lake Memphremagog, and the Magog and St. Francis Rivers served as a highway for the Indians between points in the New England Colonies and points along the St. Lawrence River (10 F. P. C. 1255, 1256-1257).

It appears that Citizens is also maintaining and operating project works in or along Clyde River for water power development, and that such project works are not being maintained and operated under and in accordance with the terms of a permit or valid existing right-of-way granted prior to June 10, 1920, within the meaning of section 23 (b) of the act, nor under a license granted pursuant to the act. Consequently, it is appropriate to institute an investigation with respect to the present occupancy by Citizens of the Clyde River for the purpose of developing water power.

The Commission finds:

(1) It is appropriate and in the public interest that an investigation be insti-

tuted, as hereinafter provided, with respect to the present occupancy by Citizens of the Clyde River for developing water power.

(2) It is appropriate and in the public interest to hold a public hearing as hereinafter provided respecting the matters involved and the issues presented by the aforesaid declaration of intention and by the aforesaid investigation, and that, for the purpose of hearing, the investigation should be consolidated with the proceeding on the declaration of intention.

The Commission orders:

(A) An investigation be and the same hereby is instituted, with respect to the occupancy by Citizens Utilities Company of Clyde River for developing electric power, for the purpose of determining whether it is appropriate, expedient, and in the public interest to issue an order to conserve and utilize the navigation and water resources of the region for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water power development, and for other beneficial public uses, including recreational purposes, Docket No. E-6760.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly sections 4 (g), 23 (b), 307 and 308 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held on July 22, 1957, at 10:00 a. m., e. d. s. t., in Hearing Room No. 42, Post Office Building at Newport, Vermont, respecting the matters involved and issues presented by the aforesaid investigation and declaration of intention.

(C) The investigation instituted herein (Docket No. E-6760) is consolidated for hearing with the proceeding on the aforesaid declaration of intention, Docket No. E-6716.

(D) Petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8) on or before July 15, 1957.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-5242; Filed, June 27, 1957; 8:46 a. m.]

[Docket No. G-6346]

CONTINENTAL OIL CO.**ORDER FIXING DATE FOR ORAL ARGUMENT**

JUNE 24, 1957.

On May 1, 1957, the Presiding Examiner filed his Decision in this proceeding, which Decision was served on all parties of record.

Thereafter, Exceptions to the Presiding Examiner's Decision were duly filed pursuant to § 1.31 of the Commission's rules of practice and procedure (18 CFR 1.31) by Commission Staff Counsel.

The Commission finds: It is appropriate for carrying out the Natural Gas Act that oral argument be had before

the Commission concerning the matters involved in and the issues presented by the Exceptions to the Presiding Examiner's Decision filed herein.

The Commission orders:

(A) Oral argument be had before the Commission on July 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 Exceptions to the Presiding Examiner's Decision.

(B) Parties to this proceeding who intend to participate in the oral argument shall notify the Secretary of the Commission on or before July 12, 1957, of such intention and of the time requested for presentation of their arguments.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-5243; Filed, June 27, 1957; 8:46 a. m.]

[Docket No. G-12780]

CITIES SERVICE PRODUCTION CO.**ORDER INSTITUTING RATE INVESTIGATION**

JUNE 24, 1957.

By order issued this same date, we granted certificates of public convenience and necessity to Cities Service Production Company (Cities Service) (Docket No. G-11046) and also to Continental Oil Company (Docket No. G-11024), The Atlantic Refining Company (Docket No. G-11034) and Tidewater Oil Company (Docket No. G-11049), for the sale of gas by these companies (together termed CATCO) from their leases in the East Cameron, West Cameron, and Vermilion areas off the coast of Louisiana in the Gulf of Mexico to Tennessee Gas Transmission Company. The contracts for the sale by the CATCO companies provide for an initial rate of 21.4 cents per Mcf of natural gas (to which reimbursement for the one-cent Louisiana gathering tax would be added) and for a definitely fixed price escalation of two cents per Mcf for every four years. Because the 21.4-cent charge is higher than Tennessee Gas is paying under any other contract, it is necessary, in order to protect the public interest, that this charge be subject to investigation under section 5 (a) of the Natural Gas Act.

