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TITLE 7—AGRICULTURE

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

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

SUBPART—UNITED STATES STANDARDS FOR GRADES OF CANNED RASPBERRIES [1]

On June 29, 1957, a notice of proposed rule making was published in the FEDERAL REGISTER (22 F. R. 4617) regarding a proposed revision of the Tentative United States Standards for Grades of Canned Red Raspberries.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Grades of Canned Raspberries are 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.).

PRODUCT DESCRIPTION, COLOR, TYPES, AND GRADES

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AUTHORITY: §§ 52.3311 to 52.3324 issued under sec. 205, 60 Stat. 1090 as amended; 7 U. S. C. 1624.

PRODUCT DESCRIPTION, COLOR TYPES, AND GRADES

§ 52.3311 *Product description.* Canned raspberries are the properly ripened fresh fruit of the raspberry plant which are stemmed, washed, and sorted; which are packed in suitable packing media with or without the addition of nutritive sweetening ingredients, artificial sweetening ingredients, or other ingredients permissible under the Federal Food, Drug, and Cosmetic Act, and are sufficiently processed by heat to assure preservation of the product in hermetically sealed containers.

§ 52.3312 *Color types.* (a) Red (such as the New Washington, Latham, and Lloyd George varieties).

(b) Reddish purple (such as the Columbian and Sodus varieties).

(c) Black (such as the Logan and Cumberland varieties).

§ 52.3313 *Grades.* (a) "U. S. Grade A" or "U. S. Fancy" is the quality of canned raspberries that possess similar varietal characteristics; that possess a normal flavor; that possess a good color; that (except for canned black raspberries) are practically uniform in size; that are practically free from defects; that possess a good character; and that for those factors which are rated in accordance with the scoring system outlined in this subpart, the total score is not less than 90 points: *Provided*, That canned red and reddish purple raspberries may be only reasonably uniform in size, if the total score is not less than 90 points.

(b) "U. S. Grade B" or "U. S. Choice" is the quality of canned raspberries that possess similar varietal characteristics; that possess a normal flavor; that possess a reasonably good color; that (except for canned black raspberries) are reasonably uniform in size; that are reasonably free from defects; that possess a reasonably good character; and that for those factors which are rated in ac-

(Continued on p. 127)

[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 (or with applicable state laws and regulations).

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FEDERAL REGISTER

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CODIFICATION GUIDE

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

cordance with the scoring system outlined in this subpart, the total score is not less than 80 points: *Provided*, That canned red and reddish purple raspberries may be only fairly uniform in size, if the total score is not less than 80 points.

(c) "U. S. Grade C" or "U. S. Standard" is the quality of canned raspberries that possess similar varietal characteristics; that possess a normal flavor, that possess a fairly good color; that (except for canned black raspberries) are fairly uniform in size; that are fairly free from defects; that possess a fairly good character; and that for those factors which are rated in accordance with the scoring system outlined in this subpart, the total score is not less than 70 points: *Provided*, That canned red and reddish purple raspberries may vary in uniformity of size, if the total score is not less than 70 points.

(d) "Substandard" is the quality of canned raspberries that fails to meet the requirements of U. S. Grade C or U. S. Standard.

LIQUID MEDIA, FILL OF CONTAINER, AND DRAINED WEIGHTS

§ 52.3314 *Liquid media and Brix measurements.* "Cut-out" requirements for liquid media in canned raspberries are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. It is recommended that canned raspberries other than artificially sweetened raspberries have the following "cut-out" Brix measurement for the applicable designations, which designations include, but are not limited to:

Designations	Brix measurement	
	Red or reddish purple	Black
"Extra heavy sirup" or "Extra heavy raspberry juice sirup".	28° or more	27° or more.
"Heavy sirup" or "Heavy raspberry juice sirup".	22° or more but less than 28°	20° or more but less than 27°.
"Light sirup" or "Light raspberry juice sirup".	14° or more but less than 22°	14° or more but less than 20°.
"Water pack"	Packed in water.	
"In raspberry juice"	Packed in raspberry juice.	

§ 52.3315 *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container of canned raspberries be filled with raspberries as full as practicable without impairment of quality and that the product and packing medium occupy not less than 90 percent of the volume of the container.

§ 52.3316 *Recommended minimum drained weights*—(a) *General.* The minimum drained weight recommendations for canned raspberries in Table I are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Method for ascertaining drained weight.* The drained weight is determined by emptying the contents of the container upon a United States Standard No. 8 circular sieve of proper diameter containing 8 meshes to the inch (0.0937 inch ±3%, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for two minutes. The drained weight is the weight of the sieve and raspberries less the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can.

(c) *Compliance with recommended drained weights.* Compliance with the recommended drained weights is determined by averaging the drained weight from all the containers which are representative of a specific lot and such lot is considered as meeting the recommendations if the following criteria are met:

(1) The average of the drained weights from all of the containers meets the recommended drained weight;

(2) One-half or more of the containers meet the recommended drained weight; and

(3) The drained weights from the containers which do not meet the recommended drained weight are within the range of variability for good commercial practice.

TABLE I—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR CANNED RASPBERRIES

Container designations (metal unless otherwise stated)	Container size, over-all dimensions		In syrup; artificially sweetened packing media; water (grades A and B)		In water, grades C and SStd.	
	Width	Height	Red and purple	Black	Red and purple	Black
	(*Inches*)	(*Inches*)	(*Ounces*)	(*Ounces*)	(*Ounces*)	(*Ounces*)
8 oz. Tall	2 1/16	3 4/16	4	5	4 1/4	5 1/4
No. 300	3	4 5/16	7	7	7 1/4	7 1/4
No. 1 Tall	3 1/16	4 1/16	8	8	8 1/4	8 1/4
No. 303	3 1/16	4 5/16	8	8	8 1/4	8 1/4
No. 2	3 2/16	4 9/16	10	10	10 1/4	10 1/4
No. 2½	4 1/16	4 13/16	14 1/4	14 1/4	14 1/4	14 1/4
No. 10	6 1/16	7	53	55	60	65

FACTORS OF QUALITY

§ 52.3317 *Ascertaining the grade*—(a) *General.* In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) *Factors not rated by score points.* (i) Varietal characteristics.

(ii) Flavor.

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

Factors:	*Points*
Color	30
Uniformity of size	10
Defects	30
Character	30
Total score	100

(b) *Definition of flavor.* (1) "Normal flavor" means that the canned raspberries are free from objectionable flavors and objectionable odors of any kind.

§ 52.3318 *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "27 to 30 points" means 27, 28, 29 or 30 points).

§ 52.3319 *Color*—(a) *General.* The factor of color refers to the color typical of the varietal group and to the intensity and brightness of such color.

(b) (*A*) *classification.* Canned raspberries that possess a good color may be given a score of 27 to 30 points. "Good color" means that the canned raspberries possess a bright and typical color of well-ripened raspberries for the varietal type that have been properly processed and are practically uniform in that not more than 5 percent, by weight, of the drained raspberries may vary markedly from this typical color.

(c) (*B*) *classification.* Canned raspberries that possess a reasonably good color may be given a score of 24 to 26 points. Canned raspberries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score of the product (this is a limiting rule). "Reasonably good color" means that the canned raspberries possess a reasonably bright and typical color of reasonably well-ripened raspberries for the varietal type that have been properly processed and are reasonably uniform in that not more than 15 percent, by weight, of the drained raspberries may vary markedly from this typical color.

(d) (*C*) *classification.* Canned raspberries that possess a fairly good color may be given a score of 21 to 23 points. Canned raspberries that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard regardless of the total score of the product (this is a limiting rule). "Fairly good color" means that the canned raspberries possess a color typical of fairly well-rip-

ened raspberries for the varietal type that have been properly processed and which color may be variable but not off-color.

(e) *(SStd.) classification.* Canned raspberries that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3320 *Uniformity of size*—(a) *General.* The factor of uniformity of size refers to the uniformity of the diameters and to the minimum size of the canned red and reddish purple raspberries. The factor of uniformity of size of canned black raspberries is not scored but the other three factors (color, defects, and character, as applicable) are scored and the total is multiplied by 100 and divided by 80, dropping any fractions to determine the total score.

(1) "Diameter" of a raspberry is determined by measuring at the widest point across the face of the "cup" of the whole raspberry.

(b) *(A) classification.* Canned raspberries that are practically uniform in size may be given a score of 9 or 10 points. "Practically uniform in size" means that the variation in size of the raspberries does not materially affect the appearance of the product and that not more than 10 percent, by weight, of the drained raspberries may be less than $\frac{9}{16}$ inch in diameter.

(c) *(B) classification.* Canned raspberries that are reasonably uniform in size may be given a score of 8 points. "Reasonably uniform in size" means that the variation in size does not materially affect the appearance of the product and that not more than 15 percent, by weight, of the drained raspberries may be less than ½ inch in diameter.

(d) *(C) classification.* Canned raspberries that are fairly uniform in size may be given a score of 7 points. Canned raspberries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a partial limiting rule). "Fairly uniform in size" means that the canned raspberries may be variable in size and that not more than 25 percent, by weight, of the drained raspberries may be less than $\frac{7}{16}$ inch in diameter.

(e) *(SStd.) classification.* Canned raspberries that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 6 points and shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score of the product (this is a partial limiting rule).

§ 52.3321 *Defects*—(a) *General.* The factor of defects refers to the degree of freedom from harmless extraneous material, undeveloped berries, damaged berries, and any other defects not specifically mentioned that affect the appearance or edibility of the product.

(1) "Harmless extraneous material" means substances such as leaves, caps, and stems that are harmless.

(i) "Cap" means a loose or attached full cap or portion of a cap to which at least one sepal-like bract or a portion thereof is attached.

(ii) "Stem" means a loose or attached stem that is longer than ¼ inch.

(2) "Undeveloped berry" means a raspberry or a portion thereof that is shriveled or in which more than one-fourth of the raspberry possesses hard or undeveloped drupelets or that possesses deformed areas which materially affect either the appearance or the eating quality of the raspberry.

(3) "Damaged berry" means a raspberry or a portion thereof that is damaged by pathological, insect, or other injury which materially affects either the appearance or the eating quality of the raspberry.

(b) *(A) classification.* Canned raspberries that are practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that:

(1) The presence of harmless extraneous material does not more than slightly affect the appearance or edibility of the product;

(2) Not more than 5 percent, by weight, of the drained raspberries may be undeveloped berries and damaged berries; and

(3) The presence of harmless extraneous material, undeveloped berries and any other defects not specifically mentioned, individually and collectively, does not more than slightly affect the appearance or eating quality of the product.

(c) *(B) classification.* Canned raspberries that are reasonably free from defects may be given a score of 24 to 26 points. Canned raspberries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that:

(1) The presence of harmless extraneous material does not materially affect the appearance or edibility of the product;

(2) Not more than 10 percent, by weight, of the drained raspberries may be undeveloped berries and damaged berries, and

(3) The presence of harmless extraneous material, undeveloped berries, damaged berries, and any other defects not specifically mentioned, individually and collectively, does not materially affect the appearance or eating quality of the product.

(d) *(C) classification.* Canned raspberries that are fairly free from defects may be given a score of 21 to 23 points. Canned raspberries that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that:

(1) The presence of harmless extraneous material does not seriously affect the appearance or edibility of the product;

(2) Not more than 20 percent, by weight, of the drained raspberries are undeveloped berries and damaged berries; and

(3) The presence of harmless extraneous material, undeveloped berries, damaged berries, and any other defects not specifically mentioned, individually and collectively, does not seriously affect the appearance or eating quality of the product.

(e) *(SStd.) classification.* Canned raspberries that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3322 *Character*—(a) *General.* The factor of character refers to the degree of ripeness and fleshiness of the canned raspberries and the degree of freedom from detached drupelets and broken or mashed berries.

(1) "Broken or mashed berry" means that the raspberry has more than 50 percent of the drupelets crushed, broken, or detached, or is damaged by other means to the extent that the original conformation of the berry is destroyed.

(b) *(A) classification.* Canned raspberries that possess a good character may be given a score of 27 to 30 points. "Good character" means that:

(1) The raspberries are thick fleshed and well ripened;

(2) The presence of detached drupelets does not more than slightly affect the appearance of the product; and

(3) Not more than 10 percent, by weight, of the drained raspberries may be broken or mashed.

(c) *(B) classification.* Canned raspberries that possess a reasonably good character may be given a score of 24 to 26 points. Canned raspberries that fall into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good character" means that:

(1) The raspberries are reasonably thick fleshed and reasonably well ripened;

(2) The presence of detached drupelets does not materially affect the appearance of the product; and

(3) Not more than 15 percent, by weight, of the drained raspberries may be broken or mashed.

(d) *(C) classification.* Canned raspberries that possess a fairly good character may be given a score of 21 to 23 points. Canned raspberries that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that:

(1) The raspberries are fairly thick fleshed and fairly well ripened;

(2) The presence of detached drupelets does not seriously affect the appearance of the product; and

(3) Not more than 20 percent, by weight, of the drained raspberries may be broken or mashed berries.

(e) *(SStd.) classification.* Canned raspberries that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

LOT INSPECTION AND CERTIFICATION

§ 52.3323 *Ascertaining the grade of a lot.* The grade of a lot of canned raspberries covered by this subpart is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits, Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 through 52.87, 22 F. R. 3535).

SCORE SHEET

§ 52.3324 *Score sheet for canned raspberries.*

Number, size and kind of container			
Label			
Container mark or identification			
Net weight (ounces)			
Vacuum			
Drained weight (ounces)			
Brix measurement			
Syrup designation			
Color type			
Factors		**Score points**	
Color	30	(A) 27-30 (B) [1] 24-26 (C) [1] 21-23 (SStd.) [1] 0-20	
Uniformity of size	10	(A) 9-10 (B) 8 (C) [2] 7 (SStd.) [2] 0-6	
Defects	30	(A) 27-30 (B) [1] 24-26 (C) [1] 21-23 (SStd.) [1] 0-20	
Character	30	(A) 27-30 (B) [1] 24-26 (C) [1] 21-23 (SStd.) [1] 0-20	
Total score	100		
Flavor ( ) normal ( ) off-flavor			
Grade			

[1] Indicates limiting rule.
[2] Indicates partial limiting rule.

The United States Standards for Grades of Canned Raspberries (which is the Second issue) contained in this subpart shall become effective March 1, 1958 and thereupon will supersede the tentative United States Standards for Grades of Canned Red Raspberries (7 CFR Part 52) which have been in effect since May 15, 1940.

Dated: January 3, 1958.

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

[F. R. Doc. 58-166; Filed, Jan. 7, 1958; 8:53 a. m.]

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

[Amdt. 3]

PART 722—COTTON

SUBPART—REGULATIONS PERTAINING TO ACREAGE ALLOTMENTS FOR THE 1958 CROP OF UPLAND COTTON

COUNTY RESERVES AND SIGNATURE ON NOTICE OF FARM ALLOTMENT

Basis and purpose. The purpose of this amendment is to establish county reserves and to authorize use of facsimile signatures on notices of farm allotments. The amendments contained herein are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U. S. C. 1281 et seq.). Notice of the proposed establishment of county reserves was published in the FEDERAL REGISTER of August 10, 1957 (22 F. R. 6431), pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) and the data, views, and recommendations which were submitted have been duly considered.

In order that the Agricultural Stabilization and Conservation State and county comittees may perform their assigned functions in an orderly manner, it is essential that these amendments be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice and public procedure requirements and the 30-day effective date requirements of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest and these amendments shall be effective upon filing of this document with the Director, Division of the Federal Register.

The regulations pertaining to acreage allotments for the 1958 crop of upland cotton (22 F. R. 8137, 8278, 10004) are amended as follows:

1. Section 722.917 (b) is amended to establish county reserves by deleting the last sentence and adding tables showing the county reserves and is revised as follows:

(b) *Determination of county reserve.* The county committee shall establish a county reserve of not in excess of 15 percent of the sum of (1) the computed county allotment, and (2) the allotment allocated to the county pursuant to paragraph (c) (1) and (2) of § 722.916 which may be used to adjust indicated farm allotments for old cotton farms determined under paragraph (c) or (d) of this section and to establish allotments for new cotton farms under paragraph (e) (3) of this section. There are set forth below the county reserves established for each county:

ALABAMA County:	*County reserve (acres)*
Autauga	315.7
Baldwin	181.0
Barbour	820.7
Bibb	414.7
Blount	995.4
Bullock	1,022.5
Butler	322.5
Calhoun	499.8
Chambers	250.2
Cherokee	928.0
Chilton	444.4
Choctaw	472.8
Clarke	224.3
Clay	197.8
Cleburne	237.2
Coffee	724.4
Colbert	1,028.6
Conecuh	659.0
Coosa	214.5
Covington	1,558.4
Crenshaw	541.5
Cullman	1,878.6
Dale	332.1
Dallas	3,755.3
De Kalb	2,833.5
Elmore	607.3
Escambia	132.7
Etowah	398.3
Fayette	1,143.9
Franklin	1,022.6
Geneva	883.9
Greene	1,310.1
Hale	1,316.7
Henry	952.2
Houston	978.9
Jackson	2,647.8
Jefferson	97.1
Lamar	460.2
Lauderdale	2,005.9
Lawrence	1,548.1
Lee	1,161.2
Limestone	1,481.1
Lowndes	362.5
Macon	739.1
Madison	8,326.1
Marengo	1,732.6
Marion	877.1
Marshall	3,508.4
Mobile	40.3
Monroe	1,163.0
Montgomery	912.4
Morgan	1,535.4
Perry	1,245.9
Pickens	292.4
Pike	1,569.1
Randolph	293.8
Russell	360.7
St. Clair	132.0
Shelby	540.7
Sumter	1,259.2
Talladega	1,205.1
Tallapoosa	477.0
Tuscaloosa	1,178.7
Walker	771.2
Washington	338.8
Wilcox	1,530.1
Winston	117.3
State total	69,529.8

ARIZONA County:	*County reserve (acres)*
Cochise	229.5
Gila	0.0
Graham	1,178.5
Greenlee	30.3
Maricopa	19,960.5
Mohave	30.5
Pima	301.3
Pinal	1,008.0
Santa Cruz	29.5
Yavapai	1.0
Yuma	3,355.6
State total	26,144.7

ARKANSAS County:	*County reserve (acres)*
Arkansas	97.0
Ashley	71.0
Baxter	4.0
Benton	0.0
Boone	2.2
Bradley	102.2
Calhoun	108.4
Chicot	256.2
Clark	58.5
Clay	1,280.7
Cleburne	45.8
Cleveland	102.4
Columbia	343.5
Conway	18.0
Craighead	948.5
Crawford	4.7
Crittenden	5,348.1
Cross	738.8
Dallas	82.5
Desha	845.2
Drew	470.1
Faulkner	187.0
Franklin	13.7
Fulton	6.4
Garland	1.7
Grant	19.8
Greene	1,369.2
Hempstead	255.8
Hot Spring	36.6

ARKANSAS—Continued	County reserve (acres)
County:	
Howard	11.4
Independence	30.6
Izard	29.7
Jackson	202.1
Jefferson	162.6
Johnson	18.0
Lafayette	946.3
Lawrence	554.8
Lee	440.7
Lincoln	277.0
Little River	117.7
Logan	68.6
Lonoke	342.8
Marion	1.5
Miller	213.9
Mississippi	224.0
Monroe	113.9
Montgomery	9.0
Nevada	56.2
Newton	5.0
Ouachita	12.1
Perry	5.6
Phillips	655.8
Pike	9.9
Poinsett	1,066.7
Polk	4.3
Pope	100.2
Prairie	198.4
Pulaski	61.9
Randolph	429.6
St. Francis	2,477.2
Saline	10.3
Scott	10.1
Searcy	4.9
Sebastian	3.1
Sevier	3.2
Sharp	23.7
Stone	0.4
Union	21.5
Van Buren	7.2
Washington	0.0
White	611.3
Woodruff	306.9
Yell	171.1
State total	22,839.2

CALIFORNIA	
Fresno	2,227.0
Imperial	1,512.4
Kern	742.9
Kings	712.4
Los Angeles	28.5
Madera	883.1
Merced	359.5
Riverside	466.8
San Benito	28.3
San Bernardino	11.6
San Diego	12.4
San Luis Obispo	0.0
Stanislaus	8.6
Tehama	0.0
Tulare	3,059.6
State total	10,053.1

FLORIDA	
Alachua	16.7
Baker	0.6
Bay	3.9
Calhoun	66.6
Clay	0.9
Columbia	32.3
Dixie	0.7
Duval	0.3
Escambia	73.4
Gadsden	36.2
Gilchrist	0.4
Hamilton	103.6
Holmes	473.4
Jackson	684.2
Jefferson	45.9
Lafayette	32.6
Leon	83.8
Levy	0.9
Liberty	1.8
Madison	227.8
Nassau	0.2
Okaloosa	102.3

FLORIDA—Continued	County reserve (acres)
County:	
Orange	0.0
Santa Rosa	702.5
Suwannee	87.4
Taylor	3.6
Union	2.0
Walton	122.3
Washington	134.4
State total	3,041.3

GEORGIA	
Appling	13.1
Atkinson	50.8
Bacon	124.2
Baker	266.8
Baldwin	125.6
Banks	92.0
Barrow	135.7
Bartow	2,461.7
Ben Hill	636.9
Berrien	94.8
Bibb	62.7
Bleckley	30.3
Brantley	1.9
Brooks	157.2
Bryan	4.0
Bulloch	174.6
Burke	169.5
Butts	273.4
Calhoun	590.5
Camden	0.0
Candler	162.7
Carroll	70.8
Catoosa	26.4
Charlton	1.0
Chatham	0.2
Chattahoochee	8.5
Chattooga	514.7
Cherokee	17.6
Clarke	42.6
Clay	36.7
Clayton	112.4
Clinch	2.7
Cobb	138.8
Coffee	161.3
Colquitt	1,630.8
Columbia	34.8
Cook	143.5
Coweta	103.9
Crawford	181.3
Crisp	42.1
Dade	38.6
Dawson	6.8
Decatur	186.3
De Kalb	31.3
Dodge	40.0
Dooly	25.7
Dougherty	115.6
Douglas	50.8
Early	657.7
Echols	1.2
Effingham	5.4
Elbert	241.2
Emanuel	366.8
Evans	93.1
Fayette	111.3
Floyd	543.2
Forsyth	179.6
Franklin	120.5
Fulton	74.4
Gilmer	0.0
Glascock	360.6
Gordon	909.6
Grady	177.2
Greene	228.0
Gwinnett	60.4
Habersham	9.2
Hall	208.1
Hancock	589.8
Haralson	66.7
Harris	12.4
Hart	171.0
Heard	32.9
Henry	83.0
Houston	92.2
Irwin	1,292.0
Jackson	110.5
Jasper	215.7
Jeff Davis	80.7

GEORGIA—Continued	County reserve (acres)
County:	
Jefferson	302.0
Jenkins	330.2
Johnson	558.5
Jones	27.1
Lamar	206.9
Lanier	5.8
Laurens	204.4
Lee	95.6
Liberty	3.6
Lincoln	61.5
Long	13.7
Lowndes	52.6
Lumpkin	2.0
McDuffie	86.2
McIntosh	0.0
Macon	233.8
Madison	278.4
Marion	111.6
Meriwether	327.5
Miller	200.9
Mitchell	1,657.2
Monroe	134.7
Montgomery	352.2
Morgan	267.2
Murray	419.5
Muskogee	7.4
Newton	63.1
Oconee	443.8
Oglethorpe	131.8
Paulding	105.7
Peach	32.9
Pickens	60.1
Pierce	4.0
Pike	334.0
Polk	269.7
Pulaski	41.8
Putnam	125.3
Quitman	29.9
Randolph	125.8
Richmond	157.9
Rockdale	58.2
Schley	44.8
Screven	404.3
Seminole	88.4
Spalding	68.1
Stephens	23.2
Stewart	26.3
Sumter	149.3
Talbot	80.1
Taliaferro	107.6
Tattnall	77.9
Taylor	200.4
Telfair	336.6
Terrell	224.8
Thomas	82.2
Tift	108.2
Toombs	222.5
Treutlen	93.2
Troup	45.3
Turner	357.2
Twiggs	60.2
Upson	52.9
Walker	101.3
Walton	97.7
Ware	7.7
Warren	534.8
Washington	104.7
Wayne	88.1
Webster	33.5
Wheeler	240.4
White	4.7
Whitfield	34.0
Wilcox	736.4
Wilkes	78.1
Wilkinson	74.5
Worth	876.1
State total	29,957.7

ILLINOIS	
Alexander	140.3
Jefferson	0.0
Madison	0.0
Massac	0.4
Pulaski	62.1
Williamson	0.2
State total	203.0

Kansas	County reserve (acres)
County:	
Cowley	0
Montgomery	0
State total	0

Kentucky	
Ballard	1.6
Calloway	10.3
Carlisle	4.4
Fulton	127.3
Graves	14.8
Hickman	126.5
McCracken	0.5
Marshall	5.3
State total	290.7

Louisiana	
Acadia	1,282.2
Allen	43.7
Ascension	44.2
Assumption	4.5
Avoyelles	2,953.7
Beauregard	28.8
Bienville	572.7
Bossier	1,187.2
Caddo	2,454.5
Calcasieu	18.5
Caldwell	168.0
Cameron	3.7
Catahoula	627.8
Claiborne	1,402.8
Concordia	163.8
De Soto	747.6
East Baton Rouge	23.4
East Carroll	269.2
East Feliciana	230.0
Evangeline	1,665.8
Franklin	1,731.3
Grant	553.9
Iberia	206.9
Iberville	47.2
Jackson	116.2
Jefferson	0.0
Jefferson Davis	28.0
Lafayette	1,240.0
Lafourche	0.0
La Salle	32.7
Lincoln	318.6
Livingston	25.8
Madison	280.9
Morehouse	1,280.9
Natchitoches	1,121.7
Orleans	0.3
Ouachita	667.8
Plaquemines	0.0
Pointe Coupee	1,468.8
Rapides	1,610.5
Red River	735.1
Richland	750.4
Sabine	71.7
St. Helena	115.5
St. James	2.1
St. John the Baptist	2.4
St. Landry	4,235.8
St. Martin	1,060.5
St. Mary	0.0
St. Tammany	3.6
Tangipahoa	40.0
Tensas	689.0
Union	889.6
Vermilion	699.9
Vernon	28.9
Washington	517.3
Webster	535.6
West Baton Rouge	111.6
West Carroll	1,970.5
West Feliciana	321.2
Winn	154.0
State total	37,558.3

