

# FEDERAL REGISTER

VOLUME 23

NUMBER 174

Washington, Friday, September 5, 1958

## TITLE 2—THE CONGRESS ACTS APPROVED BY THE PRESIDENT

CROSS REFERENCE: For listing of current public laws approved by the President, see last page of this issue.

## TITLE 7—AGRICULTURE

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

PART 912—MILK IN DUBUQUE, IOWA, MARKETING AREA

PART 931—MILK IN CEDAR RAPIDS-IOWA CITY MARKETING AREA

PART 944—MILK IN QUAD CITIES MARKETING AREA

PART 1005—MILK IN NORTH CENTRAL IOWA MARKETING AREA

#### TERMINATION ORDER

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "Act" and of the orders, as amended (7 CFR Parts 912, 931, 944, and 1005), regulating the handling of milk in the Dubuque, Iowa; Cedar Rapids-Iowa City; Quad Cities; and North Central Iowa, marketing areas, hereinafter referred to as the "orders", it is hereby found and determined that:

(a) The provision "Borden Company, Sterling, Illinois" in §§ 912.50 (b) (1), 931.50 (b), 944.50 (b), and 1005.50 (b) of the orders does not tend to effectuate the declared policy of the Act.

The specified sections of each of the aforesaid orders contain a reference to the prices reported to have been paid by seven manufacturing plants, which prices are utilized in calculating the Class II price in each of the orders.

The Department has been advised that one of the seven plants listed in each of the orders (Borden Company, Sterling, Illinois) is no longer in operation. Therefore, the provision "Borden Company, Sterling, Illinois" as it appears in

the specified section of the aforesaid orders should be deleted.

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof, are impracticable, unnecessary, and contrary to the public interest in that:

(1) The information upon which this action is based did not become available in time for such compliance.

(2) This termination order does not require persons affected substantial or extensive preparation prior to its effective date.

Therefore, good cause exists for making this order effective immediately.

It is therefore ordered, That the provision "Borden Company, Sterling, Illinois" be and is hereby deleted from §§ 912.50 (b) (1), 931.50 (b), 944.50 (b), and 1005.50 (b).

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

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

[SEAL]

TRUE D. MORSE,  
Acting Secretary.

[F. R. Doc. 58-7180; Filed, Sept. 4, 1958;  
8:54 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amtd. 15]

#### PART 600—DESIGNATION OF CIVIL AIRWAYS

##### ALTERATIONS

The civil airway alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Division, and are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be imprac-

(Continued on next page)

## CONTENTS

### THE CONGRESS

Acts Approved	6848
---------------	------

### EXECUTIVE AGENCIES

#### Agricultural Marketing Service

Rules and regulations:	
Milk handling in Dubuque, Cedar Rapids-Iowa City, Quad Cities, and North Central Iowa marketing areas	6823

#### Agriculture Department

See Agricultural Marketing Service.	
-------------------------------------	--

#### Civil Aeronautics Administration

Rules and regulations:	
Designations of civil airways; alterations	6823
Designation of continental control area, control areas, control zones, reporting points, and positive control route segments	6828

#### Civil Aeronautics Board

Notices:	
Trans World Airlines, Inc.; enforcement proceeding	6843

#### Proposed rule making:

Carriage of persons other than "crew members" and "passengers" aboard all-cargo aircraft	6836
--	------

Reinvestment of gains derived from sale or disposition of flight equipment	6837
--	------

#### Civil and Defense Mobilization Office

Notices:	
Kansas; notice of major disaster	6847

#### Coast Guard

Rules and regulations:	
Waivers of navigation and vessel inspection laws and regulations; vessels operated by or chartered to Military Sea Transportation Service; cross reference	6834

6823



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 600, as amended; 44 U. S. C., ch. 3B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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

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

There are no restrictions on the republication of material appearing in the *Federal Register*, or the *Code of Federal Regulations*.

#### Now Available

#### UNITED STATES GOVERNMENT ORGANIZATION MANUAL

1958-59 Edition

(Revised through June 1)

Published by the Federal Register Division, the National Archives and Records Service, General Services Administration

791 pages—\$1.50 a copy

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

#### CONTENTS—Continued

Commerce Department	Page
See also Civil Aeronautics Administration; Federal Maritime Board.	
Notices:	
Statements of changes in financial interests:	
Ford, Richard V.	6842
Wright, David Lee	6842

Defense Department	Page
Notices:	
Secretaries of Army, Navy, and Air Force; delegation of authority with respect to settlement of foreign claims	6839

#### RULES AND REGULATIONS

#### CONTENTS—Continued

Federal Maritime Board	Page
Notices:	
Agreements filed for approval:	
City of Oakland, Calif., and McGuire Chemical Co.	6842
Matson Navigation Co. and Oceanic Steamship Co.	6842
Federal Power Commission	
Notices:	
Hearings, etc.:	
Amerada Petroleum Corp. et al.	6846
Delta Drilling Co., et al.	6845
Duncan, Walter, et al.	6844
Gilster, Ralph R., et al.	6847
Midstates Oil Corp.	6844
Mississippi River Fuel Corp.	6843
Ohio Oil Co.	6846
Phillips Petroleum Co. (2 documents)	6845
Superior Oil Co.	6844
Transcontinental Gas Pipeline Corp.	6844
Williams Pressure Service	6843
Federal Trade Commission	
Rules and regulations:	
Cease and desist orders:	
Siegel's	6831
Warehouse Distributors, Inc., et al.	6832
White Front Stores, Inc., et al.	6833
Fish and Wildlife Service	
Rules and regulations:	
Southeastern Alaska Area salmon fisheries; relaxation of weekly closed periods	6836
Food and Drug Administration	
Proposed rule making:	
Fruit jelly, proposal to amend standard of identity	6836
Rules and regulations:	
Incubator reject eggs, disposition	6834
Health, Education, and Welfare Department	
See Food and Drug Administration.	
Indian Affairs Bureau	
Notices:	
Redelegations of authority:	
Individual Indian moneys	6841
Superintendents and other designated employees	6841
Interior Department	
See Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau.	
Interstate Commerce Commission	
Notices:	
Fourth section applications for relief	6847
Land Management Bureau	
Notices:	
Montana; notice of filing of plat of survey and order providing for opening of public land	6841
Proposed withdrawals and reservations of land:	
Alaska (2 documents)	6840
California	6840
Colorado	6841
Nevada, correction	6840

#### CONTENTS—Continued

Treasury Department	Page
See also Coast Guard.	
Rules and regulations:	
Waivers of navigation and vessel inspection laws and regulations; vessels operated by or chartered to Military Sea Transportation Service	6835
Veterans Administration	
Rules and regulations:	
Veterans claims; chronic and tropical diseases	6834
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.	
Title 7	Page
Chapter IX:	
Part 912	6823
Part 931	6823
Part 944	6823
Part 1005	6823
Title 14	
Chapter I:	
Part 40 (proposed)	6836
Part 41 (proposed)	6836
Part 42 (proposed)	6836
Part 235 (proposed)	6837
Part 241 (proposed)	6837
Chapter II:	
Part 600	6823
Part 601	6828
Title 16	
Chapter I:	
Part 13 (2 documents)	6831-6833
Title 21	
Chapter I:	
Part 3	6834
Part 29 (proposed)	6836
Title 33	
Chapter I:	
Part 19	6834
Title 38	
Chapter I:	
Part 3	6834
Title 46	
Chapter I:	
Part 154	6835
Title 50	
Chapter I:	
Part 115	6836
ticable and contrary to public interest and therefore is not required.	
Part 600 is amended as follows:	
1. Section 600.13 <i>Green civil airway No. 3 (Oakland, Calif., to New York, N. Y.)</i> is amended between the Moline, Ill., radio range station and the Goshen, Ind., radio range station to read: "Moline, Ill., radio range station; Joliet, Ill., radio range station; the intersection of the west course of the Goshen, Ind., radio range and a 181° True bearing from the McCool, Ind., nondirectional radio beacon; Goshen, Ind., radio range station;"	
2. Section 600.212 is amended to read: § 600.212 <i>Red civil airway No. 12 (Chicago, Ill., to Detroit, Mich.)</i> . From	

the intersection of the northeast course of the Joliet, Ill., radio range and the west course of the Chicago, Ill., radio range via the Chicago, Ill., radio range station; South Bend, Ind., radio range station to the Detroit, Mich., radio range station.

3. Section 600.214 is amended to read:

§ 600.214 *Red civil airway No. 14 (Milwaukee, Wis., to Indianapolis, Ind.).* From the intersection of the west course of the Milwaukee, Wis., radio range and the northwest course of the Chicago, Ill., radio range via the Chicago, Ill., radio range to the Indianapolis, Ind., radio range station.

4. Section 600.228 is amended to read:

§ 600.228 *Red civil airway No. 28 (Chicago, Ill., to Detroit, Mich.).* From the Chicago, Ill., radio range station via the intersection of the northeast course of the Chicago, Ill., radio range and the southwest course of the Grand Rapids, Mich., radio range to the Grand Rapids, Mich., radio range station. From the Lansing, Mich., radio range station to the intersection of a line bearing 127° True from the Lansing radio range station to its intersection with the west course of the Detroit, Mich., radio range.

5. Section 600.242 *Red civil airway No. 42 (Milwaukee, Wis., to Aurora, Ill.).* is revoked.

6. Section 600.249 *Red civil airway No. 49 (Elko, Nev., to Fort Bridger, Wyo.)* is amended by changing all after Salt Lake City, Utah, radio range station to read: "Salt Lake City, Utah, radio range station to the Fort Bridger, Wyo., radio range station."

7. Section 600.254 *Red civil airway No. 54 (Burley, Idaho, to Promontory Point, Utah)* is revoked.

8. Section 600.277 *Red civil airway No. 77 (Richmond, Va., to Atlantic City, N. J.)* is amended after Atlantic City, N. J., by deleting the word "(Navy)".

9. Section 600.298 *Red civil airway No. 98 (Vichy, Mo., to Belleville, Ill.)* is revoked.

10. Section 600.308 is amended to read:

§ 600.308 *Red civil airway No. 108 (Corinne, Utah, to Fort Bridger, Wyo.).* From the Corinne, Utah, nondirectional radio beacon to the Fort Bridger, Wyo., radio range station.

11. Section 600.605 is amended by changing the caption to read: "Blue civil airway No. 5 (Waco, Tex., to Wichita, Kans.)" and by changing all before Dallas, Tex., nondirectional radio beacon to read: "From the Waco, Tex., radio range station via the intersection of the northeast course of the Waco, Tex., radio range and a line bearing 185° True from the Dallas, Tex., nondirectional radio beacon; Dallas, Tex., nondirectional radio beacon;"

12. Section 600.606 is amended by changing the caption to read: "Blue civil airway No. 6 (Belleville, Ill., to Muskegon, Mich.)" and by deleting the first portion which reads: "From the Abilene, Tex., radio range station via the Wichita Falls, Tex., radio range station to the intersection of the northeast

course of the Wichita Falls, Tex., radio range and the south course of the Oklahoma City, Okla., radio range."

13. Section 600.609 is amended by changing the caption to read: "Blue civil airway No. 9 (Rochester, Minn., to United States-Canadian Border)" and by deleting the first portion which reads: "From the Springfield, Mo., radio range station to the Columbia, Mo., radio range station."

14. Section 600.620 *Blue civil airway No. 20 (Millville, N. J., to Allentown, Pa.)* is amended after Atlantic City, N. J., by deleting the word: "(Navy)".

15. Section 600.631 is amended to read:

§ 600.631 *Blue civil airway No. 31 (Burlington, Iowa, to Moline, Ill.).* From the intersection of the west course of the Peoria, Ill., radio range and the south course of the Moline, Ill., radio range to the Moline, Ill., radio range station.

16. Section 600.652 is added to read:

§ 600.652 *Blue civil airway No. 52 (Tamiami, Fla., to West Palm Beach, Fla.).* From the Tamiami, Fla., nondirectional radio beacon to the West Palm Beach, Fla., radio range station.

17. Section 600.657 *Blue civil airway No. 57 (Elko, Nev., to Burley, Idaho)* is revoked.

18. Section 600.669 *Blue civil airway No. 69 (St. Louis, Mo., to Quincy, Ill.)* is revoked.

19. Section 600.678 *Blue civil airway No. 78 (Spring Bay, Utah, to Malad City, Utah)* is revoked.

20. Section 600.6006 *VOR civil airway No. 6 (Oakland, Calif., to New York, N. Y.)* is amended by changing the portion which reads: "Youngstown, Ohio, omnirange station; Philipsburg, Pa., omnirange station;" to read: "Youngstown, Ohio, omnirange station; Clarion, Pa., omnirange station; Philipsburg, Pa., omnirange station;"

21. Section 600.6007 *VOR civil airway No. 7 (Miami, Fla., to Green Bay, Wis.)* is amended by changing the portion which reads: "Terre Haute, Ind., omnirange station, including a west alternate; Lafayette, Ind., omnirange station, including a west alternate via the intersection of the Terre Haute omnirange 348° True and the Lafayette omnirange 213° True radials; Chicago Heights, Ill., omnirange station;" to read: "Terre Haute, Ind., omnirange station, including a west alternate; Westpoint, Ind., omnirange station, including a west alternate via the Terre Haute omnirange 348° and the Westpoint omnirange direct radial to the Vandalia, Ill., omnirange station; Lafayette, Ind., omnirange station; Chicago Heights, Ill., omnirange station;"

22. Section 600.6008 *VOR civil airway No. 8 (Long Beach, Calif., to Washington, D. C.)* is amended by changing all after "Mansfield, Ohio, omnirange station;" to read: "Mansfield, Ohio, omnirange station; Navarre, Ohio, omnirange station; point of intersection of the Navarre omnirange direct radial to the Wheeling, W. Va., omnirange station with the Imperial, Pa., omnirange direct radial to the Tiverton, Ohio, omnirange station; Pittsburgh, Pa., omnirange station; Mar-

tinsburg, W. Va., omnirange station; to the Washington, D. C., terminal omnirange station. The portion of this airway which lies within the geographic limits of, and between the designated altitude of, the Bullion Mountains Restricted Area (R-344) is excluded during its time of designation."

23. Section 600.6009 *VOR civil airway No. 9 (New Orleans, La., to Green Bay, Wis.)* is amended by changing all before "Jackson, Miss., omnirange station including an east alternate;" to read: "From the New Orleans, La., omnirange station via the McComb, Miss., omnirange station, including a west alternate via the intersection of the New Orleans omnirange 326° and the McComb omnirange 197° radials and also an east alternate from the New Orleans omnirange station to the McComb omnirange station via the Picayune, Miss., omnirange station; Jackson, Miss., omnirange station, including an east alternate;" and by adding a last sentence to read: "The portion of this airway which lies within the geographic limits of, and between the designated altitudes of, the Camp Villere Restricted Area (R-440) is excluded during its time of designation."

24. Section 600.6010 *VOR civil airway No. 10 (Pueblo, Colo., to New York, N. Y.)* is amended by changing the portion which reads: "Youngstown, Ohio, omnirange station; Philipsburg, Pa., omnirange station;" to read: "Youngstown, Ohio, omnirange station; Clarion, Pa., omnirange station; Philipsburg, Pa., omnirange station;"

25. Section 600.6011 *VOR civil airway No. 11 (Memphis, Tenn., to Detroit, Mich.)* is amended by changing the portion which reads: "intersection of the Indianapolis omnirange 021° and the Fort Wayne VORTAC 232° radials;" to read: "intersection of the Indianapolis omnirange 022° and the Fort Wayne VORTAC 232° radials;"

26. Section 600.6012 *VOR civil airway No. 12 (Santa Barbara, Calif., to Philadelphia, Pa.)* is amended by changing the portion which reads: "Zuni, N. Mex., omnirange station, including a north alternate via the intersection of the Winslow omnirange 076° True and the Zuni omnirange 287° True radials;" to read: "Zuni, N. Mex., omnirange station, including a north alternate via the intersection of the Winslow omnirange 076° and the Zuni omnirange 287° radials and also a south alternate;"

27. Section 600.6014 *VOR civil airway No. 14 (Roswell, N. Mex., to Boston, Mass.)* is amended by changing the portion which reads: "Oklahoma City, Okla., omnirange station;" to read: "Oklahoma City, Okla., omnirange station, including a south alternate via the intersection of the Hobart, Okla., omnirange 076° and the Oklahoma City, Okla., omnirange 202° radials;"

28. Section 600.6019 *VOR civil airway No. 19 (El Paso, Tex., to Great Falls, Mont.)* is amended by changing the portion which reads: "Kiowa, Colo., omnirange station, including an east alternate via the intersection of the Pueblo omnirange 018° True and the Kiowa omnirange 167° True radials;" to read: "Kiowa, Colo., omnirange station, including an east alternate;"

## RULES AND REGULATIONS

29. Section 600.6020 *VOR civil airway No. 20 (Laredo, Tex., to Richmond, Va.)* is amended by changing all before "Montgomery, Ala., omnirange station," to read: "From the Laredo, Tex., omnirange station via the Alice, Tex., omnirange station; Corpus Christi, Tex., omnirange station, Palacios, Tex., omnirange station; Houston, Tex., omnirange station, including a north alternate via the intersection of the Palacios omnirange 016° and the Houston omnirange 255° radials; Beaumont, Tex., omnirange station, including a north alternate via the intersection of the Houston omnirange 044° and the Beaumont omnirange 273° radials; Lake Charles, La., omnirange station, including a north alternate via the intersection of the Beaumont omnirange 060° and the Lake Charles omnirange 271° radials and also a south alternate from the Houston omnirange station to the Lake Charles omnirange station via the intersection of the Houston omnirange 090° and the Lake Charles omnirange 241° radials; Lafayette, La., omnirange station, including a north alternate via the intersection of the Lake Charles omnirange 058° and the Lafayette 287° radials and also a south alternate via the intersection of the Lake Charles omnirange 119° and the Lafayette omnirange 255° radials; New Orleans, La., omnirange station, including a south alternate via the intersection of the Lafayette omnirange 109° and the New Orleans omnirange 226° radials; intersection of the New Orleans omnirange 070° and the Gulfport omnirange 247° radials; Gulfport, Miss., omnirange station; Mobile, Ala., omnirange station, including a north alternate from the New Orleans omnirange station to the Mobile omnirange station via the Picayune, Miss., omnirange station; Evergreen, Ala., omnirange station, including a north alternate via the intersection of the Mobile omnirange 005° radial with the Evergreen omnirange direct radial to the Picayune omnirange station; Montgomery, Ala., omnirange station."

30. Section 600.6022 *VOR civil airway No. 22 (New Orleans, La., to Jacksonville, Fla.)* is amended by changing all before "Brookley AFB, Ala., terminal omnirange station," to read: "From the New Orleans, La., omnirange station via the intersection of the New Orleans omnirange 085° and the Brookley AFB omnirange 238° radials; Brookley AFB, Ala., terminal omnirange station."

31. Section 600.6023 *VOR civil airway No. 23 (San Diego, Calif., to Bellingham, Wash.)* is amended by changing the portion which reads: "Eugene omnirange 341°" to read: "Eugene omnirange 346°".

32. Section 600.6030 *VOR civil airway No. 30 (Milwaukee, Wis., to Nantucket, Mass.)* is amended by changing the portion which reads: "Youngstown, Ohio, omnirange station; Philipsburg, Pa., omnirange station," to read: "Youngstown, Ohio, omnirange station; Clarion, Pa., omnirange station; Philipsburg, Pa., omnirange station."

33. Section 600.6035 *VOR civil airway No. 35 (Key West, Fla., to Syracuse, N. Y.)* is amended by changing the por-

tion between "Tampa, Fla., omnirange station;" and "Tallahassee, Fla., omnirange station;" to read: "Tampa, Fla., omnirange station; Cross City, Fla., omnirange station, including an east alternate from the point of intersection of the Tampa omnirange 153° radial and the Tampa International Airport ILS localizer south course to the Cross City omnirange station via the Tampa International Airport ILS localizer, the intersection of the Tampa International Airport ILS localizer north course and the Gainesville omnirange 190° radial, and the Gainesville, Fla., omnirange station and also a west alternate from the Tampa omnirange station to the Cross City omnirange station via the intersection of the Tampa omnirange 335° and the Cross City omnirange 185° radials; intersection of the Cross City omnirange 316° and the Tallahassee omnirange 132° radials; Tallahassee, Fla., omnirange station;"

34. Section 600.6038 *VOR civil airway No. 38 (Iowa City, Iowa, to Elkins, W. Va.)* is amended by changing the portion which reads: "Fort Wayne, Ind., omnirange station; intersection of the Fort Wayne omnirange 099° True and the Findlay omnirange 276° True radials; Findlay, Ohio, omnirange station;" to read: "Fort Wayne, Ind., omnirange station; Findlay, Ohio, omnirange station."