Investigations of sufficient breadth to include the 21.4-cent CATCO charge when filed in a rate schedule have already been instituted by orders issued January 27, 1956, against Continental Oil (Docket No. G-9279) and against Atlantic Refining and Tidewater Oil (Docket Nos. G-9283 and G-9284), but no investigation is extant with respect to the rates and charges of Cities Service, although two suspension proceedings have been instituted with respect to increased rates filed for service to United Fuel Gas Company. In view of the breadth of the investigations which have already been instituted against the other CATCO companies, the fact that Cities Service and the three other CATCO companies are selling gas to Tennessee Gas from an-

other offshore Louisiana field, the West Delta area, and the fact that suspension orders are outstanding with respect to sales by Cities Service to United Fuel Gas, it is appropriate that the rate investigation instituted herein be broad enough to cover all of Cities Service rates and charges for sales of gas subject to the jurisdiction of the Commission. The institution of such an investigation will conform to the intention expressed in our order granting certificates to the CATCO companies that the 21.4-cent initial rate be subject to prompt investigation under section 5 (a) of the Natural Gas Act as to its reasonableness.

Cities Service's contract for the sale to Tennessee Gas which is involved in the present certificate proceedings in Docket No. G-11046, has not yet been filed as a rate schedule. In addition to the proposed sale of natural gas hereinbefore specifically referred to, it appears from the Commission's files that Cities Service is also engaged in making other sales of natural gas in interstate commerce, subject to the jurisdiction of the Commission.

It further appears that, upon the basis of data available to the Commission, the rates, charges, and classifications for or in connection with the sale or transportation of natural gas by Cities Service, subject to the jurisdiction of the Commission, and the rules, regulations, practices, and contracts relating thereto may be unjust, unreasonable, unduly discriminatory, or preferential.

The Commission finds:

(1) Cities Service is an independent producer of natural gas and is a "natural-gas company" within the meaning of the Natural Gas Act, being engaged in the sale and delivery of natural gas in interstate commerce for resale for ultimate public consumption.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that an investigation be instituted by the Commission, upon its own motion, into and concerning all rates, charges, or classifications demanded, observed, charged or collected by Cities Service in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, and any rules, regulations, practices, or contracts affecting such rates, charges, or classifications.

(A) An investigation of Cities Service is hereby instituted under the provisions of the Natural Gas Act for the purpose of enabling the Commission to determine whether, with respect to any transportation or sale of natural gas, subject to the jurisdiction of the Commission, made or proposed to be made by Cities Service, any of the rates, charges or classifications demanded, observed, charged, or collected, or any rules, regulations, practices, or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory, or preferential.

(B) If the Commission, after a hearing has been had, shall find with respect to Cities Service above that any of its rates, charges, classifications, rules, regulations, practices, or contracts, subject

to the jurisdiction of the Commission, are unjust, unreasonable, unduly discriminatory, or preferential, the Commission will thereupon determine and fix by order or orders just and reasonable rates, charges, classifications, rules, regulations, practices, or contracts to be thereafter observed and in force.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 5, 14, 15 and 16 thereof, and the Commission's rules of practice and procedure, a public hearing be held upon a date to be fixed by further order of the Commission concerning the matters specified in paragraphs (A) and (B) above.

(D) 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. 57-5244; Filed, June 27, 1957;
8:46 a. m.]

[Project No. 2030]

PORTLAND GENERAL ELECTRIC CO.

NOTICE OF APPLICATION FOR AMENDMENT OF
LICENSE

JUNE 24, 1957.