Maryland	
Caroline	2.0
State total	2.0

Mississippi	
Adams	290.1
Alcorn	948.2

Mississippi—Continued	County reserve (acres)
County:	
Amite	126.5
Attala	77.5
Benton	574.1
Bolivar	2,594.9
Calhoun	863.6
Carroll	554.0
Chickasaw	438.5
Choctaw	162.4
Claiborne	534.6
Clarke	299.2
Clay	660.7
Coahoma	793.9
Copiah	124.9
Covington	189.2
De Soto	825.8
Forrest	20.6
Franklin	56.0
George	80.7
Greene	89.0
Grenada	961.3
Hancock	1.6
Harrison	1.5
Hinds	271.5
Holmes	1,684.5
Humphreys	793.7
Issaquena	226.0
Itawamba	417.9
Jackson	2.5
Jasper	94.8
Jefferson	391.5
Jefferson Davis	413.8
Jones	152.5
Kemper	251.1
Lafayette	368.4
Lamar	134.4
Lauderdale	184.7
Lawrence	242.6
Leake	522.7
Lee	1,214.1
Leflore	1,463.3
Lincoln	105.9
Lowndes	437.9
Madison	365.4
Marion	154.6
Marshall	1,273.3
Monroe	901.5
Montgomery	278.9
Neshoba	372.0
Newton	140.4
Noxubee	375.6
Oktibbeha	100.7
Panola	931.1
Pearl River	25.0
Perry	25.3
Pike	133.4
Pontotoc	609.7
Prentiss	729.4
Quitman	440.6
Rankin	389.2
Scott	194.4
Sharkey	41.0
Simpson	416.2
Smith	96.0
Stone	5.6
Sunflower	1,208.6
Tallahatchie	693.1
Tate	1,185.2
Tippah	755.1
Tishomingo	531.0
Tunica	223.8
Union	854.7
Walthall	340.0
Warren	282.4
Washington	1,345.0
Wayne	36.0
Webster	228.6
Wilkinson	53.8
Winston	350.4
Yalobusha	252.3
Yazoo	177.9
State total	37,159.8

Missouri	
Bollinger	19.8
Butler	320.8
Cape Girardeau	8.9
Carter	2.6
Dunklin	575.6

Missouri—Continued	County reserve (acres)
County:	
Howell	4.1
Jefferson	0.0
Mississippi	538.4
New Madrid	3,582.7
Oregon	1.5
Ozark	1.0
Pemiscot	953.0
Ripley	115.0
Scott	101.4
Stoddard	957.3
Vernon	0.0
Wayne	0.3
State total	7,182.4

Nevada	
Clark	5.0
Nye	22.0
State total	27.0

New Mexico	
Bernalillo	0.0
Chaves	4,510.5
Curry	226.8
De Baca	46.4
Dona Ana	983.9
Eddy	3,394.3
Grant	4.0
Guadalupe	1.4
Hidalgo	353.6
Lea	1,385.2
Luna	416.8
Otero	73.4
Quay	240.4
Roosevelt	2,841.7
Sierra	235.3
Socorro	235.8
Valencia	4.2
State total	14,953.7

North Carolina	
Alamance	6.7
Alexander	102.4
Anson	71.0
Beaufort	58.8
Bertie	559.3
Bladen	191.3
Brunswick	12.4
Burke	10.9
Cabarrus	30.8
Caldwell	3.3
Camden	11.3
Carteret	4.3
Catawba	35.5
Chatham	73.6
Chowan	337.1
Cleveland	208.6
Columbus	42.0
Craven	8.5
Cumberland	112.0
Currituck	24.9
Davidson	157.4
Davie	44.0
Duplin	71.3
Durham	9.7
Edgecombe	43.9
Forsyth	7.4
Franklin	29.6
Gaston	34.4
Gates	37.5
Granville	19.3
Greene	47.7
Guilford	5.5
Halifax	222.4
Harnett	86.4
Hertford	145.0
Hoke	195.9
Hyde	1.3
Iredell	109.1
Johnston	74.7
Jones	8.4
Lee	74.5
Lenoir	98.2
Lincoln	62.4
Martin	278.3
Mecklenburg	172.7
Montgomery	36.7
Moore	82.8

North Carolina—Continued County:	County reserve (acres)
Nash	43.1
New Hanover	1.8
Northampton	51.8
Onslow	15.1
Orange	8.4
Pamlico	3.8
Pasquotank	39.4
Pender	16.2
Perquimans	202.6
Person	0.0
Pitt	350.6
Polk	87.7
Randolph	9.7
Richmond	47.6
Robeson	220.2
Rockingham	0.0
Rowan	111.6
Rutherford	94.3
Sampson	1,313.1
Scotland	25.7
Stanly	65.6
Tyrrell	41.1
Union	154.1
Vance	59.7
Wake	125.6
Warren	453.9
Washington	16.7
Wayne	65.8
Wilkes	1.5
Wilson	34.0
Yadkin	2.3
State total	7,725.2

Oklahoma	
Adair	2.1
Alfalfa	0.0
Atoka	90.2
Beaver	7.0
Beckham	5,381.2
Blaine	288.2
Bryan	1,449.2
Caddo	4,139.8
Canadian	1,792.6
Carter	7.2
Cherokee	8.6
Choctaw	163.5
Cleveland	77.8
Coal	296.6
Comanche	1,143.4
Cotton	1,754.4
Craig	9.3
Creek	10.9
Custer	3,320.7
Dewey	956.4
Ellis	4.5
Garfield	1.6
Garvin	163.2
Grady	479.9
Grant	2.1
Greer	5,952.0
Harmon	6,964.6
Harper	0.0
Haskell	123.2
Hughes	261.1
Jackson	8,424.8
Jefferson	1,688.0
Johnston	324.8
Kay	34.7
Kingfisher	56.1
Kiowa	7,863.9
Latimer	9.9
Le Flore	245.7
Lincoln	89.9
Logan	55.8
Love	1,009.9
McClain	306.1
McCurtain	311.2
McIntosh	1,075.5
Major	185.9
Marshall	570.6
Mayes	15.8
Murray	18.4
Muskogee	471.7
Noble	65.5
Nowata	50.4
Okfuskee	141.9
Oklahoma	33.7
Okmulgee	804.6
Osage	320.0
Pawnee	101.2
Payne	229.6
Pittsburg	212.8
Pontotoc	19.5
Pottawatomie	74.3
Pushmataha	44.5
Roger Mills	2,030.8
Rogers	34.9
Seminole	176.4
Sequoyah	36.9
Stephens	117.4
Texas	1.7
Tillman	4,943.4
Tulsa	44.4
Wagoner	440.3
Washington	1.4
Washita	8,220.3
Woodward	60.0
State total	75,815.9

South Carolina	
Abbeville	290.5
Aiken	1,935.0
Allendale	941.2
Anderson	1,318.8
Bamberg	274.9
Barnwell	673.8
Beaufort	34.1
Berkeley	407.9
Calhoun	1,897.2
Charleston	87.6
Cherokee	975.2
Chester	392.3
Chesterfield	3,217.0
Clarendon	4,385.8
Colleton	411.8
Darlington	1,742.9
Dillon	1,664.0
Dorchester	492.3
Edgefield	957.1
Fairfield	235.9
Florence	1,762.2
Georgetown	326.8
Greenville	451.1
Greenwood	444.0
Hampton	169.4
Horry	214.1
Jasper	129.0
Kershaw	2,486.5
Lancaster	894.0
Laurens	1,060.3
Lee	4,317.1
Lexington	1,180.3
McCormick	179.9
Marion	240.8
Marlboro	742.5
Newberry	415.6
Oconee	405.8
Orangeburg	5,252.5
Pickens	173.5
Richland	568.3
Saluda	475.4
Spartanburg	809.4
Sumter	3,814.1
Union	540.3
Williamsburg	1,996.4
York	1,970.8
State total	53,355.4

Tennessee	
Bedford	36.7
Benton	35.9
Bradley	133.0
Cannon	0.0
Carroll	111.6
Chester	146.8
Coffee	40.9
Crockett	217.9
Cumberland	0.0
Davidson	0.4
Decatur	33.0
De Kalb	2.4
Dyer	514.9
Fayette	384.3
Franklin	68.5

Tennessee—Continued County:	County reserve (acres)
Gibson	681.3
Giles	168.8
Grundy	21.7
Hamilton	0.0
Hardeman	177.6
Hardin	114.8
Haywood	197.5
Henderson	398.9
Henry	112 5.
Hickman	0.5
Humphreys	1.9
Knox	0.0
Lake	323.4
Lauderdale	128.1
Lawrence	353.5
Lewis	14.3
Lincoln	146.8
Loudon	0.5
McMinn	85.1
McNairy	130.2
Madison	276.0
Marion	7.5
Marshall	15.5
Maury	5.8
Meigs	14.7
Monroe	11.9
Montgomery	0.0
Moore	10.5
Obion	621.1
Perry	3.1
Polk	10.7
Rhea	0.1
Roane	0.0
Robertson	0.0
Rutherford	141.9
Shelby	290.5
Tipton	272.8
Van Buren	3.2
Warren	34.6
Wayne	43.8
Weakley	206.4
White	1.8
Williamson	5.8
Wilson	5.8
State total	6,767.2

Texas	
Anderson	1,617.1
Andrews	226.2
Angelina	449.5
Aransas	25.5
Archer	81.2
Armstrong	128.2
Atascosa	281.3
Austin	1,215.6
Bailey	10,254.9
Bandera	0
Bastrop	1,396.6
Baylor	2,598.1
Bee	93.0
Bell	5,331.7
Bexar	237.8
Blanco	9.0
Borden	1,019.6
Bosque	517.2
Bowie	595.3
Brazoria	964.2
Brazos	465.6
Brewster	30.0
Briscoe	3,181.4
Brooks	71.8
Brown	342.7
Burleson	2,509.8
Burnet	196.5
Caldwell	1,926.4
Calhoun	883.9
Callahan	435.0
Cameron	7,948.4
Camp	196.0
Carson	60.2
Cass	962.8
Castro	368.2
Chambers	7.9
Cherokee	1,595.8
Childress	1,632.5
Clay	725.3
Cochran	6,663.1

TEXAS—Continued County:	County reserve (acres)
Coke	96.9
Coleman	236.9
Collin	820.5
Collingsworth	1,338.0
Colorado	871.4
Comal	8.2
Comanche	390.2
Concho	1,263.7
Cooke	241.8
Coryell	147.7
Cottle	7,090.4
Crockett	1.0
Crosby	1,457.4
Culberson	701.6
Dallam	1.2
Dallas	1,527.0
Dawson	4,142.8
Deaf Smith	1,279.7
Delta	481.8
Denton	839.0
De Witt	2,025.3
Dickens	1,188.7
Dimmit	56.4
Donley	192.2
Duval	582.6
Eastland	486.7
Ector	5.9
Ellis	1,979.9
El Paso	89.9
Erath	593.7
Falls	5,339.9
Fannin	706.8
Fayette	2,277.2
Fisher	3,082.6
Floyd	3,201.8
Foard	362.3
Fort Bend	5,850.3
Franklin	435.6
Freestone	576.1
Frio	181.2
Gaines	12,238.9
Galveston	3.8
Garza	356.8
Gillespie	136.9
Glasscock	19.8
Goliad	417.2
Gonzales	1,055.2
Gray	136.4
Grayson	486.5
Gregg	180.5
Grimes	1,659.3
Guadalupe	1,346.3
Hale	2,810.5
Hall	2,265.3
Hamilton	128.6
Hansford	16.0
Hardeman	1,648.1
Hardin	5.8
Harris	113.4
Harrison	840.7
Hartley	0.1
Haskell	15,495.4
Hays	491.7
Hemphill	177.6
Henderson	611.2
Hidalgo	22,217.4
Hill	9,533.8
Hockley	1,036.8
Hood	252.3
Hopkins	2,362.6
Houston	3,032.8
Howard	1,001.6
Hudspeth	2,585.2
Hunt	896.6
Irion	8.8
Jack	162.2
Jackson	533.1
Jasper	30.0
Jeff Davis	28.8
Jefferson	3.0
Jim Hogg	102.3
Jim Wells	646.0
Johnson	625.0
Jones	3,793.5
Karnes	3,041.9
Kaufman	705.2
Kendall	4.0
Kenedy	0.1

TEXAS—Continued County:	County reserve (acres)
Kent	2,526.7
Kerr	3.0
Kimble	18.4
King	523.8
Kinney	48.0
Kleberg	399.7
Knox	1,160.0
Lamar	184.5
Lamb	951.6
Lampasas	104.6
La Salle	222.2
Lavaca	2,381.9
Lee	1,093.3
Leon	989.6
Liberty	350.4
Limestone	4,723.8
Live Oak	577.5
Llano	13.4
Loving	50.7
Lubbock	1,108.0
Lynn	1,178.6
McCulloch	279.3
McLennan	1,668.2
McMullen	51.3
Madison	549.5
Marion	213.1
Martin	8,373.6
Mason	151.5
Matagorda	1,781.8
Maverick	12.8
Medina	71.1
Menard	23.9
Midland	1,312.1
Milam	4,993.3
Mills	123.7
Mitchell	7,029.5
Montague	297.3
Montgomery	108.8
Moore	10.2
Morris	200.6
Motley	190.4
Nacogdoches	751.2
Navarro	6,612.5
Newton	52.9
Nolan	2,201.8
Nueces	460.5
Ochiltree	6.0
Oldham	3.4
Orange	0.1
Palo Pinto	269.2
Panola	436.9
Parker	258.1
Parmer	912.4
Pecos	155.8
Polk	613.8
Potter	8.8
Presidio	377.6
Rains	937.5
Randall	51.1
Reagan	7.2
Real	0
Red River	1,906.0
Reeves	7,990.0
Refugio	259.3
Roberts	9.1
Robertson	1,163.1
Rockwall	170.0
Runnels	5,490.2
Rusk	688.6
Sabine	206.8
San Augustine	765.5
San Jacinto	550.0
San Patricio	2,044.2
San Saba	412.6
Schleicher	848.4
Scurry	210.1
Shackelford	278.8
Shelby	1,041.2
Smith	1,041.1
Somervell	71.8
Starr	2,613.9
Stephens	80.6
Sterling	14.8
Stonewall	814.3
Sutton	0
Swisher	1,777.3
Tarrant	996.1
Taylor	2,456.1

TEXAS—Continued County:	County reserve (acres)
Terrell	0
Terry	4,928.0
Throckmorton	1,664.2
Titus	293.5
Tom Green	2,241.6
Travis	778.6
Trinity	646.5
Tyler	55.4
Upshur	263.3
Upton	0
Uvalde	50.3
Val Verde	10.2
Van Zandt	2,144.0
Victoria	3,433.9
Walker	907.7
Waller	622.7
Ward	1,146.6
Washington	2,335.7
Webb	41.1
Wharton	662.0
Wheeler	388.5
Wichita	277.3
Wilbarger	4,732.3
Willacy	117.3
Williamson	2,681.6
Wilson	157.3
Winkler	0
Wise	135.4
Wood	336.7
Yoakum	2,429.7
Young	766.7
Zapata	90.5
Zavala	34.5
State total	333,084.1
VIRGINIA	
Accomack	2.0
Appomattox	0.0
Brunswick	276.6
Caroline	0.6
Charlotte	1.0
Chesterfield	0.3
Cumberland	0.6
Dinwiddie	12.1
Franklin	3.1
Greensville	373.6
Halifax	0.1
Hanover	0.0
Isle of Wight	37.9
Lunenburg	29.2
Mecklenburg	254.5
Nansemond	212.8
Norfolk	4.5
Patrick	0.0
Prince Edward	0.9
Prince George	0.9
Princess Anne	0.9
Southampton	332.6
Surry	1.2
Sussex	224.8
State total	1,770.2

2. Section 722.922 is amended to authorize use of facsimile signatures on notices of farm allotments by inserting a new sentence after the fifth sentence and is revised as follows:

§ 722.922 *Notice of farm allotment and marketing quota.* Immediately after farm allotments in a county or other local administrative area are established and approved by the State committee or an employee of the State office pursuant to § 722.931 (b), the county committee shall mail to the operator of each such farm a written notice of the farm allotment and marketing quota for the farm. The county committee shall also mail to the operator of each new cotton farm for which application for an allotment is made but for which it is determined that no farm allotment and marketing quota will be established a similar written no-

tice showing "None" as the allotment and marketing quota established for the farm. The notice shall contain at or near the top thereof the following statement: "To all persons who as operator, landlord, tenant, or sharecropper will for crop year shown above be interested in the above-designated commodity produced on the farm for which this acreage allotment and marketing quota are established." Notice so given shall constitute notice to all such persons. Such notice shall also contain a brief statement of the procedure whereby application for review of the marketing quota may be made under section 363 of the act. Such notice shall bear the actual or facsimile signature of a member of the county committee. The facsimile signature may be affixed by the county committeeman or an employee of the county office. A copy of each notice containing a notation thereon of the date of mailing the notice to the operator of the farm, shall be kept among the permanent records of the county committee, and upon request a copy thereof, duly certified as a true and correct copy shall be furnished without charge to any person who as operator, landlord, tenant, or sharecropper, is interested in the cotton produced in 1958 on the farm for which the notice is given. Insofar as practicable, the notice for each old cotton farm shall be prepared and mailed to the operator so as to be received prior to the referendum to determine whether cotton farmers favor or oppose marketing quotas for the 1958 crop. Farm allotments shall not become effective unless (1) proper approval is obtained as provided under § 722.931 and (2) written notice of farm allotment is issued as provided under §§ 722.911 to 722.932. The farm operator shall immediately notify the county committee of any change in the ownership, operation, or control of the farm, or any part thereof, for which a notice of farm allotment is issued for 1958 and, where required, the county committee shall issue a revised notice of farm allotment.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies secs. 344, 362, 52 Stat. 57, as amended, 62, as amended; 7 U. S. C. 1344, 1362)

Done at Washington, D. C., this 2d day of January 1958. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58-141; Filed, Jan. 7, 1958; 8:48 a. m.]

[Amdt. 2]

PART 722—COTTON

SUBPART—REGULATIONS PERTAINING TO ACREAGE ALLOTMENTS FOR THE 1958 CROP OF EXTRA LONG STAPLE COTTON

COUNTY RESERVES AND SIGNATURE ON NOTICE OF FARM ALLOTMENT

Basis and purpose. The purpose of this amendment is to establish county reserves and to authorize use of facsimile signatures on notices of farm allotments. The amendments contained herein are issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U. S. C. 1281 et seq.). Notice of the proposed establishment of county reserves was published in the FEDERAL REGISTER of July 27, 1957 (22 F. R. 5966), pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) and the data, views, and recommendations which were submitted have been duly considered.

In order that the Agricultural Stabilization and Conservation State and county committees may perform their assigned functions in an orderly manner, it is essential that these amendments be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice and public procedure requirements and the 30-day effective date requirements of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest and these amendments shall be effective upon filing of this document with the Director, Division of the Federal Register.

The regulations pertaining to acreage allotments for the 1958 crop of extra long staple cotton (22 F. R. 8279, 10003) are amended as follows:

1. Section 722.1517 (b) is amended to establish county reserves by deleting the last sentence and adding tables showing the county reserves and is revised as follows:

(b) *Determination of county reserve.* The county committee shall establish a county reserve of not in excess of 15 percent of the sum of (1) the computed county allotment, and (2) the allotment allocated to the county pursuant to paragraph (c) (1) and (2) of § 722.1516 which may be used to adjust indicated farm allotments for old ELS cotton farms determined under paragraph (c) or (d) of this section and to establish allotments for new ELS cotton farms under paragraph (e) (3) of this section. There are set forth below the county reserves established for each county:

ARIZONA	*County reserve (acres)*
County:	
Cochise	10.0
Graham	1,463.5
Maricopa	2,061.5
Pima	36.9
Pinal	176.2
Santa Cruz	1.3
Yuma	17.5
State total	3,766.9
CALIFORNIA	
Imperial	14.7
Riverside	71.2
State total	85.9
FLORIDA	
Alachua	10.0
Bradford	0.0
Columbia	0.9
Hamilton	0.0
Jefferson	0.0
Lake	5.0
Madison	9.8
Marion	30.1
Orange	4.0
Putnam	0.0
Seminole	7.6
FLORIDA—Continued	
County:	
Sumter	2.0
Suwannee	0.0
Union	9.9
Volusia	3.0
State total	82.3
GEORGIA	
Berrien	8.0
Cook	2.9
Lanier	0.1
State total	11.0
NEW MEXICO	
Dona Ana	222.2
Eddy	10.4
Luna	3.2
Otero	0.0
Sierra	8.0
State total	243.8
TEXAS	
Brewster	3.0
Culberson	3.5
El Paso	12.7
Hudspeth	357.2
Jeff Davis	1.0
Loving	0.9
Pecos	9.7
Presidio	11.2
Reeves	491.7
Ward	8.1
State total	909.0
PUERTO RICO	
North	196.9
South	35.1
State total	232.0

2. Section 722.1521 is amended to authorize use of facsimile signatures on notices of farm allotments by inserting a new sentence after the fifth sentence and is revised as follows:

§ 722.1521 *Notice of farm allotment and marketing quota.* Immediately after farm allotments in a county or other local administrative area are established and approved by the State committee or an employee of the State office pursuant to § 722.1530 (b), the county committee shall mail to the operator of each such farm a written notice of the farm allotment and marketing quota for the farm. The county committee shall also mail to the operator of each new ELS cotton farm for which application for an allotment is made but for which it is determined that no farm allotment and marketing quota will be established, a similar written notice showing "None" as the allotment and marketing quota established for the farm. The notice shall contain at or near the top thereof the following statement: "To all persons who as operator, landlord, tenant, or sharecropper will for crop year shown above be interested in the above-designated commodity produced on the farm for which this acreage allotment and marketing quota are established." Notice so given shall constitute notice to all such persons. Such notice shall also contain a brief statement of the procedure whereby application for review of the marketing quota may be made under section 363 of the act. Such notice shall bear the actual or facsimile signature of a member of the county committee. The facsimile

signature may be affixed by the county committeeman or an employee of the county office. A copy of each notice, containing a notation thereon of the date of mailing the notice to the operator of the farm, shall be kept among the permanent records of the county committee, and upon request a copy thereof, duly certified as a true and correct copy shall be furnished without charge to any person who as operator, landlord, tenant, or sharecropper, is interested in the ELS cotton produced in 1958 on the farm for which the notice is given. Insofar as practicable, the notice for each old ELS cotton farm shall be prepared and mailed to the operator so as to be received prior to the referendum to determine whether ELS cotton farmers favor or oppose marketing quotas for the 1958 crop. Where it is impractical or impossible to use the United States mail to serve the producer in Puerto Rico with the notice provided for in this section, use shall be made of such other method of service as is available; however, when such other method is used the county committee shall make provision for keeping an accurate record of the date and method of delivery to the producer of any such notice. Farm allotments shall not become effective unless (a) proper approval is obtained as provided under § 722.1530 and (b) written notice of farm allotment is issued as provided under §§ 722.1511 to 722.1531. The farm operator shall immediately notify the county committee of any change in the ownership, operation, or control of the farm, or any part thereof, for which a notice of farm allotment is issued for 1958 and, where required, the county committee shall issue a revised notice of farm allotment.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies secs. 344, 347, 362, 52 Stat. 57, as amended, 59, as amended, 62, as amended; 7 U. S. C. 1344, 1347, 1362)

Done at Washington, D. C., this 2d day of January 1958. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58-140; Filed, Jan. 7, 1958; 8:47 a. m.]

[1023—Allotments—(Cigar-Binder and Cigar-Filler and Binder Tobacco—58)-1, Amdt. 2]

PART 723—CIGAR-FILLER TOBACCO, CIGAR-BINDER TOBACCO, AND CIGAR-FILLER AND BINDER TOBACCO

CIGAR-BINDER AND CIGAR-FILLER AND BINDER TOBACCO MARKETING QUOTA REGULATIONS, 1958-59 MARKETING YEAR

The changes involved in this amendment are based on the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, applicable to tobacco (7 U. S. C. 1311-15).

In conformance with the provisions of the Administrative Procedure Act (5 U. S. C. 1003), notices of the formulation of this amendment were published in the FEDERAL REGISTER (22 F. R. 8987, 10019). The views, data and recommendations of interested persons have been followed within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

The regulations governing the establishment of farm marketing quotas and acreage allotments for cigar-binder and cigar-filler and binder tobacco for the 1958-59 marketing year (22 F. R. 4351, 4847, 8101) are hereby amended in the following respects:

1. Section 723.923, paragraph (a) is amended by changing the period at the end of such paragraph to a colon and adding the following: *"And provided further,* That if the acreage planted to tobacco on a new tobacco farm is less than the tobacco acreage allotment otherwise established for the farm pursuant to this section, such allotment shall be automatically reduced to the acreage planted to tobacco on the farm."

2. Section 723.927, paragraph (b) is amended to read as follows:

(b) An official notice of the farm acreage allotment and marketing quota shall be mailed to the operator of each farm shown by the records of the county committee to be entitled to an allotment. The notice to the operator of the farm shall constitute notice to all persons who as operator, landlord, tenant, or sharecropper are interested in the farm for which the allotment is established. All such notices shall bear the actual or facsimile signature of a member of the county committee. The facsimile signature may be affixed by the county committeemen or an employee of the county office. Insofar as practical all allotment notices shall be mailed in time to be received prior to the date of any tobacco marketing quota referendum. A copy of such notice, containing thereon the date of mailing, shall be maintained for not less than 30 days in a conspicuous place in the county office and shall thereafter be kept available for public inspection in the office of the county committee. A copy of such notice certified as true and correct shall be furnished without charge to any person interested in the farm in respect to which the allotment is established.

(Sec. 375, 52 Stat. 66 as amended; 7 U. S. C. 1375. Interpret or apply sec. 313, 52 Stat. 47 as amended; 7 U. S. C. 1313) Done at Washington, D. C., this 2d day of January 1958.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58-143; Filed, Jan. 7, 1958; 8:48 a. m.]