35. Section 600.6040 is amended to read:

§ 600.6040 *VOR civil airway No. 40 (Cleveland, Ohio, to Pittsburgh, Pa.)*. From the Cleveland, Ohio, omnirange station via the Navarre, Ohio, omnirange station; point of intersection of the Navarre omnirange direct radial to the Wheeling, W. Va., omnirange station with the Imperial, Pa., omnirange direct radial to the Tiverton, Ohio, omnirange station; to the Pittsburgh, Pa., omnirange station.

36. Section 600.6053 *VOR civil airway No. 53 (Charleston, S. C., to Chicago, Ill.)* is amended by changing all after "Indianapolis, Ind., omnirange station;" to read: "Indianapolis, Ind., omnirange station; Westpoint, Ind., omnirange station; intersection of the Westpoint omnirange 326° and the Peotone omnirange 153° radials; Peotone, Ill., omnirange station; to the point of intersection of the Peotone omnirange 003° and the Joliet, Ill., omnirange 056° radials."

37. Section 600.6058 is amended by changing the caption to read: "VOR civil airway No. 58 (Ellwood City, Pa., to Hartford, Conn.)" and by changing all before "Philipsburg, Pa., omnirange station;" to read: "From the Ellwood City, Pa., omnirange station via the intersection of the Ellwood City omnirange 087° and the Philipsburg omnirange 267° radials; Philipsburg, Pa., omnirange station."

38. Section 600.6072 is amended to read:

§ 600.6072 *VOR civil airway No. 72 (Troy, Ill., to Albany, N. Y.)*. From the Troy, Ill., omnirange station; via the Vandalia, Ill., omnirange station; Westpoint, Ind., omnirange station; to the Lafayette, Ind., omnirange station. From the Findlay, Ohio, omnirange sta-

tion via the Cleveland, Ohio, omnirange station; Youngstown, Ohio, omnirange station; point of intersection of the Fitzgerald, Pa., omnirange 304° and the Bradford omnirange 260° radials; Bradford, Pa., omnirange station; point of intersection of the Bradford omnirange 078° radial with the Stonyfork, Pa., omnirange direct radial to the Wellsville, N. Y., omnirange station; Elmira, N. Y., omnirange station; Binghamton, N. Y., omnirange station; Rockdale, N. Y., omnirange station; to the Albany, N. Y., omnirange station.

39. Section 600.6074 is amended to read:

§ 600.6074 *VOR civil airway No. 74 (Hugo, Colo., to Pine Bluff, Ark.)*. From the Hugo, Colo., omnirange station via the intersection of the Hugo omnirange 112° and the Garden City VORTAC 296° radials; Garden City VORTAC; Dodge City, Kans., omnirange station; Anthony, Kans., omnirange; Ponca City, Okla., omnirange station; Tulsa, Okla., omnirange station; Fort Smith, Ark., omnirange station, including a north alternate from the Tulsa omnirange station to the Fort Smith omnirange station via the point of intersection of the Tulsa omnirange 088° and the Neosho, Mo., omnirange 223° radials and also a south alternate from the Ponca City omnirange station to the Fort Smith omnirange station via the Okmulgee, Okla., omnirange station; intersection of the Fort Smith omnirange 098° and the Little Rock omnirange 302° radials; Little Rock, Ark., omnirange station; intersection of the Little Rock omnirange 141° and the Pine Bluff omnirange 007° radials; to the Pine Bluff, Ark., omnirange station.

40. Section 600.6075 is amended to read:

§ 600.6075 *VOR civil airway No. 75 (Petersburg, W. Va., to Cleveland, Ohio)*. From the point of intersection of the Morgantown, W. Va., omnirange 134° and the Elkins, W. Va., omnirange 083° radials via the Morgantown, W. Va., omnirange; Wheeling, W. Va., omnirange station; Navarre, Ohio, omnirange station; to the Cleveland, Ohio, omnirange station.

41. Section 600.6091 *VOR civil airway No. 91 (New York, N. Y., to Montreal, Quebec)* is amended by changing the portion which reads: "Albany, N. Y., omnirange station, including an east alternate via the intersection of the Poughkeepsie omnirange 007° True and the Albany omnirange 140° True radials and also a west alternate; Plattsburgh, N. Y., omnirange station;" to read: "Albany, N. Y., omnirange station, including an east alternate via the intersection of the Poughkeepsie omnirange 007° and the Albany omnirange 140° radials and also a west alternate; Benson, Vt., omnirange station; Burlington, Vt., omnirange station; Plattsburgh, N. Y., omnirange station."

42. Section 600.6092 is amended to read:

§ 600.6092 *VOR civil airway No. 92 (Chicago, Ill., to Washington, D. C.)*. From the Joliet, Ill., omnirange station

via the Chicago Heights, Ill., omnirange station; Goshen, Ind., omnirange station; Waterville, Ohio, omnirange station; Mansfield, Ohio, omnirange station; Navarre, Ohio, omnirange station; Wheeling, W. Va., omnirange station; Grantsville, Md., omnirange station; Front Royal, Va., omnirange station; intersection of the Front Royal omnirange 112° and the Washington terminal omnirange 245° radials; to the Washington, D. C., terminal omnirange station.

43. Section 600.6096 is amended to read:

§ 600.6096 *VOR civil airway No. 96 (Kokomo, Ind., to Waterville, Ohio).* From the intersection of the Indianapolis, Ind., omnirange 022° and the Fort Wayne VORTAC 232° radials via the Fort Wayne, Ind., VORTAC to the Waterville, Ohio, omnirange station.

44. Section 600.6097 *VOR civil airway No. 97 (Miami, Fla., to Minneapolis, Minn.)* is amended by changing the portion which reads: "Tallahassee, Fla., omnirange station; Albany, Ga., omnirange station;" to read: "Tallahassee, Fla., omnirange station, including an east alternate from the Tampa omnirange station to the Tallahassee omnirange station via the point of intersection of the Tampa omnirange 335° with the Cross City omnirange 207° radials; the Cross City, Fla., omnirange station and the intersection of the Cross City omnirange 316° with the Tallahassee 132° radials; Albany, Ga., omnirange station;" by changing the portion which reads: "Knoxville, Tenn., omnirange station, including an east alternate from the Atlanta omnirange station to the Knoxville omnirange station via the Norcross, Ga., omnirange station and the intersection of the Norcross omnirange 014° True and the Knoxville omnirange 175° True radials; Lexington, Ky., omnirange station;" to read: "Knoxville, Tenn., omnirange station, including an east alternate from the Atlanta omnirange station to the Knoxville omnirange station via the Norcross, Ga., omnirange station and the intersection of the Norcross omnirange 014° and the Knoxville omnirange 175° radials; London, Ky., omnirange station; Lexington, Ky., omnirange station;" by changing the portion which reads: "Lafayette, Ind., omnirange station, including a west alternate from the Shelbyville omnirange station to the Lafayette omnirange station via the Indianapolis omnirange station and the intersection of the Indianapolis omnirange 344° True and the Lafayette omnirange 133° True radials; to the Chicago Heights, Ill., omnirange station." to read: "Lafayette, Ind., omnirange station, including a west alternate from the Shelbyville omnirange station to the Lafayette omnirange station via the Indianapolis, Ind., omnirange station and the intersection of the Indianapolis omnirange 344° radial with the Lafayette omnirange direct radial to the Shelbyville omnirange station; to the Chicago Heights, Ill., omnirange station." and by adding a last sentence to read: "The portion of this airway which lies within the geographic limits of, and between the

designated altitudes of, the Dawsonville Restricted Area (R-534) is excluded during its time of designation."

45. Section 600.6103 is amended to read:

§ 600.6103 *VOR civil airway No. 103 (Greensboro, N. C., to Windsor, Ont.).* From the Greensboro, N. C., omnirange station via the Roanoke, Va., terminal omnirange station; Elkins, W. Va., omnirange station; Clarksburg, W. Va., omnirange station; Wheeling, W. Va., omnirange station; Navarre, Ohio, omnirange station; Cleveland, Ohio, omnirange station; point of intersection of the Carlton, Mich., omnirange 097° and the Windsor omnirange 121° radials; to the Windsor, Ont., omnirange station.

46. Section 600.6106 *VOR civil airway No. 106 (Charleston, W. Va., to Kennebunk, Maine)* is amended by changing the portion which reads: "From the Charleston, W. Va., omnirange station via the Morgantown, W. Va., omnirange station;" to read: "From the Charleston, W. Va., omnirange station via the intersection of the Charleston omnirange 049° and the Elkins omnirange 264° radials; Clarksburg, W. Va., omnirange station; Morgantown, W. Va., omnirange station;"

47. Section 600.6114 *VOR civil airway No. 114 (Amarillo, Tex., to New Orleans, La.)* is amended by changing the portion which reads: "to the New Orleans, La., omnirange station." to read: "to the New Orleans, La., omnirange station, including a north alternate via the intersection of the Alexandria omnirange 105° and the New Orleans omnirange 326° radials."

48. Section 600.6119 is amended to read:

§ 600.6119 *VOR civil airway No. 119 (Huntington, W. Va., to Rochester, N. Y.).* From the Huntington, W. Va., nondirectional radio beacon via the Henderson, W. Va., omnirange station; Parkersburg, W. Va., omnirange station; Wheeling, W. Va., omnirange station; Imperial, Pa., omnirange station; Clarion, Pa., omnirange station; Fitzgerald, Pa., omnirange station; Bradford, Pa., omnirange station; Wellsville, N. Y., omnirange station; Geneseo, N. Y., omnirange station; to the Rochester, N. Y., omnirange station.

49. Section 600.6128 *VOR civil airway No. 128 (Chicago, Ill., to Charleston, W. Va.)* is amended by changing all before "Indianapolis, Ind., omnirange station;" to read: "From the point of intersection of the Joliet, Ill., omnirange 056° and the Peotone omnirange 003° radials via the Peotone, Ill., omnirange station; intersection of the Peotone omnirange 153° and the Westpoint omnirange 326° radials; Westpoint, Ind., omnirange station; Indianapolis, Ind., omnirange station;"

50. Section 600.6141 is amended to read:

§ 600.6141 *VOR civil airway No. 141 (Nantucket, Mass., to Massena, N. Y.).* From the Nantucket, Mass., omnirange station via the intersection of the Nantucket omnirange 339° and the Boston omnirange 133° radials; Boston, Mass.,

omnirange station; Concord, N. H., omnirange station; Lebanon, N. H., non-directional radio beacon; Burlington, Vt., omnirange station; to the Massena, N. Y., omnirange station.

51. Section 600.6144 *VOR civil airway No. 144 (Chicago, Ill., to Washington, D. C.)* is amended by changing the portion which reads: "Fort Wayne, Ind., omnirange station; intersection of the Fort Wayne omnirange 090° True and the Findlay omnirange 276° True radials; Findlay, Ohio, omnirange station;" to read: "Fort Wayne, Ind., omnirange station; Findlay, Ohio, omnirange station;"

52. Section 600.6146 is amended to read:

§ 600.6146 *VOR civil airway No. 146 (Wilkes-Barre, Pa., to Providence, R. I.).* From the Wilkes-Barre-Scranton, Pa., omnirange station via the Huguenot, N. Y., omnirange station; point of intersection of the Wilton, Conn., omnirange 295° and the Poughkeepsie omnirange 236° radials; Poughkeepsie, N. Y., omnirange station; Putnam, Conn., omnirange station; to the Providence, R. I., omnirange station.

53. Section 600.6196 is added to read:

§ 600.6196 *VOR civil airway No. 196 (Tupper Lake, N. Y., to Plattsburgh, N. Y.).* From the point of intersection of the Plattsburgh, N. Y., omnirange station 236° with the Massena, N. Y., omnirange direct radial to the Albany, N. Y., omnirange station to the Plattsburgh, N. Y., omnirange station.

54. Section 600.6209 is added to read:

§ 600.6209 *VOR civil airway No. 209 (Mobile, Ala., to Tuscaloosa, Ala.).* From the Mobile, Ala., omnirange station via the intersection of the Mobile 005° and the Meridian, Miss., omnirange 089° radials; to the Tuscaloosa, Ala., omnirange station.

55. Section 600.6210 *VOR civil airway No. 210 (Los Angeles, Calif., to Wheeling, W. Va.)* is amended by changing the portion which reads: "to the Pueblo, Colo., omnirange station, including a south alternate via the point of intersection of the Alamosa omnirange direct radial to the Lamar, Colo., omnirange station with the Las Vegas, N. Mex., omnirange direct radial to the Pueblo omnirange station." to read: "to the Pueblo, Colo., VORTAC, including a south alternate via the intersection of the Alamosa omnirange 075° and the Pueblo VORTAC 203° radials."

56. Section 600.6227 is amended to read:

§ 600.6227 *VOR civil airway No. 227 (Louisville, Ky., to Peotone, Ill.).* From the Louisville, Ky., omnirange station via the intersection of the Louisville omnirange 310° and the Indianapolis omnirange 185° radials; Indianapolis, Ind., omnirange station; point of intersection of the Indianapolis omnirange direct radial to the Westpoint, Ind., omnirange station with the Lafayette omnirange 159° radial; Lafayette, Ind., omnirange station; intersection of the Lafayette 313° and the Peotone omni-

## RULES AND REGULATIONS

range 153° radials; to the Peotone, Ill., omnirange station.

57. Section 600.6240 is amended to read:

§ 600.6240 VOR civil airway No. 240 (New Orleans, La., to Mobile, Ala.). From the New Orleans, La., omnirange station via the intersection of the New Orleans omnirange 100° and the Mobile omnirange 224° radials to the Mobile, Ala., omnirange station.

58. Section 600.6250 is amended to read:

§ 600.6250 VOR civil airway No. 250 (Imperial, Pa., to Clarion, Pa.). From the Imperial, Pa., omnirange station via the Ellwood City, Pa., omnirange station to the Clarion, Pa., omnirange station.

59. Section 600.6260 is amended by changing the caption to read: "VOR civil airway No. 260 (Charleston, W. Va., to Richmond, Va.)."

60. Section 600.6276 is amended by changing the caption to read: "VOR civil airway No. 276 (Navarre, Ohio, to Monmouth, N. J.)" and by changing all before "Tyrone, Pa., omnirange station;" to read: "From the Navarre, Ohio, omnirange station via the Ellwood City, Pa., omnirange station; the point of intersection of the Ellwood City omnirange 102° and the Fitzgerald, Pa., omnirange 191° radials; Tyrone, Pa., omnirange station;"

61. Section 600.6292 is added to read:

§ 600.6292 VOR civil airway No. 292 (Hartford, Conn., to Boston, Mass.). From the Hartford, Conn., omnirange station via the Putnam, Conn., omnirange station; to the point of intersection of the Putnam omnirange 043° with the Boston, Mass., omnirange 256° radial.

62. Section 600.6426 is added to read:

§ 600.6426 VOR civil airway No. 426 (Unassigned).

63. Section 600.6427 is added to read:

§ 600.6427 VOR civil airway No. 427 (Newcomerstown, Ohio, to Navarre, Ohio). From the Newcomerstown, Ohio, omnirange station to the Navarre, Ohio, omnirange station.

64. Section 600.6604 VOR civil airway No. 1504 (San Francisco, Calif., to Washington, D. C.) is amended by changing all after "Cleveland, Ohio, omnirange station;" to read: "Cleveland, Ohio, omnirange station; Navarre, Ohio, omnirange station; Wheeling, W. Va., omnirange station; Grantsville, Md., omnirange station; Front Royal, Va., omnirange station; intersection of the Front Royal omnirange 112° and the Washington terminal omnirange 245° radials; to the Washington, D. C., terminal omnirange station."

65. Section 600.6610 VOR civil airway No. 1510 (Los Angeles, Calif., to New York, N. Y.) is amended by changing the portion which reads: "Youngstown, Ohio, omnirange station; Philipsburg, Pa., omnirange station;" to read: "Youngstown, Ohio, omnirange station;

Clarion, Pa., omnirange station; Philipsburg, Pa., omnirange station;"

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 302, 52 Stat. 985, as amended; 49 U. S. C. 452.)

This amendment shall become effective 0001 e. s. t. September 25, 1958.

[SEAL] WILLIAM B. DAVIS,  
Acting Administrator of  
Civil Aeronautics.

AUGUST 28, 1958.

[F. R. Doc. 58-7153; Filed, Sept. 4, 1958;  
8:46 a. m.]

[Amdt. 17]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

ALTERATIONS

The control area, control zone and reporting point alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Division, and are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest and therefore is not required.

Part 601 is amended as follows:

1. Section 601.212 is amended by changing the caption to read: "Red civil airway No. 12 control areas (Chicago, Ill., to Detroit, Mich.)."

2. Section 601.214 is amended by changing the caption to read: "Red civil airway No. 14 control areas (Milwaukee, Wis., to Indianapolis, Ind.)."

3. Section 601.228 is amended by changing the caption to read: "Red civil airway No. 28 control areas (Chicago, Ill., to Detroit, Mich.)."

4. Section 601.242 Red civil airway No. 42 control areas (Milwaukee, Wis., to Aurora, Ill.) is revoked.

5. Section 601.254 Red civil airway No. 54 control areas (Burley, Idaho, to Promontory Point, Utah) is revoked.

6. Section 601.298 Red civil airway No. 98 control areas (Vichy, Mo., to Belleville, Ill.) is revoked.

7. Section 601.308 is amended by changing the caption to read: "Red civil airway No. 108 control areas (Corinne, Utah, to Fort Bridger, Wyo.)."

8. Section 601.605 is amended by changing the caption to read: "Blue civil airway No. 5 control areas (Waco, Tex., to Wichita, Kans.)."

9. Section 601.606 is amended by changing the caption to read: "Blue civil airway No. 6 control areas (Belleville, Ill., to Muskegon, Mich.)."

10. Section 601.609 is amended by changing the caption to read: "Blue civil airway No. 9 control areas (Rochester, Minn., to United States-Canadian Border)."

11. Section 601.631 is amended by changing the caption to read: "Blue civil

airway No. 31 control areas (Burlington, Iowa, to Moline, Ill.)."

12. Section 601.652 is added to read:

§ 601.652 Blue civil airway No. 52 control areas (Tamiami, Fla., to West Palm Beach, Fla.). All of Blue civil airway No. 52.

13. Section 601.657 Blue civil airway No. 57 control areas (Elko, Nev., to Burley, Idaho) is revoked.

14. Section 601.669 Blue civil airway No. 69 control areas (St. Louis, Mo., to Quincy, Ill.) is revoked.

15. Section 601.678 Blue civil airway No. 78 control areas (Spring Bay, Utah, to Malad City, Utah) is revoked.

16. Section 601.1003 is amended to read:

§ 601.1003 Control area extension (Corinne, Utah). Within 5 miles either side of a line bearing 289° True extending from the Corinne nondirectional radio beacon to VOR civil airway No. 101.

17. Section 601.1022 is amended to read:

§ 601.1022 Control area extension (West Palm Beach, Fla.). The airspace northwest of West Palm Beach bounded on the south by VOR civil airway No. 293, on the east by VOR civil airway No. 3, and on the west and northwest by Blue civil airway No. 19 and VOR civil airway No. 51.

18. Section 601.1029 is amended to read:

§ 601.1029 Control area extension (Corpus Christi, Tex.). The airspace north of Corpus Christi bounded on the southeast by VOR civil airway No. 20, on the southwest by VOR civil airway No. 68, on the northwest by the San Antonio control area extension (§ 601.1180), on the north by latitude 29°00'00", and on the northeast by the Victoria, Tex., control area extension (§ 601.1376).

19. Section 601.1043 is amended to read:

§ 601.1043 Control area extension (Bowling Green, Ky.). The airspace within a 15-mile radius of the Bowling Green omnirange station and within 5 miles either side of the northwest and southeast courses of the Bowling Green radio range extending from the radio range station to a point 25 miles northwest and to a point 20 miles southeast of the radio range station, including the airspace west of Bowling Green bounded on the north by latitude 37°00'00", on the west by VOR civil airway No. 7 and on the southeast by VOR civil airway No. 57.

20. Section 601.1104 Control area extension (Rockford, Ill.) is revoked.

21. Section 601.1128 is added to read:

§ 601.1128 Control area extension (Alexandria, La.). The airspace within a 40-mile radius of the Alexandria, La., omnirange station, including the airspace south of Alexandria bounded on the northeast by VOR civil airway No. 114, on the southeast by VOR civil airway No. 222, on the south and southwest by

the Lake Charles control area extension (601.1006), and on the northwest by a line 5 miles northwest of and parallel to the Alexandria omnirange 232° True radial, excluding the portion which lies within Camp Polk Restricted Areas (R-229) and (R-230). The portion of this control area which lies within the Camp Claiborne Restricted Area (R-431) shall be used only after obtaining prior approval from Civil Aeronautics Administration Air Traffic Control.