Public notice is hereby given that Portland General Electric Company, of Portland, Oregon, has filed application under the Federal Power Act (16 U. S. C. 791a-825r) for amendment of the license for water-power Project No. 2030, located on the Deschutes River in Jefferson County, Oregon, to revise the clearing requirements for the main Pelton reservoir area of the project so that all bottoms and margins between the plane 5 feet above normal high water level and the plane at elevation 1,555 feet would be cleared and all coniferous trees from the bottoms and margins below the plane at elevation 1,555 feet would also be cleared.

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 of the Commission (18 CFR 1.8 or 1.10). The last date upon which protests or petitions may be filed is July 25, 1957. The application is on file with the Commission for public inspection.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 57-5245; Filed, June 27, 1957;
8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2115]

BELLANCA CORP.

ORDER SUMMARILY SUSPENDING TRADING
JUNE 21, 1957.

In the matter of trading on the American Stock Exchange in the \$1.00 par

value capital stock of Bellanca Corporation; File No. 1-2115.

I. The \$1.00 par value capital stock of Bellanca Corporation is listed and registered on the American Stock Exchange, a national securities exchange; and

II. The Commission on April 24, 1957, issued its order and notice of hearing under section 19 (a) (2) of the Securities Exchange Act of 1934 (hereinafter called "the act") to determine at a hearing to be held on May 8, 1957, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the capital stock of Bellanca Corporation (hereinafter called "registrant") on the American Stock Exchange for failure to comply with section 13 of the act and the rules and regulations adopted thereunder, and for failure to comply with the disclosure requirements of Regulation X-14 adopted pursuant to section 14 (a) of the act.

On June 13, 1957, the Commission issued its order summarily suspending trading of said securities on the exchange pursuant to section 19 (a) (4) of the act for the reasons set forth in said order to prevent fraudulent, deceptive or manipulative acts or practices for a period of ten days from the date of the aforesaid order.

III. In addition to the violations enumerated in the Commission's order of April 24, 1957, pursuant to section 19 (a) (2) of the act, registrant has failed to file its annual report on Form 10-K for the year 1956 pursuant to section 13 of the act and the rules and regulations promulgated thereunder. Such Form 10-K was required to be filed with the Commission not later than April 30, 1957, pursuant to Rule X-13A-1 under section 13 of the act.

IV. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the American Stock Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule X-15C2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices for a period of ten (10) days, June 24 to July 3, 1957, inclusive.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 57-5249; Filed, June 27, 1957;
8:47 a. m.]

[File No. 24A-1070]

RABIN SALES CO.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

JUNE 21, 1957.

I. Rabin Sales Co. (Rabin), a Florida corporation, Belle Glade, Florida, filed with the Commission on October 19, 1956, a notification on Form 1-A and an offering circular relating to an offering of 100,000 shares of its 10¢ par value common stock at \$3.00 per share, for an aggregate of \$300,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been complied with, in that:

1. The notification fails to contain the information required by Item 2 with respect to predecessors and affiliates of Rabin; and

2. The offering circular fails to contain:

(i) An adequate description of the business and proposed business of Rabin, particularly in that the terms and conditions of Rabin's contracts with its affiliates and others are not disclosed, as required;

(ii) A description of all direct and indirect interests of all officers, directors and persons controlling Rabin, in Rabin and in material transactions within the past two years and in proposed transactions to which Rabin or its predecessors or affiliates were or are to be parties, as required, in that, among other things, Rabin's contracts with its affiliates and others are not described in sufficient detail to disclose the interests of such persons, and the interests of all officers, directors and persons controlling Rabin, in the parties to contracts with Rabin are not disclosed adequately and in sufficient detail; and

3. A reasonably itemized statement of the purposes for which the net cash proceeds to Rabin from the sale of the securities are to be used, as required; and

B. The notification and offering circular contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; concerning, among other things:

1. The predecessors and affiliates of Rabin;

2. Rabin's contracts with its affiliates and others;

3. The direct and indirect interests of Rabin's officers, directors and persons controlling Rabin in affiliates of Rabin, and in other persons who have contracts with Rabin; and

4. The purposes for which the proceeds of the offering were to be used; and

C. The offering would be made in violation of section 17 of the Securities Act

of 1933 in that use would be made of an offering circular which fails to comply with the requirements of the regulation and which contains false and misleading statements, all as specified hereinabove.