[1023—Allotments—(Burley, Flue, Fire, Air and Sun Tobacco—58)-1, Amdt. 2]

PART 725—BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN-CURED TOBACCO

BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN-CURED TOBACCO MARKETING QUOTA REGULATIONS, 1958-59 MARKETING YEAR

The changes involved in this amendment are based on the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, applicable to tobacco (7 U. S. C. 1311-15).

In conformance with the provisions of the Administrative Procedure Act (5 U. S. C. 1003), notices of the formulation of this amendment were published in the FEDERAL REGISTER (22 F. R. 8987, 10019). The views, data and recommendations of interested persons have been followed within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

The regulations governing the establishment of farm marketing quotas and acreage allotments for burley, flue-cured, fire-cured, dark air-cured and Virginia sun-cured tobacco for the 1958-59 marketing year (22 F. R. 5675, 8103) are hereby amended in the following respects:

1. Section 725.923, paragraph (a) is amended by changing the period at the end of such paragraph to a colon and adding the following: *"And provided further,* That if the acreage planted to tobacco on a new tobacco farm is less than the tobacco acreage allotment otherwise established for the farm pursuant to this section, such allotment shall be automatically reduced to the acreage planted to tobacco on the farm."

2. Section 725.927, paragraph (b) is amended to read as follows:

(b) An official notice of the farm acreage allotment and marketing quota shall be mailed to the operator of each farm shown by the records of the county committee to be entitled to an allotment. The notice to the operator of the farm shall constitute notice to all persons who as operator, landlord, tenant, or sharecropper are interested in the farm for which the allotment is established. All such notices shall bear the actual or facsimile signature of a member of the county committee. The facsimile signature may be affixed by the county committeemen or an employee of the county office. Insofar as practical all allotment notices shall be mailed in time to be received prior to the date of any tobacco marketing quota referendum. A copy of such notice, containing thereon the date of mailing, shall be maintained for not less than 30 days in a conspicuous place in the county office and shall thereafter be kept available for public inspection in the office of the county committee. A copy of such notice certified as true and correct shall be furnished without charge to any person interested in the farm in respect to which the allotment is established.

(Sec. 375, 52 Stat. 66 as amended; 7 U. S. C. 1375. Interpret or apply sec. 313, 52 Stat. 47 as amended; 7 U. S. C. 1313)

Done at Washington, D. C., this 2d day of January 1958.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58-145; Filed, Jan. 7, 1958; 8:49 a. m.]

[1023—Allotments—(Maryland Tobacco—58)–1, Amdt. 2]

PART 727—MARYLAND TOBACCO

MARYLAND TOBACCO MARKETING QUOTA REGULATIONS, 1958–59 MARKETING YEAR

The changes involved in this amendment are based on the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, applicable to tobacco (7 U. S. C. 1311–15).

In conformance with the provisions of the Administrative Procedure Act (5 U. S. C. 1003), notices of the formulation of this amendment were published in the FEDERAL REGISTER (22 F. R. 8987, 10019). The views, data and recommendations of interested persons have been followed within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

The regulations governing the establishment of farm marketing quotas and acreage allotments for Maryland tobacco for the 1958–59 marketing year (22 F. R. 4355, 4912, 8104) are hereby amended in the following respects:

1. Section 727.923, paragraph (a) is amended by changing the period at the end of such paragraph to a colon and adding the following: *"And provided further,* That if the acreage planted to tobacco on a new tobacco farm is less than the tobacco acreage allotment otherwise established for the farm pursuant to this section, such allotment shall be automatically reduced to the acreage planted to tobacco on the farm."

2. Section 727.927, paragraph (b) is amended to read as follows:

(b) An official notice of the farm acreage allotment and marketing quota shall be mailed to the operator of each farm shown by the records of the county committee to be entitled to an allotment. The notice to the operator of the farm shall constitute notice to all persons who as operator, landlord, tenant, or sharecropper are interested in the farm for which the allotment is established. All such notices shall bear the actual or facsimile signature of a member of the county committee. The facsimile signature may be affixed by the county committeemen or an employee of the county office. Insofar as practical all allotment notices shall be mailed in time to be received prior to the date of any tobacco marketing quota referendum. A copy of such notice, containing thereon the date of mailing, shall be maintained for not less than 30 days in a conspicuous place in the county office and shall thereafter be kept available for public inspection in the office of the county committee. A copy of such notice certified as true and correct shall be furnished without charge to any person interested in the farm in respect to which the allotment is established.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply sec. 313, 52 Stat. 47 as amended; 7 U. S. C. 1313)

Done at Washington, D. C., this 2d day of January 1958.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58–144; Filed, Jan. 7, 1958; 8:48 a. m.]

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

Subchapter B—Sugar Requirements and Quotas

[Sugar Reg. 814.19]

PART 814—ALLOTMENT OF SUGAR QUOTAS

DIRECT CONSUMPTION PORTION FOR PUERTO RICO, 1958

Basis and purpose. This allotment order is issued under section 205 (a) of the Sugar Act of 1948, as amended (herein called the "act"), for the purpose of allotting the portion of the 1958 sugar quota for Puerto Rico which may be filled by direct-consumption sugar among persons who market such sugar for consumption in the continental United States.

Omission of recommended decision and effective date. The record of the hearing regarding the subject of this order shows that the capacity to produce refined sugar in Puerto Rico far exceeds the maximum quantity of Puerto Rican direct-consumption sugar, that may be marketed within the prospective 1958 mainland and local quotas, approximating 235,000 to 245,000 short tons, raw value, (R. 8). The proceeding to which this order relates was instituted for the purpose of allotting the direct-consumption portion of the quota to prevent disorderly marketing and to afford each interested person an equitable opportunity to market direct-consumption sugar in the continental United States. Some of the allotments made by this order are small and delay in the issuance of the order might result in some persons marketing more than their fair share of the direct-consumption portion of the quota. Therefore, it is imperative that this order become effective on January 1, 1958, in order to fully effectuate the purposes of section 205 (a) of the act. Accordingly, it is hereby found that due and timely execution of the functions imposed upon the Secretary under the act imperatively and unavoidably requires the omission of a recommended decision in this proceeding. It is hereby further found that compliance with the 30-day effective date requirements of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and, consequently, this order shall be effective on January 1, 1958.

Preliminary statement. Under the provisions of section 205 (a) of the act, the Secretary is required to allot a quota or proration thereof whenever he finds that allotment is necessary (1) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, (2) to prevent the disorderly marketing of sugar or liquid sugar, (3) to maintain a continuous and stable supply of sugar or liquid sugar, or (4) to afford all interested persons an equitable opportunity to market sugar or liquid sugar within the quota for the area. Section 205 (a) also provides that such allotment shall be made after such hearing and upon such notice as the Secretary may by regulation prescribe.

Pursuant to the applicable rules of practice and procedure (7 CFR 801.1 et seq.), a preliminary finding was made that allotment of the direct-consumption portion of the quota is necessary and a notice was published on October 17, 1957 (22 F. R. 8229), of a public hearing to be held at Washington, D. C., in Room 2W, Administration Building, Department of Agriculture, November 4, 1957, at 11:00 a. m., for the purpose of receiving evidence to enable the Secretary to make a fair, efficient and equitable distribution of the direct-consumption portion of the 1958 sugar quota for Puerto Rico. The hearing was held at the time and place specified in the notice.

In arriving at the findings, conclusions, and regulatory provisions of this order, all proposed findings and conclusions were carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that findings and conclusions proposed by interested persons are inconsistent with the findings and conclusions contained herein, the specific or implied requests to make such findings and reach such conclusions are denied on the basis of the facts found and stated in connection with the conclusions herein set forth.

Basis for findings and conclusions. Section 205 (a) of the act reads in pertinent part as follows:

* * * Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processing of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person and the ability of such person to market or import that portion of such quota or proration thereof allotted to him * * *

The record of the hearing shows that the potential capacity of Puerto Rican refiners to produce direct-consumption sugar sufficiently exceeds the quantity of such sugar which may be marketed within quotas that allotment of the direct-consumption portion of the quota is necessary (R. 8).

While all three factors specified in the provisions of sec. 205 (a) of the act quoted above have been considered, only the "past marketing" and "ability to market" factors have been given percentile weightings in the formula used on which the allotment of the direct-consumption portion of the 1958 mainland quota for Puerto Rico is based. Testimony indicates that allottees accounting for 93 percent of the direct-consumption sugar brought into the continental United States do not process sugar from sugarcane and that giving weight to the factor "processing from proportionate shares" would not lead to equitable allotment (R. 9).

The findings and conclusions for measuring and weighting the two factors "past marketing" and "ability to market" follow a proposal made in the record (R. 9, 10). By using the quantity of direct-consumption sugar brought into the continental United States during the years 1953–57, inclusive, as a measure of "past marketings," a period of years has been selected that represents experience under marketing conditions similar to those which may be expected in 1958 and also provides a period of time sufficient

to offset short-run factors affecting data for a single year. By using the largest quantity of direct-consumption sugar brought into the continental United States by each allottee in any year during the period 1935 through 1957 as a measure of "ability to market," a sufficient period of time has been provided to permit the selection of a year for each allottee which will reflect relative abilities. A comparison with present plant capacity shows no impairment in the ability of any of the allottees to produce direct-consumption sugar (R. 11).

Two hundred tons of the direct-consumption portion of the quota to be allotted has been set aside as an unallotted reserve for "all other persons" for entries of sugar for direct-consumption regardless of quality (R. 11). It is not practicable to allot such a small quantity to numerous raw sugar mills in advance, hence allotments will be made upon application for specific sales. This procedure continues a trade practice followed in previous years, and contributes to an efficient allocation of the direct-consumption portion of the 1958 sugar quota to be allotted. The two hundred tons set aside would permit entries of Puerto Rican sugar for direct consumption into the continental United States by "all other persons" at a higher rate than in 1955, 1956 and 1957 but at a lower rate than for the years prior to 1955 (R. 14).

In accordance with the record of the hearing (R. 14) provision has been made in the findings and the order to revise allotments without further notice or hearing, to (1) give effect to the substitution of final data for estimates of the quantity of direct consumption sugar imported into the continental United States by each allottee in 1957; (2) reallocate any quantity of an allotment released by an allottee or any quantity of the unallotted reserve not needed to meet the demand from "all other persons", and (3) give effect to any change in the direct-consumption portion of the mainland quota. Also, as proposed in the record (R. 17), the findings and order contain provisions relating to restrictions on marketing similar to those contained in the 1957 Puerto Rican allotment order, since such provisions operated successfully in 1957 and no objection was made in the record to their inclusion.

Findings and conclusions. (1) The potential capacity of Puerto Rican refiners to produce direct-consumption sugar during the calendar year 1958 exceeds 385,000 short tons and this quantity is far greater than the total quantity of such sugar which may be marketed within the 1958 sugar quotas for Puerto Rico.

(2) The allotment of the direct-consumption portion of the 1958 sugar quota for Puerto Rico is necessary to prevent disorderly marketings of such sugar and to afford each interested person an equitable opportunity to market such sugar in the continental United States.

(3) Assignment of a percentile weight to the "proportionate shares" factor in the final allotment formula would not result in fair, efficient and equitable allotment.

(4) The "past marketings" factor shall be measured for each allottee by its percentage of the average entries of direct-consumption sugar of all allottees in the continental United States during the years 1953 through 1957.

(5) The "ability to market" factor shall be measured for each allottee by its percentage of the sum of the largest quantities of direct-consumption sugar of all allottees entered into the continental United States during any calendar year during the period 1935–57, inclusive, and the ability so measured is within the present plant capacity of each refiner.

(6) The quantity of sugar referred to in paragraphs (4) and (5), above, based on data involving estimates for 1957 direct-consumption entries which shall be used to establish allotments pending availability and substitution of final data for such estimates, are set forth in the following table:

[Short tons, raw value]

Allottee	Average annual marketings 1953–57	Highest annual marketings 1935–57
Central Aguirre Sugar Co., a trust	6,374	10,640
Central Roig Refining Co	20,198	28,665
Central San Francisco	1,036	2,590
Porto Rican American Sugar Refinery, Inc	80,297	116,611
South Porto Rico Sugar Co. of P. R	131	4,982
Western Sugar Refining Co	20,353	29,988
Total	128,389	193,476

(7) A small part of the direct-consumption portion of the mainland quota is normally filled by allottees other than those named in (6), above. Two hundred short tons, raw value, should be reserved for "All other persons" in 1958.

(8) Allotments totaling the direct-consumption portion of the 1958 Puerto Rican mainland quota in excess of the unalloted reserve for "All other persons" should be established by giving fifty percent weight to past marketings, measured as provided in paragraph (4), above, and fifty percent weight to ability to market, measured as provided in paragraph (5), above.

(9) This order shall be revised without further notice or hearing for the purpose of substituting final data for estimates of the Puerto Rican direct-consumption sugar entries in 1957 when such data become part of the official records of the Department.

(10) This order shall provide for reallotment without further notice or hearing any quantity of sugar that may be released by an allottee who finds that he cannot use his full allotment and so indicates in writing to the Director of the Sugar Division, or any quantity that may not be needed to meet demands upon the unalloted reserve for "All other persons." Any quantity so released or not needed may be allotted among the other allottees to the extent they are able to utilize additional allotments on the basis of the allotments otherwise established for such allottees. Any quantity of the deficit which cannot be used by such allottees shall be added to the unallotted reserve for "All other persons."

(11) This order shall be revised without further notice or hearing to adjust allotments to give effect to any change in the direct-consumption portion of the 1958 quota for Puerto Rico on the same basis as used in establishing allotments in this order.

(12) Each allottee in 1958 should be restricted from bringing into the continental United States for consumption therein any direct-consumption sugar in excess of the smaller of its allotment established herein or the sum of the quantity of sugar produced by the allottee from sugarcane and the quantity of sugar acquired by the allottee for shipment to the mainland within the applicable 1958 mainland quota for Puerto Rico. All other persons should be prohibited from bringing such sugar into the continental United States in 1958 for consumption therein except such sugar acquired from an allottee within its allotment established herein, or brought in within the unallotted reserve for "All other persons". All persons collectively shall be prohibited from bringing into the continental United States any direct-consumption sugar other than crystalline sugar in excess of the quantity by which the direct-consumption portion of the mainland quota exceeds 126,033 short tons, raw value.

(13) Allotments established in the foregoing manner and in the amounts set forth in the order provide a fair, efficient, and equitable distribution of the direct-consumption portion of the mainland quota, as required by section 205 (a) of the act.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act; it is hereby ordered:

§ 814.19 *Allotment of the direct-consumption portion of 1958 sugar quota for Puerto Rico*—(a) *Allotments.* The direct-consumption portion of the 1958 sugar quota for Puerto Rico, amounting to 130,016 short tons, raw value, is hereby allotted as follows:

Allottee:	*Direct-consumption allotment (short tons, raw value)*
Central Aguirre Sugar Co., a trust	6,792
Central Roig Refining Company	19,828
Central San Francisco	1,393
Porto Rican American Sugar Rfy., Inc	79,716
South Porto Rican Sugar Co. of P. R	1,737
Western Sugar Refining Co	20,350
All other persons	200
Total	130,016

(b) *Restrictions on marketing.* (1) During the calendar year 1958, each allottee named in paragraph (a) of this section is hereby prohibited from bringing into the continental United States, for consumption therein, any direct-consumption sugar from Puerto Rico in excess of the smaller of (i) the allotment therefor established in paragraph (a) of this section, or (ii) the sum of the quantity of sugar produced by the allottee from sugarcane and the quantity of

sugar acquired by the allottee for shipment to the mainland within the applicable 1958 mainland quota for Puerto Rico.

(2) During the calendar year 1958, all persons other than the allottees specified in paragraph (a) of this section are hereby prohibited from bringing into the continental United States, for consumption therein, any direct-consumption sugar from Puerto Rico except (i) that acquired from an allottee within the quantity established in this section, and (ii) that brought in within the quantity established in this section for "all other persons."

(3) Of the total quantity of direct-consumption sugar alloted in paragraph (a) of this section, 126,033 short tons, raw value, may be filled only by sugar principally of crystalline structure and the balance may be filled by sugar whether or not principally of crystalline structure.

(c) The Director of the Sugar Division, Commodity Stabilization Service, U. S. Department of Agriculture, is hereby authorized to revise the allotments established under this order without further notice or hearing in accordance with the findings and conclusions heretofore made, to give effect to (1) the substitution of final data for estimates, (2) the reallocation of any quantity of an allotment released by an allottee or not needed to meet the demand on the reserve for "All other persons", and (3) any increase or decrease in the quantity of the direct-consumption portion of the 1958 mainland quota for Puerto Rico.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies secs. 205, 209; 61 Stat. 926, 928; 7 U. S. C. 1115, 1119)

Done at Washington, D. C., this 2d day of January 1958.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58-142; Filed, Jan. 7, 1958; 8:48 a. m.]

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

[Grapefruit Reg. 278]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.884 *Grapefruit Regulation 278*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933; 22 F. R. 8511), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 3, 1958, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof, and this regulation relieves restrictions on the handling of grapefruit.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title); and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (chapters 25149 and 28090) and also by section 601.18, as amended June 2, 1955 (chapter 29760).

(2) Grapefruit Regulation 277 (§ 933.880; 22 F. R. 10434) is hereby terminated effective at 12:01 a. m., e. s. t., January 7, 1958.

(3) During the period beginning at 12:01 a. m., e. s. t., January 7, 1958, and ending at 12:01 a. m., e. s. t., January 13, 1958, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico;

(i) Any seeded grapefruit, grown in the production area, which are not mature and do not grade at least U. S. No. 1 Bronze;

(ii) Any seeded grapefruit, grown in the production area, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(iii) Any seedless grapefruit, grown in Regulation Area I, which are not mature and do not grade at least U. S. No. 1 Bronze;

(iv) Any seedless grapefruit, grown in Regulation Area II, which are not mature and do not grade at least U. S. No. 1 Russet: *Provided*, That any grapefruit which grade U. S. No. 2 Russet, U. S. No. 2 or U. S. No. 2 Bright, may be shipped if such grapefruit meets the requirements as to form (shape) and color specified in the U. S. No. 1 grade; or

(v) Any seedless grapefruit, grown in the production area, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

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

Dated: January 6, 1958.

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

[F. R. Doc. 58-191; Filed, Jan. 7, 1958; 9:16 a. m.]

[Orange Reg. 331]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES AND TANGELOS GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.885 *Orange Regulation 331*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933; 22 F. R. 8511), regulating the handling of oranges, grapefruit, tangerines and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.)

because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, including Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 3, 1958, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, including Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof, and this regulation relieves restrictions on the handling of oranges, including Temple oranges.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F. R. 6676).

(2) Orange Regulation 330 (§ 933.881; 22 F. R. 10434) is hereby terminated effective at 12:01 a. m., e. s. t., January 7, 1958.

(3) During the period beginning at 12:01 a. m., e. s. t., January 7, 1958, and ending at 12:01 a. m., e. s. t., January 13, 1958, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, except Temple oranges, grown in the production area, which do not grade at least U. S. No. 2;

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than 2$^{5}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; (22 F. R. 6676): *Provided*, That in determining the percentage of oranges in any lot which are smaller than 2$^{5}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size 2$^{15}/_{16}$ inches in diameter and smaller;

(iii) Any Temple oranges, grown in the production area, which do not grade at least U. S. No. 2 Russet; or

(iv) Any Temple oranges, grown in the production area, which are of a size smaller than 2$^{5}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F. R. 6676).

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

Dated: January 6, 1958.

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

[F. R. Doc. 58-192; Filed, Jan. 7, 1958; 9:16 a. m.]

[Tangelo Reg. 3]

PART 933—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.886 *Tangelo Regulation 3*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933; 22 F. R. 8511), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangelos, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 3, 1958, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangelos; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangelos, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof, and this regulation relieves restrictions on the handling of tangelos.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F. R. 6676).

(2) Tangelo Regulation 2 (§ 933.883; 22 F. R. 10435) is hereby terminated effective at 12:01 a. m., e. s. t., January 7, 1958.

(3) During the period beginning at 12:01 a. m., e. s. t., January 7, 1958, and ending at 12:01 a. m., e. s. t., January 13, 1958, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangelos, grown in the production area, which do not grade at least U. S. No. 2 Russet; or

(ii) Any tangelos, grown in the production area, which are of a size smaller than 2$^{5}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title; 22 F. R. 6676).

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

Dated: January 6, 1958.

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

[F. R. Doc. 58-193; Filed, Jan. 7, 1958; 9:16 a. m.]

TITLE 6—AGRICULTURAL CREDIT

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

Subchapter B—Loans, Purchases, and Other Operations

PART 472—WOOL

SUBPART—1958 PAYMENT PROGRAM FOR SHORN WOOL AND UNSHORN LAMBS (PULLED WOOL)

Correction

In Federal Register Document 57-10679, published at page 10719 in the issue dated December 27, 1957, the word "purchasers" in the last sentence of paragraph (a) of § 472.906 should read "purchases".

PART 485—SOIL BANK

SUBPART—CONSERVATION RESERVE PROGRAM

CONSERVATION RESERVE GOALS FOR 1958

Pursuant to the authority vested in the Secretary of Agriculture pursuant to the Soil Bank Act (70 Stat. 188) the regulations for the conservation reserve program issued August 16, 1956 (21 F. R. 6289), as amended, are hereby amended as follows:

1. Section 485.155 is amended by adding a new paragraph at the end thereof to read as follows:

The National conservation reserve goal for 1958 is established at 9,962,000 acres. The National conservation reserve goal for 1958 is hereby apportioned among States as follows:

State:	1958—1,000 acres
Alabama	155
Arizona	27
Arkansas	212
California	230
Colorado	401
Connecticut	11
Delaware	7
Florida	50
Georgia	163
Idaho	116
Illinois	333
Indiana	262
Iowa	391
Kansas	560
Kentucky	252
Louisiana	87
Maine	36
Maryland	41
Massachusetts	14
Michigan	249
Minnesota	410
Mississippi	134
Missouri	475
Montana	313
Nebraska	409
Nevada	11
New Hampshire	12
New Jersey	21
New Mexico	193
New York	169
North Carolina	138
North Dakota	581
Ohio	198
Oklahoma	397
Oregon	145
Pennsylvania	152
Rhode Island	1
South Carolina	16
South Dakota	403
Tennessee	234
Texas	1063
Utah	46
Vermont	31
Virginia	102
Washington	218
West Virginia	57
Wisconsin	306
Wyoming	50

(Sec. 124, 70 Stat. 198; 7 U. S. C. 1812)

Done at Washington, D. C., this 2d day of January 1958.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58-139; Filed, Jan. 7, 1958; 8:47 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

DOCUMENTARY REQUIREMENTS FOR NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

MISCELLANEOUS AMENDMENTS TO CHAPTER

Reference is made to the notice of proposed rule making which was published in the FEDERAL REGISTER of November 9, 1957 (22 F. R. 9002) and in which there was set out in full the terms of proposed amendments to Parts 212, 236, and 299, Chapter I, Title 8 of the Code of Federal Regulations, relating to the documentary requirements and waivers thereof for nonimmigrants, the procedure to be followed by certain inadmissible aliens, and the parole of aliens. Representations which were received concerning the proposed rules have been considered. The proposed rules have been amended. The amendatory regulations, as set out below, are hereby adopted.

Part 212 is amended to read as follows:

PART 212—DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

Sec.

AUTHORITY: §§ 212.1 to 212.6 issued under sec. 103, 66 Stat. 173; 8 U. S. C. 1103. Interpret or apply secs. 101, 212, 214, 235, 236, 238, 242, 66 Stat. 166, 182, 189, 198, 200, 202, 208, secs. 5-7, 71 Stat. 640; 8 U. S. C. 1101, 1182, 1184, 1225, 1226, 1228, 1252.

§ 212.1 *Documentary requirements for nonimmigrants.* A valid unexpired visa and an unexpired passport, valid for the period set forth in section 212 (a) (26) of the act, shall be presented by each arriving nonimmigrant alien except as otherwise provided in the act or this chapter and except that:

(a) *Visa and passport waivers.* Neither a visa nor a passport is required of a nonimmigrant who (1) is a Canadian citizen or British subject who has his residence in Canada and who makes application for admission into the United States (i) from Canada; or (ii) from, and after a visit solely to, some place in foreign contiguous territory or adjacent islands; or (iii) from, and after a visit solely to, some place in the Western Hemisphere if such citizen departed on a round-trip cruise from a port of the United States or Canada and has not transshipped from the original vessel or aircraft; (2) is a British subject who has his residence in Bermuda and who makes application for admission into the United States as a visitor for business or pleasure under the provisions of section 101 (a) (15) (B) of the act (i) from Bermuda; or (ii) from, and after a visit solely to, some place in foreign contiguous territory or adjacent islands; or (iii) from, and after a visit solely to, some place in the Western Hemisphere if such subject departed on a round-trip cruise from a port of the United States or Bermuda and has not transshipped from the original vessel or aircraft; (3) is a Mexican national who (i) is a military or civilian official or employee of the Mexican national government, or of a Mexican state or municipal government, or a member of the family of any such official or employee, and who makes application for admission into the continental United States from Mexico on personal or official business or for pleasure; or (ii) makes application to pass in immediate and continuous transit through the continental United States from one place in Mexico to another by means of a transportation line which crosses the border between the United States and Mexico; or (iii) is a member of a fire-fighting group entering the United States in connection with fire-fighting activities; or (iv) is in possession of a border crossing card on Form I-186 applying for admission in accordance with the terms thereon and the provisions of § 212.6; or (v) is an officer or employee entering the United States in the performance of his official duties with the International Boundary and Water Commission, or (vi) is employed directly or indirectly on the construction, operation, or maintenance of works in the United States undertaken in accordance with the treaty concluded on February 3, 1944, between the United States and Mexico, and entering the United States temporarily in connection with such employment; (4) is a national of Cuba who (i) is an official of the

Cuban Immigration Service, who makes continuous round trips on regularly scheduled steamships between Havana, Cuba, and Miami, Florida, for the purpose of inspecting passengers, and who makes application for admission into the United States in connection with such employment; or (ii) is a crewman serving on board a Cuban military or naval aircraft and who makes application for admission into the United States in connection with his official duties; (5) is an alien embraced within the provisions of § 214c.1 of this chapter; (6) is an alien who is a pilot of a vessel and who is compelled to travel to the United States because weather conditions made it impossible for him to disembark from the vessel after he had guided it out of a foreign port; or (7) is an alien who, either prior to his embarkation at a foreign port or place or at the time of arrival at a port of entry in the United States, satisfies the district director in charge of the port of entry (after consultation with and concurrence by the Administrator, Bureau of Security and Consular Affairs of the Department of State) that, because of an unforeseen emergency, he was unable to obtain the required documents, in which case an application for waiver shall be made on Form I–193.