22. Section 601.1133 *Control area extension (Seattle, Wash.)* is amended by deleting the last sentence which reads: "that airspace north of Seattle bounded on the south by Red civil airway No. 79, on the east by Green civil airway No. 10, and on the northwest by a line extending from a point at latitude 48° 02' 00", longitude 122° 26' 00" to a point at latitude 47° 55' 00", longitude 122° 32' 00", and by adding a last portion to read: "the airspace northwest of Seattle bounded on the northeast by Amber civil airway No. 1, on the north by Red civil airway No. 79, on the west by longitude 123° 15' 00", and on the south by VOR civil airway No. 27, excluding the portion overlapping Hood Canal Caution Area (C-243)."

23. Section 601.1178 *Control area extension (Honolulu, T. H.)* is amended by adding the following portion to present control area extension: "also, the airspace within 5 miles either side of the north course of the Honolulu radio range extending from the radio range station to the southern boundary of the Kaneohe, T. H., control area extension (§ 601.1380)."

24. Section 601.1193 *Control area extension (Monterey Calif.)* is amended by changing the words which read: "the 229° True radial of the Salinas VOR radio range" to read: "the 241° True radial of the Salinas omnirange".

25. Section 601.1236 is amended to read:

§ 601.1236 *Control area extension (Seattle, Wash.)*. The airspace northeast of Seattle bounded on the south by VOR civil airway No. 2-N, on the east by longitude 121° 35' 00", on the north by latitude 48° 55' 00", and on the west by VOR civil airway No. 23.

26. Section 601.1258 is amended to read:

§ 601.1258 *Control area extension (Lafayette, Ind.)*. The airspace within a 25-mile radius of Purdue University Airport, Lafayette, Ind., including the airspace bounded on the south by a line 5 miles south of and parallel to a direct line from the Westpoint, Ind., omnirange station to the Kokomo, Ind., omnirange station, on the north by a line 5 miles north of and parallel to the 59° True radial of the Lafayette omnirange and on the northeast by the Peru, Ind., control area extension (§ 601.1405).

27. Section 601.1286 *Control area extension (Fort Worth, Tex.)* is amended by changing the words which read: "on the northwest by Blue civil airway No. 6," to read: "on the northwest by VOR civil airway No. 77," and by changing the words which read: "on the west by

Blue civil airway No. 6," to read: "on the west by VOR civil airway No. 77."

28. Section 601.1294 *Control area extension (Everett, Wash.)* is revoked.

29. Section 601.1369 is amended to read:

§ 601.1369 *Control area extension (Myrtle Beach, S. C.)*. The airspace within a 25-mile radius of the Myrtle Beach AFB bounded on the southeast by Warning Area (W-177); the airspace bounded on the north by a line 5 miles north of and parallel to the 96° True radial of the Florence, S. C., omnirange, on the west by VOR civil airway No. 3-E, and on the southeast by VOR civil airway No. 1.

30. Section 601.1389 *Control area extension (Miami, Fla.)* is amended by changing the words which read: "extending from Amber civil airway No. 7 and VOR civil airway No. 3" to read: "extending from VOR civil airway No. 3".

31. Section 601.1395 *Control area extension (Plattsburgh, N. Y.)* is amended by deleting the portion which reads: "that airspace south of Plattsburgh bounded on the west by VOR civil airway No. 91, on the southeast by Blue civil airway No. 18 and on the northeast by Blue civil airway No. 4."

32. Section 601.1408 *Control area extension (Miami, Fla.)* is amended by adding the following to present control area extension: "the airspace west of Miami bounded on the north by Miami control area extension (601.1230), on the southeast by Key West control area extension (§ 601.1434), and on the southwest by a line 3 miles southwest of and parallel to the coastline."

33. Section 601.1984 *Five mile radius zones* is amended by deleting the following airports:

Greenville, Miss.: Greenville AFB.  
New Orleans, La.: New Orleans Airport.  
Seattle, Wash.: Boeing Field.  
Seattle, Wash.: Seattle-Tacoma International Airport.

34. Section 601.2024 *Amarillo, Tex., control zone* is amended by changing the name "Amarillo Air Terminal," to read: "Amarillo AFB."

35. Section 601.2035 is amended to read:

§ 601.2035 *New Orleans, La., control zone*. Within a 5-mile radius of New Orleans Airport and within a 5-mile radius of Moisant International Airport, within 2 miles either side of the east and west courses of the New Orleans radio range extending from the New Orleans Airport 5-mile radius zone to a point 17 1/4 miles west of the radio range station, within 2 miles either side of the 242° and 62° True radials of the New Orleans omnirange extending from the Moisant International Airport 5-mile radius zone to a point 10 miles northeast of the omnirange station, and within 2 miles either side of the ILS localizer course extending from the localizer to a point 14 1/2 miles west.

36. Section 601.2054 *Hutchinson, Kans., control zone* is amended by changing the name "Hutchinson Naval

Air Station," to read: "Hutchinson ANG Field."

37. Section 601.2066 *Pueblo, Colo., control zone* is amended by changing the words which read: "271° and 91° True radials of the Pueblo omnirange" to read: "267° and 87° True radials of the Pueblo omnirange".

38. Section 601.2109 is amended to read:

§ 601.2109 *Lafayette, Ind., control zone*. Within a 5-mile radius of Purdue University Airport, within 2 miles either side of the 33° and 218° True radials of the Westpoint, Ind., omnirange extending from the 5-mile radius zone to a point 12 miles southwest of the Westpoint omnirange station, and within 2 miles either side of the 144° and 324° True radials of the Lafayette omnirange extending from the 5-mile radius zone to a point 12 miles northwest of the Lafayette omnirange station.

39. Section 601.2121 is amended to read:

§ 601.2121 *Rockford, Ill., control zone*. Within a 5-mile radius of Greater Rockford Airport, within 2 miles either side of a line extending from Greater Rockford Airport through the Rockford non-directional radio beacon to a point 12 miles south of the nondirectional radio beacon, and within 2 miles either side of the 112° and 292° True radials of the Rockford omnirange extending from the 5-mile radius zone to a point 12 miles northwest of the omnirange station.

40. Section 601.2133 is amended to read:

§ 601.2133 *Birmingham, Ala., control zone*. Within a 5-mile radius of Birmingham Airport, within 2 miles either side of the north course of the Birmingham radio range extending from the radio range station to a point 10 miles north, and within 2 miles either side of the ILS southwest localizer course extending from the localizer to the ILS outer marker.

41. Section 601.2314 *Bryan, Tex., control zone* is revoked.

42. Section 601.2314 is added to read:

§ 601.2314 *College Station, Tex., control zone*. Within a 3-mile radius of Easterwood Airport, College Station, Tex., and within 2 miles either side of the 107° and 287° True radials of the College Station omnirange extending to points 12 miles northwest and southeast of the omnirange station.

43. Section 601.2436 is added to read:

§ 601.2436 *New Orleans, La., control zone*. Within a 5-mile radius of a point centered on Alvin Callender NAS, and within 2 miles either side of a 226° True bearing extending from this point to a point 13 nautical miles southwest.

44. Section 601.2437 is added to read:

§ 601.2437 *London, Ky., control zone*. Within a 3-mile radius of London Airport and within 2 miles either side of the 27° and 207° True radials of the London omnirange extending from the 3-mile radius zone to a point 10 miles southwest of the omnirange station.

## RULES AND REGULATIONS

45. Section 601.2438 is added to read:  
 § 601.2438 *Greenville, Miss., control zone.* Within a 5-mile radius of Greenville AFB and within 2 miles either side of a direct line extending from the AFB through the AFB terminal omnirange station to a point 2 miles north of the terminal omnirange station.

46. Section 601.2427 *Champaign, Ill., control zone* is revoked.

47. Section 601.2439 is added to read:  
 § 601.2439 *Santa Maria, Calif., control zone.* Within a 5-mile radius of Santa Maria Airport excluding the portion which lies within Camp Cooke Restricted Area (R-531).

48. Section 601.2440 is added to read:  
 § 601.2440 *Seattle, Wash., control zone (Seattle-Tacoma International Airport).* The airspace bounded by a line beginning at a point at latitude 47°29'20", longitude 122°13'50", thence extending south to a point at latitude 47°28'20", longitude 122°13'50", thence southeast to a point at latitude 47°27'00", longitude 122°11'50", thence clockwise along the circumference of a circle 5 miles in radius and centered on the Seattle-Tacoma International Airport to a point at latitude 47°29'20", longitude 122°23'10" thence east to point of beginning.

49. Section 601.2441 is added to read:  
 § 601.2441 *Seattle, Wash., control zone (Boeing Airport).* The airspace bounded by a line beginning at a point at latitude 47°31'55", longitude 122°11'40", thence extending southwest to a point at latitude 47°30'45", longitude 122°13'50", thence south to a point at latitude 47°29'20", longitude 122°13'50", thence west to a point at latitude 47°29'20", longitude 122°23'10" thence clockwise along the circumference of a circle 5 miles in radius and centered on the Boeing Airport, Seattle, Wash., to the point of beginning.

50. Section 601.2442 is added to read:  
 § 601.2442 *Renton, Wash., control zone (Renton Airport).* The airspace bounded by a line beginning at a point at latitude 47°31'55", longitude 122°11'40" thence clockwise via the circumference of a circle 3 miles in radius centered on Renton Airport to a point at latitude 47°27'00", longitude 122°11'50", thence extending northwest to a point at latitude 47°28'20", longitude 122°13'50", thence north to a point at latitude 47°30'45", longitude 122°13'50" thence northeast to point of beginning.

51. Section 601.4013 *Green civil airway No. 3 (Oakland, Calif., to New York, N. Y.)* is amended by deleting the following reporting point: "the intersection of the southeast course of the Rockford, Ill., radio range and the west course of the Chicago, Ill., radio range;" and by changing the reporting point which reads: "the intersection of the southeast course of the Chicago, Ill., radio range and the west course of the Goshen, Ind., radio range;" to read: "the intersection of the southeast course of the Chicago, Ill., radio range and the east course of the Joliet, Ill., radio range;"

52. Section 601.4105 *Amber civil airway No. 5 (Grand Isle, La., to Milwaukee, Wis.)* is amended before "Greenwood, Miss., radio range station;" by adding the following reporting point: "Grand Isle, La., nondirectional radio beacon;"

53. Section 601.4212 is amended by changing the caption to read: "Red civil airway No. 12 (Chicago, Ill., to Detroit, Mich.)."

54. Section 601.4214 is amended to read:  
 § 601.4214 *Red civil airway No. 14 (Milwaukee, Wis., to Indianapolis, Ind.)*. Chicago, Ill., radio range station.

55. Section 601.4228 is amended to read:  
 § 601.4228 *Red civil airway No. 28 (Chicago, Ill., to Detroit, Mich.)*. The intersection of the northeast course of the Chicago, Ill., radio range and the north course of the South Bend, Ind., radio range.

56. Section 601.4242 *Red civil airway No. 42 (Milwaukee, Wis., to Aurora, Ill.)* is revoked.

57. Section 601.4254 *Red civil airway No. 54 (Burley, Idaho, to Promontory Point, Utah)* is revoked.

58. Section 601.4289 is amended to read:  
 § 601.4289 *Red civil airway No. 89 (Quincy, Ill., to Peoria, Ill.)*. Quincy, Ill., nondirectional radio beacon; Peoria, Ill., radio range station.

59. Section 601.4298 *Red civil airway No. 98 (Vichy, Mo., to Belleville, Ill.)* is revoked.

60. Section 601.4308 is amended by changing the caption to read: "Red civil airway No. 108 (Corinne, Utah, to Fort Bridger, Wyo.)."

61. Section 601.4605 is amended to read:  
 § 601.4605 *Blue civil airway No. 5 (Waco, Tex., to Wichita, Kans.)*. No reporting point designation.

62. Section 601.4606 is amended by changing the caption to read: "Blue civil airway No. 6 (Belleville, Ill., to Muskegon, Mich.)."

63. Section 601.4609 is amended by changing the caption to read: "Blue civil airway No. 9 (Rochester, Minn., to United States-Canadian Border)."

64. Section 601.4631 is amended by changing the caption to read: "Blue civil airway No. 31 (Burlington, Iowa, to Malone, Ill.)."

65. Section 601.4652 is added to read:  
 § 601.4652 *Blue civil airway No. 52 (Tamiami, Fla., to West Palm Beach, Fla.)*. No reporting point designation.

66. Section 601.4657 *Blue civil airway No. 57 (Elko, Nev., to Burley, Idaho)* is revoked.

67. Section 601.4667 is amended to read:  
 § 601.4667 *Blue civil airway No. 67 (Yuma, Ariz., to Las Vegas, Nev.)*. No reporting point designation.

68. Section 601.4669 *Blue civil airway No. 69 (St. Louis, Mo., to Quincy, Ill.)* is revoked.

69. Section 601.4678 *Blue civil airway No. 78 (Spring Bay, Utah, to Malad City, Utah)* is revoked.

70. Section 601.5301 *Other reporting points* is amended as follows: In "South Island Intersection" delete the word "(Navy)"; in "South Millville Intersection" delete the word "(Navy)".  
 by adding the following reporting points:  
 Nan-Love 1 Intersection: The intersection of a 103° True bearing from the Grand Isle, La., nondirectional radio beacon and a 175° True bearing from the Pensacola, Fla. (PNS) radio range station.  
 Nan-Eve 2 Intersection: The intersection of a 285° True bearing from the Egmont Key, Fla., nondirectional radio beacon and a 229° True bearing from the Cross City, Fla., radio range station.  
 by changing the reporting point which reads: "Anchorage-Sandspit route: The Middleton Island, Alaska, nondirectional radio beacon." to read: "Middleton Island, Alaska: Middleton Island radio range station."  
 and by deleting the following reporting joint:  
 Domestic Yakataga Intersection: The intersection of the centerline of the Anchorage-Sandspit route and a line bearing 90° therefrom and lying over the Yakataga, Alaska, radio range station.

71. Section 601.6002 is amended to read:  
 § 601.6002 *VOR civil airway No. 2 control areas (Seattle, Wash., to Boston, Mass.)*. All of VOR civil airway No. 2 including north and south alternates but excluding the airspace between the main airway and its north alternate between the Helena, Mont., omnirange station and the Billings, Mont., omnirange station.

72. Section 601.6040 is amended to read:  
 § 601.6040 *VOR civil airway No. 40 control areas (Cleveland, Ohio to Pittsburgh, Pa.)*. All of VOR civil airway No. 40.

73. Section 601.6058 is amended to read:  
 § 601.6058 *VOR civil airway No. 58 control areas (Eliwood City, Pa., to Hartford, Conn.)*. All of VOR civil airway No. 58.

74. Section 601.6096 is amended to read:  
 § 601.6096 *VOR civil airway No. 96 control areas (Kokomo, Ind., to Waterville, Ohio)*. All of VOR civil airway No. 96.

75. Section 601.6141 is amended to read:  
 § 601.6141 *VOR civil airway No. 141 control areas (Nantucket, Mass., to Massena, N. Y.)*. All of VOR civil airway No. 141.

76. Section 601.6196 is added to read:  
 § 601.6196 *VOR civil airway No. 196 control areas (Tupper Lake, N. Y., to Plattsburgh, N. Y.)*. All of VOR civil airway No. 196.

77. Section 601.6209 is added to read:

§ 601.6209 VOR civil airway No. 209 control areas (Mobile, Ala., to Tuscaloosa, Ala.). All of VOR civil airway No. 209.

78. Section 601.6250 is amended to read:

§ 601.6250 VOR civil airway No. 250 control areas (Imperial, Pa., to Clarion, Pa.). All of VOR civil airway No. 250.

79. Section 601.6260 is amended to read:

§ 601.6260 VOR civil airway No. 260 control areas (Charleston, W. Va., to Richmond, Va.). All of VOR civil airway No. 260.

80. Section 601.6276 is amended to read:

§ 601.6276 VOR civil airway No. 276 control areas (Navarre, Ohio, to Monmouth, N.J.). All of VOR civil airway No. 276.

81. Section 601.6292 is added to read:

§ 601.6292 VOR civil airway No. 292 control areas (Hartford, Conn., to Boston, Mass.). All of VOR civil airway No. 292.

82. Section 601.6300 is amended to read:

§ 601.6300 VOR civil airway No. 300 control areas (Sault Ste. Marie, Mich., to Toronto, Ont.). All of VOR civil airway No. 300, including a north alternate.

83. Section 601.6427 is added to read:

§ 601.6427 VOR civil airway No. 427 control areas (Newcomerstown, Ohio, to Navarre, Ohio). All of VOR civil airway No. 427.

84. Section 601.6428 is added to read:

§ 601.6428 VOR civil airway No. 426 control areas (Unassigned).

85. Section 601.7001 VOR domestic reporting points is amended by adding the following reporting points to read:

Barstow Intersection: The intersection of the Hector, Calif., omnirange 265° T and the Daggett, Calif., omnirange 235° T radials.

Greentown Intersection: The intersection of the Indianapolis, Ind., omnirange 021° T and the Kokomo, Ind., omnirange 143° T radials.

Brookley AFB, Ala., omnirange station. Hector, Calif., omnirange station. McAlester, Okla., omnirange station. Okmulgee, Okla., omnirange station. Westpoint, Ind., omnirange station.

by changing the following reporting points to read:

Bradley Intersection: The intersection of the Poughkeepsie, N. Y., omnirange 081° T and the Hartford, Conn., omnirange 320° T radials.

Edgerton Intersection: The intersection of the Fort Wayne, Ind., omnirange 031° T and the Goahen, Ind., omnirange 092° T radials.

Palestine Intersection: The intersection of the Imperial, Pa., omnirange 226° T and the Ellwood City, Pa., omnirange 265° T radials.

Power Point Intersection: The intersection of the Imperial, Pa., omnirange 305° T and the Youngstown, Ohio, omnirange 190° T radials.

and by revoking the following reporting points:

Apple Intersection: The intersection of the Palmdale, Calif., omnirange 096° T and the Daggett, Calif., omnirange 235° T radials.

Kokomo Intersection: The intersection of the Lafayette, Ind., omnirange 089° T and the Indianapolis, Ind., omnirange 021° T radials.

Maxwell Intersection: The intersection of the Indianapolis, Ind., omnirange 084° T and the Lafayette, Ind., omnirange 122° T radials.

Radar Intersection: The intersection of the Lafayette, Ind., omnirange 089° T and the Indianapolis, Ind., omnirange 341° T radials.

Daggett, Calif., omnirange station.  
(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551.)

This amendment shall become effective 0001 e. s. t., September 25, 1958.

[SEAL] WILLIAM B. DAVIS,  
Acting Administrator of  
Civil Aeronautics.

AUGUST 28, 1958.

[F. R. Doc. 58-7154; Filed, Sept. 4, 1958;  
8:46 a. m.]

## TITLE 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket 7071]

#### PART 13—DIGEST OF CEASE AND DESIST ORDERS

##### SIEGEL'S

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: Exaggerated as regular and customary; fictitious marking. Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: Fur Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1190 Composition: Fur Products Labeling Act; § 13.1212 Formal regulatory and statutory requirements: Fur Products Labeling Act; § 13.1280 Price. Subpart—Misrepresenting oneself and goods—Prices: § 13.1805 Exaggerated as regular and customary; § 13.1810 Fictitious marking. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 Composition: Fur Products Labeling Act; § 13.1852 Formal regulatory and statutory requirements: Fur Products Labeling Act; § 13.1885 Manufacture or preparation: Fur Products Labeling Act; § 13.1886 Quality, grade or type of product.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 170; 15 U. S. C. 45, 69f) [Cease and desist order, Helen L. Siegel et al., trading as Siegel's, San Antonio, Tex., Docket 7071, August 6, 1958]

*In the Matter of Helen L. Siegel and Morris E. Siegel, Individually and as Copartners Trading as Siegel's*

This proceeding was heard by a hearing examiner on the complaint of the Commission charging furriers in San Antonio, Tex., with violating the Fur Products Labeling Act by falsely identifying on labels the fur contained in certain products, by affixing labels containing fictitious prices and falsely representing excessive amounts as the regular retail prices of fur products; by failing in other respects to conform with the labeling and invoicing requirements of the Act; by advertising in newspapers which failed to disclose the names of animals producing certain furs, that certain products were artificially colored or were composed of cheap or waste fur, and which represented prices as reduced from regular prices which were in fact fictitious; and by failing to maintain adequate records as a basis for such pricing claims.

Following acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on August 6 the decision of the Commission.

The order to cease and desist is as follows:

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

A. Misbranding fur products by:

1. Representing on labels attached to fur products, or in any other manner, that certain amounts are the regular and usual prices of fur products when such amounts are in excess of the prices at which such products are usually and customarily sold by respondents in the recent regular course of their business.

2. Falsely or deceptively labeling or otherwise identifying any such product as to the name or names of the animal or animals that produced the fur from which such product was manufactured.

3. Failing to affix labels to fur products showing:

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

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

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

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

(e) The name, or other identification, issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into

## RULES AND REGULATIONS

commerce, sold it in commerce, advertised or offered it for sale in commerce, or transported it in commerce;

(f) The name of the country of origin of any imported furs used in the fur product.