III. It is therefore ordered, Pursuant to Rule 261 (a) of the General Rules and Regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given to Rabin Sales Co. and to any person having any interest in the matter that this order has been entered, that the Commission upon receipt of a written request within thirty days after entry of this order will, within twenty days after the receipt of such request, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether to vacate the order or to enter an order permanently suspending the exemption without prejudice, however, to the consideration and presentation of additional matters at the hearing, that if no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission, and that notice of the time and place for any hearing will promptly be given to the Commission.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 57-5250; Filed, June 27, 1957;
8:47 a. m.]

[File No. 70-3597]

WEST PENN RAILWAYS CO. AND WEST
PENN ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE REGARDING PROPOSAL BY SUBSIDIARY TO PAY LIQUIDATING DIVIDEND TO PARENT

JUNE 21, 1957.

The West Penn Electric Company ("Electric"), a registered holding company, and its inactive subsidiary, West Penn Railways Company ("Railways"), having filed a joint application-declaration pursuant to sections 9, 10, 11 (b) and 12 (c) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-42 and U-46 promulgated thereunder, regarding the following proposed transactions:

Railways, which is to be ultimately liquidated and dissolved, proposes to distribute to its sole stockholder, Electric, \$1,100,000 of cash. Of the \$1,100,000 to be distributed \$766,317 (representing the accumulation of the proceeds of the sale of certain property subject to the lien of the mortgage under which there is outstanding \$3,987,000 principal amount of 5 percent non-callable bonds due June 1, 1960, issued by Railways' predecessor, West Penn Traction Company) is on deposit with the Trustee under the West Penn Traction Company ("Traction") mortgage. Under the reorganization plan of Electric approved

by the Commission in 1949 (29 S. E. C. 685) Railways distributed the major portion of its assets to Electric and Electric assumed and agreed to pay the principal of, and interest on, the Traction bonds. The distribution of the \$766,317 to Electric is to be subject to the rights of the Trustee and the holders of the Traction bonds.

It is further proposed to request the Trustee of the Traction bonds to use such funds to purchase Traction bonds in the open market or at private sale, at current prices, through requests for tenders or otherwise, as determined by the Trustee and Electric. No such purchases are to be made at a price which would result in a yield higher than 4.15 percent. Electric represents that said 4.15 percent yield is approximately equivalent to the yield, at current market prices, of its outstanding 3½ percent Sinking Fund Collateral Trust Bonds due 1974.

Applicants-declarants request that our order to be issued herein contain appropriate recitals conforming to the requirements of section 1081 (f) of the Internal Revenue Code of 1954.

Notice of the filing of the application-declaration having been duly given (Holding Company Act Release No. 13490), and no hearing having been requested of or ordered by the Commission; and

It appearing that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions; and

The Commission finding that Railways is an inactive interurban railway company, that it unnecessarily complicates the structure of the holding company system of which it and Electric are a part, that Railways is to be liquidated and dissolved to effectuate compliance with section 11 (b) of the act, and that the other applicable provisions of the act and of the rules promulgated thereunder are satisfied; and the Commission deeming it appropriate in the public interest and in the interest of investors to grant the application and permit the declaration to become effective;

It is ordered, That the application-declaration be, and it hereby is, granted and permitted to become effective, subject to the conditions prescribed by Rule U-24, and subject to the further condition that on January 2, 1958 and at the conclusion of every six months thereafter, Electric shall report the principal amount of Traction bonds purchased by the trustee for the Traction bonds, the manner of the purchases, and the prices paid, during the preceding six-months period.