(b) *Visa waivers.* A valid unexpired nonimmigrant visa is not required to be presented by each arriving nonimmigrant alien who (1) is a Canadian citizen who has his residence in Canada, who is not within the purview of paragraph (a) (1) of this section, and who makes application for admission into the United States; (2) is a British subject who has his residence in British territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States; (3) is a French national who has his residence in French territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States; (4) is a Netherlands subject who has his residence in Netherlands territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States; (5) is a national of foreign contiguous territory or adjacent islands who makes application for admission into the United States as a seasonal or temporary worker under specific legislation enacted by the Congress and in accordance with any required international arrangements concluded upon the basis of such legislation; (6) is a national of an adjacent island in the British West Indies who is being imported as an agricultural worker from the British West Indies, and who makes application for admission into the United States; (7) is a Mexican national who makes application for admission into the United States as a crewman of an aircraft belonging to a Mexican company authorized to engage in commercial transportation into the United States, who is employed in any capacity required for normal operation and service on board, including a crewman employed as a steward or hostess, and who is in possession of a valid Mexican passport or a valid aircrewman's certificate issued under the provisions of Annex 9 of the International Civil Aviation Convention; (8) is a Cuban national who makes application for admission into the United States as a crewman of an aircraft belonging to a Cuban company authorized to engage in commercial transportation into the United States, who is employed in any capacity required for normal operation and service on board, including a crewman employed as a steward or hostess, and who is in possession of a valid Cuban passport or a valid aircrewman's certificate issued under the provisions of Annex 9 of the International Civil Aviation Convention; (9) is a British subject who has his residence in, and arrives in the United States directly from, the Cayman Islands, and who, in making application for admission into the United States, presents a certificate from the Clerk of Court of the Cayman Islands stating what, if anything, the court's criminal records show concerning such subject, and a certificate from the Office of Commissioner of the Cayman Islands stating what, if anything, its records show with respect to such subject's political associations or affiliations; (10) is a crewman serving on a vessel or aircraft proceeding directly to the United States from a port or place at which no American consular officer is stationed and no consular officer is stationed at a nearby port or place to whom the crew list may be submitted for visaing by mail or otherwise without delaying the departure of the vessel or aircraft; (11) is a crewman serving on a vessel or aircraft which is proceeding from a foreign port or place, not destined to the United States, and is diverted to a port of the United States; (12) is a crewman serving on a vessel or aircraft who was necessarily signed on as a replacement after the crew-list visa was obtained and there was no opportunity thereafter to have such crewman included in a supplemental crew-list visa without delaying the departure of the vessel or aircraft; (13) is an alien in the United States in a lawful nonimmigrant status who proceeds from a port in the United States to another port of the United States via the Canal Zone and who upon arrival in the United States from the Canal Zone is in possession of an expired nonimmigrant visa; (14) is an alien who arrives at a United States port of entry from a remote Pacific island and who could not reasonably be expected to obtain a nonimmigrant visa because of the distance from his place of residence to the nearest United States consular office; (15) is an alien who is a resident of Greenland and who makes application for admission into the United States; or (16) is an alien who, either prior to his embarkation at a foreign port or place or at the time of arrival at a port of entry in the United States, satisfies the district director in charge of the port of entry (after consultation with and concurrence by the Administrator, Bureau of Security and Consular Affairs of the Department of State) that, because of an unforeseen emergency, he was unable to obtain the required document, in which case an application for waiver shall be made on Form I–193.

(c) *Passport waivers.* A valid unexpired passport is not required to be presented by each arriving nonimmigrant alien who (1) is an alien who is described in section 212 (d) (8) of the act, and who is in possession of a travel document which is valid for at least 30 days from the date of his admission into the United States for his entry into a foreign country; or (2) is an alien who, either prior to his embarkation at a foreign port or place or at the time of arrival at a port of entry in the United States, satisfies the district director in charge of the port of entry (after consultation with and concurrence by the Administrator, Bureau of Security and Consular Affairs of the Department of State), that, because of an unforeseen emergency, he was unable to obtain the required document, in which case an application for waiver shall be made on Form I–193.

§ 212.2 *Consent to reapply for admission after deportation, removal, or departure at Government expense.* An application for permission to reapply for admission to the United States after deportation or removal and to remove the bar to admissibility contained in paragraph (16) or (17) of section 212 (a) of the act shall be filed on Form I–212 with the director of the district in which the deportation or removal proceedings were held. The applicant shall be notified of the decision and, if denied, of the reasons therefor and of his right to appeal within 10 days from the receipt of such notification in accordance with Part 7 of this chapter. Any alien who is excludable under paragraph (16) or (17) of section 212 (a) of the act and who has a parent, spouse, or child who is a United States citizen or an alien lawfully admitted to the United States for permanent residence is hereby granted permission to reapply for admission to the United States, except that this grant of permission to reapply shall not be regarded as a waiver of grounds of excludability as provided in section 5 or 7 of the act of September 11, 1957.

§ 212.3 *Applications for the exercise of discretion under section 212 (c).* An application for the exercise of discretion under section 212 (c) of the act shall be submitted on Form I–191 to the district director in charge of the area in which the applicant's intended or actual place of residence in the United States is located prior to, at the time of, or at any time subsequent to the applicant's arrival in the United States. The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor, and of his right to appeal to the Board within 10 days from the receipt of such notification in accordance with Part 6 of this chapter. If denied, the denial shall be without prejudice to renewal of the application in the course of proceedings before a special inquiry officer under sections 235, 236, and 242 of the act and this chapter. When an appeal may not be taken from a decision of a special inquiry officer excluding an alien, but the alien has applied for the exercise of discretion under section 212

(c) of the act, the alien may appeal to the Board from a denial of such application in accordance with the provisions of § 236.15 of this chapter.

§ 212.4 *Applications for the exercise of discretion under section 212 (d) (3).* When a visa is not required, an application for the exercise of discretion under section 212 (d) (3) of the act shall be submitted on Form I–192 to the district director in charge of the applicant's intended port of entry prior to the applicant's arrival in the United States. (For Department of State procedure when a visa is required, see 22 CFR 41.150.) If the application is made at the time of the applicant's arrival to the district director at a port of entry, the applicant shall establish that he was not aware of the ground of inadmissibility and that it could not have been ascertained by the exercise of reasonable diligence, and he shall be in possession of appropriate documents or have been granted a waiver thereof. The applicant shall be notified of the decision and, if the application is denied, of the reasons therefor, and of his right to appeal to the Board within 10 days from the receipt of such notification in accordance with Part 6 of this chapter. If denied, the denial shall be without prejudice to renewal of the application in the course of proceedings before a special inquiry officer under sections 235 and 236 of the act and this chapter. When an appeal may not be taken from a decision of a special inquiry officer excluding an alien but the alien has applied for the exercise of discretion under section 212 (d) (3) of the act, the alien may appeal to the Board from a denial of such application in accordance with the provisions of § 236.15 of this chapter. Pursuant to the authority contained in section 212 (d) (3) of the act, the ground of inadmissibility contained in section 212 (a) (24) is waived for any nonimmigrant.

§ 212.5 *Parole of aliens into the United States.* The district director in charge of a port of entry may, prior to examination by an immigration officer, or subsequent to such examination and pending a final determination of admissibility in accordance with sections 235 and 236 of the act and this chapter, or after a finding of inadmissibility has been made, parole into the United States temporarily in accordance with section 212 (d) (5) of the act any alien applicant for admission at such port of entry under such terms and conditions, including the exaction of a bond on Form I–324, as such officer shall deem appropriate. At the expiration of the period of time or upon accomplishment of the purpose for which parole was authorized or when in the opinion of the district director in charge of the area in which the alien is located that neither emergency nor public interest warrants the continued presence of the alien in the United States, parole shall be terminated upon written notice to the alien and he shall be restored to the status which he had at the time of parole, and further inspection or hearing shall be conducted under section 235 or 236 of the act and this chapter, or any order of exclusion and deportation previously entered shall be executed.

§ 212.6 *Nonresident alien border crossing cards*—(a) *Use.* A Mexican nonresident alien border crossing card on Form I–186 may be presented as the sole entry document by a Mexican citizen at a Mexican border port. A Canadian nonresident alien border crossing card on Form I–185 may be presented by a Canadian citizen or British subject residing in Canada to facilitate entry at a United States port. When presented by the rightful holder, Form I–185 and Form I–186 are valid for admission to the United States in accordance with the terms noted thereon.

(b) *Application.* A citizen of Mexico shall apply on Form I–190 for a nonresident alien border crossing card, supporting his application with evidence of Mexican citizenship and residence, a valid unexpired passport unless a passport is not required for admission under the provisions of this part, two photographs, and a fingerprint chart. A citizen of Canada or British subject residing in Canada shall apply on Form I–175, supporting his application with evidence of Canadian or British citizenship, residence in Canada, two photographs, and a fingerprint chart. Form I–190 shall be submitted to a Service office on the Mexican border or to any United States consulate in Mexico. Form I–175 shall be submitted only to a Service office on the Canadian border. An appeal shall not lie from a denial of the application, but such denial shall be without prejudice to a subsequent application for a visa or admission to the United States.

(c) *Validity.* Forms I–185 and I–186 are valid until revoked. Either form may be declared void, without notice, by an officer authorized to issue such form and, upon voidance, shall be surrendered immediately. An appeal shall not lie from a decision voiding a nonresident alien border crossing card, but such voidance shall be without prejudice to a subsequent application for a visa or admission to the United States.

(d) *Replacement.* If a nonresident alien border crossing card has been lost, mutilated, or destroyed the person to whom such card was issued may apply for a new card in accordance with the provisions of this section.

(e) *Previous removal or deportation; waiver of inadmissibility.* Pursuant to the authority contained in section 212 (d) (3) of the act, the bar to admissibility contained in paragraph (16) or (17) of section 212 (a) of the act is hereby waived for an alien in possession of a Mexican nonresident alien border crossing card who establishes that he is otherwise admissible as a visitor or student except for his removal or deportation prior to November 1, 1956, because of entry without inspection or lack of required documents.

PART 236—EXCLUSION OF ALIENS

The sixth sentence of paragraph (b) *Permission to reapply* of § 236.13 *Advice to alien found excludable* is amended by deleting the reference to "§ 212.6" and inserting in lieu thereof the reference to "Part 212."

PART 299—IMMIGRATION FORMS

Section 299.1 *Prescribed forms* is amended by adding the following forms in numerical sequence:

Form No.	*Title and description*
I–175	Application for Nonresident Alien Canadian Border Crossing Card.
I–185	Nonresident Alien Canadian Border Crossing Card.

(Sec. 103, 66 Stat. 173; 8 U. S. C. 1103)

The basis and purpose of the above-prescribed regulations are to prescribe the documentary requirements and waivers thereof for nonimmigrants, the precedure to be followed by certain inadmissible aliens, and the parole of aliens.

This order shall become effective on the date of its publication in the FEDERAL REGISTER. Compliance with requirements of section 4 (c) of the Administrative Procedure Act relating to delayed effective date is unnecessary and would serve no useful purpose in this instance because the persons affected by the regulations prescribed will not require additional time to prepare for the effective date of the regulations.

Dated: December 20, 1957.

J. M. SWING,
Commissioner of Immigration and Naturalization.

[F. R. Doc. 58–146; Filed, Jan. 7, 1958; 8:49 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 49]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

Correction

Federal Register Document 57–10411, published at page 10304 in the issue dated December 20, 1957, is corrected as follows: In amendatory paragraph 5, the ILS procedure for Ontario, Calif., is corrected by changing the seventh line under the table to read: "Altitude of glide slope and distance to approach end of runway at LOM, 2120—3.7; at MM, 1140—0.4."

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54513]

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

ARTICLES FOR INSTITUTIONS; WORKS OF ART

To broaden the conditions under which a certificate of delivery, customs Form 3337, may be omitted in connection with a claim for free entry of articles for institutions under paragraphs 1631, 1773, 1774, and 1817 of the Tariff Act of 1930, and to eliminate under certain conditions the requirement of a certificate of delivery in connection with a claim for free entry of stained or painted

glass windows for houses of worship under paragraph 1810, the following changes are made in the Customs Regulations:

Section 10.44 (c) is amended to read as follows:

(c) Customs Form 3337, signed by an executive officer or other authorized representative of the institution, shall be filed within 6 months from the date of entry unless (1) the importation is consigned to the institution, (2) the receipt of the articles is acknowledged by the institution on customs Form 3321, or (3) examination of the articles on the premises of the institution is approved under § 14.2 of this chapter.

(Sec. 201 (pars. 1631, 1773, 1774, 1817), 46 Stat. 672 as amended; 19 U. S. C. 1201 (pars. 1631, 1773, 1774, 1817))

Section 10.52 is amended by designating the material now following the headnote as paragraph "(a)", by substituting a period for the comma following "of worship", and by deleting the remainder of the sentence.

A new paragraph (b) is added reading as follows:

(b) Customs Form 3337 shall be filed in connection with the entry unless (1) the importation is consigned to the institution, (2) the receipt of the articles is acknowledged by the institution on customs Form 3321, or (3) examination of the articles on the premises of the institution is approved under section 14.2 of these regulations.

(Sec. 201 (par. 1810), 46 Stat. 685; 19 U. S. C. 1201 (par. 1810))

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

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: December 31, 1957.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F. R. Doc. 58-98; Filed, Jan. 7, 1958; 8:45 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

Subchapter B—Food and Food Products

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

TOLERANCE FOR RESIDUES OF DIURON

A petition was filed with the Food and Drug Administration requesting the establishment of a tolerance for residues of diuron in or on bird's-foot trefoil (hay, forage).

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purposes for which a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerance established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (2), 68 Stat. 512; 21 U. S. C. 346a (d) (2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.7 (g)), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR Part 120, 1956 Supp., 120.106) are amended by changing paragraph (b) of § 120.106 to read as follows:

§ 120.106 *Tolerances for residues of diuron.* * * *

(b) 2 parts per million in or on alfalfa, bird's-foot trefoil (hay, forage), and grass crops (grass hay).

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date thereof, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by this order, specify with particularity the provisions of the order deemed objectionable and reasonable grounds for the objections, and request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interprets or applies sec. 408, 68 Stat. 511; 21 U. S. C. 346a)

Dated: December 31, 1957.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 58-137; Filed, Jan. 7, 1958; 8:47 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

APPOMATTOX RIVER, VA.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), § 203.245 (f) (18) governing the operation of the Seaboard Air Line Railroad Company bridge across Appomattox River near Hopewell, Virginia, is hereby amended, as follows:

§ 203.245 *Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of drawtenders is not required.* * * *

(f) *Waterways discharging into Chesapeake Bay.* * * *

(18) *Appomattox River, Va.; Seaboard Air Line Railroad Company bridge near Hopewell.* At least 24 hours' advance notice required, such notice to be given to the Seaboard Air Line Railroad Agent at Hopewell, Virginia: Provided, that a drawtender shall be placed in constant attendance, on 30 days' notice in writing from the District Engineer, Corps of Engineers.

[Regs., Dec. 17, 1957, 823.01 (Appomattox River, Va.)—ENGWO] (Sec. 5, 28 Stat. 362; 33 U. S. C. 499)

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

[F. R. Doc. 58-128; Filed, Jan. 7, 1958; 8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicles

[Ex Parte MC-40]

PART 194—REPORTING OF ACCIDENTS

QUALIFICATIONS AND MAXIMUM HOURS OF SERVICE OF EMPLOYEES OF MOTOR CARRIERS AND SAFETY OF OPERATION AND EQUIPMENT

DECEMBER 31, 1957.

The Interstate Commerce Commission in a notice dated December 4, 1957, entitled "Motor Carriers of Property—Accident Data First Quarter—1957", issued an interpretation to the effect that § 194.2 of the Motor Carrier Safety Regulations requires that motor carriers, except private carriers of property, report to the Commission all accidents of specified severity occurring in intercity service, including those occurring in intrastate commerce. This interpretation will be followed with respect to accidents occurring on and after January 1, 1958.

Reportable accidents which must be filed by every motor carrier, except private carriers, subject to Part II, Interstate Commerce Act (49 U. S. C. 301 et seq.), are those accidents which occur in either interstate or intrastate commerce in which a motor vehicle operated by the motor carrier is involved and from which there results an injury to or death of any person, or property damage to any and all vehicles, cargo, or other property involved to an apparent extent of $100 or more. Accidents involving vehicles and drivers used wholly within a municipality or the commercial zone thereof, as defined by the Commission, are not reportable, except accidents occurring when transporting explosives or other dangerous articles of such type and in such quantity as to require the vehicle to be specially marked or placarded under the Explosives and Other Dangerous Articles Regulations, § 77.823 of this chapter, or when operating without cargo under conditions which require the vehicle to be so marked or placarded under the cited regulations.

The original and one copy of each accident report on the form prescribed by the Commission must be filed by the motor carrier as soon as possible, and in every instance within 15 days after occurrence of the accident, with the District Director, Bureau of Motor Carriers,

for the district in which the motor carrier has his or its principal place of business. A copy of each accident report must be retained by the motor carrier in the files of his or its principal place of business.

(49 Stat. 546, as amended; sec. 835, 62 Stat. 739; 49 U. S. C. 304, 18 U. S. C. 835)

By the Commission, Division 1.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F. R. Doc. 58-149; Filed, Jan. 7, 1958; 8:49 a. m.]

PART 205—REPORTS OF MOTOR CARRIERS

MOTOR CARRIER ANNUAL REPORT FORM B (CLASS II CARRIERS OF PROPERTY)

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 23d day of December A. D. 1957.

The matter of annual reports from Class II motor carriers of property being under further consideration, and the changes to be effectuated by this order being minor changes resulting from the reclassification of motor carriers, rule-making procedures under section 4 (a) of the Administrative Procedure Act, 5 U. S. C. 1003 (a), being deemed unnecessary:

It is ordered, That § 205.1 of the order of December 10, 1956, in the matter of Motor Carrier Annual Report Form A, in so far as it relates to reports of motor carriers of property with $200,000 but less than $1,000,000 of average annual gross operating revenues for the year ended December 31, 1957 and subsequent years, be vacated and set aside, and that § 205.1a be substituted therefor, as shown below.

It is further ordered, That 49 CFR Part 205 be amended by adding thereto § 205.1a, to read as follows:

§ 205.1a *Annual reports of Class II carriers of property.* Commencing with the year ended December 31, 1957, and for subsequent years thereafter, until further order, all Class II motor carriers of property as described in the order of September 27, 1956, in the matter of Uniform System of Accounts for Class I Common and Contract Motor Carriers of Property, 182.01-1 of this chapter, viz., carriers having average annual gross operating revenues (including interstate and intrastate) of $200,000 but less than $1,000,000 from property motor carrier operations, are required to file annual reports in accordance with Motor Carrier Annual Report Form B (property), which is attached to and made a part of this section.[1] Such report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the year to which it relates.

And it is further ordered, That a copy of this order and of Motor Carrier Annual Report Form B (property) shall be served on all Class II motor carriers of property subject to its provisions, and upon every trustee, receiver, executor, administrator, or assignee of any such motor carrier, and that notice of this order shall be given to the general public by posting a copy thereof in the office of the Secretary of the Commission in Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 563, as amended; 49 U. S. C. 320)

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F. R. Doc. 58-152; Filed, Jan. 7, 1958; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 909]

ALMONDS GROWN IN CALIFORNIA

SALABLE AND SURPLUS PERCENTAGES FOR 1957-58 CROP YEAR

Notice is hereby given that the Secretary is considering a proposed rule to change the salable percentage from 70 percent to 75 percent and the surplus percentage from 30 percent to 25 percent for California almonds during the 1957-58 crop year. The proposed percentages, which are based on the recommendation of the Almond Control Board and other information available to the Secretary, would be established in accordance with the applicable provisions of Marketing Agreement No. 119, and Order No. 9, as amended (7 CFR Part 909), regulating the handling of almonds grown in California. Said marketing agreement and order are effective under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Consideration will be given to data, views or arguments pertaining thereto which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., not later than the fifteenth day after publication of this notice in the FEDERAL REGISTER.

The proposed percentages are based on the following estimates (in terms of kernel weight) for the crop year beginning July 1, 1957; (1) a carryover by handlers on July 1, 1957 of 17.1 million pounds; (2) an estimated 1957 domestic production of 36 million pounds; (3) an estimated total supply of 53.1 million pounds; (4) a trade demand for domestic almonds of 37 million pounds (which is based on an estimated total trade requirements of 42.0 million pounds less 5.0 million pounds of imported almonds); (5) a supply in excess of trade requirements of 16.1 million pounds; (6) a disposition in surplus outlets of 9.0 million pounds; and (7) a carryover on June 30, 1958 of 7.1 million pounds.

The current Almond Control Board estimate of the 1957 almond production is nearly 10 million pounds less than the early estimates of the crop which formed the basis for establishment of the salable and surplus percentages now in effect. The estimate is based on ACB reported receipts by handlers of approximately 33 million pounds, and an estimate that this represents approximately 93 percent of all almonds which will be received.

The estimate of imports for consumption was increased from 3 million to 5 million pounds inasmuch as the larger amount was established as the season's quota free of fee in addition to normal duty. It now appears that the full fee free quota will be imported during the current year.

The allowance for handler carryover on June 30, 1958 is approximately 3 million pounds less than that allowed earlier. The lower carryover is more desirable and is now practicable to attain in view of the much smaller estimated crop.

The proposed rule is as follows:

§ 909.207 *Salable and surplus percentages for almonds during the crop year beginning July 1, 1957.* The salable and surplus percentages applicable to the total kernel weight of almonds received by handlers for their own accounts during the crop year beginning July 1, 1957, shall be 75 percent and 25 percent, respectively.

Dated: January 3, 1958.

[SEAL] G. R. GRANGE, *Acting Director, Fruit and Vegetable Division.*

[F. R. Doc. 58-168; Filed, Jan. 7, 1958; 8:53 a. m.]

[7 CFR Part 993]

DRIED PRUNES PRODUCED IN CALIFORNIA

PACK SPECIFICATIONS AS TO SIZE AND LABELING REQUIREMENTS

Notice is hereby given that the Secretary is considering the prescribing of pack specifications as to size for the packing of dried prunes in consumer packages according to commercially recognized size categories and labeling requirements. It is proposed to place such pack specifications in effect during the early part of 1958. The proposed specifications, based on the recommen-

[1] Filed as part of the original document.

dation of the Prune Administrative Committee and other available information, are to be prescribed in accordance with the provisions of § 993.49 (b) (3) of Marketing Agreement No. 110, as amended, and Order No. 93, as amended (7 CFR Part 993; 22 F. R. 8254), regulating the handling of dried prunes produced in California, effective under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.).

Consideration will be given to any data, views, or arguments pertaining thereto which are filed in triplicate with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., not later than the close of business on the fifteenth day after the date of publication of this notice in the FEDERAL REGISTER.

The proposals are as follows:

SUBPART—PACK SPECIFICATIONS AS TO SIZE

DEFINITIONS

§ 993.501 *Consumer package of prunes.* "Consumer package of prunes" means "consumer package" as defined in § 993.20.

§ 993.502 *Size count.* "Size count" means the count or number of prunes per pound.

§ 993.503 *Size category.* "Size category" means each of the size categories listed in § 993.515 and fixes the range or the limits of the various size counts.

§ 993.504 *In-line inspection.* "In-line inspection" means inspection of prunes where samples are drawn as the prunes are packaged in consumer packages.

§ 993.505 *Floor inspection.* "Floor inspection" means inspection of prunes where samples are drawn from consumer packages.

§ 993.506 *Lot.* "Lot" means:

(a) With respect to in-line inspection, the aggregate quantity of prunes, other than those set aside for reinspection, that are used in the packing of consumer packages of prunes of the same size category in the continual production of such consumer packages of prunes during one calendar day; and

(b) (1) With respect to floor inspection and covering prunes not previously inspected in-line, the aggregate quantity of prunes in consumer packages of prunes of the same size category and bearing the same identification (e. g., brand) offered for inspection as a unit.

(2) With respect to floor inspection and covering prunes previously inspected in-line but which failed to meet requirements herein, the aggregate of segment(s) or block(s) of consumer packages of prunes of the same size category and from a continual production of one calendar day which are offered for inspection as a unit.

§ 993.507 *Segment.* "Segment" means that portion not exceeding two tons, of any lot, required to be sampled under normal in-line or floor inspection procedures.

§ 993.508 *Block.* "Block" means any group of four segments in a lot.

SPECIFICATIONS AS TO SIZE

§ 993.515 *Size categories.* For the purposes of this part, the pack specifications prescribed for the packing of prunes in consumer packages shall, subject to the applicable tolerances and limitations prescribed in § 993.516, be according to those commercially recognized size categories as are listed in paragraph (a) of this section by numerical designation or in paragraph (b) of this section by nomenclature designation.

(a) *Numerical designations.* Each of the following is a numerical size category described by the range of the size counts of prunes per pound included in the respective size categories expressed as follows or in an applicable equivalent range expressed in the metric system per 500 grams: 15/20, 15/22, 18/24, 20/30, 25/35, 30/40, 35/45, 40/50, 50/60, 60/70, 70/80, 75/85, 80/90, and 90/100.

(b) *Nomenclature designations.* Each of the following is a nomenclature size category:

(1) Exert large;
(2) Large;
(3) Medium; and
(4) Small or breakfast.

(c) *Nomenclature designations defined.* As used in paragraph (b) of this section:

(1) "Extra large" means any size count which falls within the range of 36 to 43 prunes, inclusive, per pound;

(2) "Large" means any size count which falls within the range of 43 to 53 prunes, inclusive, per pound;

(3) "Medium" means any size count which falls within the range of 53 to 67 prunes, inclusive, per pound; and

(4) "Small" or "breakfast" means any size count which falls within the range of 67 to 85 prunes, inclusive, per pound.