4. Setting forth on labels attached to fur products:

(a) Information required under section 4 (2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder mingled with non-required information;

(b) Information required under section 4 (2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting.

B. Falsely or deceptively invoicing fur products by:

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

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

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

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

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

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

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

(g) The item number or mark assigned to a fur product.

2. Setting forth on invoices pertaining to fur products information required under section 5 (b) (1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of fur products and which:

1. Fails to disclose:

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

(b) That the fur products contain or are composed of bleached, dyed or otherwise artificially colored fur, when such is the fact;

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

2. Represents directly or by implication that respondents' regular price of any fur product is any amount which is in excess of the price at which respondents have regularly or customarily sold such products in the recent regular course of their business.

D. Making claims and representations in advertisements respecting comparative prices, percentage savings claims, or claims that prices are reduced from regular or usual prices, unless there is maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

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

*It is ordered*, That the above-named respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: August 6, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F. R. Doc. 58-7177; Filed, Sept. 4, 1958;  
8:51 a. m.]

[Docket 7063]

**PART 13—DIGEST OF CEASE AND DESIST ORDERS**

**WHITE FRONT STORES, INC., ET AL.**

**Subpart—Advertising falsely or misleadingly:** § 13.70 *Fictitious or misleading guarantees*; § 13.75 *Free goods or services*; § 13.155 *Prices: Percentage savings; sales below cost*; § 13.285 *Value*. **Subpart—Invoicing products falsely:** § 13.1108 *Invoicing products falsely*: Fur Products Labeling Act. **Subpart—Neglecting, unfairly or deceptively, to make material disclosure:** § 13.1852 *Formal regulatory and statutory requirements*: Fur Products Labeling Act; § 13.1880 *Old, used, reclaimed, or reused as unused or new*: Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U. S. C. 45, 69f) [Cease and desist order, White Front Stores, Inc., et al., Los Angeles, Calif., Docket 7063, August 7, 1958]

*In the Matter of White Front Stores, Inc., a Corporation, and Harry Blackman, Individually and as an Officer of Said Corporation*

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a furrier in Los Angeles, Calif., with violating the Fur Products Labeling Act by failing to invoice as "secondhand used fur" where required and to comply with other requirements of the Act with respect to invoicing; by advertising in newspapers which represented prices of fur products falsely as "way below cost", which failed to specify the nature and extent of a purported "three year guarantee" and the manner in which respondent would perform thereunder, which falsely advertised "free Storage", "40% to 60% off" regular prices, and "spectacular buy out values from Fellman Furs of L. A."; and by failing to maintain adequate records on which the savings claims were based.

After acceptance of an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist which became on August 7 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That respondent White Front Stores, Inc., a corporation, and its officers, and respondent Harry Blackman, as an individual and as an officer of said corporation; and respondents' representatives, agents and employees, directly or through any corporate or other device, lease, assignment, or agreement, in connection with the introduction into commerce, or the sale, advertisement, offer for sale, transportation, or distribution in commerce of any fur product, or in connection with the sale, advertisement, offer for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Falsely or deceptively invoicing fur products by:

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

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

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

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

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

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

(6) The name of the country of origin of any imported fur contained in a fur product.

B. Setting forth on invoices pertaining to fur products the name of an animal other than the name or names of the animal or animals producing the fur or furs contained in such fur products.

C. Setting forth information required under section 5 (b) (1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

D. Failing to set forth, on invoices pertaining to fur products, the term "secondhand used fur" when required by the rules and regulations.

2. Falsely or deceptively advertising fur products, through the use of any advertisement, representation, public announcement, or notice which is intended to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of fur products, and which:

A. Represents, directly or by implication, where contrary to the facts, that such fur products:

(1) Are being offered for sale at or below respondents' wholesale costs.

(2) Are guaranteed, unless the nature and extent of such guarantee, and the manner in which the guarantor will perform thereunder, are clearly and conspicuously set forth.

(3) May be stored for the purchaser at his option and without charge, by respondents;

(4) Were secured by respondents from a source that is in financial or other distress.

B. Represents, through percentage savings claims or otherwise, that the regular or usual retail prices charged by respondents for fur products of similar grade or quality in the recent regular course of business have been reduced in direct proportion to such savings claims.

3. Setting forth savings claims, or representations as to selling or offering to sell at or below cost, unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based, as required by Rule 44 (e) of the rules and regulations.

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

*It is ordered.* That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: August 7, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F. R. Doc. 58-7178; Filed, Sept. 4, 1958;  
8:51 a.m.]

[Docket 6837]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

WAREHOUSE DISTRIBUTORS, INC., ET AL.

Subpart—Discriminating in price under section 2, Clayton Act, as amended—Knowingly inducing or receiving discriminating price under 2 (f): 13.850 *Inducing and receiving discriminations.*

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interprets or applies sec. 2, 38 Stat. 730, as amended; 15 U. S. C. 13) [Cease and desist order, Warehouse Distributors, Inc. (Atlanta, Ga.), et al. Docket 6837, August 14, 1958]

In the matter of Warehouse Distributors, Inc., a corporation, and Charles A. Cole, individually and as manager; Alexander-Seewald Co., Inc., a corporation, and R. Jackson Alexander, individually and as an officer; Automotive Supply Co., and Frank McKenzie, individually and as an officer; Auto Specialty Co., Inc., a corporation, and H. Edgar Allen, Jr., individually and as an officer; Auto Spring & Bearing Co., Inc., a corporation, and Gordon E. Johnson, individually and as an officer; Black & Company, Inc., a corporation, and Jack

F. Black, individually and as an officer; A. C. Broyles, Jr., doing business under the firm name and style of Broyles Rubber Oil Company, a sole proprietorship; Butler Supply Company, Inc., a corporation, and Milton E. Butler, individually and as an officer; C & B Parts Service, Inc., a corporation, and Benjamin T. Brooks, Sr., individually and as an officer; Consolidated Automotive Company, a corporation, and Edgar H. Rogers, Jr., individually and as an officer; Craig Motor Service Co., Inc., a corporation, and Wallace D. Craig, individually and as an officer; General Automotive Supply Co., Inc., a corporation, and William P. Butt, individually and as an officer; Hart's Automotive Parts Co., a corporation, and R. Henry Hart, Jr., and W. Russell Johnson, individually and as officers; Billie Bruce Jones, doing business under the firm name and style of Bruce Jones Company, a sole proprietorship; Motor Bearings & Parts Co., of Raleigh, Inc., a corporation, and Lorentz T. White, Lorentz T. White, Jr., and Sydnor M. White, individually and as officers; Motor Car Supply Company, a corporation, and Emory R. Young and Hoke J. Monroe, individually and as officers; Motor & Electric Supply Co., Inc., a corporation, and J. A. Bryant, individually and as an officer; The Parts Company, a corporation, and Walton H. Rockafellow, individually and as an officer; Parts Service Company, Inc., a corporation, and Claude R. Kirk and Samuel R. Meadows, individually and as officers; Phelps-Roberts Corporation, a corporation, and Robert E. Phelps, individually and as an officer; Richmond Auto Parts Company, Inc., a corporation, and Hansford B. Truslow, individually and as an officer; Scurry & Nixon, Inc., a corporation, and James A. Brown, individually and as an officer; Southern Bearings & Parts Co., Inc., a corporation, and Clarence E. Beeson and O. Harold Hamby, individually and as officers; Southern Parts & Bearing Co., Inc., a corporation, and Randolph M. Myers and H. Ival Slaydon, individually and as officers; Spartan Automotive, Inc., a corporation, and Theodore R. Garrison, individually and as an officer; H. Steenken & Co., a corporation, and Frank E. Condon and F. Raymond O'Keefe, individually and as officers; United Service Co., a corporation, and John H. Yellman and Oliver A. Bakhaus, individually and as officers; Valley Distributors, Inc., a corporation, and Dudley C. Lichliter and C. F. Staples, individually and as officers; Womwell Automotive Parts Co., Inc., a corporation, and Barclay A. Storey, individually and as an officer.

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a group of 28 southeastern jobbers of automotive parts and supplies, acting through the medium of their corporate buying organization, with violating section 2 (f) of the Clayton Act by inducing and accepting illegal price discriminations from their suppliers through such practices as (1) requiring suppliers who sold on a quantity discount schedule to base their discounts on the combined purchases of all group members; (2) requiring suppliers

who did not give trade discounts to competing customers to give them to members; and (3) replacing suppliers who did not grant discriminatory terms to the group by others who did.

Following acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on August 14 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered.* That respondents Warehouse Distributors, Inc., a corporation, and Charles A. Cole, individually and as manager; Alexander-Seewald Co., Inc., a corporation, and R. Jackson Alexander, individually and as an officer; Automotive Supply Co., Inc., a corporation, and Frank McKenzie, individually and as an officer; Auto Specialty Co., Inc., a corporation, and H. Edgar Allen, Jr., individually and as an officer; Auto Spring & Bearing Co., Inc., a corporation, and Gordon E. Johnson, individually and as an officer; Black & Company, Inc., a corporation, and Jack F. Black, individually and as an officer; A. C. Broyles, Jr., doing business under the firm name and style of Broyles Rubber Oil Company, a sole proprietorship; Butler Supply Company, Inc., a corporation, and Milton E. Butler, individually and as an officer; C & B Parts Service, Inc., a corporation, and Benjamin T. Brooks, Sr., individually and as an officer; Consolidated Automotive Company, a corporation, and Edgar H. Rogers, Jr., individually and as an officer; Craig Motor Service Co., Inc., a corporation, and Wallace D. Craig, individually and as an officer; General Automotive Supply Co., Inc., a corporation, and William P. Butt, individually and as an officer; Hart's Automotive Parts Co., a corporation, and R. Henry Hart, Jr., and W. Russell Johnson, individually and as officers; Billie Bruce Jones, doing business under the firm name and style of Bruce Jones Company, a sole proprietorship; Motor Bearings & Parts Co., of Raleigh, Inc., a corporation, and Lorentz T. White, Lorentz T. White, Jr., and Sydnor M. White, individually and as officers; Motor Car Supply Company, a corporation, and Emory R. Young and Hoke J. Monroe, individually and as officers; Motor & Electric Supply Co., Inc., a corporation, and J. A. Bryant, individually and as an officer; The Parts Company, a corporation, and Walton H. Rockafellow, individually and as an officer; Parts Service Company, Inc., a corporation, and Claude R. Kirk and Samuel R. Meadows, individually and as officers; Phelps-Roberts Corporation, a corporation, and Robert E. Phelps, individually and as an officer; Richmond Auto Parts Company, Inc., a corporation, and Hansford B. Truslow, individually and as an officer; Scurry & Nixon, Inc., a corporation, and James A. Brown, individually and as an officer; Southern Bearings & Parts Co., Inc., a corporation, and Clarence E. Beeson and O. Harold Hamby, individually and as officers; Southern Parts & Bearing Co., Inc., a corporation, and Randolph M. Myers and H. Ival Slaydon, individually and as offi-

## RULES AND REGULATIONS

cers; Spartan Automotive, Inc., a corporation, and Theodore R. Garrison, individually and as an officer; H. Steenken & Co., a corporation, and Frank E. Condon and F. Raymond O'Keefe, individually and as officers; United Service Co., a corporation, and John H. Yellman and Oliver A. Bakhaus, individually and as officers; Valley Distributors, Inc., a corporation, and Dudley C. Lichliter and C. F. Staples, individually and as officers; Womwell Automotive Parts Co., Inc., a corporation, and Barclay A. Storey, individually and as an officer, their officers, agents, representatives and employees in connection with the offering to purchase or purchase of any automotive products or supplies in commerce, as "commerce" is defined in the Clayton Act, do forthwith cease and desist from: Knowingly inducing or knowingly receiving or accepting any discrimination in the price of such products and supplies, by directly or indirectly inducing, receiving, or accepting from any seller a net price known by respondents to be below the net price at which said products and supplies of like grade and quality are being sold by such seller to other customers, where the seller is competing with any other seller for respondents' business, or where respondents are competing with other customers of the seller.

For the purpose of determining "net price" under the terms of this order, there shall be taken into account discounts, rebates, allowances, deductions or other terms and conditions of sale by which net prices are effected.

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

*It is ordered*, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: August 14, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F. R. Doc. 58-7170; Filed, Sept. 4, 1958;  
8:51 a. m.]

## TITLE 21—FOOD AND DRUGS

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

Part 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

## DISPOSITION OF INCUBATOR REJECT EGGS

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F. R. 1045) and pursuant to the provisions of the Administrative Procedure Act (sec. 3, 60 Stat. 237, 238; 5 U. S. C. 1002) the following statement of policy is issued:

§ 3.5 *Disposition of incubator reject eggs.* (a) Investigations by the Food and Drug Administration and a number of State regulatory agencies have revealed that incubator reject eggs, removed as infertile or otherwise unhatchable during hatching operations, are being diverted for human food use. Such eggs are regarded as adulterated within the meaning of section 402 (a) (3) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1046; 21 U. S. C. 342 (a) (3)) because they are unfit for food.

(b) The introduction or delivery for introduction into interstate commerce of adulterated eggs is prohibited under section 301 (a) of the aforesaid act (52 Stat. 1042; 21 U. S. C. 331 (a) unless they have been broken, crushed, or smashed and then denatured with kerosene, creolin, or other suitable denaturant to preclude their diversion to human food channels.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interprets or applies secs. 301, 402, 52 Stat. 1042, 1046; 21 U. S. C. 331, 342)

Dated: August 28, 1958.

[SEAL] JOHN L. HARVEY,  
Deputy Commissioner of  
Food and Drugs.

[F. R. Doc. 58-7156; Filed, Sept. 4, 1958;  
8:47 a. m.]

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

Part 19—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS.

VESSELS OPERATED BY OR CHARTERED TO MILITARY SEA TRANSPORTATION SERVICE

CROSS REFERENCE: For addition of § 19.06, see Title 46, Part 154, F. R. Doc. 58-7184, *infra*.

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

Chapter I—Veterans Administration

PART 3—VETERANS CLAIMS

CHRONIC AND TROPICAL DISEASES

In § 3.86, the headnote, the introductory paragraphs of paragraphs (a) and (b), and paragraphs (c), (d) (2), (e), (h), (i), and (j) are amended; paragraph (d) (3) is canceled; and former paragraph (d) (4) is redesignated paragraph (d) (3) to read as follows:

§ 3.86 *Chronic and tropical diseases under Public Law 2, 73d Congress, as amended, or Public Law 85-56.* (a) The service connection of chronic diseases under paragraph I (c), Part I, Veterans Regulation 1 (a), as amended, pursuant to Public Law 2, 73d Congress, or sections 301 and 313, Public Law 85-56, is restricted to the following:

(b) The service connection of tropical diseases under Veterans Regulation 1 (a), Part I, paragraph I (c), and Part II,

paragraph I (d), or sections 301, 313 (2) and 334 (a), Public Law 85-56, is restricted to the following: (Effective June 24, 1948, unless otherwise indicated.)

(c) No conditions other than those listed in paragraph (a) of this section will be considered chronic diseases except upon approval by the Administrator of Veterans Affairs. For the purposes of determining the existence of a compensable degree of active tuberculosis within 3 years of discharge or the date prior to which a disability must have been incurred as provided in Veterans Regulation 1 (a), as amended, or sections 101 (6), (7), (8), and (9) and 301 (2), Public Law 85-56, whichever is the earlier, active pulmonary tuberculosis diagnosed by approved methods during the fourth year will be held to have preexisted the diagnosis 6 months in minimal (incipient) cases; 9 months in moderately advanced cases; and 12 months in far advanced cases.

(d) \*

(2) Tuberculous pleurisy and endobronchial tuberculosis fall within the category of pulmonary tuberculosis. Either will be held incurred in service as provided by paragraph I (c), Part I, Veterans Regulation 1 (a), as amended, or section 313, Public Law 85-56, when initially manifested within 36 months after discharge from service during a war period; or, when service continued after a war period, within 36 months after ending date of the war period concerned. Active tuberculous pleurisy or endobronchial tuberculosis diagnosed by approved methods during the fourth year will be held to have preexisted the diagnosis 6 months. As to tuberculous pleurisy, the effective date of the extension of presumption 6 months beyond the 3-year period will be September 5, 1958, the date of approval of this subparagraph.

(3) When, in a case in which prior activity of pulmonary or nonpulmonary tuberculosis has been satisfactorily established in accordance with § 3.133, with evidence as to the present condition establishing inactivity or arrest, without, however, evidence to establish activity or inactivity over the intervening period, activity of the disease will be presumed for 1 year only, following the last date of activity established by the evidence. This subparagraph is not for application to running awards, but is intended to apply only to new claims filed after the period of activity, and reopened claims. The beginning date of graduated ratings for arrested tuberculosis will be the day following expiration of this 1-year period.

(e) Unstable lesions on comparative study of X-ray films within the presumptive period for the degree of advancement (paragraph (c) of this section) will be taken as establishing service connection for active pulmonary tuberculosis subsequently diagnosed by approved methods, including physical examination: *Provided*, That no percentage evaluation will be assigned prior to the date of such subsequent diagnosis or other evidence of clinical activity: *Provided further*, That as to active pulmonary tuberculosis service-connected

under this paragraph, the evaluation will not be prior to February 26, 1951.

(h) Where service connection is granted under paragraph I (c), Part I, Veterans Regulation 1 (a), as amended, or section 313, Public Law 85-56, the effective date of evaluation of disability will be in accordance with § 3.148 (a). When a claim is filed more than 1 year after date of separation (2 years for multiple sclerosis; 3 years for tuberculosis) from active service during a period of war, a notation will be made of items of evidence showing the existence of the disease within the 1-, 2-, or 3-year period applicable to the particular disease. When the veteran's service continued after the war period, and he filed claim after the applicable 1-, 2-, or 3-year period past the ending date of the war period concerned, a similar notation of items of evidence showing date of existence of disease will be made.

(i) When service connection is granted under paragraph I (d), Part II, Veterans Regulation 1 (a), as amended, or section 334, Public Law 85-56, for the tropical diseases, resultant disorders, or diseases originating because of therapy administered in connection with such diseases or as a preventative thereof, listed in paragraph (b) of this section, the effective date of evaluation of the disability will be in accordance with § 3.148 (a) but not prior to June 24, 1948, where service connection is granted pursuant to paragraph I (d), Part II, Veterans Regulation 1 (a), as amended, or not prior to January 1, 1958, where service connection is granted pursuant to Public Law 85-56, and when claim is filed more than 1 year after date of separation from service, notation will be made of the items of evidence showing the existence of the disease within the 1-year period.

(j) The effective date of an award based upon the foregoing provisions will be in accordance with § 3.212: *Provided*, That no award for bronchiectasis, calculi of the kidney, bladder, or gallbladder, cirrhosis of the liver, coccidioidomycosis, osteomalacia, Raynaud's disease, scleroderma, tumors of the peripheral nerves, peptic ulcers (gastric or duodenal), service connected under paragraph I (c), Part I, Veterans Regulation 1 (a), as amended, or section 313, Public Law 85-56, or the tropical diseases and resultant disorders or diseases originating because of therapy administered in connection with such diseases or as a preventative thereof, listed in paragraph (b) of this section, service connected under paragraph I (c), Part I, or paragraph I (d), Part II, Veterans Regulation 1 (a), as amended, or section 313 or section 334, Public Law 85-56, shall be effective prior to June 24, 1948, or January 1, 1958, where service connection is granted pursuant to Public Law 85-56: *Provided further*, That no award for active pulmonary tuberculosis, multiple sclerosis, or nonpulmonary tuberculosis, service connected under paragraph I (c), Part I, Veterans Regulation 1 (a), as amended by Public Law 573, 81st Congress, 174, 82d Congress, and 241, 83d Congress, now section 313, Public Law 85-56, shall be

made effective prior to June 23, 1950, October 12, 1951, or August 8, 1953, respectively.

(Secs. 101, 301, 313, 334, 71 Stat. 88, 94, 97, 100; 38 U. S. C. 2101, 2301, 2313, 2334)

(Sec. 210, 71 Stat. 91; 38 U. S. C. 2210)

This regulation is effective September 5, 1958.

[SEAL] ROBERT J. LAMPHERE,  
Acting Deputy Administrator.  
(F. R. Doc. 58-7180; Filed, Sept. 4, 1958;  
8:51 a.m.)

## TITLE 46—SHIPPING

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

#### Subchapter O—Regulations Applicable to Certain Vessels During Emergency

[CGFR 58-32]

#### PART 154—WAIVERS OF NAVIGATION AND VESSEL INSPECTION LAWS AND REGULATIONS<sup>1</sup>

##### VESSELS OPERATED BY OR CHARTERED TO MILITARY SEA TRANSPORTATION SERVICE

The Deputy Secretary of Defense in a letter to the Secretary of the Treasury dated August 6, 1958, requested, in the interest of national defense, a waiver of the navigation and vessel inspection laws and regulations to the extent considered necessary by Commander, Military Sea Transportation Service, or his duly designated representatives, to permit vessels operated by or chartered on a time or voyage basis to the Military Sea Transportation Service to carry out their assigned missions in support of troops deployed under emergency conditions.