It is further ordered and recited, That the proposed distribution of \$1,100,000 cash by Railways to Electric, as a partial liquidating dividend, the utilization of \$766,317 of such funds to purchase Traction bonds in the open market or at private sale, at current prices, through requests for tenders or otherwise, and the acquisition for retirement by Electric of the Traction bonds, are necessary or appropriate to the simplification of the holding company system of which Electric and Railways are a part, and are

necessary or appropriate to effectuate compliance with section 11 (b) of the act.

It is further ordered, That this order shall become effective upon the issuance thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-5251; Filed, June 27, 1957;
8:48 a. m.]

[File No. 7-1886]

EVANS PRODUCTS CO.

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

JUNE 24, 1957.

In the matter of application by the Detroit Stock Exchange for unlisted trading privileges in Evans Products Company, common stock; File No. 7-1886.

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

Upon receipt of a request, on or before July 10, 1957, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 57-5252; Filed, June 27, 1957;
8:48 a. m.]

[File No. 7-1885]

REVLON, INC.

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

JUNE 24, 1957.

In the matter of application by the Detroit Stock Exchange for unlisted trading privileges in Revlon, Inc., common stock; File No. 7-1885.

The above named stock exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 promulgated thereunder, has made application for unlisted trading

privileges in the specified security, which is listed and registered on the New York, Midwest and Pacific Coast Stock Exchanges.

Upon receipt of a request, on or before July 10, 1957, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 57-5253; Filed, June 27, 1957;
8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

MEVROUW E. VAN KERVEL v. D. HELD-VAN ANDEL

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

Mevrouw E. van Kervel v. d. Held-van Anandel, Bilthoven, The Netherlands; Claim No. 60909; Vesting Order No. 17838; \$126.78 in the Treasury of the United States.

Executed at Washington, D. C., on June 21, 1957.

For the Attorney General.

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

[F. R. Doc. 57-5258; Filed, June 27, 1957;
8:49 a. m.]

OTTO KLINKE ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

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

prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Otto Klinke, Baden, Germany; Hugo Klinke, Salzgitter Lebenstedt, Germany; Karl Klinke, Kr. Pegnitz, Germany; Ella Klinke, Otto Klinke, and Leo Klinke, Kreis Fussen, Bayern, Germany; Claim No. 44964; Vesting Order No. 1852; \$2,514.42 in the Treasury of the United States: one-fourth thereof each to Otto Klinke; Hugo Klinke; Karl Klinke; and one-fourth thereof jointly to Ella Klinke, Otto Klinke and Leo Klinke.

Executed at Washington, D. C., on June 21, 1957.

For the Attorney General.

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

[F. R. Doc. 57-5259; Filed, June 27, 1957;
8:49 a. m.]

LOMBARD, ODIER & CIE

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

Lombard, Odier & Cie, 11 Corratierie, Geneva, Switzerland; Claim No. 59951; Vesting Order No. 17816; \$2,824.25 in the Treasury of the United States.

Executed at Washington, D. C., on June 24, 1957.

For the Attorney General.

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

[F. R. Doc. 57-5260; Filed, June 27, 1957;
8:49 a. m.]

CHARLES SPRUYT

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

Charles Spruyt, Antwerp, Belgium; Claim No. 63714; Vesting Order No. 18519; all right, title and interest of the Attorney General acquired pursuant to Vesting Order No. 18519 (16 Fed. Reg. 10101, October 3, 1951) in and to Central Pacific Railway Company 4/49, Bonds Nos. 7560, 20988, 33406 and 58520, in the principal amount of \$1,000 each, and

Bonds Nos. 2761 and 7962, in the principal amount of \$500 each.

Executed at Washington, D. C., on June 24, 1957.

For the Attorney General.

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

[F. R. Doc. 57-5261; Filed, June 27, 1957;
8:49 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JUNE 25, 1957.