§ 993.516 *Tolerances and limitations.* (a) With respect to in-line inspections and floor inspections, prunes in a particular lot shall, subject to the other applicable requirements of this section, be considered as being according to a particular size category prescribed in § 993.515 if the average size count of the prunes in such lot falls within the range of the size counts specified for such size category, and the count per pound of 10 ounces of the smallest prunes in a sample of 100 ounces varies from the count per pound of 10 ounces of the largest prunes in such sample by no more than 45 points.

(b) With respect to in-line inspections only:

(1) No size count of the prunes in any segment of the lot shall fall outside the range of the size counts specified for such size category by more than three prunes per pound; and

(2) The average size count of the prunes in any block of the lot shall not fall outside the range of the size counts specified for such size category by more than one prune per pound.

(c) With respect to floor inspection only, no size count of the prunes of any individual package drawn from a segment shall fall outside the range of the size counts specified for such size category by more than 3 prunes per pound.

LABELING

§ 993.517 *Identification.* The size category of the prunes in any lot shall be clearly marked by the handler on each consumer package on the parts or panels of the package or label which are normally presented in retail display and in terms of the applicable numerical or nomenclature designation prescribed in § 993.515, which shall not be lacking in prominence and conspicuousness. In connection with the use of any prescribed nomenclature designating a particular size category, the handler may, at his option, clearly mark on any part of the consumer label or package additional information describing, in numerical terms only, the average size, or range of sizes, of the prunes, so long as such numerical size description is within the size count range of such nomenclature designation, is not in any way inconsistent with the required nomenclature designation on the package, and does not tend to be deceptive as to the size count of prunes.

A handler may use nomenclature designations other than those prescribed in § 993.515 for sizes larger than 36 count: *Provided*, That the applicable numerical size designation shall be clearly marked on each consumer package on the parts or panels of the package or label which are normally presented in retail display.

COMPLIANCE

§ 993.518 *Compliance.* As provided in § 993.49 (b) (3), no handler shall ship or otherwise make final disposition of consumer packages of prunes unless such prunes are packed and labeled in accordance with prescribed pack specifications.

Dated: January 3, 1958.

[SEAL] G. R. GRANGE,
Acting Director,
Fruit and Vegetable Division.

[F. R. Doc. 58-167; Filed, Jan. 7, 1958; 8:53 a. m.]

NOTICES

DEPARTMENT OF COMMERCE

Federal Maritime Board

DOVAR S. A. INTERNATIONAL SHIPPING AND TRADING CO. AND WESTFALD-LARSEN & CO. A/S

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

Agreement No. 8236, between Dovar S. A., International Shipping and Trading Company and Westfal-Larsen & Company, A/S, covers the transportation of cargo under through bills of lading from Manaus, Brazil, to Pacific Coast ports of the United States, with transhipment at Port of Spain, Trinidad.

Interested parties may inspect this agreement and obtain copies thereof at

the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: January 3, 1958.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 58-154; Filed, Jan. 7, 1958; 8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 11645, 11646; FCC 58M-5]

AMERICAN TELEPHONE AND TELEGRAPH CO. AND WESTERN UNION TELEGRAPH CO.

ORDER SCHEDULING HEARING

In the matter of American Telephone and Telegraph Company, charges, classifications, regulations and practices for and in connection with private line services and channels, Docket No. 11645; The Western Union Telegraph Company, charges, classifications, regulations and practices for and in connection with Domestic Leased Facility Service, Docket No. 11646.

The Hearing Examiner having under consideration a motion filed December 20, 1957 on behalf of the Chief, Common Carrier Bureau, requesting that the date for requesting additional information relative to respondents' cost studies be continued from January 3 to January 24, 1958, and that the date for commencement of the hearing of evidence be continued from January 27 to February 17, 1958; and

It appearing in the motion that "it will be impossible for the Bureau's staff to complete its analysis of the material heretofore submitted in time to meet" the January 3 and January 27 dates; and

It further appearing that no opposition to the motion has been filed, that the circumstances alleged show good cause for granting the relief requested, and that the granting thereof will conduce to the orderly dispatch of the Commission's business:

Now, therefore, it is ordered, This 2d day of January 1958, that the above motion is granted, and that the Order After Second Prehearing Conference as amended is modified to provide that: (1) Additional information requests shall be notified to the respondents on or before January 24, 1958; and (2) the hearing of evidence shall be commenced at 10:00 a. m., on Monday, February 17, 1958, at Washington, D. C.

Released: January 3, 1958.

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

[F. R. Doc. 58-159; Filed, Jan. 7, 1958; 8:52 a. m.]

[Docket Nos. 12146, 12148; FCC 58M-6]

UNITED BROADCASTING CO., INC., AND NEW HANOVER BROADCASTING CO.

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of United Broadcasting Company, Inc., Wilmington, North Carolina, Docket No. 12146, File No. BPCT-2169; New Hanover Broadcasting Company, Wilmington, North Carolina, Docket No. 12148, File No. BPCT-2310; for construction permits for new television broadcast stations (Channel 3).

The Hearing Examiner having under consideration a joint motion filed December 27, 1957, on behalf of the applicants, requesting that the date for exchanging exhibits be continued from January 13 to March 13, 1958; and

It appearing that the parties are in the process of negotiating a possible merger or consolidation which may simplify the issues and expedite the hearing; and

It further appearing that counsel for the Chief of the Broadcast Bureau has informally consented to a continuance, that good cause for granting the relief is shown, and that the granting thereof will conduce to the orderly dispatch of the Commission's business; and

It further appearing that the previously established date for the further prehearing conference after exchange of the written case exhibits should also be postponed;

Now therefore, it is ordered, This 2d day of January 1958, that the above motion is granted, and that paragraph 8 of the Order After First Prehearing Conference as amended is modified to provide that: (1) The direct affirmative case exhibits and testimony will be notified to and exchanged by the parties on or before Thursday, March 13, 1958; and (2) a further prehearing conference will be convened on Thursday, March 27, 1958, at Washington, D. C.

Released: January 3, 1958.

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

[F. R. Doc. 58-160; Filed, Jan. 7, 1958; 8:52 a. m.]

[Docket No. 12167; FCC 58M-3]

CAPITOL BROADCASTING CO. (WJTV)

ORDER CONTINUING HEARING

In re modification of construction permit of Capitol Broadcasting Company (WJTV), Jackson, Mississippi, Docket No. 12167; pursuant to section 316 of the Communications Act of 1934, as amended.

It is ordered, This 2d day of January 1958, that hearing in the above-entitled proceeding, which is presently scheduled to commence on January 7, 1958, is hereby continued to a date in the immediate future which will be specified by the Hearing Examiner.

Released: January 2, 1958.

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

[F. R. Doc. 58-161; Filed, Jan. 7, 1958; 8:52 a. m.]

[Docket No. 12184; FCC 57M-1311]

HARRIS CO.

ORDER CONTINUING HEARING

In re application of The Harris Company, Portland, Maine, Docket No. 12184, File No. 2223-C2-R-57; for the renewal of the license for Station KCB892, a two-way communication facility in the Domestic Public Land Mobile Radio Service.

The Chief Hearing Examiner having under consideration the motion of the applicant herein, filed December 30, 1957, for a continuance of the hearing in the above-entitled proceeding from January 3 to January 31, 1958;

It appearing that the Commission's Common Carrier Bureau, the only other party to the proceeding, has no objection to the granting of the instant pleading or to a waiver of the provisions of § 1.745 of the rules to permit immediate consideration thereof;

It appeaaring further that good cause exists to warrant the continuance herein sought;

It is ordered, This 31st day of December 1957, that the motion is granted, and that the hearing in the above-entitled proceeding is hereby continued from January 3 to January 31, 1958

Released: January 2, 1958.

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

[F. R. Doc. 58-162; Filed, Jan. 7, 1958; 8:52 a. m.]

[Docket No. 12188; FCC 57M-1315]

MORGAN CLEANERS-FURRIERS, INC.

ORDER CONTINUING HEARING

In re application of Morgan Cleaners-Furriers, Inc., Mansfield, Ohio, Docket No. 12188, File No. 1355-C2-R-57; for the renewal of the license for the Station KQC876, a two-way communication facility in the Domestic Public Land Mobile Radio Service.

The Hearing Examiner having under consideration the motion of the applicant, filed December 30, 1957, for continuance of the hearing in the above-entitled proceeding from January 3 to January 31, 1958;

It appearing that the Commission's Common Carrier Bureau, the only other party to the proceeding, has no objection to the granting of the instant pleading or to a waiver of the provisions of Section

1.745 of the Rules to permit immediate consideration thereof;

It appearing further that good cause exists to warrant the continuance herein sought;

It is ordered, this 31st day of December 1957, that the motion is granted, and that the hearing in the above-entitled proceeding is hereby continued from January 3 to January 31, 1958.

Released: January 2, 1958.

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

[F. R. Doc. 58-163; Filed, Jan. 7, 1958; 8:52 a. m.]

[Docket No. 12189; FCC 57M-1310]

HARRY WILLIAM OVERHOLTZER

ORDER CONTINUING HEARING

In re application of Harry William Overholtzer, Pottstown, Pennsylvania, Docket No. 12189, File No. 953-C2-R-57; for the renewal of the license for the station KGB876, a two-way communication facility in the Domestic Public Land Mobile Radio Service.

The Hearing Examiner having under consideration the motion of the applicant, filed December 30, 1957, that the hearing in the above-entitled proceeding be continued from December 31, 1957, to January 28, 1958;

It appearing that the Commission's Common Carrier Bureau, the only other party to the proceeding, has no objection to the granting of the instant pleading or to a waiver of the provisions of § 1.745 of the rules to permit immediate consideration thereof;

It appearing further that good cause exists to warrant the continuance herein sought:

It is ordered, This 30th day of December 1957, that the motion is granted, and that the hearing in the above-entitled proceeding is hereby continued from December 31, 1957 to January 28, 1958.

Released: January 2, 1958.

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

[F. R. Doc. 58-164; Filed Jan. 7, 1958; 8:52 a. m.]

[Docket No. 12275; FCC 57-1402]

TRIANGLE PUBLICATIONS, INC. (WNHC-TV)

MEMORANDUM OPINION AND ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of: Triangle Publications, Inc. (WNHC-TV) New Haven, Connecticut, Docket No. 12275, File No. BPCT-2381; for construction permit.

1. The Commission has before it for consideration (1) a "Protest" filed on December 2, 1957, pursuant to section 309 (c) of the Communications Act of 1934, as amended, by Springfield Television Broadcasting Corporation (protestant), licensee of Television Station WWLP (Channel 22), Springfield, Massachusetts, and directed against the Commission's action of October 30, 1957, granting without hearing the above-captioned application of Triangle Publications, Inc. (Triangle) for modification of its construction permit for Television Station WNHC-TV (Channel 8), New Haven, Connecticut, to change transmitter location, to increase antenna height, and to change type of antenna and other equipment; an "Opposition to Protest" filed by Springfield on December 12, 1957; and (3) "Reply" [1] to such opposition filed by the protestant on December 19, 1957.

2. The protestant claims standing as a "party in interest" within the meaning of section 309 (c) of the Communications Act of 1934, as the licensee of an existing television broadcast station serving the Springfield, Massachusetts area, which will receive a substantially increased signal from operation of Television Station WNHC-TV as proposed. In addition, according to protestant, the Grade B contour of WNHC-TV as changed by the proposed modification will include for the first time all of Holyoke, Northampton, and Amherst, Massachusetts, the alleged principal centers of population in the northern portion of the WWLP service area. Protestant asserts that the grant of the subject modification application will so enhance Triangle's ability to compete with protestant's television station for national and network advertising as to cause substantial financial losses to Station WWLP.

3. In support of its protest, Springfield alleges in effect that Springfield is located in the upper portion of the Connecticut Valley the residents of which depend almost entirely upon the valley stations for television service, since only marginal service is received from stations outside the Valley; that the entire valley, stretching from Long Island Sound on the south to the Vermont-New Hampshire border on the north, forms a "single television market" for wide-coverage VHF stations with transmitter site, power and height like those of WNHC-TV under its modified authorization; that heretofore the two Springfield UHF stations (WWLP and WHVN-TV, Channel 40) have been competing with two VHF channel stations in the Valley, namely, the Channel 3 station WTIC at Hartford and WNHC-TV at New Haven; that since the advent of WTIC-TV in September 1957, protestant has observed a noticeable decrease in its revenues from national spot advertising; and that though in the past WNHC-TV provided only a Grade B signal in Springfield and not even that in significant portions of the Springfield area, both of these competitive advantages protestant now enjoys will be lost if WNHC-TV is permitted to move its transmitter site. Protestant further states that if the subject grant is not set aside, the Springfield UHF stations will face competition from the two aforementioned VHF stations, each placing better than a Grade A signal over Springfield and each serving all the important centers of population served by WWLP and the second Springfield station. As a result, protestant alleges, in portions of the WWLP service area the present trend toward 100 percent conversion to UHF reception will be lost and WWLP will lose many viewers permanently; the incentive for national and network advertisers to buy WNHC-TV will be increased and to buy WWLP correspondingly decreased; and the revenues of WWLP will thus be reduced. Protestant claims that the ultimate consequence of allowing the proposed move of the WNHC-TV transmitter will be the destruction of the UHF television services afforded by the UHF stations in Springfield as well as the jeopardizing of the remaining UHF stations operating in the Valley at New Britain and Hartford.

4. In addition, protestant alleges that the subject modification application contains no statement of the purpose of the proposed transmitter move; that the apparent effect of the move, however, is to place WNHC-TV in a position to straddle the Hartford-New Haven communities; and that under the circumstances, it is necessary to determine whether it is the applicant's purpose to circumvent the Commission's allocation plan by transforming WNHC-TV into a Hartford, a Hartford-New Haven, or a Connecticut Valley station.

5. Protestant also requests a stay of the grant of the above-captioned application pending a decision by the Commission after hearing on the subject protest, on the grounds that there are no circumstances to support a finding that the public interest requires the grant to remain in effect; that all the areas which will gain service from WWLP's modified operation already receive satisfactory television service; that other areas will lose service from WWLP as a result of its proposed transmitter move; and that WNHC-TV has operated from its present site for years, and there is no showing that a move is urgently required or required at all.

6. In summary, the protestant requests that the Commission (a) stay the grant of the above-captioned application; (b) grant an evidentiary hearing on issues specified by protestant; and (c) make the protestant a party to said hearing.

7. On December 12, 1957, Triangle filed an "Opposition to Protest." Triangle asserts therein that the instant protest is lacking in sufficient allegations of fact to establish protestant's standing under section 309 (c) of the Communications Act to challenge the grant in question; that even if protestant were found to be a "party in interest," the subject protest must be denied for failure to specify with particularity the facts relied upon by protestant to show the grant was improperly made or would otherwise not be in the public interest; that protes-

[1] Protestant in its "Reply" substantially reiterates the allegations in the Protest as to standing under section 309 (c) of the act and as to the merits of its protest. In addition, protestant controverts Triangle's claim that WNHC-TV will render a first Grade B service to an area of 310 square miles, and claims that any gains in service will be offset by withdrawal of service from areas now receiving it.

tant's unsubstantiated claim of economic injury from VHF station competition is contrary to the actual situation; that its stations WWLP, Springfield, and subsidiary WRLP, Greenfield, and its translators at Claremont, Newport and Lebanon, New Hampshire, enjoy a "strong position" in the Connecticut Valley and contiguous areas, and protestant's UHF operation has prospered and has had wide acceptance; that protestant's dire prediction of the demise of UHF stations in New Britain and Hartford is unfounded; and that even if protestant were to prove economic injury, the Commission, neither as a matter of law nor policy, should consider the effects of legal competition as grounds for setting aside the grant in question. Triangle also opposes protestant's request for a stay. It argues that the public interest requires that the grant remain in effect because the proposed modified operation will fulfill a significant need by providing either a first or a second television service to a significant number of people;[2] will make available to residents of part of WWLP's service area certain additional network programs, and will promote more effective competition among the three national television networks since WNHC–TV is an ABC affiliate. In conclusion, Triangle urges that even if the protestant is found to be a "party in interest", its protest should be designated for oral argument; if, on the other hand, an evidentiary hearing is ordered, the proposed issues should be redrafted by the Commission to require protestant to show the nature and extent of the alleged economic injury, with the burden of proof on the revised issues placed on the protestant.

8. In view of the fact that the protestant is the licensee of Television Station WWLP in Springfield, Massachusetts, and has alleged that as a result of the grant of the above-captioned application it will be injured competitively through the proposed change in transmitter site and antenna height by the loss of advertising revenues and television audience, we find the protestant to be a "party in interest" within the meaning of section 309 (c) of the Communications Act of 1934, as amended. Federal Communications Commission v. Sanders Brothers Radio Station, 309 U. S. 470; In re T. E. Allen & Sons, Inc., 9 Pike & Fischer RR 197; Versluis Radio and Television Inc., 9 Pike & Fischer RR 102. We further find that the protestant has specified with sufficient particularity the facts relied upon to warrant designating the instant application for hearing upon the issues specified in the protest. The initial question to be determined is the type of hearing to be held.

9. In substance, the issues specified by protestant concern (a) the competitive injury which protestant as well as other UHF stations in the Connecticut Valley allegedly will suffer as a result of the grant of Triangle's subject modification application and (b) the plans and intentions of Triangle with respect to the community or communities its station will seek to serve and be identified with under the modified operation. The protestant's position is that it has experienced a loss of advertising revenues resulting from the recently added competition of a VHF station (WTIC–TV) on Channel 3 at Hartford, Connecticut, and that the proposed move of WNHC–TV closer to Springfield will produce further loss of income perhaps fatal to protestant's station and the other UHF stations in the Connecticut Valley. Protestant maintains that the public interest will suffer from the proposed move of the WNHC–TV transmitter site by reason of the eventual loss of all existing UHF television stations upon which the cities in the Connecticut Valley must, in the main depend or locally originated television services. The second thesis advanced by protestant is that the apparent effect of the WNHC–TV proposed move is to place WNHC–TV in position to straddle the Hartford-New Haven communities and to assert complete coverage of the Connecticut Valley. Under these circumstances, protestant argues, it is necessary for the Commission to determine whether it is the applicant's purpose to circumvent the Commission's assignment of Channel 8 to New Haven.

10. We are not persuaded by the protestant's allegations that the changes involved in Triangle's application will cause the fatal competitive consequences envisaged by the protestant or transform WNHC–TV into other than a New Haven station. Nevertheless, we are constrained to find that the protestant's allegations are sufficient to warrant hearing on the issues specified by the protestant. See Federal Broadcasting System, Inc. v. Federal Communications Commission, 231 F (2d) 246, 97 U. S. App. D. C. 293. We believe, moreover, that the problems raised as to the competitive impact of increased VHF service on a UHF station, and as to the service purposes of Triangle are not of the type which lend themselves to demurrer. We shall, accordingly, designate the protest for evidentiary hearing. In re Application of Dispatch, Inc. (WICU), Erie, Pennsylvania, 15 Pike and Fischer RR 896. We believe that the issues specified by the protestant are adequately phrased, and therefore do not require revision as contended by Triangle. However, we are not adopting such issues, and the burden of proceeding with the introduction of evidence as well as the burden of proof will be upon the protestant.

11. We turn now to the question of whether the effective date of the subject grant should be postponed pending a final decision in the hearing ordered below. Section 309 (c) provides that "the effective date of the Commission's action to which the protest is made shall be postponed to the effective date of the Commission's decision after hearing unless * * * the Commission affirmatively finds for reasons set forth in the decision that the public interest requires that the grant remain in effect, in which event the Commission shall authorize the applicant to utilize the facilities or authorization in question pending the Commission's decision after hearing." The Senate Report on H. R. 5614, amending section 309 (c) (1 Pike and Fischer RR 10:373), states that "The Committee is well aware of the very real inconvenience to the public which would result if a grant is permitted to stay in effect and it is ultimately determined that the grant must be set aside and the service terminated"; that "in exercising its limited discretion to continue a protested authorization in effect, the Commission would have to consider not only the need for the new service in question, but also the likelihood that the grant in question would ultimately have to be set aside."

12. It appears that the move of WHNC–TV's transmitter will not result in the provision of a first television service to any significant area. In addition, only a few relatively small areas would receive a second service for the first time under the subject modification proposal, and these areas are balanced by areas in which the signal from WHNC–TV will be reduced in strength.[3]

Accordingly, we are unable to find that the proposed operation will fulfill a significant need by providing either a first or second service to an appreciable number of people. On the other hand, while of course, we cannot determine what our conclusions will be in the light of the hearing record, we do not believe that the protestant has demonstrated a reasonable probability of success on the merits of its protest. Nevertheless, we are of the view that this circumstance is of lesser significance and weight than the opposing consideration that there is no urgent need for the institution of the proposed service without delay. Thus, we find no compelling reasons for refusing to stay the grant. Accordingly, the effective date of the Commission's action here in question will be postponed pending a final decision in the hearing hereinafter ordered.

In view of the foregoing: *It is ordered*, That the subject protest is granted; that the request for postponement of the effective date of the grant is granted; and that, pursuant to section 309 (c) of the Communications Act of 1934, as amended, the above entitled application is designated for evidentiary hearing at the offices of the Commission in Washington, D. C., on the following issues:

(1) To determine all of the facts and circumstances which led to WNHC–TV's proposal to change transmitter site and to select the specific site herein proposed.

(2) To determine all of the facts concerning WNHC–TV's plans or intentions with respect to proposed station operations with particular reference to programming (live, network and film) and community, communities, or areas which the station will seek to serve and be identified with.

(3) To determine the areas which would gain or lose television service as

[2] In this connection, Triangle states that "WNHC–TV will bring a first television service (Grade B) from any source to a substantial number of people residing in areas to the southeast and northwest of New Haven" and viewers in other areas will receive a choice of services for the first time. In support of these claims, Triangle submitted an engineering affidavit.

[3] These findings are based upon information on file with the Commission, and the engineering affidavit submitted in support of Triangle's opposition to the protest.

a result of the proposed change in the WNHC–TV facilities.

(4) To determine whether a grant of the application would be consistent with the provisions of § 3.607 of the Commission rules, section 307 (b) of the act, and the principles upon which the assignment of television broadcast channels has been made by the Commission.

(5) To determine whether a grant of the application would impair the ability of the UHF stations in Connecticut Valley to compete effectively, or would jeopardize, in whole or in part, the continuation of their existing service.

(6) To determine whether a grant of the application would be consistent or inconsistent with the objective of improving the opportunities for effective competition among a greater number of stations.

(7) To determine in the light of the evidence adduced under the foregoing issues whether the public interest would be served by a grant of the above-captioned application.

It is further ordered, That the burden of proceeding with the introduction of evidence and the burden of proof as to each of the foregoing issues shall be on the protestant.

It is further ordered, That the protestant and the Chief of the Broadcast Bureau are hereby made parties to the proceeding herein and that:

(a) The hearing on the above issues shall commence at a date to be specified in a subsequent order, before an Examiner to be specified at a later date.

(b) The parties to the proceeding herein shall have fifteen (15) days after the issuance of the Examiner's decision to file exceptions thereto and seven (7) days thereafter to file replies to any such exceptions; and

(c) The appearances by the parties intending to participate in the above hearing shall be filed not later than January 15, 1958.

Adopted: December 26, 1957.

Released: December 26, 1957.

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

[F. R. Doc. 58-165; Filed, Jan. 7, 1958; 8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-13777]

CITIES SERVICE OIL CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES

DECEMBER 31, 1957.

In the Order for Hearing and Suspending Proposed Changes in Rates, issued November 27, 1957, and published in the FEDERAL REGISTER on December 4, 1957 (22 F. R. 9706–7), on page two, line four of Ordering Paragraph (B) the dates "May 26 and May 23, 1957" should be corrected to read May 26 and May 23, 1958.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-155; Filed, Jan. 7, 1958; 8:51 a. m.]

[Project No. 2157]

PUBLIC UTILITY DISTRICT NO. 1 OF SNOHOMISH COUNTY, WASHINGTON

NOTICE OF APPLICATION FOR LICENSE

JANUARY 3, 1958.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U. S. C. 791a–825r) by Public Utility District No. 1 of Snohomish County, Washington, Everett, Washington, for license to construct a hydroelectric project, designated as Project No. 2157, to be located on the Sultan River, a tributary to Skyhomish River which is a tributary of Snohomish River, in Snohomish County, Washington, about 23 miles east of the City of Everett, and 10 miles northeast of the Town of Sultan, and affecting lands of the United States within the Snoquelmia National Forest.

The proposed project would consist of: (1) A concrete arch dam 320 feet long and 242 feet high on the Sultan River at river mile 16.9; ogee spillway controlled by three 30 x 25.28 foot radial gates creating a reservoir of 1,527 acres within 97,700 acre feet of usable power storage; intake; concrete lined tunnel 17 feet in diameter and 2,960 feet long; surge tank; powerhouse containing two Francis type turbines each rated at 58,000 hp and connected to two generators each rated at 42,000 kw.; (2) a rock fill dam 380 feet long and 190 feet high with impervious core at river mile 13.4; side channel spillway controlled by three 30 x 25.28 foot radial gates creating reservoir of 255 acres with 3,150 acre-feet of usable power storage; intake; concrete lined tunnel 12 feet in diameter and 11,500 feet long; surge tank; powerhouse containing two Francis turbine, each rated at 22,100 hp and connected to two generators each rated at 16,600 kw.; and (3) installation of three 6 x 34 foot radial gates on existing dam at river mile 10.3; intake; concrete lined tunnel 14.5 feet in diameter and 8,800 feet long discharging into existing Lake Chaplain (City of Everett water supply reservoir); outlet structure at existing south dam of Lake Chaplain; asphaltic-concrete lined canal 10,300 feet in length; steel penstock 840 feet long 10.5 to 9.5 feet in diameter; powerhouse containing Francis turbine with 33,100 horsepower rating connected to a 24,000 KW rated generator; together with trash racks, valves gates, semi-automatic controls, access roads; 115 kv transmission lines from each powerhouse to switchyard and two 115 kv transmission lines to applicants distribution system and other appurtenant facilities.

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 day upon which protests of petitions may be filed is February 14, 1958. The application is on file with the Commission for public inspection.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-156; Filed, Jan. 7, 1958; 8:51 a. m.]