Section 1 of the Act of December 27, 1950 (64 Stat. 1120; 46 U. S. C., note preceding 1), states in part as follows:

That the head of each department or agency responsible for the administration of the navigation and vessel inspection laws is directed to waive compliance with such laws upon the request of the Secretary of Defense to the extent deemed necessary in the interest of national defense by the Secretary of Defense. \*

In a document published in the FEDERAL REGISTER dated October 12, 1957 (22 F. R. 8125), the Secretary of Defense, the Honorable Neil McElroy, delegated to the Deputy Secretary of Defense, the Honorable Donald A. Quarles, full power and authority to act for and in the name of the Secretary of Defense and to exercise the powers of the Secretary of Defense upon any and all matters concerning which the Secretary of Defense is authorized to act pursuant to law.

The purpose for the following waiver order designated § 154.06, as well as 33 CFR 19.06, is to waive the navigation and vessel inspection laws and regulations issued pursuant thereto which are administered by the United States Coast Guard as requested by the Deputy Secretary of Defense and to publish this waiver in the FEDERAL REGISTER. It is hereby found that compliance with the Administrative Procedure Act, respecting notice of proposed rule making, public rule making

procedure thereon, and effective date requirements thereof, is impracticable and contrary to the public interest.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by an order of the Acting Secretary of the Treasury dated January 23, 1951, identified as CGFR 51-1, and published in the FEDERAL REGISTER dated January 26, 1951 (16 F. R. 731), the following waiver order is promulgated and shall be in effect indefinitely and until terminated by proper authority:

§ 154.06 Vessels operated by or chartered to Military Sea Transportation Service. (a) Pursuant to the request of the Deputy Secretary of Defense, dated August 6, 1958, made under the provisions of section 1 of Public Law 891, 81st Congress, approved December 27, 1950 (64 Stat. 1120; 46 U. S. C., note preceding 1), and his finding that a waiver is necessary in the interest of national defense, compliance with the provisions of the navigation and vessel inspection laws administered by the United States Coast Guard, as well as the regulations issued thereunder and contained in 33 CFR Chapter I, or in this chapter, is hereby waived to the extent and upon the terms and conditions as set forth in this section, in order to permit vessels operated by or chartered on a time or voyage basis to the Military Sea Transportation Service to carry out their assigned missions in support of troops deployed under emergency conditions.

(b) An application requesting that this waiver be made effective with respect to a particular vessel may be made by the Commander, Military Sea Transportation Service, or any one of his duly designated representatives. Except as provided in paragraph (e) of this section, the application shall be in writing. The application shall be delivered to the Coast Guard District Commander or to his designated representative at the port or place where the vessel is located. In the case of a vessel in any foreign port or place, the application shall be made to the designated representative of the Commandant at such port or place, or if the Coast Guard has not established facilities in such port or place, to the nearest designated representative of the Commandant at a port or place where such facilities have been established, or to the Commandant, U. S. Coast Guard, Washington, D. C. Every application shall:

(1) Describe the laws and/or regulations by appropriate references and/or subjects with respect to which the waiver of compliance is desired;

(2) Contain a certification that the waiver of compliance with such laws and/or regulations with respect to the vessel involved is necessary in the interest of national defense and is necessary by the Military Sea Transportation Service to carry out an assigned mission in support of troops deployed under emergency conditions;

(3) The name and official number of the vessel involved (including the names of master, agent, and owner of the vessel involved); and,

(4) For how long the waiver is needed.

<sup>1</sup> This is also codified as 33 CFR Part 19.

## RULES AND REGULATIONS

(c) The Coast Guard officer making the waiver in paragraph (a) of this section effective for a particular vessel shall immediately prepare, in quadruplicate, an order setting forth:

(1) The name and official number of the vessel involved;

(2) The laws and/or regulations with respect to which the waiver is effective;

(3) The extent to which compliance with such laws and/or regulations is waived; and,

(4) The period for which the waiver shall be effective.

(d) If practicable, one copy of this waiver order shall be delivered to the master of the vessel involved before such vessel sails. In any case where the waiver order is not delivered to the master, it shall be delivered to the owner, operator, or agent of the vessel without delay. One copy of the waiver order shall be delivered to the Commander, Military Sea Transportation Service, or his duly designated representative, who submitted the application. One copy of the waiver order shall be transmitted to the Commandant (MVI) and the remaining copy kept on file.

(e) In any case of extreme urgency, the application for a waiver order may be made orally and if the Coast Guard District Commander (or his designated representative, or the designated representative of the Commandant, or the Commandant, as the case may be), determines that the conditions in this section have been met, the waiver order shall be made effective without further delay, subject to the condition that the application be reduced to writing and delivered within such period after the date of the oral request as the Coast Guard officer making the waiver effective shall specify in the confirming written waiver order.

(f) No penalty shall be imposed because of failure to comply with any provision of law and/or regulation, the waiver of which has been made effective pursuant to the requirements of this section.

(g) This waiver order shall remain in effect until terminated by proper authority and notice of cancellation is published in the *FEDERAL REGISTER*.

(Sec. 1, 64 Stat. 1120; 46 U. S. C., note prec. 1)

Dated: August 29, 1958.

[SEAL] J. A. HIRSHFIELD,  
Rear Admiral, U. S. Coast  
Guard, Acting Commandant.

[F. R. Doc. 58-7184; Filed, Sept. 4, 1958;  
8:53 a. m.]

## TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service,  
Department of the Interior

## Subchapter F—Alaska Commercial Fisheries

PART 115—SOUTHEASTERN ALASKA AREA  
SALMON FISHERIES, GENERAL REGU-  
LATIONS

## RELAXATION OF WEEKLY CLOSED PERIODS

*Basis and purpose.* On the basis of a good showing of chum salmon in the Taku section of the Eastern District and a good showing of coho salmon in the

Stikine District, it has been determined that the weekly closed periods can be relaxed for the remainder of the season.

1. Section 115.5 is amended in subparagraph (1) of paragraph (c) by deleting "12 noon Thursday" and substituting in lieu thereof "12 noon Friday, 1958."

2. Section 115.5 is amended in subparagraph (2) of paragraph (d) by deleting "12 noon Thursday" and substituting in lieu thereof "12 noon Friday, 1958."

In order to permit maximum utilization of the runs, these relaxations will

not permit notice and public procedure and, therefore, they shall become effective immediately upon publication in the *FEDERAL REGISTER* (60 Stat. 237; 5 U. S. C. 1001 et seq.).

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

DONALD L. MCKERNAN,  
Director,  
Bureau of Commercial Fisheries.

SEPTEMBER 4, 1958.

[F. R. Doc. 58-7251; Filed, Sept. 4, 1958;  
11:32 a. m.]

## PROPOSED RULE MAKING

DEPARTMENT OF HEALTH, EDU-  
CATION, AND WELFARE

## Food and Drug Administration

## [21 CFR Part 29]

FRUIT BUTTERS, FRUIT JELLIES, FRUIT  
PRESERVES, AND RELATED PRODUCTS;  
DEFINITIONS AND STANDARDS OF IDENTITYPROPOSAL TO AMEND STANDARD OF  
IDENTITY FOR FRUIT JELLY

Notice is hereby given that a petition has been filed by the National Preservers Association, 1346 Connecticut Avenue NW., Washington, D. C., whose members are manufacturers and distributors of fruit jellies, setting forth a proposed amendment to the regulations fixing and establishing a definition and standard of identity for fruit jelly (21 CFR 29.2 (23 F. R. 1919)).

Pursuant to the authority of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919; 21 U. S. C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (22 F. R. 1045), all interested persons are hereby invited to present their views in writing regarding the proposals published below. Such views and comments should be submitted in quintuplicate, addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., prior to the thirtieth day following the date of publication of this notice in the *FEDERAL REGISTER*.

It is proposed that § 29.2 be amended as follows:

1. By adding the following new subparagraph to paragraph (a):

(7) Cinnamon flavoring, other than artificial flavoring, and harmless artificial red coloring in case the fruit juice ingredient or combination of fruit juice ingredients is extracted from apple or crabapple, or both such fruits.

2. By adding the following new subparagraph to paragraph (g):

(7) When optional ingredient (a) (7) is used, the label shall bear the statement "flavoring and artificial coloring added" or "with added flavoring and artificial coloring." The word "flavor-

ing" in such statement may be preceded by the word "cinnamon."

Dated: August 28, 1958.

[SEAL] JOHN L. HARVEY,  
Deputy Commissioner of  
Food and Drugs.

[F. R. Doc. 58-7155; Filed, Sept. 4, 1958;  
8:46 a. m.]

## CIVIL AERONAUTICS BOARD

## [14 CFR Parts 40, 41, 42]

[Draft Release No. 58-16]

CARRIAGE OF PERSONS OTHER THAN "CREW  
MEMBERS" AND "PASSENGERS" ABOARD  
ALL-CARGO AIRCRAFT

## NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety, notice is hereby given that the Bureau will propose to the Board amendments to Parts 40, 41, and 42 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rules, communications must be received by Nov. 5, 1958. Copies of such communications will be available after Nov. 10, 1958, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

Sections 40.356, 41.121, and 42.51 (g) presently authorize the admittance of certain persons to the flight deck of an airplane operated under the provisions of Parts 40, 41, and 42, respectively, of the Civil Air Regulations. However, seats in the passenger compartment must be available for the use of all persons admitted to the flight deck except authorized representatives of the Civil Aeronautics Administration or the Board engaged in checking flight operations, certain operations personnel of the air carrier, and certain technical representatives of the manufacturer of the airplane or its components.

In recent years, developments within the air cargo industry have indicated an increasing use of air transportation for the shipment of classified or special cargo, particularly the shipment of valuable animals. Such transportation frequently requires the presence of individuals such as couriers, guards, or attendants aboard the airplane for the purposes of maintaining security requirements with respect to certain classified cargo, safeguarding the transportation en route of special cargo (such as machinery), or attending animals in the interest of safety of the airplane and cargo.

For a number of years, it has been the general practice in cargo operations to carry animal attendants as crew members while in the performance of their duties. However, other cargo attendants or couriers are considered as passengers since their presence is not necessary for the safe operation of the airplane being used for the carriage of the particular cargo. Similarly, when animal attendants are carried aboard the cargo airplane to or from their specific duty assignments, they are in the category of passengers. As a consequence, the cargo airplane becomes subject to the passenger operation rules which differ from the cargo operation rules primarily with respect to fire prevention requirements, allowable weights, and performance limitations.

The classification as passengers of individuals assigned such specific duties in connection with cargo on all-cargo aircraft is believed to be unnecessary in the interest of safety and, therefore, an unreasonable burden upon air carriers engaging in such operation. In this type of operation, such individuals do not readily fall within the normally accepted category of air carrier passengers. Furthermore, it is apparent that cargo compartments generally, due to their design and intended function, are not suitable for extended occupancy by individuals performing these duties in connection with cargo. Accordingly, it is proposed to amend Parts 40, 41, and 42 of the Civil Air Regulations to exclude from the passenger category an individual authorized by an air carrier, the Administrator, or the Board to perform a specific duty in connection with cargo being carried aboard a cargo airplane while in the performance of such duty or traveling to or from such duty assignment aboard such cargo airplane.

The seat now required under § 40.174 for each person need not be available for such individual elsewhere in the cargo airplane when he is permitted by appropriate authority to occupy an approved seat on the flight deck since there is no passenger compartment, as such, in an all-cargo airplane. Of course, if a seat on the flight deck is not available, the individual authorized to perform a specific duty in connection with cargo must have a seat available elsewhere in the cargo airplane. It should be clearly understood, however, that there is no intent to compromise in any way the authority of the pilot in command to refuse such individual admission to the flight deck in the interest of safety.

While many of the cargo-only operations are conducted under the provisions of Part 42 of the Civil Air Regulations, an air carrier authorized by the Board pursuant to Title IV of the Civil Aeronautics Act of 1938, as amended, to engage in scheduled air transportation of cargo may prefer to conduct such operations under the provisions of Part 40 or 41 of the Civil Air Regulations, as appropriate. Accordingly, it is proposed to amend these parts of the Civil Air Regulations, as well as Part 42.

It will be noted that the scope of the proposed amendment with respect to admission to the flight deck is restricted to animal attendants and individuals especially designated by an appropriate Government agency, such as the Atomic Energy Commission or the military departments of the Department of Defense, to perform essential security functions in connection with the transportation of radioactive materials or classified cargo. The Board may authorize other individuals to be carried aboard a cargo airplane when their presence is essential for the safeguarding of other types of special cargo while en route, and may authorize such an individual to occupy a seat on the flight deck without the need for a seat being available for his use elsewhere in the airplane. In such cases, a request for authorization should be submitted to the Board, with all the facts and circumstances pertinent thereto.

In consideration of the foregoing, notice is hereby given that it is proposed to recommend to the Board that Parts 40, 41, and 42 of the Civil Air Regulations be amended as follows:

1. By amending § 40.5 of Part 40 by adding the following definitions in alphabetical order:

§ 40.5 Definitions. \* \* \*

*Cargo airplane.* A cargo airplane is an airplane which is not a passenger-carrying airplane and which is used for the carriage of property or goods.

*Passenger-carrying airplane.* A passenger-carrying airplane is an airplane carrying any individual other than a crew member, a company employee, an authorized Government representative, or an individual appropriately authorized by the air carrier, the Administrator, or the Board in connection with a specific duty assignment aboard the airplane, or while traveling to or from such duty assignment.

2. By amending § 40.356 (b) by changing present subparagraph (2) to subparagraph (3) and adding a new subparagraph (2) to read as follows:

§ 40.356 Admission to flight deck.

(b) \* \* \*

(2) An individual engaged in performing specific duties aboard a cargo airplane in connection with the safe carriage of animals, the shipment of radioactive materials within the meaning of and subject to the requirements of § 49.2 (b) of this subchapter, or the security of classified Government cargo or while traveling to or from such assignment, when specifically authorized in writing by a responsible supervisor in the opera-

tions department of the air carrier who is listed in the Operations Manual as having such authority: *Provided*, That the air carrier insures that the person authorized to be carried is necessary for the safety of the flight or cargo and is seated so as to preclude interference with the control of the airplane; or

3. By amending §§ 41.137 and 41.121 (b) of Part 41 and §§ 42.1 and 42.51 (g) (2) of Part 42 similarly.

These amendments are proposed under the authority of Title VI of the Civil Aeronautics Act of 1938, as amended. The proposal may be changed in the light of comments received in response to this notice of proposed rule making.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended; 49 U. S. C. 551-560)

Dated at Washington, D. C., August 29, 1958.

By the Bureau of Safety.

[SEAL]

OSCAR BAKKE,  
Director.

[F. R. Doc. 58-7187; Filed, Sept. 4, 1958;  
8:53 a. m.]

[ 14 CFR Parts 235, 241 ]

[Draft Release No. 98]

REINVESTMENT OF GAINS DERIVED FROM  
SALE OR OTHER DISPOSITION OF FLIGHT  
EQUIPMENT; UNIFORM SYSTEM OF AC-  
COUNTS AND REPORTS FOR CERTIFIED  
AIR CARRIERS

NOTICE OF PROPOSED RULE MAKING

SEPTEMBER 2, 1958.

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of a new Part 235 of the Economic Regulations designed to implement the amendment made to section 406 of the Act which exempts flight equipment capital gains from offset against subsidy where such gains are reinvested in other flight equipment in accordance with the statute and Board regulations.

The principal features of the proposed regulation are explained and the proposed new Part 235 is set forth below.

Interested persons may participate in the proposed rule making through submission of written data, views or arguments pertaining thereto, in quintuplicate, addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All relevant matter in communications received on or before October 7, 1958, will be considered by the Board before taking final action on the proposed rule.

This regulation is proposed under the authority of sections 205 (a) and 406 of the Act (52 Stat. 984, 998, Public Law 85-373, dated April 9, 1958, 49 U. S. C. 425, 486).

By the Civil Aeronautics Board.

[SEAL]

MABEL McCART,  
Acting Secretary.

Section 406 (b) of the Civil Aeronautics Act of 1938, as amended by Public Law 85-373, approved April 9, 1958,

## PROPOSED RULE MAKING

exempts flight equipment capital gains from offset against subsidy: *Provided*, That such gains are reinvested in other flight equipment in accordance with Board regulations. In order to obtain the benefits of this amendment, an air carrier is required to notify the Board that it has "invested or intends to reinvest" the net gains and submit evidence that an amount equal to the net gains has been expended for the purchase of flight equipment or has been deposited in a special re-equipment fund. The amendment leaves to the Board the determination of the form of notice, the evidence to be submitted, and the period within which the reinvestment must occur. Accordingly, there is proposed herein a regulation which sets forth the circumstances under which air carriers may avail themselves of the benefits of this exemption.

Under the proposed regulation, an air carrier would be expected to make a prompt determination of the use which is to be made of flight equipment capital gains. The carrier would have the choice of applying all or any part of the gain to the purchase of flight equipment (including retirement of debt incurred therefor) or of depositing such amounts in a special re-equipment fund. The carrier would be required to take one of these actions within 60 days after the date of the sale or other disposition of the flight equipment and before it files with the Board the required notice that it has invested or intends to reinvest the gains.

Notice that the carrier has invested or intends to reinvest the gains in flight equipment would be fileable within 60 days after the date of the sale or other disposition from which the carrier derived the gain. This notice would consist of two schedules relating respectively to the disposition transaction and to the acquisition of flight equipment or retirement of debt. Proposed Form 41 Schedule B-8 (a) would be used for detailing information with respect to the disposition transaction. Unless the gain is already reinvested in flight equipment, Schedule B-8 (a) also would contain information with respect to the re-equipment fund and the execution of a surety bond. Specifically, Schedule B-8 (a) would identify the items of flight equipment involved in the gain and other parties to the transaction, state the date of the sale or other disposition, the depreciated cost of each such item and the value received therefor, the applicable expenses, taxes, and the net gain, a description of the re-equipment fund, the amount of the surety bond and name of the surety company. Within 10 days after any change in the assets making up the re-equipment fund, the carrier would have to report the change in an amended Schedule B-8 (a).

Where the gain has been applied either through acquisition of flight equipment or retirement of an existing debt (incurred in the purchase or construction of flight equipment), proposed Form 41 Schedule B-7 (a) would be fileable, in addition to Schedule B-8 (a), giving the details of the expenditure. This schedule would describe the equipment pur-

chased or the debt liquidated, give the names of parties to the transaction, the date of the application of the gain, the method and terms of payment, and the cost of each item of equipment. Proposed Schedule B-7 (a) likewise would be fileable within 60 days after the expenditure of amounts which had been deposited in a re-equipment fund.

This regulation fixes a period of two years after the date of the transaction which yielded the gain as a reasonable time for the reinvestment in flight equipment of gains placed in a special re-equipment fund. An extension of this time limitation may be granted by the Board where good cause is shown by the air carrier.

Since, for the purpose of this regulation, it will be sufficient if a carrier invests an "amount equal to the gain", rather than the gain itself, a physical tracing of the gains into new equipment will not be necessary where there is an immediate application of the gains. Where the gains are deposited in a re-equipment fund, the proof would be the same as in the case of a direct expenditure, i. e. that the carrier show that an "amount equal to the gain" has been deposited in a special re-equipment fund. However, the language of the statute conveys the Congressional intent that such fund be segregated and not be used for the carrier's general purposes. A "deposit" connotes a physical fund such as a bank account, negotiable securities, and not a mere reserve on the carrier's books. Thus, for the purposes of this regulation, any re-equipment fund which is established must itself be capable of physical identification, and the amounts deposited must be traceable to the subsequent expenditures for equipment or for the retirement of a debt. To assure the proper use of gains deposited in a special re-equipment fund, the carrier will be required to furnish a surety bond in an amount equal to the gain in order to cover the amount of subsidy which would be refundable by the carrier if the gains are not reinvested in accordance with the regulation.

Where an air carrier has acquired flight equipment prior to the materialization of a gain from the disposition of other flight equipment and no debt contracted for the acquisition of such equipment is outstanding, the gain from the disposition is not eligible for the benefit of the statute as written because a carrier cannot be said to have invested a gain prior to its materialization. On the other hand, flight equipment capital gains, when realized, would be permitted to be applied against the amortization of debt incurred in the purchase or construction of flight equipment prior to the realization of the gain. This is not to say that the mere substitution of new debt, i. e. by using the gains to momentarily retire an existing debt and borrowing on the same flight equipment in order to free the gain for other uses—would be regarded as a bona fide expenditure which would be a basis for exempting such gains from offset. However, a carrier would be permitted to make an immediate application of the gains to the actual retirement of a debt without go-

ing through the formality of establishing a re-equipment fund.