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

LONG-AND-SHORT HAUL

FSA No. 33914: *Sand—Southwestern points to Robinson, Ill.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on sand, noibn, carloads from Guion, Ark., Jefferson City, Klondike, Ludwig, North Jefferson, Pacific, Mo., Gate, Mill Creek, Roff, Oklahoma, and Santa Anna, Tex., to Robinson, Ill.

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

Tariff: Supplement 108 to Agent Kratzmeir's tariff I. C. C. 4135.

FSA No. 33915: *Fertilizer and materials—Otterbein, Ind., to the south.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on fertilizer and fertilizer materials, carloads, including tank-car loads for liquid fertilizers or materials from Otterbein, Ind., to specified points in southern territory.

Grounds for relief: Modified short-line distance formula, and circuitous routes.

Tariff: Supplement 15 to Agent Boin's tariff I. C. C. A-1075.

FSA No. 33916: *Fertilizer and materials—Sandusky, Mich., to southern points.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on fertilizer and fertilizer materials, carloads from Sandusky, Mich., to specified points in North Carolina and South Carolina.

Grounds for relief: Modified short-line distance formula, and circuitous routes.

Tariff: Supplement 15 to Agent Boin's tariff I. C. C. A-1075.

FSA No. 33917: *Substituted service—Motor-rail-motor rates, Pennsylvania Railroad.* Filed by Central States Motor Freight Bureau, Inc., Agent, for the Pennsylvania Railroad Company, and interested motor carriers. Rates on various commodities, loaded in highway trailers and transported on railroad flat cars in substituted service between Cleveland, Ohio, on the one hand, and Chicago and East St. Louis, Ill., on the other.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 3 to Central States Motor Freight Bureau, Inc., Agent, tariff I. C. C. No. 27.

FSA No. 33918: *Cotton linters—New Orleans, La., to Memphis, Tenn.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on cotton linters, carloads from New Orleans, La., to Memphis, Tenn.

Grounds for relief: Circuitous routes in part west of the Mississippi River.

FSA No. 33919: *T. O. F. C. rates between eastern points and points in the southwest.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on various commodities moving on class rates, loaded in or on trailers and transported on railroad flat cars between specified points in Delaware, District of Columbia, Maryland, New Jersey, New York and eastern Pennsylvania, on one hand, and specified points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas, on the other.

Grounds for relief: Motor truck competition, and circuitous routes.

Tariff: Supplement 28 to Agent Kratzmeir's tariff I. C. C. 4213.

FSA No. 33920: *Building material—Southwestern points to Jackson, Tenn.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on wooden building material, carloads from specified points in Arkansas, Louisiana, Oklahoma, and Texas, to Jackson, Tenn.

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

Tariff: Supplement 228 to Agent Kratzmeir's tariff I. C. C. 4087 and three other schedules.

FSA No. 33921: *Ilmenite ore—Winter Beach, Fla., to Pennsylvania points.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on ilmenite ore, carloads from Winter Beach, Fla., to Aquashicola, Palmerton, Palmerton East and Palmerton (Delaware Avenue), Pa.

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

Tariff: Supplement 142 to Agent Spaninger's tariff I. C. C. 1346.

FSA No. 33922: *Perlite—Sweetwater, Tex., to Willow Valley, Ind.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on perlite, other than crude, carloads from Sweetwater, Tex., to Willow Valley, Ind.

Grounds for relief: Market competition, and circuitous routes.

Tariff: Supplement 342 to Agent Kratzmeir's tariff I. C. C. 4139.

FSA No. 33923: *Ferro alloys—Houston, Tex., to Chicago, Ill.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on ferro manganese and ferro silicon, carloads from Houston, Tex., to Chicago, Ill.

Grounds for relief: Competition with import traffic, barge competition, and circuitous routes.

Tariff: Supplement 344 to Agent Kratzmeir's tariff I. C. C. 4139.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 57-5247; Filed, June 27, 1957;
8:47 a. m.]