[Docket No. G-3031 etc.]

ARKANSAS FUEL CORP. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

JANUARY 2, 1958.

In the matters of Arkansas Fuel Oil Corporation, Docket No. G-3031; T. L. James & Company, Inc., Docket No. G-3767; Southwestern Oil & Refining Company et al.,[1] Docket No. G-3881; Pan American Petroleum Corporation, Docket Nos. G-4064; G-4066—G-4068, incl.; G-4071; G-4073—G-4075, incl.; G-4618; G-4620; G-4623—G-4625, incl.; G-4628; G-4629; G-4668; G-4756; G-4760; G-4795; G-4796; G-4828—G-4830, incl.; G-4832—G-4834, incl.; G-4837; G-4874; G-4898—G-4902, incl.; G-5114; G-5282; G-5662; G-5664; G-5708; G-5711; G-5712; G-6022; G-6328; G-6832; G-7481—G-7483, incl.; G-7484; G-7485; G-7489; G-7490; G-7496; G-7497; G-7504; G-7505; G-7514; G-7520; G-7521; G-7522; G-7530; G-7531; G-7533; G-7536; G-8612; G-11053; G-11208; G-11231; G-12418; R. L. Parker, d. b. a. Parker Drilling Company, Docket No. G-4077; W. W. Carter, et al.,[2] Docket No. G-4720; A. J. Hodges Industries, Inc., Docket No. G-4825; Carson Hrs. Gas Company, Geo. W. Miller, et al., Docket No. G-4855; Lewis A. Johnson Gas Co., Geo. W. Miller, et al., Docket No. G-4856; Kate Woofter Gas Co., Geo. W. Miller, et al., Docket No. G-4857; C. L. Maxwell Hrs. Gas Co., Geo. W. Miller, et al., Docket No. G-4858; Tidewater Oil Company, Docket No. G-5927; P. R. Rutherford et al.,[3] Docket No. G-6603; Harold R. Boyer et al.,[4] Docket No. G-6829; William P. Clements, Jr., Docket No. G-7052; Midstates Oil Corporation, Docket No. G-8094; Durbin Bond & Co., Inc., J. K. Wright, Jr., Douglas Whitaker, Docket No. G-9060; Columbian Carbon Company, Docket Nos. G-11120, G-11121; The Superior Oil Company, Docket No. G-11131; J. C. McCullough Farm Gas Company, Account No. 1 (by A. M. Cooper, Manager), Docket No. G-11192; The Texas Company, Docket No. G-11205; Cabot Carbon Company, Docket No. G-11221; Shell Oil Company, Docket Nos. G-12051; G-13598; Sinclair Oil & Gas Company, Docket No. G-12311; B B M Drilling Company, Operator, et al.,[5] Docket No. G-12354; Magnolia Petroleum Company, Docket Nos. G-12364; G-12861; Fred C. Koch, Docket No. G-12366; Seaboard Oil

See footnotes at end of document.

Company, Docket No. G–12425; Graham-Michaelis Drilling Company and William Graham Oil Company,[4] Docket No. G–12523; The Ohio Oil Company, Docket No. G–12525; Mapenza Oil Company (formerly Makin Oil Company), Operator, et al.,[5] Docket No. G–12644; Crow Drilling & Producing Company and David Crow,[6] Docket No. G–12720; Cheyenne Oil Corporation of Delaware, Operator, et al.,[7] Docket No. G–12721; The Vickers Petroleum Company, Inc., Operator, et al.,[8] Docket No. G–12727; Graham-Michaelis Drilling Company, Operator, et al.,[9] Docket No. G–12729; Rupert Cox, Operator, et al.,[10] Docket No. G–12730; John B. Hawley, Jr.,[11] Docket No. G–12732; The British-American Oil Producing Company, Docket No. G–12752; Ambassador Oil Corporation, Operator, et al.,[12] Docket No. G–12755; Cyprus Oil Company, Division of Cyprus Mines Corporation, Operator, et al.,[13] Docket No. G–12762; W. C. McBride, Inc.,[14] Docket No. G–12773; Ajax Oil and Development Company,[15] Docket No. G–12781; United Producing Company, Inc., Docket No. G–12788; Delhi-Taylor Oil Corporation, Docket Nos. G–12834; G–12906; Sohio Petroleum Company, Docket No. G–12839; Great Sweet Grass Oils Company, Operator, et al.,[16] Docket No. G–12843; Skelly Oil Company, Docket No. G–12891; Francis Oil and Gas, Inc., Operator, et al.,[17] Docket No. G–12893; Horizon Oil and Gas Company, et al.,[18] Docket No. G–12907; Hanley and Bird,[19] Docket No. G–12919; M. H. Marr, Docket No. G–12921; Skelly Oil Company, Operator, Docket No. G–12927; H. A. Ells and R. J. Allison, Docket No. G–12940; Earl H. Linn, et al.,[20] Docket No. G–12944; Highland Oil & Gas Company (D. H. Bland, Agent and Partner), Docket No. G–12945; Sinclair Oil & Gas Company, Operator, et al.,[21] Docket No. G–13020; Free-Lichty Drilling Company, Operator, et al.,[22] Docket No. G–13022; T. L. James & Company, Inc.,[23] Docket No. G–13040; Lone Tree Oil Company (by C. W. Edgar, Partner and Agent), Docket No. G–13066; Stanley D'Orazio, Agent for McGeorge Oil and Gas Company, Docket No. G–13067; The Superior Oil Company, Docket No. G–13072; Columbian Carbon Company, Operator, et al.,[24] Docket No. G–13074; The Carter Oil Company, Docket No. G–13075; Dewey Harris, et al.,[25] Docket No. G–13091; J. E. Harris, Docket No. G–13093; Cincy Gas Company (by J. O. Nay, Attorney-in-Fact),[26] Docket No. G–13097; Humble Oil & Refining Company, Docket No. G–13108; States Oil Company, Inc., Docket No. G–13370.

Each of the above applicants has filed an application for a certificate of public convenience and necessity pursuant to Section 7 of the Natural Gas Act, authorizing Applicants to render services as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in their respective applications, which are on file with the Commission and open for public inspection.

All of the above applications include all or any amendments or supplements filed by Applicants.

See footnotes at end of document.

Applicants produce, sell, and/or propose to sell natural gas for transportation in interstate commerce for resale as indicated below.

Docket No. G–; Location of Field; and Buyer

3031; Carthage Field, Panola County, Tex.; Waskom Field, Harrison County, Tex.; Jefferson Field, Cass County, Tex.; United Gas Pipe Line Company; Arkansas Louisiana Gas Company.

3767; North Ruston Field, Lincoln Parish, La.; Haynesville Field, Claiborne Parish, La.; North Chondrant Field, Lincoln Parish, La., Gibson #1 Unit, Unionville Field, Lincoln Parish, La.; Franklin #1 Unit, Unionville Field, Lincoln Parish, La.; Arkansas Louisiana Gas Company; Louisiana Nevada Transit Company; Mississippi River Fuel Corporation; Southwest Gas Producing Company.

3831; Bailey Field, Jim Wells County, Tex.; Tennessee Gas Transmission Company.

4064; Blanconia Field, Bee County, Tex.; United Gas Pipe Line Company.

4071; South Cottonwood Creek Field, De Witt County, Tex.; Texas Eastern Transmission Corporation.

4073; Alamo Field, Hidalgo County, Tex.; Tennessee Gas Transmission Company.

4074; South Crowley Field, Acadia Parish, La.; Tennessee Gas Transmission Company.

4075; La Sal Vieja Field, Willacy County, Tex.; Tennessee Gas Transmission Company.

4077; Langlie-Mattix Field, Lea County, N. Mex.; Phillips Petroleum Company.

4618; Carthage Field, Panola County, Tex.; Texas Gas Transmission Corporation.

4620; Driscoll Field, Bienville Parish, La.; Arkansas Louisiana Gas Company.

4623; Carthage Field, Panola County, Tex.; Tennessee Gas Transmission Company.

4624; Bear Creek Field, Bienville Parish, La.; Arkansas Louisiana Gas Company.

4625; Yarbrough-Allen Field, Ector County, Tex.; El Paso Natural Gas Company.

4628; Carthage Field, Panola County, Tex.; United Gas Pipe Line Company.

4629; Payton Field, Pecos and Ward Counties, Tex.; El Paso Natural Gas Company.

4666; Northeast Lisbon Field, Claiborne Parish, La.; Texas Eastern Transmission Corporation.

4720; South Karon Field, Bee and Live Oak Counties, Tex.; Texas Eastern Transmission Corporation.

4825; Ivan Field, Webster Parish, La.; Arkansas Louisiana Gas Company.

4828, 4832, 4834, 4837; Hugoton Field, Kearny, Finney, Grant, Haskell, Morton, Stevens, Seward, Stanton and Hamilton Counties, Kans.; Northern Natural Gas Company.

4760; Dubach Field, Lincoln Parish, La.; Mississippi River Fuel Corporation.

4795; Ivan Field, Bossier Parish, La.; United Gas Pipe Line Company.

4796; Northeast Lisbon Field, Claiborne Parish, La.; United Gas Pipe Line Company.

4829; Urbana Field, San Jacinto County, Tex.; Texas Illinois Natural Gas Pipeline Company.

4830; Shield Field, Nueces County, Tex.; Transcontinental Pipe Line Corporation.

4833; Fairbanks Field, Harris County, Tex.; Texas Illinois Natural Gas Pipeline Company.

4855; Stewarts Creek, Glenville District, Gilmer County, W. Va.; Equitable Gas Company.

4856; L. Bull Run, Gilmer County, W. Va.; Carnegie Natural Gas Company.

4857; Leatherbark Field, Glenville District, Gilmer County, W. Va.; Carnegie Natural Gas Company.

4858; Grass Run, De Kalb District, Gilmer County, W. Va.; Carnegie Natural Gas Company.

4898, 12364; Valentine Field, La Fourche Parish, La.; United Fuel Gas Company.

4899; Red Fish Bay Field, San Patricio and Nueces Counties, Tex.; United Gas Pipe Line Company.

4900; Clayton Area, Live Oak and McMullen Counties, Tex.; Texas Illinois Natural Gas Pipeline Company.

4901; Luby and Petronilla Fields, Nueces County, Tex.; Transcontinental Gas Pipe Line Corporation.

4902; South Mineral Field, Bee County, Tex.; Transcontinental Gas Pipe Line Corporation.

5114; Mineral Field, Bee County, Tex.; Transcontinental Gas Pipe Line Corporation.

5282; Karon Field, Live Oak County, Tex.; Texas Eastern Transmission Corporation.

5927; Headlee Field, Ector County, Tex.; El Paso Natural Gas Company.

6603; Huff and Fagan Fields, Refugio County, Tex.; United Gas Pipe Line Company.

6829; Blanco Field, Rio Arriba and San Juan Counties, N. Mex.; El Paso Natural Gas Company.

6832; Minoak Field, Bee County, Tex.; Texas Eastern Transmission Corporation.

7052; Cabeza Creek Area, Goliad County, Tex.; United Gas Pipe Line Company.

7481; South East Liberal Field, Seward County, Kans.; Panhandle Eastern Pipe Line Company.

7482; Katie Field, Garvin County, Okla.; Lone Star Gas Company.

7483; Otis Field, Barton County, Kans.; Northern Natural Gas Company.

7485; Keyes Field, Cimarron County, Okla.; Colorado Interstate Gas Company.

7489; Kutz Canyon Field, San Juan County, N. Mex.; El Paso Natural Gas Company.

7490; Eunice-Monument Field, Lea County, N. Mex.; Permian Basin Pipeline Company.

7496; Langlie-Mattix Field, Lea County, N. Mex.; Permian Basin Pipeline Company.

7497; Ignacio Field, La Plata County, Colo.; El Paso Natural Gas Company.

7504; Sheridan Field, Colorado County, Tex.; Iroquois Gas Corporation.

7505; Cement Field, Caddo County, Okla.; Consolidated Gas Utilities Corporation.

7520; Langlie-Mattix Field, Lea County, N. Mex.; El Paso Natural Gas Company.

7522; Chesterville Area of Colorado, Fort Bend and Wharton Counties, Tex.; Tennessee Gas Transmission Company.

7530; Ashland Field, Clark County, Kans.; Northern Natural Gas Company.

7531; Cotton Valley Field, Webster Parish, La.; United Gas Pipe Line Company.

7533; Adams Ranch Field, Mead County, Kans.; Michigan-Wisconsin Pipe Line Company.

7536; Powder Wash Area of Moffat County, Colo.; Mountain Fuel Supply Company.

8094; Longstreet Field, De Soto Parish, La.; Arkansas Louisiana Gas Company.

9060; Gwinville Field, Simpson County, Miss.; Southern Natural Gas Company.

11053; East Victor Field, Lincoln County, Okla.; Jernigan & Morgan Transmission Company.

11120, 11121; Acreage in Jefferson County, Pa.; New York State Natural Gas Corporation.

11131; Greenwood Field, Morton County, Kans.; Colorado Interstate Gas Company.

11192; Lafayette District, Pleasants County, W. Va.; Hope Natural Gas Company.

11205; East Panhandle Field, Gray County, Tex.; Phillips Petroleum Company.

11221; Camrick Southeast Field, Beaver County, Okla.; Natural Gas Pipeline Company of America.

12051; Shell State Field, Cheyenne County, Nebr.; Kansas-Nebraska Natural Gas Company, Inc.

12311; Prentice Field, Yoakum and Terry Counties, Tex.; Permian Basin Pipeline Company.

12354; Spraberry Field, Midland County, Tex.; El Paso Natural Gas Company.

12366; Blanco-Mesa Verde Field, San Juan County, N. Nex.; El Paso Natural Gas Company.

12418; Ivan Field, Bossier Parish, La.; Arkansas Louisiana Gas Company.

12425; Chapman Ranch Field, Nueces County, Tex.; Texas Eastern Transmission Company.

12523; Hugoton Field (Jack Schell Unit), T. 23 S., R. 32 W., Sec. 4, Finney County, Kans.; Northern Natural Gas Company.
12525; Laverne Field, Harper and Beaver Counties, Okla.; Colorado Interstate Gas Company.
12644; Eumont Field, Lea County, N. Mex.; Permian Basin Pipeline Company.
12720; Colquitt Field, Claiborne Parish, La.; Arkansas Louisiana Gas Company.
12721; South Elton Field, Jefferson Davis Parish, La.; Texas Gas Transmission Corporation.
12727; Richfield Field, Morton County, Kans.; Panhandle Eastern Pipe Line Company.
12729; Hugoton Field, Finney County, Kans.; Colorado Interstate Gas Company.
12730; Albrecht Field, Goliad County, Tex.; Texas Eastern Transmission Corporation.
12732; West Cosden Field, Bee County, Tex.; Texas Eastern Transmission Corporation.
12752; Green and State Leases, Logan County, Colo.; Kansas-Nebraska Natural Gas Company, Inc.
12755; Mocane Field, Beaver County, Okla.; Colorado Interstate Gas Company.
12762; East White Lake Field, Vermilion Parish, La.; Transcontinental Gas Pipe Line Corporation.
12773; Waterloo North Field, Logan County, Okla.; Cities Service Gas Company.
12781; North Field, Logan County, Colo.; Kansas-Nebraska Natural Gas Company, Inc.
12788; Grand Valley Field, Texas County, Okla.; Kansas-Nebraska Natural Gas Company, Inc.
12834; Blanco (Pictured Cliffs) Field, San Juan County, N. Mex.; El Paso Natural Gas Company.
12839; Camrick Southeast Field, Beaver and Texas Counties, Okla.; Natural Gas Pipeline Company of America.
12843; North Hoover (Hoxbar) Field, Garvin County, Okla.; Cities Service Gas Company.
12861; Katie and N. W. Hoover Field, Garvin County, Okla.; Lone Star Gas Company.
12891; Canyon Largo Unit Field, Rio Arriba County, N. Mex.; El Paso Natural Gas Company.
12893; South Rhodes Field, Barber County, Kans.; Cities Service Gas Company.
12906; Knolle Farms Area Field, Nueces County, Tex.; Texas Illinois Natural Gas Pipeline Company.
12907; Horizon Morrow and Hansford Morrow Fields, Hansford County, Tex.; Northern Natural Gas Company.
12919; Luthersburg Unit Pool, Clearfield County, Pa.; New York State Natural Gas Corporation.
12921; Simsboro Field, Lincoln Parish, La.; Arkansas Louisiana Gas Company.
12927; S. Blanco Pictured Cliffs Field, San Juan County, N. Mex.; El Paso Natural Gas Company.
12940; East Panhandle Field, Wheeler County, Tex.; Lone Star Gas Company.
12944; Union and Murphy Districts, Ritchie County, W. Va.; Hope Natural Gas Company.
12945; Murphy District, Ritchie County, W. Va.; Hope Natural Gas Company.
13020; Jackson Doty Field, Hardin County, Tex.; Texas Eastern Transmission Corporation.
13022; Johnstone Ranch Field, Washington County, Okla.; Cities Service Gas Company.
13040; Simsboro Field, Lincoln Parish, La.; Arkansas Louisiana Gas Company.
13066; Ellsworth District, Tyler County, W. Va.; Hope Natural Gas Company.
13067; Walker Field, Washington District, Calhoun County, W. Va.; Hope Natural Gas Company.
13072; Whiterock Field, Noble County, Okla.; Cities Service Gas Company.
13074; Luthersburg Field, Indiana County, Pa.; New York State Natural Gas Corporation.
13075; West Big Springs Pool, Deuel County, Nebr.; Kansas-Nebraska Natural Gas Company, Inc.
13091; Skin Creek District, Lewis County, W. Va.; Equitable Gas Company.
13093; Middle Creek Field, Floyd County, Ky.; Kentucky West Virginia Gas Company.
13097; Union District, Ritchie County, W. Va.; Carnegie Natural Gas Company.
13108; West Rock Island Field, Colorado County, Tex.; Tennessee Gas Transmission Company.
13370; Ratliff Unit, Greenwood-Waskom Field, Caddo Parish, La.; United Gas Pipe Line Company.
13598; Jennings Field, Acadia Parish, La.; United Gas Pipe Line Company.

Also take notice that the following applications herein listed which have been filed by Pan American Petroleum Corporation or its predecessor have been noticed, severed, and/or continued for hearing at a subsequent date to be fixed by further notice and are consolidated in these proceedings: G–4066—G–4068, incl.; G–4756; G–4874; G–5662; G–5664; G–5708; G–5711; G–5712; G–6022; G–7484; G–7514; G–7521; G–8612; G–11208; G–11231.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 27, 1958, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 23, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

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[1] Application filed on behalf of Southwestern and Hugo Allen, Bjarne Rossebo, F. William Carr, Carl Cawthon and LaVella Howell on February 28, 1955.

[2] Et al. consists of: W. W. Carter, W. W. Carter, Jr., Joseph Morris, W. C. Morris, Wayne Hicklin, J. Kenneth Hall, Carnes W. Weaver, Frank W. Warburton, Trustee, Leo B. Kanafee, W. Struve Hensel and Chestnut 1952 Fund.

[3] Et al. consists of: P. R. Rutherford, D. C. Bintliff, K. D. Owen, Patricia Rutherford Richter, The National Bank of Commerce of Houston and Harold Decker, Trustees of the Patrick Richard Rutherford, Jr. Trust #2, and The National Bank of Commerce of Houston and Harold Decker, Trustees of the Michael Giles Rutherford Trust #2.

[4] Et al. consists of: Application filed by Stanolind Oil and Gas Company, Agent, for Harold R. Boyer, Harlow H. Curtice, Harley J. Earl, William F. Hufstader, G. Albert Lyon, George A. Lyon, Jr., and David A. Wallace.

[5] Application covers proposed sale under amendatory agreement dated June 16, 1956, between B B M Drilling Co. and Joseph S. Gruss, Sellers, and El Paso, Buyer, which adds additional acreage to basic contract dated August 1, 1952, between B B M Drilling Co., Seller, and El Paso, Buyer. B B M Drilling Co. authorized in Docket No. G–6364 covering sale of gas under basic contract.

[6] Graham-Michaelis Drilling Company, a partnership consisting of William L. Graham, Marjorie Lois Graham and W. A. Michaelis, Jr., and the William Graham Oil Company, a partnership composed of William L. Graham and Marjorie Lois Graham (Nonoperators), are filing jointly for authorization to sell the gas produced from their interest in the subject gas unit. The proposed sale is to be made pursuant to a ratification agreement dated April 16, 1957, of a basic contract dated February 9, 1956, between The Texas Company, Seller, and Northern Natural Gas Company, Buyer. Graham-Michaelis Drilling Company is the only signatory seller party to the subject ratification agreement which has also been signed by the purchaser.

[7] Mapenza Oil Company (formerly Makin Oil Company), Operator, and Morris R. Antweil and A & M Oil Company, Nonoperators, are filing for their 100 percent interest in the Doll and Della Turland lease, production from which is being sold under an amendatory agreement dated November 1, 1954, which adds additional acreage to a basic contract dated February 1, 1954, as amended. R. Macon, d. b. a. Makin Oil Company (predecessor to Mapenza Oil Company), was authorized in Docket No. G–6551 covering the sale of gas under the basic contract. R. Makin is a partner in the Mapenza Oil Company and is a signatory seller party along with Morris Antweil and A & M Oil Company to the amendatory agreement dated November 1, 1954.

[8] Crow Drilling & Producing Company and David Crow are filing jointly and are both signatory seller parties to the gas sales contract dated May 13, 1957.

[9] Cheyenne Oil Corporation of Delaware, Operator, is filing for itself and on behalf of the following nonoperators: Mineral Projects Company, Inc., Allen Oil Company and B. T. Mattingly. All are signatory seller parties to the gas sales contract dated May 6, 1957.

[10] The Vickers Petroleum Company, Inc., Operator, is filing for itself and on behalf of Champlin Oil & Refining Company covering their individual working interests in the two subject gas units. Vickers is the only signatory seller party to the gas sales contract dated March 4, 1957. Champlin, by ratification agreement dated June 4, 1957, has dedicated its interest in the Bowker Unit to the above-mentioned basic contract of March 4, 1957, and to the extent of its dedication has attained status as a signatory party to the basic contract. The subject ratification agreement has also been signed by Vickers and Panhandle Eastern. Application states that Pan American Petroleum Corporation (formerly Stanolind Oil & Gas Company), owner of the remaining 25 percent working interest, has negotiated a separate gas sales contract with Panhandle Eastern covering the proposed sale of its share of production from the Bowker Unit.

[11] Graham-Michaelis Drilling Company (formerly Michaelis Drilling Company), operator of the two subject gas units, is filing for itself and on behalf of certain non-

operators and lists in the application all owners of working interests as follows:

1. Beach No. 1 Unit—Graham-Michaelis Drilling Company, Operator, and Oil Trading Associates, Inc. (covered by subject application); Skelly Oil Company and Sunray Mid-Continent Oil Company (have executed separate contracts and are filing independently).

2. Beach No. 2 Unit—Graham-Michaelis Drilling Company, Operator; Oil Trading Associates, Inc.; J. R. Sloane, H. W. Marache and William Hoffman (covered by subject application).

The proposed sale of gas is to be made pursuant to an amendatory agreement dated April 27, 1956, which adds additional acreage to a basic contract dated March 9, 1955. Oil Trading Associates, Inc., is also a signatory seller party to the basic contract by instrument of assignment executed May 1, 1956, in which Operator assigned acreage dedicated to the subject units. The remaining above-named owners of working interests in the Beach No. 2 Unit are nonsignatory co-owners.

[12] Rupert Cox, Operator, is filing for himself and on behalf of Dr. Robert P. Thomas, Jr., J. W. Wilson, Jr., and the Victoria Bank & Trust Company, Trustee for Holland Trust. All are signatory seller parties to the gas sales contract dated April 10, 1957.

[13] John B. Hawley, Jr., President of Northern Pump Company, is filing for himself individually for authorization to sell natural gas pursuant to an amendatory agreement dated April 5, 1957, which adds additional acreage owned by John B. Hawley, Jr., to a basic contract dated February 6, 1956, between John B. Hawley, Jr., G. S. Davidson and G. A. Kane, d. b. a. Northern Pump Company, which company was authorized in Docket No. G–10324 to sell gas under the basic contract.

[14] Ambassador Oil Corporation, Operator, is filing for itself and on behalf of Mineral Ventures Corporation. The present ownership in the subject leases is as follows: Ambassador Oil Corporation and Mineral Ventures Corporation. Both Ambassador Oil Corporation and Mineral Ventures Corporation are signatory seller parties to the gas sales contract dated April 12, 1957. Production is limited to horizons below base of Mississippian Formation.

[15] Cyprus Oil Company Division of Cyprus Mines Corporation, Operator, is filing for its own interest and on behalf of TXL Oil Corporation. The ownership in the acreage dedicated to the gas sales contract dated May 13, 1957, to which contract both of the above-named applicants are signatory seller parties, is as follows: Cyprus Oil Company Division of Cyprus Mines Corporation, Operator, and TXL Oil Corporation. Production is limited to a depth of 10,600 feet.

[16] Application covers proposed sale of natural gas produced from the interest in Patterson Property of W. C. McBride, Inc., Nonoperator, to be sold pursuant to a ratification agreement dated May 13, 1957, of basic contract, as amended, dated April 19, 1957, between The Texas Company, Operator, and Cities Service Gas Company. Applicant and purchaser are both signatory parties to the subject ratification agreement. The Texas Company, Operator, has been authorized in Docket No. G–12534 to sell gas under basic contract.

[17] Ajax Oil and Development Company is a partnership composed of L. T. Mork and P. F. Mork, both of whom are signatory seller parties to the gas sales contract dated April 12, 1957.

[18] Great Sweet Grass Oils Company, Operator, is filing for itself and on behalf of nonoperator Exchange Oil Company. Both are signatory seller parties to the gas sales contract dated May 27, 1957. The gas sales contract dated May 27, 1957, dedicates 440 acres of the Richardson lease.

[19] Francis Oil & Gas, Inc., Operator, is filing for itself and on behalf of the following nonoperating co-owners: Meyer Moran, d. b. a. Moran Oil Company, Herman Geo. Kaiser, M. B. Armer, Joseph S. Kantor, Julius Sanditen and Ely Sanditen. All are signatory seller parties to the gas sales contract dated July 8, 1957.