In accordance with established Board practice,<sup>1</sup> this regulation provides that where an air carrier exchanges flight equipment for like equipment or applies the retirement proceeds to the purchase of like equipment, the transaction will be regarded as a substitution of assets and the gain shall be offset against the purchase price of the new equipment.

**§ 235.1 Definitions.** For the purposes of this part:

(a) "Applicable Expenses" means all direct and indirect expenses attributable to the offering, preparation or presentation of the flight equipment for sale or delivery, including, but not limited to:

- (1) Advertising expense.
- (2) Broker's and salesmen's expense and commissions.
- (3) Packaging expense and other costs incident to preparation for shipment.
- (4) Reconditioning, refurnishing, painting and other similar expenses.
- (5) Transportation and shipping expenses.

(6) Overhaul expense.

(7) Legal fees and other administrative expenses.

(b) "Date of sale or other disposition" means the date on which the transfer or disposition of the flight equipment is final and complete and nothing remains to be done by the air carrier selling or disposing of the flight equipment to entitle it to payment of the consideration or value, regardless of the period over which actual payments are to be made.

(c) "Flight Equipment" means airframes, aircraft engines, aircraft propellers, aircraft communications and navigational equipment, miscellaneous flight equipment, improvements to leased flight equipment and flight equipment rotatable parts and assemblies within the meaning of Part 241 (Accounts 1601 through 1608) of this subchapter.

(d) "Gain" means the amount by which the total proceeds (less applicable expenses and taxes) realized from the sale or other disposition of one or more units of flight equipment in a single transaction exceeds the total depreciated cost of the units of flight equipment sold or disposed of in that transaction.

(e) "Re-equipment fund" means cash or its equivalent and other liquid assets segregated from the general assets of the air carrier for the exclusive purposes of purchasing or constructing flight equipment or retiring debt contracted for the purchase or construction of flight equipment, such as a special bank deposit or an investment in securities.

(f) "Sale or other disposition" means the retirement of flight equipment by any means,<sup>2</sup> including sale, exchange, abandonment, demolition, or an insured

<sup>1</sup> Northeast Airlines Mail Rates, 9 U.S.C. B. 291, 306, 307 (1948).

<sup>2</sup> Where an air carrier exchanges flight equipment for like equipment or applies retirement gains to the purchase of like equipment, the transaction will be regarded as a substitution of assets and the "gain" shall be offset against the purchase price of the new equipment.

loss upon settlement of which the air carrier has the option to select between replacement in kind and cash or its equivalent.

**§ 235.2 Eligibility for benefits of Public Law 85-373.** Air carriers seeking to obtain the benefits of Public Law 85-373, with respect to all or part of any gain derived from the sale or other disposition of flight equipment, shall comply with the statutory requirements in the manner provided in this part.

**§ 235.3 Reinvestment of gains.** An amount not in excess of the gain from the sale or other disposition of flight equipment shall be applied to the purchase or construction, or to the retirement of debt contracted for the purchase or construction, of flight equipment, or shall be deposited for such purposes in a re-equipment fund, within 60 days after the date of such sale or other disposition and before the date on which the air carrier files the schedules required by § 235.4. The gain may not be invested in flight equipment delivered to the carrier prior to April 6, 1958.

**§ 235.4 Notice to Board.** Form 41 Schedule B-8 (a) shall be filed by the air carrier, in triplicate, with the Board within 60 days after the date of the sale or other disposition of flight equipment from which the air carrier derived a gain. Form 41 Schedule B-7 (a) shall also be filed, in triplicate, within the same period, if the carrier has applied the gain to the purchase or construction, or to the retirement of debt contracted for the purchase or construction, of flight equipment. If the date of the sale or other disposition was on or after April 6, 1956, but prior to the date of the adoption of this part, the appropriate schedule(s) shall be filed not later than 60 days after the adoption of this part.

**§ 235.5 Re-equipment fund.** (a) Any gains deposited in a re-equipment fund shall be applied to the purchase or construction, or to the retirement of debt contracted for the purchase or construction of flight equipment within two years after the date of the sale or other disposition of flight equipment from which the air carrier derived the gain, unless the Board, for good cause shown, grants an extension of such time limitation. The gain may not be invested in flight equipment delivered to the carrier prior to April 6, 1956.

(b) Within 10 days after a change in the assets making up the re-equipment fund, the air carrier shall report such change in an amended Schedule B-8 (a). Within 60 days after the application of the gain deposited in a re-equipment fund, the air carrier shall file Form 41 Schedule B-7 (a).

**§ 235.6 Security for overpayment of subsidy.** With respect to the gain deposited in a re-equipment fund, each air carrier shall furnish the Board with a bond executed by a surety company, in an amount equal to such gain; *Provided*, That, upon application therefor, the Board may grant an air carrier permission to furnish a surety bond in an amount less than the gain upon a showing that such amount will cover the

foreseeable amount of subsidy that would be refundable by the air carrier if the gain deposited in the re-equipment fund is not reinvested in accordance with this part.

In conjunction with the foregoing proposed adoption of a new Part 235, notice is hereby given that the Board proposes to amend Part 241 of the Economic Regulations as follows:

1. By amending the list of schedules in § 241.22 of Part 241 by redesignating footnote<sup>1</sup> as footnote<sup>2</sup> and adding the following schedules and footnote:

Schedule No.	Title	Frequency	Postmark interval (days)
B-7 (a)...	Reinvestment of Flight Equipment Capital Gains.	(1)	(1)
B-8 (a)...	Flight Equipment Capital Gains Invested or Deposited for Reinvestment in Flight Equipment.	(1)	(1)

<sup>1</sup> In accordance with the provisions of § 235.4 of this subchapter.

2. By amending § 241.23 of Part 241 by adding the following instructions:

**SCHEDULE B-7 (a)—REINVESTMENT OF FLIGHT EQUIPMENT CAPITAL GAINS<sup>2</sup>**

(a) This schedule shall be filed by each carrier which has filed Schedule B-8 (a) notifying the Board that it has reinvested the capital gains reported thereon in flight equipment and/or used the capital gains in retirement of debt contracted for the purchase or construction of flight equipment.

(b) Column (1) "Description of Flight Equipment Acquired and Debt Retired" shall identify the specific items of flight equipment acquired, the applicable account number and the particular issue of debt being retired including a description of the flight equipment for which such debt was contracted, the type of obligation, date of maturity, interest rate, commitment fees, and, if applicable, name of lender.

(c) Column (2) "Date of Application of Gain" shall include the day, month and year on which the gain was applied to each item of flight equipment or to liquidation of debt.

(d) Column (3) "Cost" shall include the total amount of cash or its equivalent actually paid to acquire each item of equipment or to liquidate debt incurred in the purchase or construction of flight equipment.

(e) Column (5) "Source of Gains" shall identify the gain, reported on Schedule B-8 (a), which has been reinvested.

**SCHEDULE B-8 (a)—FLIGHT EQUIPMENT CAPITAL GAINS INVESTED OR DEPOSITED FOR REINVESTMENT IN FLIGHT EQUIPMENT<sup>2</sup>**

(a) This schedule shall be filed by each carrier who has reinvested or intends to reinvest gains derived from the sale or other disposition of flight equipment pursuant to Part 235 of this subchapter.

(b) Column (1) "Description of Flight Equipment Retired" shall identify the specific items of flight equipment retired including the applicable account number.

(c) Column (2) "Date of Sale or Other Disposition" shall include the day, the month and the year on which each item was sold or otherwise disposed of within the meaning of § 235.1 (b) of this subchapter.

(d) Column (8) "Net Amount of Gain" shall reflect the net of column (5) minus columns (6) and (7); an entry shall be made transferring an amount equal to the amount in column (8) from account 2940 Unappropriated Retained Earnings to account 2930 Other Appropriations of Retained Earnings.

(e) Column (9) "Disposition" shall reflect the name of the person or organization to which the flight equipment is sold or a notation as to the nature of the disposition if not sold.

(f) Columns (10) and (11) shall reflect the date and amount of each gain deposited in a re-equipment fund for reinvestment in flight equipment. Such deposits shall be recorded in account 1550 Special Funds—Other.

(g) Column 12 shall identify the assets in the fund and shall indicate the location of the fund if not in immediate physical possession of the air carrier.

[F. R. Doc. 58-7186; Filed, Sept. 4, 1958; 8:53 a. m.]

## NOTICES

### DEPARTMENT OF DEFENSE

#### Office of the Secretary

#### SECRETARIES OF THE ARMY, NAVY AND AIR FORCE

#### DELEGATION OF AUTHORITY CONCERNING SETTLEMENT OF FOREIGN CLAIMS

Settlement of claims under the Foreign Claims Act of January 2, 1942, The Acts of July 3, 1943, and of August 31, 1954, and 10 U. S. C. 2733 and 2734, as amended.

The Deputy Secretary of Defense approved the following on August 22, 1958:

The authority vested in the Secretary of Defense under the act of August 31, 1954, chapter 1152 (68 Stat. 1006; 31 U. S. C. 2241-2—2241-5), is delegated to the Secretaries of the Army, Navy and Air Force.

<sup>2</sup> The proposed form of this schedule is filed as part of original document.

When one military department has been or may be assigned responsibility for claims in a particular country or area, that department shall make all reimbursements and payments under the cited act.

Regulations of each military department will provide that all claims arising in such country or area under the following statutes shall normally be settled and paid by claims commissions appointed by, or by a designee of, the Secretary of the military department which has been assigned the responsibility for claims arising there, in accordance with the regulations of that department: The Foreign Claims Act of January 2, 1942 (55 Stat. 880), as amended (31 U. S. C. 224d), and the Act of July 3, 1943, chapter 189 (57 Stat. 372), as amended (31 U. S. C. 223b), and sections 2733 and 2734 of Title 10, United States Code, as amended.

## NOTICES

The document entitled "Settlement of Claims Under the Provisions of the Foreign Claims Acts of January 2, 1942 (55 Stat. 880), of July 3, 1943 (57 Stat. 372), and of August 31, 1954 (68 Stat. 1006)", published at 20 F. R. 775, is hereby superseded.

MAURICE W. ROCHE,

Administrative Secretary,  
Office of the Secretary of Defense.

[F. R. Doc. 58-7150; Filed, Sept. 4, 1958;  
8:45 a. m.]

## DEPARTMENT OF THE INTERIOR

## Bureau of Land Management

NEVADA

NOTICE OF PROPOSED WITHDRAWAL AND  
RESERVATION OF LANDS; CORRECTION

AUGUST 29, 1958.

The Notice of Proposed Withdrawal and Reservation of Lands in Nevada, identified as F. R. Doc. 58-5247; filed July 9, 1958, 8:46 a. m., and appearing in FEDERAL REGISTER of July 10, 1958, page 5262, is corrected to change the name of the National Forest in which the lands lie from Nevada National Forest to Toiyabe National Forest.

E. J. PALMER,  
State Supervisor.

[F. R. Doc. 58-7159; Filed, Sept. 4, 1958;  
8:47 a. m.]

## ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND  
RESERVATION OF LANDS

The Department of the Air Force has filed an application, Serial Number 020729, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for the maintenance and improvement of the existing airstrip utilized in transporting military personnel and materials to the area, and also for storage adjacent to the airstrip.

For a period of sixty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P. O. Box 1050, Fairbanks, Alaska.

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

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

The lands involved in the application are:

## INDIAN MOUNTAIN AREA

## TRACT A

A parcel of land situated within the Fourth Judicial Division, Territory of Alaska, and being approximately 195 miles northwest of the City of Fairbanks. Said parcel being more particularly described as follows:

Commencing at Triangulation Station "Indian" as established in 1954 by the Corps of Engineers, Alaska District, said station being at Latitude 66°04'00" North and Longitude 153°41'12" W., thence S. 51°57' W., 9,804 feet to Corner No. 1 and the True Point of Beginning for this description; thence North 11,200 feet, more or less to Corner No. 2, a point on Latitude 66°05' N.; thence East along said Latitude 66°05' N., 11,858 feet to Corner No. 3; thence South 11,950 feet, more or less to Corner No. 4; thence N. 86°36'54" W., 11,902 feet to the Point of Beginning. Containing 3,136 acres, more or less.

## TRACT B

A parcel of land situated between Indian Creek and Utopia Creek, approximately 195 miles west of the Townsite of Fairbanks, in the Fourth Judicial Division, Territory of Alaska, said parcel being more particularly described as follows:

Beginning at the southwest corner of Claim No. 5 Below Lower Discovery on Indian Creek; thence N. 19°30'48" E., 232 feet, more or less to the Point of Beginning for this description; thence N. 76°50' E., 145 feet, more or less; thence S. 33°37' E., 299.93 feet; thence S. 80° E., 281 feet, more or less; thence S. 6°41' E., 547.68 feet; thence S. 56°42' W., 570 feet, more or less; thence S. 78° W., 3,812 feet, more or less; thence S. 2°30' E., 94.56 feet; thence S. 32' W., 225.68 feet; thence N. 76°30' W., 310.40 feet; thence N. 2°45' W., 145.33 feet; thence N. 82° W., 293.59 feet; thence N. 8°02' E., 556.01 feet; thence N. 41° E., 238.08 feet; thence N. 25°13' E., 526.32 feet; thence N. 79°39' E., 497 feet, more or less; thence N. 42°22' W., 985 feet, more or less; thence N. 47°38' E., 200 feet; thence S. 42°22' E., 1,120 feet, more or less; thence N. 79°39' E., 2,270 feet, more or less; thence N. 76°50' E., 880 feet, more or less, to the point of beginning for this description. Containing 130 acres, more or less.

RICHARD L. QUINTUS,  
Operations Supervisor, Fairbanks.

[F. R. Doc. 58-7160; Filed, Sept. 4, 1958;  
8:48 a. m.]

## ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND  
RESERVATION OF LANDS

The U. S. Atomic Energy Commission has filed an application, Serial Number 019746, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for a buffer zone for detonation of a nuclear charge for excavation of a harbor.

For a period of sixty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P. O. Box 1050, Fairbanks, Alaska.

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

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

The lands involved in the application are:

## POINT HOPE-TIGERA AREA, NORTHWEST ALASKA

The lands and water areas bounded by lines between the following points:

Point A—Longitude 166°43' W., Latitude 68°20' N.

Point B—Longitude 166°19' W., Latitude 68°29' N.

Point C—Longitude 166°30' W., Latitude 68°31' N.

Point D—Longitude 164°22' W., Latitude 68°18' N.

Point E—Longitude 164°03' W., Latitude 68°00' N.

Point F—Longitude 164°35' W., Latitude 67°45' N.

Containing approximately 40 square miles.

RICHARD L. QUINTUS,  
Operations Supervisor, Fairbanks.

[F. R. Doc. 58-7161; Filed, Sept. 4, 1958;  
8:48 a. m.]

## CALIFORNIA

NOTICE OF PROPOSED WITHDRAWAL AND  
RESERVATION OF LANDS

AUGUST 27, 1958.

The Bureau of Reclamation, Department of the Interior has filed an application, Serial No. Los Angeles 0156728, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws, subject to valid existing rights.

The applicant desires the land for several proposed reservoir sites. It is intended that the following described lands continue to be administered by the Forest Service consistent with the reclamation purposes to be served which will require certain restrictions such as control of grazing, institution of effective fire prevention and erosion control measures, and prevention of pollution of the water entering the several proposed reservoirs from any source or in any manner. No oil drilling or mining shall be permitted within the areas of the proposed reservoirs or within the 300-foot protection strip extending around and above the maximum water surface of such reservoirs.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, 215 West Seventh Street, Los Angeles 14, California.

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

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

The lands involved in the application are:

## SAN BERNARDINO MERIDIAN, CALIFORNIA

T. 5 N., R. 20 W.,

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

Sec. 25, SW $\frac{1}{4}$  SW $\frac{1}{4}$ ;

Sec. 26, S $\frac{1}{2}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ;

Sec. 35, E $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ ;

Sec. 36, NW $\frac{1}{4}$  NW $\frac{1}{4}$ , S $\frac{1}{2}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  SE $\frac{1}{4}$ .

## FEDERAL REGISTER

T. 6 N., R. 20 W.  
 Sec. 26, S $\frac{1}{2}$ :  
 Sec. 27, S $\frac{1}{2}$ :  
 Sec. 28, S $\frac{1}{2}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ , S $\frac{1}{4}$  SE $\frac{1}{4}$ :  
 Sec. 29, S $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SE $\frac{1}{4}$ :  
 Sec. 31, Lots 2 to 4, incl., S $\frac{1}{2}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$ :  
 Sec. 32, All:  
 Sec. 33, N $\frac{1}{2}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , N $\frac{1}{4}$  SE $\frac{1}{4}$ :  
 Sec. 34, NE $\frac{1}{4}$ , S $\frac{1}{2}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ :  
 Sec. 35, E $\frac{1}{2}$ , NW $\frac{1}{4}$ :  
 Sec. 36, W $\frac{1}{2}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$ .  
 T. 5 N., R. 21 W.  
 Sec. 1, Lots 3 and 4:  
 Sec. 2, Lots 1 to 5, incl.:  
 Sec. 3, Lots 1 to 8, incl.  
 T. 6 N., R. 21 W.  
 Sec. 36, E $\frac{1}{2}$  NE $\frac{1}{4}$ , S $\frac{1}{2}$ :  
 T. 5 N., R. 22 W.  
 Sec. 5, Lots 4 and 5:  
 Sec. 6, Lots 1 to 14, incl., Lots 19 and 20.  
 T. 6 N., R. 22 W.  
 Sec. 30, Lots 3 and 4:  
 Sec. 31, Lots 1, 3 and 4, NE $\frac{1}{4}$  NE $\frac{1}{4}$ , S $\frac{1}{2}$  NE $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$ :  
 Sec. 32, S $\frac{1}{2}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$ , S $\frac{1}{2}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , SE $\frac{1}{4}$ :  
 Sec. 33, W $\frac{1}{2}$  SW $\frac{1}{4}$ .  
 T. 5 N., R. 23 W.  
 Sec. 1, Lots 1 to 12, incl., Lot 16:  
 Sec. 2, Lots 1, 2, and Lots 4 to 8, incl.:  
 Sec. 3, Lots 1 to 3, incl., Lot 8.  
 T. 6 N., R. 23 W.  
 Sec. 25, S $\frac{1}{2}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$ :  
 Sec. 35, E $\frac{1}{2}$  SW $\frac{1}{4}$ , S $\frac{1}{2}$  SE $\frac{1}{4}$ , NW $\frac{1}{4}$  SE $\frac{1}{4}$ :  
 Sec. 36, NE $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$ .

The above described areas contain approximately 9,526 acres of public domain land in the Los Padres National Forest. The lands are located about 30 miles north of the City of Ventura, California.

ROLLA E. CHANDLER,  
*Officer-in-Charge,  
 Southern Field Group,  
 Los Angeles.*

[F. R. Doc. 58-7162; Filed, Sept. 4, 1958;  
 8:48 a. m.]

[Montana 030966]

## MONTANA

## NOTICE OF FILING OF PLAT OF SURVEY AND ORDER PROVIDING FOR OPENING OF PUBLIC LAND

AUGUST 29, 1958.

A plat of survey of the land described below will be officially filed in the Land Office at Billings, Montana, effective at 10:00 a. m. on October 4, 1958.

## MONTANA PRINCIPAL MERIDIAN

T. 27 N., R. 54 E.  
 Tract 37—30.14 acres;  
 Tract 38—74.24 acres;  
 Tract 39—98.19 acres;  
 Tract 40—8.29 acres.

Total area included—210.86 acres. The above-described land was formed by accretion along the right bank of the Missouri River, fronting lots 1, 2, and 3 of Section 11 and lot 15 of Section 12, T. 27 N., R. 54 W. The land is level with a somewhat dissected surface. The tracts have a deep, sandy, loam soil, scattered trees and brush, and some portions are suitable for cultivation.

No application for these lands will be allowed under the homestead, desert land, small tract, or any other non-mineral public land law, unless the lands have already been classified as valuable or suitable for such type of application

or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

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

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

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

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on October 4, 1958, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on January 3, 1959, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs (1) and (2) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a. m. on January 3, 1959, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands will be open to location under the United States mining laws, beginning 10:00 a. m. on January 3, 1959.

Persons claiming veteran's preference rights under paragraph a (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

R. D. NIELSON,  
*State Supervisor.*

[F. R. Doc. 58-7163; Filed, Sept. 4, 1958;  
 8:48 a. m.]

## COLORADO

## NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

AUGUST 27, 1958.

The U. S. Forest Service of the Department of Agriculture has filed an application, Serial Colorado 023168, for withdrawal of the lands described below from location and entry under the General Mining Laws, subject to existing valid claims.

The applicant desires the land for use as an administrative site.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, 339 New Custom House, P. O. Box 1018, Denver 1, Colorado.