[20] N. Bruce Calder and Curtis E. Calder, d. b. a. Horizon Oil & Gas Company, are filing for themselves and on behalf of the following owners of working interests: Douglas Dillon, Dorothy D. Spivak, Arthur G. Altschul, Edwin S. Webster, Jr., Allerton Miller, Frank L. Marcon, William Braden and Bennie Calder Ciampi who are listed in the application together with the percentage of interest of each. All interest owners are signatory seller parties to the gas sales contract dated June 26, 1957.

[21] Hanley and Bird, Nonoperator, is a partnership filing for authorization to sell gas produced from its 17.08 percent interest in the Luthersburg Unit Pool to New York State Natural Gas Corporation, unit operator and owner of the remaining 82.92 percent interest in said unit. J. W. Bird, partner, has signed the gas sales contract dated December 13, 1956, for Hanley and Bird.

[22] Earl H. Linn, Partner and Agent, is filing for Earl H. Linn, et al. Those parties comprising the "et al." are not indicated in the application or the rate schedule filing.

[23] Sinclair Oil and Gas Company, Operator, is filing for itself and on behalf of the nonoperator, The Atlantic Refining Company, for their combined 100 percent interest in the H & TC Fee 201 lease, production, from which is proposed to be sold under an amendatory agreement dated March 19, 1957, which adds additional acreage to a basic contract dated June 9, 1952, as amended. American Republics Corporation (predecessor to Sinclair Oil and Gas Company) and Houston Oil Company (predecessor to The Atlantic Refining Company) were authorized in Docket No. G–8493 covering the sale of gas under the basic contract to which contract they were both signatory seller parties.

[24] Free-Lichty Drilling Company, a partnership composed of John N. Free and L. F. Lichty, Operator, is filing for itself and on behalf of Jack D. Dunne, R. M. Gouldner, Elliot Merrill, Charles R. Rambold, Paul H. Wedin, Earl F. Wakefield, Everett S. Stephenson, Jr., and Wilfred Cox. All co-owners are signatory seller parties to the gas sales contract dated May 28, 1957.

[25] T. L. James & Company, Inc., Nonoperator, is filing for its 4.1666 percent interest in the Fowler No. 1 Unit and its 2.0833 percent interest in the Simmie Gardner No. 1 Unit, and is the only signatory seller party to the gas sales contract dated June 24, 1957.

[26] Columbian Carbon Company, Operator, is filing for itself and on behalf of the nonoperator, Keta Gas & Oil Company. Both coowners are signatory seller parties to the gas sales contract dated July 9, 1957. Production from horizons down to the base of the Oriskany Sand with option to include gas produced from deeper horizons.

[27] Dewey Harris, Agent and Partner, is filing for himself and on behalf of the following members of a partnership: Guy L. Warner, Paul E. Harris, L. D. Marsh and/or Hildred Gay Marsh, Roy Nixon or Evelyn Nixon, A. H. Young, L. B. Shoner, Luige D. Smallridge and Gladys Smallridge, Harley Francis and Virginia Francis, Roy A. West and Francis West. Dewey Harris, Harley Francis, Virginia Francis, Roy A. West, and Francis West are all signatory seller parties to the gas sales contract dated June 14, 1957, and the remaining above-named parties are also signatory seller parties to the subject gas sales contract through the signature of Dewey Harris who has signed the contract as agent for said individuals.

[28] J. O. Nay, Attorney-in-Fact, is filing for John R. Bullock, et al., d. b. a. Cincy Gas Company, and has signed the gas sales contract dated June 24, 1957, as Attorney-in-Fact for the above-named parties.

[F. R. Doc. 58–130; Filed, Jan. 7, 1958; 8:45 a. m.]

[Docket No. G–13021 etc.]

C. B. WEBSTER ET AL.

NOTICE OF APPLICATIONS, CONSOLIDATING PROCEEDINGS AND DATE OF HEARING

DECEMBER 31, 1957.

In the matters of C. B. Webster et al., Docket No. G–13021; Gulf Oil Corporation, Docket No. G–13047; Trunkline Gas Company, Docket No. G–13351.

Take notice that (1) C. B. Webster (Webster) as Operator, individually and on behalf of Mary Dee Davis, with a principal place of business in Houston, Texas, filed an application in Docket No. G–13021 on August 6, 1957, pursuant to section 7 of the Natural Gas Act authorizing the proposed sale of natural gas in interstate commerce to Trunkline Gas Company (Trunkline), for resale for ultimate public consumption, subject to the jurisdiction of the Commission, as more fully stated in the application filed with the Commission, and open for public inspection; (2) Gulf Oil Corporation (Gulf), a Pennsylvania corporation, with a principal office in Houston, Texas, filed an application in Docket No. G–13047 on August 12, 1957 and amendment thereto on December 9, 1957, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the proposed sale of natural gas in interstate commerce to Trunkline for resale for ultimate public consumption, subject to the jurisdiction of the Commission, as more fully stated in the application filed with the Commission, and open for public inspection; and (3) Trunkline, a Delaware corporation with a principal office in Houston, Texas, filed an application in Docket No. G–13351 on October 3, 1957, pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a 2-inch tap at a point on its existing 24-inch main line in Harris County, Texas, together with approximately 150 feet of 2-inch lateral extending from such tap and terminating at its proposed meter station in the Hinkle Field, Harris County, Texas, subject to the jurisdiction of the Commission, as more fully described in the application on file with the Commission, and open for public inspection.

The applications of Webster and Gulf recite the proposal to sell natural gas produced in the Hinkle Field, Harris County, Texas, in interstate commerce to Trunkline for transportation and sale in interstate commerce for ultimate public consumption, subject to the jurisdiction of the Commission. The estimated initial cost of the proposed facilities of

Trunkline is $3,895, which will be defrayed from funds of Trunkline on hand.

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

Take further notice that pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 28, 1958, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceeding pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 22, 1958. Failure of any party to appear at and patricipate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-131; Filed, Jan. 7, 1958; 8:45 a. m.]

[Docket No. G-13122]

N. C. GINTHER ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 31, 1957.

Take notice that on August 22, 1957, N. C. Ginther et al.[1] (Applicants), filed in Docket No. G-13122 an application pursuant to section 7 (b) of the Natural Gas Act for permission and approval to abandon natural gas service to Transcontinental Gas Pipe Line Corporation, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The service to be abandoned involves natural gas from leases in the Pietzsch Bend Field, Wharton County, Texas, which service was authorized by the Commission on June 24, 1957, in Docket No. G-10815.

Applicants state that the available supply of natural gas produced from the properties involved has become depleted to the extent that the leases could no longer be maintained and have lapsed, that continued service is no longer possible and that the last well on the property was plugged and abandoned on or about November 15, 1956.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 11, 1958, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 24, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedures in cases where a request therefor is made.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-132; Filed, Jan. 7, 1958; 8:46 a. m.]

[Docket Nos. G-13407, G-13702]

JAKE L. HAMON AND LONE STAR GAS CO.

NOTICE OF APPLICATIONS AND DATE OF HEARING

DECEMBER 31, 1957.

In the matters of Jake L. Hamon, Oprator, Docket No. G-13407; Lone Star Gas Company, Docket No. G-13702.

Take notice that Lone Star Gas Company (Lone Star), a Texas corporation with its principal place of business in Dallas, Texas, and Jake Hamon, Operator (Hamon), an independent producer filed applications for certificates of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of natural gas facilities and the sale of natural gas, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection.

Lone Star filed its application on November 13, 1957, in Docket No. G-13702 seeking authority to construct and operate approximately 3.43 miles of 6-inch lateral supply pipeline to be known as Line E5A-B, with metering and odorizing facilities, to extend from a point designated as Station 520+31 on its existing 8-inch E5-A pipeline in Bryan County, Oklahoma, in a southwesterly direction to a point of connection with the separator serving the Jake Hamon Neff-Godfrey Well No. 1 located in the Southeast Aylesworth Field in Bryan and Marshall Counties, Oklahoma; in order to purchase and receive natural gas to be produced from said well by Hamon. The estimated total initial cost of the proposed facilities is $53,697, which cost will be financed out of funds currently on hand.

On October 11, 1957, Hamon filed an application for authority to sell natural gas in interstate commerce to Lone Star for resale from production from the Jake Hamon Neff-Godfrey Well No. 1 located in the Southeast Aylesworth Field in Bryan and Marshall Counties, Oklahoma.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 30, 1958 at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 20, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-133; Filed, Jan. 7, 1958; 8:46 a. m.]

[Docket No. G-13721]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 31, 1957.

Take notice that on November 15, 1957, El Paso Natural Gas Company (Applicant) filed in Docket No. G-13721 an application pursuant to section 7 (c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of

[1] Applicants are N. C. Ginther, H. C. Warren and W. L. Ginther.

two main line taps on Applicant's natural gas transmission system in Texas and New Mexico for the purpose of making sales and deliveries to two existing customers, Lea County Gas Company (Lea County) and Southern Union Gas Company (Southern Union), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that these two additional delivery points are required to enable the respective customers to make resales to one new customer each.

The proposed facilities are:

(1) A tap on Applicant's 26- and 30-inch southern main line system in Culberson County, Texas, near its Guadalupe Compressor Station, for the Lea County sale; and

(2) A tap on Applicant's existing 30-inch Permian-San Juan main line in McKinley County, New Mexico, near Fort Wingate Military Reservation, for the Southern Union sale.

The total estimated capital cost of the proposed facilities is $550, to be financed out of current working funds.

The maximum requirements of the Lea County tap will be 4 Mcf of natural gas per day and 150 Mcf annually. The maximum requirements of the Southern Union tap will be 10 Mcf per day and 1,000 Mcf annually.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 11, 1958, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 24, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-134; Filed, Jan. 7, 1958; 8:46 a. m.]

[Docket No. G-13744]

TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 31, 1957.

Take notice that on November 18, 1957, Transcontinental Gas Pipe Line Corporation (Applicant) filed in Docket No. G-13744 an application, pursuant to section 7 (c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of an additional delivery point, including a meter station and appurtenant facilities, to serve an existing customer, Public Service Company of North Carolina, Inc. (Public Service) at a point on Applicant's main line in Cleveland County, North Carolina, all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

The proposed new delivery point is to enable Public Service to serve a new interruptible customer from existing allocations of natural gas previously authorized to Applicant.

The estimated cost of the proposed delivery point and meter station is $14,000, which will be supplied from Applicant's general funds with subsequent full reimbursement to be made by Public Service.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 4, 1958, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 21, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-135; Filed, Jan. 7, 1958; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 198]

MOTOR CARRIER APPLICATIONS

JANUARY 3, 1958.

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers and by brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other procedural matters with respect thereto (49 CFR 1.241).

All hearings will be called at 9:30 o'clock a. m., U. S. s. t.,, unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 730 (Sub No. 115), filed December 13, 1957, PACIFIC INTERMOUNTAIN EXPRESS CO., a corporation, 299 Adaline Street, Oakland, Calif. Applicant's attorney: Maurice H. Greene, 300 North Sixth Street, Boise, Idaho. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of ususual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Little Mountain, Utah, Production Testing Facility at the Marquardt Aircraft Company plant near Ogden, Utah, as an off-route point in connection with applicant's authorized regular route operations between Salt Lake City, Utah, and Tremonton, Utah, over U. S. Highway 91. Applicant is authorized to conduct operations in California, Colorado, Idaho, Illinois, Kansas, Missouri, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

HEARING: February 28, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 207, or, if the Joint Board waives its rights to participate, before Examiner Allan F. Borroughs.

No. MC 1334 (Sub No. 2), filed September 19, 1957, M. F. LYMAN, doing business as LYMAN TRUCK LINE, Blanding, Utah. Applicant's attorney: Fred L. Finlinson, Kearns Building, Salt Lake City 1, Utah. For authority to operate as a *common carrier* over a regular route, transporting: *General commodities*, except those of unusual value, and except Class A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Bluff, Utah, and the junction of Utah Highway 47 with the Utah-Arizona State line, over Utah Highway 47, serving all intermediate points and off-route points in Utah within ten miles of that portion of Utah Highway 47 extending from Bluff to the Utah-Arizona State line. Applicant is authorized to transport similar commodities in Colorado and Utah.

HEARING: February 18, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 207, or, if the Joint Board waives its right to participate, before Examiner Allan F. Borroughs.

No. MC 1872 (Sub No. 42), filed November 6, 1957, ASHWORTH TRANSFER, INC., 1526 South Sixth West Street, Salt Lake City, Utah. Applicant's attorney: Truman A. Stockton, Jr., the 1650 Grant St. Building, Denver 3, Colo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Such commodities* as require special handling or special equipment because of weight, size or bulk, and *equipment, materials and supplies* related thereto when the transportation thereof is incidental to the transportation of such commodities, between points in Colorado, on the one hand, and, on the other, points in New Mexico.

NOTE: Applicant is authorized to transport the above commodities between points in Colorado, on the one hand, and, on the other, points in New Mexico by using Utah as a gateway. Applicant states that the purpose for filing this application is to remove the Utah gateway.

HEARING: February 14, 1958, at the New Custom House, Denver, Colo., before Joint Board No. 125, or, if the Joint Board waives its right to participate, before Examiner Allan F. Borroughs.

No. MC 8681 (Sub No. 57), filed December 2, 1957, WESTERN AUTO TRANSPORTS, INC., 430 South Navajo Street, Denver, Colo. Applicant's attorney: Louis E. Smith, Suite 503, 1800 North Meridian Street, Indianapolis 2, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Motor vehicles* (except trailers) in secondary movements, in truckaway service, between points in Arizona, Utah, Nevada and New Mexico; and *rejected or damaged shipments* of the above described units on return. Applicant is authorized to transport the commodity specified in Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Michigan, Missouri, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

HEARING: February 19, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Allan F. Borroughs.

No. MC 8681 (Sub No. 58), filed December 4, 1957, WESTERN AUTO TRANSPORTS, INC., 431 South Navajo Street, Denver, Colo. Applicant's attorney: Louis E. Smith, Suite 503, 1800 North Meridian Street, Indianapolis 2, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Refuse collectors*, in truckaway service, from Denver, Colo., to points in the United States, and *rejected and/or damaged shipments* of the above-described commodity on return. Applicant is authorized to conduct operations throughout the United States.

NOTE: Applicant states that the Rejected and/or Damaged Shipments of Refuse Collectors are to be returned to the factory for repairing.

HEARING: February 13, 1958, at the New Custom House, Denver, Colo., before Examiner Allan F. Borroughs.

No. MC 13636 (Sub No. 11), filed December 20, 1957, ALBERT PITZER AND JANE PITZER, doing business as PITZER BROTHERS, Box 633, Arch and Thompson Streets, Jeannette, Pa. Applicant's attorney: Arthur J. Diskin, 810 Frick Building, Pittsburgh 19, Pa. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Malt beverages*, in containers, from Baltimore, Md., to points in Pennsylvania, Ohio, and West Virginia, and *empty malt beverage containers* on return. Applicant is authorized to transport similar commodities in Delaware, Maryland, New Jersey, New York, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia, and other commodities in Kentucky, Maryland, Ohio, Pennsylvania, Virginia, and West Virginia.

HEARING: February 7, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Frank R. Saltzman.

No. MC 31600 (Sub No. 432), filed December 9, 1957, P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. For authority to operate as a *common carrier*, over irregular routes, transporting: *Denatured rum*, in bonded stainless steel tank vehicles, from Boston, Mass., to Richmond, Va.

HEARING: February 7, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner James I. Carr.

No. MC 42487 (Sub No. 351), filed December 13, 1957, CONSOLIDATED FREIGHTWAYS, INC., 2116 Northwest Savier, Portland, Oreg. Applicant's attorney: Maurice H. Greene, 300 North Sixth Street, Boise, Idaho. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Little Mountain, Utah, Production Testing Facility at the Marquardt Aircraft Company plant near Ogden, Utah, as an off-route point in connection with applicant's authorized regular route operations between Salt Lake City, Utah, and Tremonton, Utah, over U. S. Highway 91. Applicant is authorized to conduct operations in Arizona, California, Idaho, Illinois, Iowa, Minnesota, Montana, Nevada, North Dakota, Oregon, Utah, Washington, Wisconsin, and Wyoming.

HEARING: February 28, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 207, or, if the Joint Board waives its right to participate, before Examiner Allan F. Burroughs.

No. MC 52657 (Sub No. 509), filed December 23, 1957, ARCO AUTO CARRIERS, INC., 7530 South Western Avenue, Chicago, Ill. Applicant's attorney: G. W. Stephens, 121 West Doty Street, Madison, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Bodies, hoists, winches, tail gates, lift gates* and *freight gates*, from Mattoon, Ill., and Exeter, Pa., to points in the United States. Applicant is authorized to conduct operations throughout the United States.

HEARING: February 13, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Frank R. Saltzman.

No. MC 64112 (Sub No. 7), filed December 12, 1957, NORTHEASTERN TRUCKING COMPANY, a corporation, 4612 Wilkinson Boulevard, Charlotte, N. C. Applicant's attorney: Philip R. Hedrick, 805 Johnston Building, Charlotte, N. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lumber* (except plywood, veneer, and built-up wood), from points in North Carolina and South Carolina to points in Florida. Applicant is authorized to conduct operations in Illinois, Maryland, New Jersey, New York, North Carolina, and South Carolina.

HEARING: February 11, 1958, at the U. S. Court Rooms, Charlotte, N. C., before Examiner Robert A. Joyner.

No. MC 89684 (Sub No. 20), filed November 12, 1957, WYCOFF COMPANY INCORPORATED, 346 West Sixth South, Salt Lake City, Utah. Applicant's attorney: Harry D. Pugsley, 721 Continental Bank Building, Salt Lake City, Utah. For authority to operate as a *common carrier*, over regular routes, transporting: *Films and articles* associated with the exhibition of motion pictures, *newspapers, magazines, books, periodicals, bull semen* and *empty containers therefor, cut flowers, plants* and *florists supplies*, between points now authorized to applicant under Certificate No. MC 89684 and Subs thereto. Applicant is authorized to transport similar commodities in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming.

NOTE: Applicant states the purpose of this application is to make uniform its commodity description at all authorized points of service; and that no duplicating authority is sought.

HEARING: February 24, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Allan F. Borroughs.

No. MC 101154 (Sub No. 18), filed November 21, 1957, COY FLIPPIN, doing business as COY FLIPPIN TRANSFER, P. O. Box 65, Pilot Mountain, N. C. For authority to operate a a *common carrier*, over irregular routes, transporting: Lumber, except plywood, from points in Virginia and West Virginia to points in North Carolina within 125 miles of Pilot Mountain, N. C., including Pilot Mountain; and *lumber, stone, fertilizer* and *air-conditioning equipment and tools*, from the above-specified destination points to points in Virginia and West Virginia. Applicant is authorized to conduct operations in Alabama, Connecticut, Delaware, Georgia, Illinois, Indiana, Maryland, Massachusetts, Michigan, Mississippi, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, and the District of Columbia.

NOTE: Duplication with present authority to be eliminated.

HEARING: February 10, 1958, at the U. S. Court Rooms, Charlotte, N. C., before Joint Board No. 292, or, if the Joint Board waives its right to participate, before Examiner Robert A. Joyner.

No. MC 102616 (Sub No. 643), filed December 18, 1957, COASTAL TANK LINES, INC., Grantly Road, York, Pa. Applicant's attorney: Harold G. Hernley, 1624 Eye Street NW., Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Acids* and *chemicals*, in bulk, in tank vehicles, between points in Monongalia County, W. Va., on the one hand, and, on the other, points in Delaware, Illinois, Indiana, Kentucky, Maryland, Michigan, New York, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia, and the District of Columbia. Applicant is authorized to conduct operations in Connecticut, Delaware, Illinois, Indiana, Kentucky, Maryland, Massachusetts, Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: February 11, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner John P. McCarthy.

No. MC 107515 (Sub No. 261), filed November 4, 1957, REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, 214–216 Grant Building, Atlanta 3, Ga. For authority to operate as a *common carrier*, over irregular routes, transporting: *Frozen foods*, from Dallas, Tex., to points in Alabama, Georgia, Florida, South Carolina, North Carolina, and Tennessee. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Oklahoma, Tennessee, Texas, Viriginia, and Wisconsin.

HEARING: February, 12, 1958, at the Baker Hotel, Dallas, Tex., before Examiner C. Evans Brooks.

No. MC 108461 (Sub No. 59), filed September 13, 1957, WHITFIELD TRANSPORTATION, INC., 240 West Amador Street, Las Cruces, N. Mex. Applicant's attorney: Loyal G. Kaplan, Suite 924, City National Bank Building, Omaha 2, Nebr. For authority to operate as a *common carrier*, over irregular routes, transporting: *Cement*, in bulk, in hopper type vehicles, from Devil's Slide, Utah, to points in Colorado, Arizona, Wyoming, Nevada, and Idaho. Applicant is authorized to transport cement in Arizona, Colorado, New Mexico, Texas, and Utah, and other commodities in Arizona, California, New Mexico, Texas, and Utah.

HEARING: March 4, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Allan F. Borroughs.

No. MC 109689 (Sub No. 56), filed October 14, 1957, W. S. HATCH CO., a corporation, 643 South 800 West, Woods Cross, Utah. For authority to operate as a *common carrier*, over irregular routes, transporting: *Acids* and *chemicals*, in bulk, in tank vehicles, from points in Colorado to points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, South Dakota, and Wyoming, and *rejected or contaminated shipments* of the above-described commodities on return. Applicant is authorized to conduct operations in Colorado, Idaho, Montana, Nevada, Oregon, Utah, and Wyoming.

HEARING: February 25, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Allan F. Borroughs.

No. MC 111967 (Sub No. 4), filed November 6, 1957, CADDELL TRANSIT CORPORATION, P. O. Box 988, Colorado City, Tex. Applicant's attorney: T. S. Christopher, Continental Life Building, Fort Worth 2, Tex. For authority to operate as a *common carrier*, over irregular routes, transporting: *Asphalt* in cartons, packages or containers, from points in Howard and Mitchell Counties, Tex., to points in New Mexico, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodity specified in this application on return. Applicant is authorized to conduct operations in New Mexico and Texas.

HEARING: February 11, 1958, at the Baker Hotel, Dallas, Tex., before Joint Board No. 33, or, if the Joint Board waives its right to participate, before Examiner C. Evans Brooks.

No. MC 113658 (Sub No. 1), filed September 9, 1957, SCOTT TRUCK LINE, INC., 1337 34th Street, Denver, Colo. Applicant's attorneys: Stockton, Linville & Lewis, The 1650 Grant Street Building, Denver 3, Colo. For authority to operate as a *common carrier*, over regular routes, transporting: *Advertising matter*, and *such general merchandise* as is dealt in by wholesale and retail grocery and food business houses, between Denver, Colo., and Chicago, Ill., and Imperial, Nebr., as follows: (1) from Denver over U. S. Highway 6 to Sterling, Colo., thence over U. S. Highway 138 to junction U. S. Highway 30, near Big Springs, Nebr., thence over U. S. Highway 30 to Aurora, Ill., thence over Illinois Highway 65 to junction U. S. Highway 34, thence over U. S. Highway 34 to Chicago; and (2) from Denver to Sterling, Colo., as specified above, thence over U. S. Highway 6 to Imperial, and return over these routes to Denver, serving the intermediate and off-route points of Haxtun, Colo., and Lamar, Elsie, Madrid, Grant, Venango, and Champion, Nebr. OVER IRREGULAR ROUTES: *Meats*, fresh and frozen, from the site of the packing plant of National Food Stores, Inc., at Denver, Colo. to Milwaukee Wis., Indianapolis, Ind., Lansing and Detroit, Mich.

NOTE: Applicant states that in addition to the above, it requests authority in the instant application to rent or lease trailers to the National Tea Company for the purpose of delivering to its stores, or picking up, its own merchandise, on shipments that have a prior or subsequent movement by applicant. Applicant further states that the purpose of the instant application is to change its operation from that of a contract carrier to that of a common carrier. (Applicant presently has authority to Chicago to operate over U. S. Highway 330, which is no longer in existence.)

HEARING: February 10, 1958, at the New Custom House, Denver, Colo., before Examiner Allan F. Borroughs.

No. MC 114364 (Sub No. 34), filed November 22, 1957, WRIGHT MOTOR LINES, INC., 16th and Elm Streets, Rocky Ford, Colo. Applicant's attorney: Marion F. Jones, Suite 526 Denham Building, Denver 2, Colo. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Industrial molasses*, in bulk, from Rocky Ford and Swink, Colo., to points in Kansas on and west of U. S. Highway 81; points in that portion of Oklahoma bounded on the east by U. S. Highway 81 and on the south by U. S. Highway 66, including points on the portions of the highways specified; and points in New Mexico on and north of U. S. Highway 66; and (2) *ammonium nitrate*, from Etter, Tex., to points in New Mexico on and north of U. S. Highway 66. Applicant is authorized to transport ammonium nitrate in Colorado, Kansas, and Texas.

HEARING: February 10, 1958, at the New Custom House, Denver, Colo., before Examiner Allan F. Borroughs.

No. MC 115523 (Sub No. 17), filed November 18, 1957, CLARK TANK LINES COMPANY, a Corporation, 1450 Beck Street, Salt Lake City 10, Utah. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum* and *petroleum products*, in bulk, in tank vehicles, and *rejected or contaminated shipments* of petroleum and petroleum products between all points in Utah. Applicant is authorized to transport commodities other than those applied for herein in Montana, Utah, and Wyoming.

HEARING: February 17, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 207, or, if the Joint Board waives its right to participate, before Examiner Allan F. Borroughs.

No. MC 115523 (Sub No. 18), filed December 10, 1957, CLARK TANK LINES COMPANY, a corporation, 1450 Beck Street, P. O. Box 1895, Salt Lake City 10, Utah. For authority to operate as a *common carrier*, over irregular routes, transporting: *Cement*, in bulk and in containers, from Marysvale, Cedar City, and Milford, Utah, and points within 25 miles of each, to points in Arizona on and north of U. S. Highway 66, and *rejected or contaminated shipments* of the above-described commodity on return.

HEARING: March 3, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 48, or if the Joint Board waives its right to participate, before Examiner Allan F. Borroughs.