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

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

The lands involved in the application are:

## SIXTH PRINCIPAL MERIDIAN, COLORADO

## ROUTT NATIONAL FOREST

## Summit Lake Administrative Site

T. 7 N., R. 83 W. Unsurveyed.

In approximate section 35, beginning from corner No. 1 from which the westerly most point of Summit Lake bears N. 20° W. a distance of 36 chains, due south 20 chains to corner No. 2; thence due west 20 chains to corner No. 3; thence due north 20 chains to corner No. 4; thence due east 20 chains to corner No. 1, the point of beginning.

The above described area totals 40 acres.

J. ELLIOTT HALL,  
*Lands and Minerals Officer.*

[F. R. Doc. 58-7164; Filed, Sept. 4, 1958;  
 8:49 a. m.]

## Bureau of Indian Affairs

[Bureau Order 551, Amdt. 44]

## REDELEGATION OF AUTHORITY

## INDIVIDUAL INDIAN MONEY

Section 264 of Order 551 is amended to read as follows:

SECTION 264 *Individual Indian money.* All those matters set forth in 25 CFR Part 104.

FRED H. M. SSEEY,  
*Acting Commissioner.*

AUGUST 28, 1958.

[F. R. Doc. 58-7157; Filed, Sept. 4, 1958;  
 8:47 a. m.]

## REDELEGATION OF AUTHORITY

## SUPERINTENDENTS AND OTHER DESIGNATED EMPLOYEES

1. Aberdeen Area Office Redelegation Order 2, Amendment 6. Order 2 (19

## NOTICES

F. R. 8756), as amended, is further amended by the addition of a new heading and section to read as follows:

## FUNCTIONS RELATING TO FUNDS AND FISCAL MATTERS

SEC. 2.264 *Individual Indian moneys.* All those matters set forth in 25 CFR Part 104.

2. *Anadarko Area Office Redelegation Order 1, Amendment 5.* Order 1 (20 F. R. 2091), as amended, is further amended by the addition of a new section under the heading Functions Relating to Funds and Fiscal Matters, to read as follows:

SEC. 2.264 *Individual Indian moneys.* All those matters set forth in 25 CFR Part 104.

3. *Billings Area Office Redelegation Order 1, Amendment 5.* Order 1 (20 F. R. 277), as amended, is further amended by the addition of a new heading and section to read as follows:

## FUNCTIONS RELATING TO FUNDS AND FISCAL MATTERS

SEC. 2.264 *Individual Indian moneys.* All those matters set forth in 25 CFR Part 104.

4. *Gallup Area Office Redelegation Order 2, Amendment 7.* Order 2 (19 F. R. 8675), as amended, is further amended by the addition of a new heading and section to read as follows:

## FUNCTIONS RELATING TO FUNDS AND FISCAL MATTERS

SEC. 2.264 *Individual Indian moneys.* All those matters set forth in 25 CFR Part 104.

5. *Minneapolis Area Office Redelegation Order 1, Amendment 2.* Order 1 (20 F. R. 2466), as amended, is further amended by the addition of a new heading and section to read as follows:

## FUNCTIONS RELATING TO FUNDS AND FISCAL MATTERS

SEC. 2.264 *Individual Indian moneys.* All those matters set forth in 25 CFR Part 104.

6. *Muskogee Area Office Redelegation Order 1, Amendment 1.* Order 1 (20 F. R. 657), as amended, is further amended by the addition of a new heading and section to read as follows:

## FUNCTIONS RELATING TO FUNDS AND FISCAL MATTERS

SEC. 2.264 *Individual Indian moneys.* All those matters set forth in 25 CFR Part 104.

7. *Portland Area Office Redelegation Order 1, Amendment 6.* Sec. 2.264 of Order 1 (20 F. R. 234), as amended, is revised to read as follows:

SEC. 2.264 *Individual Indian moneys.* All those matters set forth in 25 CFR Part 104.

8. *Phoenix Area Office Redelegation Order 1, Amendment 2.* Order 1 (20 F. R. 992), as amended, is further amended by the addition of a new heading and section to read as follows:

## FUNCTIONS RELATING TO FUNDS AND FISCAL MATTERS

SEC. 2.264 *Individual Indian moneys.* All those matters set forth in 25 CFR Part 104.

9. *Sacramento Area Office Redelegation Order 1, Amendment 3.* Order 1 (21 F. R. 1296), as amended, is further amended by the addition of a new heading and section to read as follows:

## FUNCTIONS RELATING TO FUNDS AND FISCAL MATTERS

SEC. 2.264 *Individual Indian moneys.* All those matters set forth in 25 CFR Part 104.

FRED H. MASSEY,  
Acting Commissioner.

AUGUST 28, 1958.

[F. R. Doc. 58-7158; Filed, Sept. 4, 1958;  
8:47 a. m.]

## DEPARTMENT OF COMMERCE

## Federal Maritime Board

MATSON NAVIGATION CO. AND OCEANIC  
STEAMSHIP CO.

## 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. 8331, between Matson Navigation Company and The Oceanic Steamship Company, provides for the interchange of passenger tickets covering one-way and round-trip transportation between (1) California ports and ports south of Hawaii, and (2) California ports and ports in Hawaii, and sets forth the manner in which the fares and commissions on such business will be divided between the parties.

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.

By order of the Federal Maritime Board.

Dated: September 2, 1958.

[SEAL] JAMES L. PIMPER,  
Secretary.

[F. R. Doc. 58-7182; Filed, Sept. 4, 1958;  
8:52 a. m.]

CITY OF OAKLAND, CALIF. AND MCGUIRE  
CHEMICAL CO.

## 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. 8345, between the City of Oakland, California, and McGuire Chemical Company, covers the lease by Oakland to McGuire of certain terminal property designated as Building No. C-107, and certain area adjacent thereto, more particularly described in the agreement, and on terms and conditions set forth therein, for a period of one (1) year.

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: September 2, 1958.

By order of the Federal Maritime Board.

[SEAL] JAMES L. PIMPER,  
Secretary.

[F. R. Doc. 58-7183; Filed Sept. 4, 1958;  
8:52 a. m.]

## Office of the Secretary

RICHARD V. FORD

STATEMENT OF CHANGES IN FINANCIAL  
INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the *FEDERAL REGISTER* of September 6, 1956, 21 F. R. 6720; March 5, 1957, 22 F. R. 1346; August 30, 1957, 22 F. R. 6998; March 20, 1958, 23 F. R. 1861:

A. Deletions: None.  
B. Additions: None.

This statement is made as of August 24, 1958.

Dated: August 24, 1958.

RICHARD V. FORD.

[F. R. Doc. 58-7151; Filed, Sept. 4, 1958;  
8:45 a. m.]

DAVID LEE WRIGHT

STATEMENT OF CHANGES IN FINANCIAL  
INTERESTS

In accordance with the requirements of section 710 (b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the *FEDERAL REGISTER* of March 15, 1958, 23 F. R. 1798:

A. Deletions: No change.  
B. Additions: No change.

This statement is made as of August 21, 1958.

Dated: August 21, 1958.

DAVID LEE WRIGHT.

[F. R. Doc. 58-7152; Filed, Sept. 4, 1958; 8:45 a. m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 9224]

TRANS WORLD AIRLINES, INC.; ENFORCEMENT PROCEEDING

### NOTICE OF POSTPONEMENT OF HEARING

In the matter of schedules filed and published by Trans World Airlines, Inc., Enforcement Proceeding.

Notice is hereby given that the hearing in the above-entitled proceeding now assigned to be held on September 3, 1958, is postponed to September 22, 1958 at 10:00 a. m., e. d. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW, Washington, D. C., before Examiner Curtis C. Henderson.

Dated at Washington, D. C., August 29, 1958.

THOMAS L. WRENN,  
Associate Chief Examiner.

[F. R. Doc. 58-7128; Filed, Sept. 4, 1958; 8:54 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-15904]

PHILLIPS PETROLEUM CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES; AMENDMENT

AUGUST 28, 1958.

In the Order For Hearing And Suspending Proposed Changes In Rates, issued August 19, 1958, and published in the FEDERAL REGISTER on August 26, 1958 (23 F. R. 6604), under "Purchaser" change West Lake Natural Gas Company to read "West Lake Natural Gasoline Company".

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7165; Filed, Sept. 4, 1958; 8:49 a. m.]

[Docket No. G-15631]

WILLIAMS PRESSURE SERVICE

ORDER FOR HEARING ETC.; AMENDMENT

AUGUST 28, 1958.

In the Order For Hearing, Suspending Proposed Change In Rate, And Allowing Increased Rate To Become Effective, issued July 31, 1958, and published in the FEDERAL REGISTER on August 8, 1958 (23 F. R. 6071), on page "1", line "7" the words "Supplement No. 1" should be corrected to read "Supplement No. 2".

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7165; Filed, Sept. 4, 1958; 8:49 a. m.]

## FEDERAL REGISTER

[Docket No. G-16027]

MISSISSIPPI RIVER FUEL CORP.

ORDER FOR HEARING, SUSPENDING PROPOSED CHANGES IN RATES, AND ALLOWING INCREASED RATES TO BECOME EFFECTIVE

AUGUST 29, 1958.

Mississippi River Fuel Corporation (Mississippi), on July 31, 1958, tendered for filing two tariff sheets<sup>1</sup> to its FPC Gas Tariff, Original Volume No. 2 by which Mississippi proposes to increase its rate for sale of gas in the amount of \$5,253 annually to Texas Eastern Transmission Corporation for gas produced or gathered by Mississippi in the State of Louisiana and sold under Mississippi's FPC Gas Rate Schedule No. 7.

The clause in the contract between Mississippi and Texas Eastern provides generally that Texas Eastern will reimburse Mississippi for 87½ percent of any additional taxes over these presently paid by Mississippi.

The increased rates and charges so proposed are intended to reflect (in whole or in part) the additional "excise, license, or privilege tax" of one cent per Mcf levied by the State of Louisiana pursuant to Act No. 8 of 1958 (House Bill No. 303), as approved on June 16, 1958, amending Title 47 of the Louisiana Revised Statutes of 1950. The Commission is advised that litigation is being instituted to challenge the constitutionality of the said Act No. 8 of 1958. In consideration of this fact, and in order to assure appropriate refund in the event said Act No. 8 of 1958 should be declared unconstitutional or otherwise held invalid by final judicial decision, it is deemed advisable to suspend the said proposed increased rates and charges until August 2, 1958, and thereafter to permit them to become effective as of that date; provided, that within 20 days from the date of this order Mississippi shall file with the Secretary of the Commission an appropriate undertaking to assure such refund as may be ordered. Due to the nature of the filing, it is deemed advisable to waive the requirements of §§ 154.22 and 154.63 of the Commission's regulations and permit the sheets to become effective following a suspension of one day.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of said proposed changes, and that the above-designated tariff sheets be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that Mississippi's proposed increased rates be made effective as hereinafter provided and that Mississippi be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

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

4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in the above-designated revised tariff sheets.

(B) Pending such hearing and decision thereon, said Second Revised Sheet No. 2-a and Original Sheet No. 2-aa, are each hereby suspended and the use thereof deferred until August 2, 1958, and until such further time as each is made effective in the manner hereinafter prescribed.

(C) The rates, charges, and classifications set forth in the above-designated filings shall be effective as of August 2, 1958: *Provided, however, That within 20 days from the date of this order Mississippi shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.*

(D) Mississippi shall refund at such times and in such amounts to the persons entitled thereto, and in such manner as may be required by final order of the Commission, the difference between the presently effective rates and charges and the proposed increased rates and charges hereby allowed to become effective in the event the additional tax of one cent per Mcf levied by the State of Louisiana is for any reason held to be invalid. Should such additional tax eventually be held invalid and the State of Louisiana makes refund, with interest, of the tax monies collected pursuant to the said Act No. 8 of 1958, then, and in that event, a proportionate part of the interest so received by Mississippi herein shall be passed on and paid to the persons entitled thereto at such times and in such amounts, and in such manner as may be required by final order of the Commission. Mississippi shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the increased rates or charges allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and four copies), in writing and under oath, to the Commission quarterly, or monthly if Mississippi so elects, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rates in effect immediately prior to the date upon which the increased rates allowed by this order become effective, and under the rates allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance thereof, Mississippi shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, signed by a responsible officer of the corporation, evidenced by proper authority from the board of directors, and accompanied by a certificate showing service of copies

<sup>1</sup> Second Revised Sheet No. 2-a and Original Sheet No. 2-aa.

## NOTICES

thereof upon all purchasers under the revised tariff sheets involved, as follows: Agreement and Undertaking of Mississippi River Fuel Corporation to Comply with the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Rate Changes

In conformity with the requirements of the order issued \_\_\_\_\_, in Docket No. G-16027, Mississippi River Fuel Corporation hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and has caused the agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto this \_\_\_\_ day of \_\_\_\_\_.

Mississippi River Fuel Corporation

By \_\_\_\_\_

Attest:

(Secretary)

Unless Mississippi is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If Mississippi shall, in conformity with the terms and conditions of paragraph (D) of this order, make the refunds as may be required by order of the Commission, the undertaking shall be discharged; otherwise, it shall remain in full force and effect.

(G) The revised tariff sheets hereby suspended shall not be changed until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.

[SEAL] MICHAEL J. FARRELL,  
Acting Secretary.

[F. R. Doc. 58-7167; Filed, Sept. 4, 1958;  
8:49 a. m.]

[Docket No. G-15431]

SUPERIOR OIL CO.

NOTICE OF APPLICATION AND DATE OF  
HEARING

AUGUST 29, 1958.

Take notice that Superior Oil Company (Superior), an independent producer of natural gas, filed an application on July 7, 1958, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the sale of natural gas in interstate commerce as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Superior seeks authority to sell natural gas in interstate commerce to El Paso Natural Gas Company for resale from production in the Aneth Field, San Juan County, Utah, pursuant to a gas sales contract dated June 11, 1958.

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 September 24, 1958, at 10:00 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application.

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 September 22, 1958.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7168; Filed, Sept. 4, 1958;  
8:49 a. m.]

[Docket No. G-15445]

TRANSCONTINENTAL GAS PIPELINE CORP.

NOTICE OF APPLICATION AND DATE OF  
HEARING

AUGUST 29, 1958.

Take notice that Transcontinental Gas Pipeline Corporation (Applicant), a Delaware corporation, with its principal place of business in Houston, Texas, filed an application on July 9, 1958, for a certificate 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 additional gas as herein-after described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open to public inspection.

Applicant seeks authority to construct and operate a sales meter station with the pertinent equipment at the site of its existing compressor station No. 14 in Spartanburg County, South Carolina. The application states that the proposed meter station will be used as an additional delivery point to provide gas service to Piedmont Natural Gas Company, Inc. (Piedmont), an existing customer for resale.

Applicant states that Piedmont has requested that it provide the proposed new delivery point in order that it might serve Startex Mill, a new industrial customer on an interruptible basis, which Piedmont would be unable to serve from its existing facilities. Piedmont will construct and operate the required facilities between the proposed meter station and Startex Mill, and such service will be made from authorized allocation of gas from Applicant.

The proposed facilities are estimated to cost approximately \$19,000 and will be initially financed by Applicant from its general funds. Piedmont has agreed to reimburse Applicant in full for the entire cost of the facilities.

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 October 7, 1958, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 22, 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] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7169; Filed, Sept. 4, 1958;  
8:50 a. m.]

[Docket No. G-9174 etc.]

MIDSTATES OIL CORP.

NOTICE OF POSTPONEMENT OF HEARING

AUGUST 28, 1958.

In the matters of Midstates Oil Corporation, Docket Nos. G-9174, G-9387, G-11039, G-11081, G-13427, and G-13431.

Notice is hereby given that the hearing now scheduled for September 9, 1958, in the above-designated matters is postponed to commence at 10:00 a. m., e. s. t., October 7, 1958, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7170; Filed, Sept. 4, 1958;  
8:50 a. m.]

[Docket No. G-10142 etc.]

WALTER DUNCAN ET AL.

NOTICE OF APPLICATIONS AND DATE OF  
HEARING

AUGUST 29, 1958.

In the matters of Walter Duncan, Operator, et al., Docket No. G-10142; Rees R. Oliver, Docket No. G-10290; Gordon P. Street, Docket No. G-10700; James V. Harbison, Docket No. G-10889; Emerald Oil & Carbonic Company, Operator, Docket No. G-12302; J. E. Jones

Drilling Company, Operator, Docket No. G-14584; Limpia Royalties, Incorporated, Docket No. G-14585.

Take notice that the persons listed below (Applicants) filed in the above-captioned proceedings separate applications for certificates of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing Applicants to render service as herein-

after described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Applicants propose to sell natural gas in interstate commerce from production of certain units, leases, or acreage to various purchasers for resale as tabulated below.

Docket No.	Date filed	Applicant and address	Source of gas	Purchaser
G-10142	Mar. 23, 1956	Walter Duncan, 2212 First National Bank Building, Oklahoma City, Okla.	Sibley Field, Webster Parish, La.	United Gas Pipe Line Co.
G-10290	Apr. 20, 1956	Rees R. Oliver, 533-4 Milam Building, San Antonio, Tex.	do	Do.
G-10700	July 2, 1956	Gordon P. Street, 131 Central Building, Midland, Tex.	Spraberry Field, Reagan County, Tex.	El Paso Natural Gas Co.
G-10889	Aug. 10, 1956	James V. Harbison, P. O. Box 48, Oklahoma City, Okla.	Greenwood Field, Morton County, Kans.	Panhandle Eastern Pipe Line Co.
G-12302	Mar. 28, 1957	Emerald Oil & Carbons Co., 325 Milam Building, San Antonio, Tex.	Salem Field, Victoria County, Tex.	Texas Eastern Transmission Corp.
G-14584	Feb. 28, 1958	J. E. Jones Drilling Co., P. O. Box 1516, Midland, Tex.	Spraberry Trend Area, Upton County, Tex.	El Paso Natural Gas Co.
G-14585	Feb. 28, 1958	Limpia Royalties, Inc., P. O. Box 271, Midland, Tex.	do	Do.

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 September 30, 1958, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 22, 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] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7171; Filed, Sept. 4, 1958;  
8:50 a. m.]

[Docket Nos. G-12543, G-13198]

DELTA DRILLING CO. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

AUGUST 29, 1958.

Take notice that Delta Drilling Company (Operator) et al. (Applicant), filed applications pursuant to section 7 of the Natural Gas Act, for permission and approval to abandon service and for a certificate of public convenience and necessity authorizing the sale of natural gas in interstate commerce, as herein-after described, subject to the jurisdiction of the Commission, all as more fully described in the respective applications which are on file with the Commission and open to public inspection.

In its application filed on May 6, 1957, in Docket No. G-12543, Applicant seeks permission and approval to abandon the sale of natural gas to Manufacturers Light and Heat Company (Manufacturers) from the Bear Paw No. 1 and the Caldwell No. 1 wells, Driftwood Field, Cameron County, Pennsylvania, covered by a contract dated April 11, 1951 and previously authorized in Docket No. G-6333.

In the application filed on August 30, 1957, in Docket No. G-13198, Applicant seeks a certificate of public convenience and necessity authorizing the sale of natural gas from the subject wells to New York State Natural Gas Corporation (New York Natural), pursuant to a gas sales contract dated May 16, 1957. The application in Docket No. G-13198 states that the gas supply involved has depleted to the extent that there no longer is sufficient pressure to make an economic sale to Manufacturers and

therefore Applicant has sold its previous facilities and at the request of Manufacturers, has discontinued deliveries of gas. The application further states that Applicant has contracted to sell the remaining supply of gas at a lower pressure to New York Natural.

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 October 7, 1958, at 9:30 a. m. e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 22, 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] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7172; Filed, Sept. 4, 1958;  
8:50 a. m.]

[Docket No. G-16112]

PHILLIPS PETROLEUM CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

AUGUST 29, 1958.

Phillips Petroleum Company (Operator) (Phillips), on July 30, 1958, tendered for filing a proposed change in its presently effective rate schedule<sup>1</sup> for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes increased rates and charges, is contained in the following designated filing:

Description: Notice of Change, dated July 29, 1958.

<sup>1</sup> Present rate previously suspended and is in effect subject to refund in Docket No. G-10883.

## NOTICES

Purchaser: Panhandle Eastern Pipe Line Company.

Rate schedule designation: Supplement No. 24 to its FPC Gas Rate Schedule No. 5.

Effective date: September 1, 1958 (effective date is the effective date proposed by Phillips).

In support of the proposed increase Phillips refers to the pertinent contract provision to the effect that Phillips is contractually entitled to an increase in its price in proportion to any general rate increase which Panhandle is granted by the Commission. Phillips states in effect that Panhandle Eastern has received a rate increase (in effect subject to refund in Docket No. G-14755)<sup>1</sup> of 12.69 percent and Phillips is entitled to the same percentage increase. Phillips also states that the proposed price is not unjust nor unreasonable; is less than any rate which would be established by any reasonable standard (cost of service or fair market value, for example); is less than the reasonable market price in the area; in an instance such as this where the proposed price is so small, the economic life of the properties cannot of necessity be as long as where the price is greater and it is in the public interest to continue production from a property as long as possible.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 24 to Phillips' FPC Gas Rate Schedule No. 5 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 24 to Phillips' FPC Gas Rate Schedule No. 5.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of

practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7173; Filed, Sept. 4, 1958;  
8:50 a.m.]

[Docket No. G-4771 etc.]

AMERADA PETROLEUM CORP. ET AL.

NOTICE OF APPLICATIONS AND DATE OF  
HEARING

AUGUST 29, 1958.

In the matters of Amerada Petroleum Corporation, Docket No. G-4771; Southland Royalty Company, Docket No. G-10304; J. N. Huttig, Docket No. G-10701; Walter Doane Randal, Docket No. G-10702; George W. Johnson, Docket No. G-10703; Martin Anderson, Docket No. G-10704.

Take notice that Amerada Petroleum Corporation (Amerada) filed on November 5, 1956, pursuant to section 16 of the Natural Gas Act (Act), two petitions to amend the certificate of public convenience and necessity issued it on September 21, 1956, in Docket No. G-4771, In the Matters of Ray London and/or D. E. London et al., Docket No. G-2864 et al. These petitions seek deletion of the authorization granted Amerada in said certificate to sell natural gas to El Paso Natural Gas Company (El Paso) from production of a part of the acreage

in the Spraberry Field, Reagan County, Texas, dedicated to El Paso under a contract dated April 12, 1954, as amended, which part of said acreage, down to a depth of 8100 feet below the surface, was assigned by Amerada, subject to said contract, to others as follows:

(1) By instrument dated October 8, 1954, the E 1/2 of Sections 35 and 38, Block C, L & S. V. Ry. Co. Survey, Reagan County, Texas, was assigned by Amerada to D. D. Strong and subsequently further assigned to J. N. Huttig, Walter Doane Randall, George W. Johnson, and Martin Anderson.

(2) By instrument dated May 8, 1956, the NE 1/4 of Section 38, Block C, L & S. V. Ry. Co. Survey, Reagan County, Texas, was assigned by Amerada to Southland Royalty Company.

Amerada states that it has not drilled any wells on the lands described in (1) and (2) and has not sold any gas produced from said lands.

Take notice that the parties listed below (Applicants) filed applications for certificates of public convenience and necessity, pursuant to section 7 (c) of the act, authorizing Applicants to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Applicants propose to sell natural gas in interstate commerce from the aforesaid assigned acreage to El Paso for resale as tabulated below.

Docket No.	Date filed	Applicants and addresses	Source of gas
G-10304.....	Apr. 23, 1956	Southland Royalty Co., Fort Worth National Building, Fort Worth, Tex.	From acreage described in (2) above.
G-10701.....	July 2, 1956	J. N. Huttig, 131 Central Building, Midland, Tex.	From acreage described in (1) above.
G-10702.....	July 2, 1956	Walter Doane Randal, 131 Central Building, Midland, Tex.	From acreage described in (1) above.
G-10703.....	July 2, 1956	George W. Johnson, 131 Central Building, Midland, Tex.	From acreage described in (1) above.
G-10704.....	July 2, 1956	Martin Anderson, 131 Central Building, Midland, Tex.	From acreage described in (1) above.

The related matters in Docket Nos. G-10304 and G-10701 through G-10704, inclusive, 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 September 30, 1958, at 9:30 a. m. e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW, Washington, D. C., concerning the matters involved in and the issues presented by the applications in Docket Nos. G-10304 and G-10701 through G-10704, inclusive: *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 September 22, 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] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7174; Filed, Sept. 4, 1958;  
8:50 a.m.]

[Docket No. G-11807 etc.]

OHIO OIL CO.

NOTICE OF APPLICATIONS AND DATE OF  
HEARING

AUGUST 29, 1958.

In the matter of the Ohio Oil Company, Docket Nos. G-11807, G-11813, G-11821, G-11826, G-11829.

<sup>1</sup> Motion to place increased rates in effect September 1, 1958, has been filed.

Take notice that The Ohio Oil Company (Applicant), an Ohio corporation with principal place of business at Findlay, Ohio, filed in the above-captioned proceedings as hereinafter tabulated separate applications for certificates of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject

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

Applicant proposes to sell or continue the sale of natural gas in interstate commerce from production of certain units, leases, or acreage to various purchasers for resale as tabulated below.

Docket No.	Date filed	Source of gas	Purchaser
G-11807	Jan. 25, 1957	Garland Field, Park and Big Horn Counties, Wyo.	Montana-Dakota Utilities Co.
G-11813	Jan. 25, 1957	Nelsonville Field, Austin County, Tex.	Tennessee Gas Transmission Co.
G-11821	Jan. 25, 1957 as amended	Maxie and Pistol Ridge Fields, Forrest County, Miss.	United Gas Pipe Line Co.
G-11826	Jan. 25, 1957	Rush Creek Field, Weld County, Colo.	Kansas-Nebraska Natural Gas Co., Inc.
G-11829	Jan. 25, 1957	Ada Field, Bienville Parish, La.	Arkansas Louisiana Gas Co.

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 September 30, 1958, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW, Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for 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 September 22, 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] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7175: Filed, Sept. 4, 1958;  
8:51 a. m.]

[Docket Nos. G-15205, G-15238]

RALPH R. GILSTER ET AL. AND TEXAS  
EASTERN TRANSMISSION CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

AUGUST 29, 1958.

Take notice that on June 2, 1958, Ralph R. Gilster (Operator) et al. (Gilster), in Docket No. G-15205 and on June 5, 1958, Texas Eastern Transmission Corporation (Texas Eastern) in Docket No. G-15238 (hereinafter referred to as Applicants),

No. 174—4

filed their respective applications for certificates of public convenience and necessity, pursuant to section 7 of the Natural Gas Act for authority to sell natural gas in interstate commerce 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.

Applicants seek authority to sell natural gas in interstate commerce to United Gas Pipe Line Company for resale, which gas is produced from the Blocker (Pettit) Field, Harrison County, Texas, pursuant to a gas sales contract dated April 14, 1958, as supplemented by letter agreements of the same date.

Gilster filed on its own behalf and as operator for all the coowners of the two subject units, as listed in Exhibit C to the application in Docket No. G-15205, except Texas Eastern.

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 September 30, 1958, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW, Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of §§ 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.*

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 22, 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] JOSEPH H. GUTRIDE,  
Secretary.

[F. R. Doc. 58-7176: Filed, Sept. 4, 1958;  
8:51 a. m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 2, 1958.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the *FEDERAL REGISTER*.

#### LONG-AND-SHORT HAUL

FSA No. 34936: *Styrene—New Orleans, La., to Wallingford, Conn.* Filed by O. W. South, Jr., Agent (SFA No. A3721), for interested rail carriers. Rates on styrene, tank-car loads from New Orleans, La., to Wallingford, Conn.

Grounds for relief: Water-truck competition.

Tariff: Supplement 32 to Southern Freight Association tariff I. C. C. 452.

FSA No. 34937: *Petroleum oil—Oak Point, La., to Paulsboro, N. J.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B-7368), for interested rail carriers. Rates on petroleum oil, noibn, tank-car loads from Oak Point, La., to Paulsboro, N. J.

Grounds for relief: Commercial competition with other destinations in New Jersey and Pennsylvania.

Tariff: Supplement 156 to Southwestern Freight Bureau tariff I. C. C. 4150.

FSA No. 34938: *Substituted service—Rail-for-motor—B&M, D&H, and Pennsylvania Railroads.* Filed by Middle Atlantic Conference, Agent (No. 15), for interested carriers. Rates on property loaded in highway trailers and transported in substituted service on railroad flat cars between Pittsburgh, Pa., on the one hand, and East Cambridge, Holyoke, and Worcester, Mass., on the other, on traffic moving via motor-rail-motor routes between points in specified territories.

Grounds for relief: Motor truck competition on basis of changed compensation for rail carriers' hauls.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F. R. Doc. 58-7181: Filed, Sept. 4, 1958;  
8:52 a. m.]

## OFFICE OF DEFENSE AND CIVILIAN MOBILIZATION

### KANSAS

#### NOTICE OF MAJOR DISASTER

Pursuant to the authority vested in me by the President under Executive Order

## NOTICES

10427, dated January 16, 1953, Executive Order 10737, dated October 29, 1957, and Executive Order 10773, dated July 1, 1958 (18 F. R. 407; 22 F. R. 8799; 23 F. R. 5061), by virtue of the Act of September 30, 1950, entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes" (42 U. S. C. 1855-1855g).

## TITLE 2—THE CONGRESS ACTS APPROVED BY THE PRESIDENT

**EDITORIAL NOTE:** After the adjournment of the Congress *sine die*, and until all public acts have received final Presidential consideration, a listing of public laws approved by the President subsequent to adjournment will appear in the daily *FEDERAL REGISTER* under *Title 2, The Congress*. A consolidated listing of the new acts approved by the President will appear in the Daily Digest in the final issue of the Congressional Record covering the 85th Congress, Second Session.

### Laws Approved September 2, 1958

S. J. Res. 135. Public Law 85-883  
Joint Resolution providing for the construction of demonstration plants for the production, from saline or brackish waters, of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses.

S. 25. Public Law 85-872  
An Act relating to effective dates of increases in compensation granted to wage board employees.

S. 1438. Public Law 85-856  
An Act to amend Section 544 of title 28, United States Code, relating to the bonds of United States Marshals.

S. 1764. Public Law 85-901  
An Act to amend the District of Columbia Public School Food Services Act.

S. 1903. Public Law 85-858  
An Act to amend section 7 of the Administrative Expenses Act of 1946, as amended, relating to travel expenses of civilian officers and employees assigned to duty posts outside the continental United States.

S. 2006. Public Law 85-881  
An Act to relieve the Surgeons General of the Army and Navy of certain responsibilities outside the Department of Defense.

S. 2039. Public Law 85-876  
An Act to clarify the requirements with respect to the performance of labor imposed as a condition for the holding of mining claims on Federal lands pending the issuance of patents therefor.

S. 2114. Public Law 85-890  
An Act to amend the Act of March 3, 1901 (31 Stat. 1449) as amended, to incorporate in the Organic Act of the National Bureau of Standards the authority to acquire land for field sites, to undertake construction and improvement of buildings and for other activities.

S. 2117. Public Law 85-860  
An Act directing the Secretary of the Army to transfer certain buildings to the Crow Creek Sioux Indian Tribe.

S. 2719. Public Law 85-887  
An Act authorizing and directing the Secretary of the Interior to investigate and eradicate the predatory dogfish sharks to control the depredations of this species on the fisheries of the Pacific coast, and for other purposes.

S. 3142. Public Law 85-886  
An Act to amend the Federal Property and Administrative Services Act of 1949 to extend the authority to lease out Federal building sites until needed for construction purposes and the Act of June 24, 1948 (62 Stat. 644), and for other purposes.

S. 3295. Public Law 85-888  
An Act to amend the Fish and Wildlife Act of 1956 in order to increase the authorization for the fisheries loan fund established under such Act.

S. 3335. Public Law 85-874  
An Act to provide for a National Cultural Center which will be constructed, with funds raised by voluntary contributions, on a site made available in the District of Columbia.

S. 3379. Public Law 85-882  
An Act to provide for adjustments in the annuities under the Foreign Service retirement and disability system.

S. 3680. Public Law 85-880  
An Act to provide for participation of the United States in the World Science-Pan Pacific Exposition to be held at Seattle, Washington, in 1961, and for other purposes.

S. 3712. Public Law 85-885  
An Act to authorize appropriations for continuing the construction of the Rama Road in Nicaragua.

S. 3728. Public Law 85-870  
An Act to incorporate the Big Brothers of America.

S. 3741. Public Law 85-863  
An Act to facilitate administration and management by the Secretary of Agriculture of certain lands of the United States within national forests.

S. 3754. Public Law 85-868  
An Act to provide for the exchange of lands between the United States and the Navajo Tribe, and for other purposes.

S. 3942. Public Law 85-892  
An Act for the relief of certain distressed aliens.

S. 3944. Public Law 85-877  
An Act to authorize the negotiation of a compact between the State of Minnesota and the Province of Manitoba, Canada, for the development of a highway to provide access to the northwest angle in such State.

S. 4088. Public Law 85-889  
An Act to approve a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and to authorize its execution.

S. 4249. Public Law 85-891  
An Act to authorize a program for the conservation, restoration, and management of the rare Hawaiian Nene goose.

H. J. Res. 546. Public Law 85-904  
Joint Resolution Designating the week of November 21-27, 1958, as National Farm-City Week.

H. J. Res. 557. Public Law 85-918  
Joint Resolution to amend the Act of September 7, 1957 (71 Stat. 626), providing for the establishment of a Civil War Centennial Commission.

H. J. Res. 658. Public Law 85-924  
Joint Resolution authorizing and requesting the President to invite the countries of the free world to participate in the California International Trade Fair and Industrial Exposition to be held in Los Angeles, California, from April 1, to 12, 1959.

H. R. 109. Public Law 85-903  
An Act to incorporate the Jewish War Veterans, U. S. A., National Memorial, Inc.

H. R. 469. Public Law 85-897  
An Act to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products, and for other purposes.

H. R. 3366. Public Law 85-869  
An Act to validate overpayments of pay and allowances made to certain officers of the Army, Navy, Naval Reserve, and Air Force, while undergoing training at civilian hospitals, and for other purposes.

H. R. 4642. Public Law 85-906  
An Act to establish a Commission and Advisory Committee on International Rules of Judicial Procedure.

H. R. 5497. Public Law 85-865  
An Act to amend the Watershed Protection and Flood Prevention Act.

H. R. 6238. Public Law 85-919  
An Act to amend section 1292 of title 28 of the United States Code relating to appeals from interlocutory orders.

H. R. 7125. Public Law 85-859  
An Act to make technical changes in the Federal excise tax laws, and for other purposes.

H. R. 7544. Public Law 85-879  
An Act to amend the Act entitled "An Act to recognize the high public service rendered by Major Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, by including therein the name of Roger P. Ames.

H. R. 7710. Public Law 85-914  
An Act to provide for the lump-sum of all accumulated and current accrued annual leave of deceased employees.

H. R. 7860. Public Law 85-878  
An Act to amend section 1 of the Act of July 24, 1956 (70 Stat. 625), entitled "To provide that payments be made to certain members of the Pine Ridge Sioux Tribe of Indians as reimbursement for damages suffered as the result of the establishment of the Pine Ridge aerial gunnery range."

H. R. 8381. Public Law 85-886  
An Act to amend the Internal Revenue Code of 1954 to correct unintended benefits and hardships and to make technical amendments, and for other purposes.

H. R. 8735. Public Law 85-917  
An Act to increase annuities payable to certain annuitants from the District of Columbia teachers retirement and annuity fund, and for other purposes.

H. R. 8943. Public Law 85-881  
An Act to amend titles 10, 14, and 32, United States Code, to codify recent military law, and to improve the Code.

Administrator under the Urban Renewal Program (42 U. S. C. 1462).

Dated: August 26, 1958.

LEO A. HOECH,  
Director, Office of Defense and  
Civilian Mobilization.

[F. R. Doc. 58-7149; Filed, Sept. 4, 1958;  
8:45 a. m.]

H. R. 9020..... Public Law 85-909  
An Act to amend the Packers and Stockyards Act, 1921, as amended, and for other purposes.

H. R. 9147..... Public Law 85-900  
An Act to provide for the disposal of certain Federal property in the Boulder City area, to provide assistance in the establishment of a municipality incorporated under the laws of Nevada, and for other purposes.

H. R. 9370..... Public Law 85-921  
An Act to permit illustrations and films of United States and foreign obligations and securities under certain circumstances, and for other purposes.

H. R. 9700..... Public Law 85-857  
An Act to consolidate into one Act all of the laws administered by the Veterans' Administration, and for other purposes.

H. R. 9817..... Public Law 85-920  
An Act relating to venue in tax refund suits by corporations.

H. R. 9822..... Public Law 85-908  
An Act to provide for holding a White House Conference on Aging to be called by the President of the United States in January 1961, to be planned and conducted by the Secretary of Health, Education, and Welfare with the assistance and cooperation of other departments and agencies represented on the Federal Council on Aging; to assist the several States in conducting similar conferences on aging prior to the White House Conference on Aging; and for related purposes.

H. R. 9833..... Public Law 85-902  
An Act to amend section 27 of the Merchant Marine Act of 1920.

H. R. 10495..... Public Law 85-893  
An Act to amend that part of the Act of June 9, 1898 (29 Stat. 313), relating to the establishment of postal stations and branch post offices, so as to permit them to be established within ten miles of the boundary of the adjoining city.

H. R. 11009..... Public Law 85-910  
An Act to provide for the establishment of Grand Portage National Monument in the State of Minnesota, and for other purposes.

H. R. 11078..... Public Law 85-911  
An Act to promote boating safety on the navigable waters of the United States, its Territories, and the District of Columbia; to provide coordination and cooperation with the States in the interest of uniformity of boating laws; and for other purposes.

H. R. 11382..... Public Law 85-896  
An Act to amend title 38 of the United States Code to authorize the conversion or exchange, under certain conditions, of term insurance issued under section 621 of the National Service Life Insurance Act of 1940, and for other purposes.

H. R. 11456..... Public Law 85-873  
An Act to authorize the exchange of certain real property heretofore conveyed to the city of El Paso, Texas, by the United States, for other real property of equal value, and for other purposes.

H. R. 11668..... Public Law 85-884  
An Act to amend section 39 of the Trading With the Enemy Act of October 6, 1917, as amended.

H. R. 11889..... Public Law 85-925  
An Act to permit articles imported from foreign countries for the purpose of exhibition at the Minnesota State Fair and Centennial Exposition to be held at Saint Paul, Minnesota, to be admitted without payment of tariff, and for other purposes.

H. R. 12126..... Public Law 85-867  
An Act to provide further protection against the introduction and dissemination of livestock diseases, and for other purposes.

H. R. 12212..... Public Law 85-907  
An Act for the relief of certain employees of the Department of the Navy.

H. R. 12226..... Public Law 85-913  
An Act to amend the Virgin Islands Corporation Act (63 Stat. 350), and for other purposes.

H. R. 12662..... Public Law 85-915  
An Act to provide for the acquisition of lands by the United States required for the reservoir created by the construction of Oahe Dam on the Missouri River and for rehabilitation of the Indians of the Standing Rock Sioux Reservation in South Dakota and North Dakota, and for other purposes.

H. R. 12663..... Public Law 85-923  
An Act to provide for additional payments to the Indians of the Lower Brule Sioux Reservation, South Dakota, whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes.

H. R. 12670..... Public Law 85-916  
An Act to provide for additional payments to the Indians of the Crow Creek Sioux Reservation, South Dakota, whose lands have been acquired for the Fort Randall Dam and Reservoir project, and for other purposes.

H. R. 12281..... Public Law 85-922  
An Act to authorize the Secretary of the Interior to provide an administrative site for Yosemite National Park, California, on lands adjacent to the park, and for other purposes.

H. R. 12808..... Public Law 85-899  
An Act to amend the Federal-Aid Highway Acts of 1956 and 1958 by advancing the date for submission of the revised estimate of cost of completing the Interstate System and to extend the approval of such estimate for an additional year.

H. R. 12858..... Public Law 85-863  
An Act making appropriations for civil functions administered by the Department of the Army, certain agencies of the Department of the Interior, and the Tennessee Valley Authority, for the fiscal year ending June 30, 1959, and for other purposes.

H. R. 12883..... Public Law 85-895  
An Act to provide for certain improvements relating to the Capitol Power Plant and its distribution systems.

H. R. 13191..... Public Law 85-875  
An Act to require the Commissioner of Education to encourage, foster, and assist in the establishment of clubs for boys and girls especially interested in science.

H. R. 13247..... Public Law 85-864  
An Act to strengthen the national defense and to encourage and assist in the expansion and improvement of educational programs to meet critical national needs; and for other purposes.

H. R. 13475..... Public Law 85-898  
An Act to authorize an exchange of lands at the Rochester Fish-Cultural Station, Indiana.

H. R. 13559..... Public Law 85-871  
An Act to amend the War Orphans' Educational Assistance Act of 1958 to permit the Administrator of Veterans' Affairs to make payments with respect to special restorative training, or specialized courses of vocational training, for younger persons than those with respect to whom the Administrator may now make such payments, and for other purposes.

H. R. 13580..... Public Law 85-912  
An Act to increase the public debt limit.

H. R. 13666..... Public Law 85-894  
An Act to amend title 32 of the United States Code to permit the appointment of the Adjutant General of Puerto Rico as provided by the laws of the Commonwealth of Puerto Rico.

H. R. 13678..... Public Law 85-905  
An Act to provide in the Department of Health, Education, and Welfare for a loan service of captioned films for the deaf.