No. MC 115523 (Sub No. 20), filed December 23, 1957, CLARK TANK LINES COMPANY, a Corporation, P. O. Box 1895, 1450 Beck Street, Salt Lake City, Utah. For authority to operate as a *common carrier*, over irregular routes, transporting: *Petroleum* and *petroleum products*, in bulk, in tank vehicles, and

contaminated or rejected shipments of the above-specified commodities, between production, refining, mixing and blending points in Wyoming, Utah, and Idaho south of the Salmon River and construction points in Wyoming, Utah, and Idaho south of the Salmon River.

HEARING: February 27, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 173, or, if the Joint Board waives its right to participate, before Examiner Allan F. Borroughs.

No. MC 116063 (Sub No. 2), filed October 7, 1957, C & R TRANSPORT COMPANY, INC., P. O. Box 127, Winnsboro, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. For authority to operate as a *common carrier*, over irregular routes, transporting: *Asphalt* and *road oils*, in bulk, in tank vehicles, from Dumas, Texas and points within 20 miles thereof, to points in Colorado, those in that part of New Mexico on and north of U. S. Highway 66, those in that part of Oklahoma on, north, and west of a line commencing at the intersection of U. S. Highway 60 with the Texas-Oklahoma State line, thence over U. S. Highway 60 to its intersection with U. S. Highway 281 near Seiling, Okla., thence over U. S. Highway 281 to the Oklahoma-Kansas State line, those in that part of Kansas on, west, and south of a line commencing at the intersection of U. S. Highway 281 with the Kansas-Oklahoma State line, thence over U. S. Highway 281 to its intersection with U. S. Highway 40 near Russell, Kans., thence over U. S. Highway 40 to the Colorado-Kansas State line.

HEARING: February 10, 1958, at the Baker Hotel, Dallas, Tex., before Examiner C. Evans Brooks.

No. MC 116329 (Sub No. 2), filed September 13, 1957, AUSTIN F. WHITMER, P. O. Box 215, 1980 South Main, Bountiful, Utah. Applicant's attorney: Keith L. Stahle, Clipper Building, 84 South Main, Bountiful, Utah. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Lumber, including plywood* and *panel boards* made from lumber products, from points in Oregon to points in Wyoming and Arizona.

HEARING: February 25, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner Allan F. Borroughs.

No. MC 116329 (Sub No. 3), filed September 13, 1957, AUSTIN F. WHITMER, P. O. Box 215, 1980 South Main, Bountiful, Utah. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Lumber, including plywood* and *panel boards* made from lumber products, from points in Tillamook, Polk, Hood River, and Wasco Counties, Oreg., to points in Utah and Idaho.

HEARING: February 18, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 346, or, if the Joint Board waives its right to participate, before Examiner Allan F. Borroughs.

No. MC 116999, filed October 21, 1957, EPHRAIM FREIGHTWAYS, INC., 2909 West Seventh Avenue, Denver 4, Colo. Applicant's attorney: Lael S. DeMuth, 931 14th Street, Denver 2, Colo. For authority to operate as a *common carrier*, over regular routes, transporting: *Moving picture films*, and *articles* associated with the exhibition and advertising of moving picture films, between Denver, Colo., and Grand Junction, Colo., (a) from Denver over U. S. Highway 6 to Grand Junction, and return over the same route, serving the intermediate points of Palisade, Eagle, Gypsum, Glenwood Springs, New Castle, Silt, Rifle, Grand Valley, and De Beque, and the off-route points of Leadville and Miniturn via Colorado Highway 91 and U. S. Highway 24, and (b) from Denver over U. S. Highway 85 to Colorado Springs, thence over Colorado Highway 115 to junction with U. S. Highway 50, and thence from said junction over U. S. Highway 50, to Grand Junction, and return over the same route, serving the intermediate points of Gunnison, Montrose, Olathe, and Delta.

HEARING: February 12, 1958, at the New Custom House, Denver, Colo., before Joint Board No. 126, or, if the Joint Board waives its right to participate, before Examiner Allan F. Borroughs.

No. MC 117086, filed December 16, 1957, HOWARD L. CURTIS, doing business as HOWARD L. CURTIS TRUCKING, R. D. 2, Greenville, Pa. Applicant's attorney: Arthur J. Diskin, 810 Frick Building, Pittsburgh 19, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Paper tubing, paper cans*, (containers) and *cylindrical paper products*, from points in Pymatuning Township, Mercer County, Pa., to points in Ohio, Indiana, New York, West Virginia, and Kentucky, and *box board paper used in the manufacture of paper tubing and containers* on return.

HEARING: February 13, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Walter R. Lee.

No. MC 117093, filed December 23, 1957, LEO P. BURKE, SR., Route 3, Hagerstown, Washington County, Md. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Such commodities* as are dealt in by retail grocery stores, From Washington, D. C., to Hagerstown, Md.

NOTE: Applicant states the service is to be restricted to transportation for Food Fair-Division of Grand Union, Washington, D. C., exclusively.

HEARING: February 11, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Joint Board No. 68.

MOTOR CARRIERS OF PASSENGERS

No. MC 460 (Sub No. 7), filed October 21, 1957, THE OKLAHOMA TRANSPORTATION CO., INC., 1206 Exchange Avenue, Oklahoma City, Okla. For authority to operate as a *common carrier*, over a regular route, transporting: *Passengers* and their *baggage, express, newspapers* and *mail* in the same vehicle with passengers, between Seminole and Eufaula, Okla., from Seminole over Oklahoma Highway 99 to its junction with Oklahoma Highway 9, thence over Oklahoma Highway 9 to Eufaula, and return over the same route, serving all intermediate points. Applicant is authorized to conduct similar operations in Arkansas and Oklahoma.

HEARING: February 10, 1958, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 88.

NOTICE OF FILING OF PETITION IN EX PARTE NO. MC 43

By petition dated December 18, 1957, petitioner, SWIFT & COMPANY, Union Stock Yards, Chicago 9, Ill., through its attorney, CLARK MUNN, JR., 4115 Packers Avenue, Chicago 9, Ill., seeks the issuance by the Interstate Commerce Commission of a declaratory order to the effect that motor vehicles of private carriers which are used regularly in the transportation of *fresh meat and other perishable meat products* may be leased to authorized motor carriers under the provisions of section 204 (f) (1) of the act.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

No. MC 113984 (Sub No. 3), filed December 3, 1957, CASMER E. WENGLIKOWSKI and EDWARD D. WENGLIKOWSKI, a Partnership, doing business as WENGLIKOWSKI BROTHERS, 506 South McLellan Street, Bay City, Mich. Applicant's attorney: Carl H. Smith, Sr., 210–214 Phoenix Building, Bay City, Mich. For authority to operate as a *common carrier*, over irregular routes, transporting: *Malt beverages*, (1) from Cleveland, Ohio, to Flint, Saginaw, and Bay City, Mich.; (2) from Milwaukee, Wis., to Bay City and Carrolton, Mich.; and (3) from Fort Wayne, Ind., to Bay City, Mich.; and *empty malt beverage containers* from the above specified destinations of Cleveland, Ohio, Milwaukee, Wis., and Fort Wayne, Ind. Applicant is authorized to transport the commodities specified in Michigan and Wisconsin.

No. MC 117094, filed December 12, 1957, HOFER, INC., R. F. D. No. 2, Girard, Kans. Applicant's attorney: J. Wm. Townsend, 641 Harrison Street, Topeka, Kans. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Mixed fertilizer* and *fertilizer compounds*, in bags, in truckload quantities, from Horne, Mo., to all points in Oklahoma; and *empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified herein on return.

APPLICATIONS UNDER SECTIONS 5 AND 210a (b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under sections 5 (2) and 210a (b) of the Interstate Commerce Act and certain other procedural matters with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC–F 6555, published in the April 17, 1957, issue of the FEDERAL REGISTER on page 2698. Second application filed December 30, 1957, for temporary authority under section 210a (b).

No. MC–F–6793. Authority sought for control by WRIGHT MOTOR LINES, INC., 16th and Elm, Rocky Ford, Colo., of L. L. JOHNSON TRUCK LINES, INC., 1000 East Main Street, Independence, Kans., and for acquisition by GEORGE G. WRIGHT and VIOLA L. WRIGHT, Rocky Ford, Colo., of control of L. L. JOHNSON TRUCK LINES, INC., through the acquisition by WRIGHT MOTOR LINES, INC. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver 2, Colo. Operating rights sought to be controlled: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier*, over irregular routes, between Independence, Kans., on the one hand, and, on the other, Kansas City and North Kansas City, Mo., and Ames, Iowa; *malt beverages*, from Rolla, Mo., to Neodesha, Kans.; *malt beverages* minimum 20,000 pounds from any one consignor, from St. Louis, Mo., to Parsons and Chanute, Kans.; *empty malt-beverage containers*, from Neodesha, Kans., to Rolla, Mo., and from Parsons and Chanute, Kans., to St. Louis, Mo.; *petroleum products*, in containers, minimum 18,000 pounds from any one consignor, from Coffeyville, Kans., to points in Missouri on and east of U. S. Highway 63, and on and south of U. S. Highway 66, except St. Louis, Mo.; and *empty containers for petroleum products*, from points in Missouri on and east of U. S. Highway 63, and on and south of U. S. Highway 66, except St. Louis, Mo., to Coffeyville, Kans. WRIGHT MOTOR LINES, INC., is authorized to operate as a *common carrier* in Kansas, Colorado, Oklahoma, South Dakota, Nebraska, Wyoming, Utah, Idaho, Texas, Arkansas, Missouri, New Mexico, Louisiana, Nevada, and Montana. Application has not been filed for temporary authority under section 210a (b).

No. MC–F 6796. Authority sought for control by WELLS FARGO ARMORED SERVICE CORPORATION, 65 Broadway, New York, N. Y., of ARMORED MOTOR SERVICE CO., INC., (a Mississippi corporation) and ARMORED MOTOR SERVICE CO., INC., (a Tennessee corporation), both of 248 Madison Avenue, Memphis 3, Tenn., and for acquisition by WELLS FARGO & COMPANY and AMERICAN EXPRESS COMPANY, both of New York, of control of ARMORED MOTOR SERVICE CO., INC., (a Mississippi corporation) and ARMORED MOTOR SERVICE CO., INC., (a Tennessee corporation) through the acquisition by WELLS FARGO ARMORED SERVICE CORPORATION. Applicant's attorneys: Bernard W. Nimkin, 2 Wall Street, New York 5, N. Y., and David G. Macdonald, 1625 K Street NW., Washington 6, D. C. Operating rights sought to be controlled: (MISSISSIPPI CORPORATION) *Such commodities* as require special protection by guards in armored vehicles while in transit, as a *contract carrier* over irregular routes, between Augusta, Ga., and the sites of the South Carolina National Bank of Jackson, S. C., and the Savannah River plant of the Atomic Energy Commission near Jackson, S. C., between Augusta, Ga., and Williston, S. C., and between Augusta, Ga., and Aiken, S. C.; (TENNESSEE CORPORATION) *Such commodities* as require special protection by guards in armored vehicles while in transit, as a *contract carrier* over irregular routes, between Huntington, W. Va., and Russell, Ky., between Memphis, Tenn., on the one hand, and, on the other, Marion, Crawfordsville, and Earle, Ark., and between Memphis, Tenn., on the one hand, and, on the other, certain points in Mississippi; *currency, coin, and negotiable instruments*, in armored vehicles accompanied by guards, between Huntington, W. Va., and Greenup, Ky. WELLS FARGO ARMORED SERVICE CORPORATION is authorized to operate as a *contract carrier* in New York, New Jersey, Delaware, Pennsylvania, Connecticut, and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC–F–6797. Authority sought for purchase by SECURITY STORAGE & VAN COMPANY, INC., (Alabama), 533 City Park Avenue, New Orleans 19, La., of a portion of the operating rights of SHAMROCK VAN LINES, INC., 3106 Commerce, Dallas, Tex., and for acquisition by HOWARD WOLCHANSKY, New Orleans, La., of control of such rights through the purchase. Applicants' attorney: John W. Carlisle, 4608 South Main, Houston, Tex. Operating rights proposed to be transferred: *Household goods*, as defined by the Commission, as a *common carrier*, over irregular routes between Archer County, Tex., on the one hand, and, on the other, points in Kansas, Colorado, New Mexico, Arkansas, Missouri, Oklahoma, and Louisiana. Vendee is authorized to operate as a *common carrier* in Arizona, California, Oregon, Washington, Louisiana, Mississippi, Tennessee, Arkansas, Georgia, Florida, Missouri, Illinois, Alabama, Texas, North Carolina, South Carolina, Virginia, Maryland, New Jersey, New York, Oklahoma, and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC–F–6798. Authority sought for purchase by C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, P. O. Box 5976, Dallas, Tex., ARROW TRUCKING COMPANY, Second Street at Heavy Trafficway, Tulsa, Okla., and VAN STONE, doing business as STONE TRUCKING COMPANY, 4927 South Tacoma, Box 2012, Tulsa, Okla., of portions of the operating rights of COMBS TRUCK LINE, INC., 8301 Highway 73, Box 15068, Houston, Tex., and for acquisition by W. O. HARRINGTON, Coppell, Tex., and C. F. COURTNEY, 3040 Woodward Boulevard, Tulsa, Okla., of control of such rights through the purchases. Applicants' attorneys: W. T. Brunson, 508 Leonhardt Building, Oklahoma City 2, Okla., and Monroe Wise, Box 745, Highlands, Tex. Operating rights sought to be transferred: (To C & H TRANSPORTATION CO., INC.) *Oilfield commodities*, as a *common carrier* over irregular routes, between Houston, Tex., and Memphis, Tenn., on the one hand, and, on the other, points in Dyer County, Tenn., Mobile County, Ala., and Levy, Dade, Nassau, and Suwanee Counties, Fla., between points in Louisiana, Arkansas, Oklahoma, Texas, and Mississippi, on the one hand, and, on the other, points in Alabama, Georgia, Florida, and Tennessee, and between points in Alabama, Georgia, Florida, and Tennessee; *machinery, equipment, materials and supplies* used in, or in connection with, the drilling of water wells, between Memphis, Tenn., on the one hand, and, on the other, points in Dyer County, Tenn., Mobile County, Ala., and Levy, Dade, Nassau, and Suwanee Counties, Fla., between points in Louisiana, Arkansas, Oklahoma, Texas, and Mississippi, on the one hand, and, on the other, points in Alabama, Georgia, Florida, and Tennessee, and between points in Alabama, Georgia, Florida, and Tennessee; (to ARROW TRUCKING COMPANY) *Oilfield commodities*, as a *common carrier* over irregular routes, between points in Louisiana, Arkansas, Texas, and Mississippi, between points in Oklahoma, between points in Texas, on the one hand, and, on the other, points in Oklahoma, and between points in Oklahoma, on the one hand, and, on the other, points in Louisiana, Arkansas, and Mississippi; *machinery and equipment* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur and its products, and *materials and supplies*, (not including sulphur) used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur and its products, restricted to the transportation of shipments of materials and supplies moving to or from exploration, drilling, production, job, construction, plant (including refining, manufacturing, and processing plant) sites or storage sites, between points in Louisiana, Texas, and Mississippi, between points in Oklahoma, between points in Texas, on the one hand, and, on the other, points in Oklahoma, and between points in Oklahoma on the one hand, and, on the other, points in Louisiana and Mississippi; *machinery, equipment, materials, and supplies* used in, or in connection with, the drilling of water wells, between points in Louisiana, Arkansas, Texas and Mississippi, between points in Oklahoma, between points in Texas, on the one hand, and, on the other, points in Oklahoma, and between points in Oklahoma, on the one hand, and, on the other, points in Louisiana, Arkansas, and Mississippi; (to VAN STONE, doing business as STONE TRUCKING COMPANY) *Machinery and equipment* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur and its products, and *materials and supplies* (not including sulphur) used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of sulphur and its products, restricted to the transportation of shipments of materials and supplies moving to or from exploration,

drilling, production, job, construction, plant (including refining, manufacturing, and processing plant) sites or storage sites, as a *common carrier*, over irregular routes, between points in Texas, on the one hand, and, on the other, points in Wyoming; *machinery, equipment, materials, and supplies* used in, or in connection with, the drilling of water wells, between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana; *machinery, equipment, materials, and supplies*, used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, equipment, materials, and supplies* used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking-up thereof, except the stringing and picking-up of pipe in connection with main pipe lines, between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana. C & H TRANSPORTATION CO., INC., is authorized to operate as a *common carrier* in Kansas, New Mexico, Texas, Oklahoma, Louisiana, Illinois, Indiana, Kentucky, Mississippi, Arkansas, Wisconsin, North Dakota, South Dakota, Missouri, Nebraska, Colorado, Nevada, Pennsylvania, and Ohio. ARROW TRUCKING COMPANY is authorized to operate as a *common carrier* in Oklahoma, Kansas, and Texas. VAN STONE, doing business as STONE TRUCKING COMPANY, is authorized to operate as a *common carrier* in Oklahoma, Montana, North Dakota, South Dakota, Arkansas, Illinois, Texas, Kansas, New Mexico, Louisiana, and Nevada. Application has been filed for temporary authority under section 210a (b).

No. MC-F-6799. Authority sought for purchase by OHIO SOUTHERN EXPRESS, INC., 630 14th Street, NW., Atlanta, Ga., of the operating rights of WILLIAM S. MAGILL, JR., doing business as MAGILL MOTOR EXPRESS, 1348 Fairview Road NE., Atlanta, Ga., and for acquisition by W. D. BUFFALOE, Atlanta, Ga., of control of such rights through the purchase. Applicants' attorney: Reuben G. Crimm, 805 Peachtree Street Building, Atlanta 8, Ga. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over irregular routes, between points in that part of Georgia and Tennessee within 15 miles of Chattanooga, Tenn., including Chattanooga. Vendee is authorized to operate as a *common carrier* in Georgia, West Virginia, Ohio, and Pennsylvania. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6801. Authority sought for purchase by B AND P MOTOR LINES, INC., 101 Main Street, Hazelwood, N. C., of the operating rights and property of HOWELL BRYSON, BERNARD GOLDSTEIN, AND NEMIAH GOLDSTEIN, doing business as B. & P. MOTOR LINES, 101 Main Street, Hazelwood, N. C., and for acquisition by NEMIAH GOLDSTEIN and BERNARD GOLDSTEIN, both of Koon Development, Asheville, N. C., and HOWELL BRYSON, also of Hazelwood, of control of such rights and property through the purchase. Applicants' attorney: Robert R. Williams, Jr., Post Office Box 5295, Asheville, N. C. Operating rights sought to be transferred: *New furniture*, as a *common carrier*, over irregular routes, from Hazelwood, N. C., to Chicago, Ill., St. Louis, Mo., Detroit, Mich., and Washington, D. C., and points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Massachusetts, Maryland, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, and West Virginia, from Woodfin, N. C., to Chicago, Ill., St. Louis, Mo., and Detroit, Mich., and points in Alabama, Connecticut, certain points in Delaware, points in Florida, Georgia, Indiana, Kentucky, Massachusetts, Maryland (except Baltimore, Md.), certain points in New Jersey, points in New York (except New York, N. Y.), certain points in Pennsylvania, points in Ohio, Rhode Island, South Carolina, Tennessee, Virginia and West Virginia, from Bryson City, N. C., to Chicago, Ill., St. Louis, Mo., Detroit, Mich., Washington, D. C., and points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Massachusetts, Maryland, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, and West Virginia, and from Allentown, Pa., and Hagerstown, Md., to points in Florida, Georgia, North Carolina, South Carolina, Virginia and West Virginia; *furniture finishing materials* in containers, from Roanoke, Va., to Hazelwood and Bryson City, N. C.; *petroleum products*, in containers, from Oil City, Pa., and St. Marys, W. Va., to Asheville and Sylva, N. C., from Marcus Hook, Pa., to Hazelwood and Murphy, N. C., and from Bayonne, N. J., and Baltimore, Md., to certain points in North Carolina; *new furniture*, crated, as described in Appendix II to the report in *Descriptions in Motor Carrier Certificates*, 61 M. C. C. 209, from Memphis, Tenn., to points in North Carolina, and from Hazelwood and Bryson City, N. C., to points in Mississippi, Louisiana, Arkansas, Texas, Missouri, and Oklahoma; *new furniture*, crated, but not uncrated, as described in Appendix II to the report in *Descriptions in Motor Carrier Certificates*, 61 M. C. C. 209, from Gardner, Mass., to points in Alabama, Florida, Georgia, Kentucky, North Carolina, Ohio, South Carolina, Tennessee, Virginia, and West Virginia; *petroleum products*, in containers, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M. C. C. 209, from Kansas City, Kans., to certain points in North Carolina. Vendee holds no authority from this Commission, but two of its controlling stockholders, NEMIAH GOLDSTEIN and BERNARD GOLDSTEIN, jointly own and control BLUE RIDGE TRUCKING COMPANY, which is authorized to operate as a *common carrier* in North Carolina under the Second Proviso of section 206 (a) (1) of the Interstate Commerce Act. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6802. Authority sought for purchase by YELLOW TRANSIT FREIGHT LINES, INC., 1626 Walnut Street, Kansas City 8, Mo., of the operating rights of BERT HOWERTON, doing business as NOEL TRANSFER COMPANY, Noel, Mo., and for acquisition by GEORGE E. POWELL and GEORGE E. POWELL, JR., both of Kansas City, and HUGH W. COBURN, 2519 West 64th Street, Overland Park, Kans., of control of such rights through the purchase. Applicants' attorneys: Homer S. Carpenter, 1111 E Street NW., Washington 4, D. C., Kenneth E. Midgley, 906 Commerce Building, Kansas City 6, Mo., and James L. Paul, Pineville, Mo. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes between Noel, Mo., and Joplin, Mo., serving certain intermediate and off-route points; *livestock*, between Noel, Mo., and Kansas City, Kans., serving certain intermediate and off-route points; *household goods*, as defined by the Commission, over irregular routes between Noel, Mo., and points within 25 miles of Noel, on the one hand, and, on the other, points in Kansas, Oklahoma, and Missouri. Vendee is authorized to operate as a *common carrier* in Texas, Illinois, Michigan, Ohio, Kentucky, Indiana, Kansas, Oklahoma, Missouri, and Arkansas. Application has been filed for temporary authority under section 210a (b).

MOTOR CARRIERS OF PASSENGERS

No. MC-F-6794. Authority sought for purchase by CONTINENTAL SOUTHERN LINES, INC., Box 4407, Alexandria, La., of a portion of the operating rights of ARKANSAS MOTOR COACHES LIMITED, INC., 433 West Washington, North Little Rock, Ark., and for acquisition by TRANSCONTINENTAL BUS SYSTEM, INC., 315 Continental Ave., Dallas, Tex., of control of such rights through the purchase. Applicants' attorney: Walls Trimble, c/o Bailey, Warren & Bullion, 1001 Union Life Building, Little Rock, Ark. Operating rights sought to be transferred: *Passengers and their baggage*, and *express, newspapers* and *mail* in the same vehicle with passengers, as a *common carrier* over regular routes between Magnolia, Ark., and Springhill, La., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Texas, Louisiana, Arkansas, Alabama, Mississippi, Tennessee, Missouri, Kentucky, and Illinois. Application has not been filed for temporary authority under section 210a (b).

No. MC-F-6795. Authority sought for purchase by KENNETH HUDSON, INC., doing business as HUDSON BUS LINES, 70 Union Street, Medford, Mass., of a portion of the operating rights of THE GREYHOUND CORPORATION, 2600 Board of Trade Building, Chicago, Ill., and for acquisition by KENNETH HUDSON, Medford, Mass., of control of such rights through the purchase. Appli-

cants' attorneys: James H. Sullivan, 52 Maple Street, Danvers, Mass., and L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington 6, D. C. Operating rights sought to be transferred: *Passengers and their baggage*, and *express*, and *newspapers* in the same vehicle with passengers, as a *common carrier*, over a regular route between Boston, Mass., and Manchester, N. H., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in New Hampshire, Massachusetts, Rhode Island, Connecticut, and Maine. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6800. Authority sought for purchase by HENRY LIENHART AND R. L. DUNCAN, doing business as ARROW COACH LINE, 2715 West 10th Street, Little Rock, Ark., of a portion of the operating rights of MIDWEST BUSLINES, INC., 319 Dowling Street, Houston, Tex. Applicants' attorneys: Louis Tarlowski, Rector Building, Little Rock, Ark., and R. Ben Allen, Boyle Building, Little Rock, Ark. Operating rights sought to be transferred: *Passengers and their baggage*, and *express* and *newspapers* in the same vehicle with passengers, as a *common carrier* over a regular route between McGehee, Ark., and Natchez, Miss., serving certain intermediate points. Vendee is authorized to operate as a *common carrier* in Arkansas. Application has been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 58-151; Filed, Jan. 7, 1958; 8:50 a. m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 169, Amdt. 1]

LOUISIANA

AMENDMENT TO DECLARATION OF DISASTER AREA

Declaration of Disaster Area 169, dated November 8, 1957, for the State of Louisiana, is hereby amended as follows: By including in paragraph 1 thereof St. Tammany Parish (tornado occurring on or about November 13).

Dated: December 27, 1957.

WENDELL B. BARNES,
Administrator.

[F. R. Doc. 58-136; Filed, Jan. 7, 1958; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

LOUISE SUZANNE ACHARD

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Mrs. Louise Suzanne Achard, nee Gangloff, Lyon, Rhone, France; Claim No. 41465; Vesting Orders Nos. 667 and 1028; Property described in Vesting Orders Nos. 667 and 1028 (8 F. R. 4996, April 17, 1943 and 8 F. R. 4205, April 2, 1943, respectively) relating to United States Patent Application Serial No. 196,773 now United States Letters Patent No. 2,286,079.

Executed at Washington, D. C., on December 30, 1957.

For the Attorney General.

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

[F. R. Doc. 58-157; Filed, Jan. 7, 1958; 8:51 a. m.]

DAVID HAMEIR

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

David Hameir, Shikun "H", Hapoel Hamizrachi, Kfar Saba, Israel; Claim No. 63591; Vesting Order No. 643; $293.20 in the Treasury of the United States.

Executed at Washington, D. C., on December 30, 1957.

For the Attorney General.

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

[F. R. Doc. 58-158; Filed, Jan. 7, 1958; 8:51 a. m.]