Title 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

[PHIA Instruction 410.1]

PART 301—RECEIVING AND PROCESSING APPLICATIONS

The title of Part 301, Title 6, Code of Federal Regulations (20 F.R. 601, 22 F.R. 1479, 4011) is revised to read as set forth above and Subparts A and B are revoked and the material therein is consolidated and revised to read as follows:

See, 301.1 General
301.2 Receiving applications
301.3 Processing applications
301.4 Reaching an understanding
301.5 Persons entitled to veterans’ preference

§ 301.1 General.

This part prescribes the policies and procedures for receiving and processing loan applications and for informing applicants and other interested individuals relative to the services of the Farmers Home Administration and credit available from other credit sources.

(a) The County Supervisor is responsible for seeing that all persons making inquiry about Farmers Home Administration services are given information relative to such services.

(b) Wherever the term “applicant” appears herein, it shall be construed to mean applicant family.

(c) Receiving and processing applications for subsequent Operating loans, Soil and Water Conservation loans to associations, subsequent Emergency loans, and Special Livestock loans will be handled in accordance with Parts 342, 354, 381, and 384, respectively, of this chapter.

§ 301.2 Receiving applications.

Applications for Farmers Home Administration assistance will be filed in the County Office serving the area in which the farm to be operated or improved is located; however, if an applicant for an Emergency loan will operate two or more farm units in different counties, his application ordinarily will be filed in the County Office serving the county in which he resides.

(a) The filing of written applications should be encouraged even though funds may not be currently available since applications will be considered in the order received.

(b) Form PHIA-197, “Application for FHA Services,” will be used by all applicants unless otherwise provided in the authorities referred to in paragraph (c) of § 301.1.

(c) Supervisory personnel will discuss with each applicant the type(s) of assistance that appears best suited to his particular needs. If after discussing with the applicant his credit needs it appears that he may be able to obtain credit to meet his needs from some other credit source, the County Supervisor should inform him of the availability of such credit and provide him with needed assistance in contacting the credit agency.

§ 301.3 Processing applications.

(a) Applications will be investigated and submitted to the County Committee for consideration and otherwise processed in the order received except as modified by veterans’ preference policies. The County Supervisor will verify the information furnished by the applicant and assemble additional information needed to evaluate properly the applicant’s qualifications and credit needs. The County Supervisor will furnish the County Committee before the application is considered, as a minimum, the following:

(1) The applicant’s reputation for honesty and meeting his obligations. This will include specific information as to the experiences and opinions of others concerning the applicant and the sources of the information.

(Continued on p. 3971)
9 CFR

14 CFR

15 CFR

25 CFR

Proposed rules:

171
172
173
26 (1954) CFR

Proposed rules:

1

39 CFR

123
152
158
168
43 CFR

Public land orders:

1847

50 CFR

33

§ 301.5 Persons entitled to veterans' preference.

Veterans' preference will be extended to any person applying for a Farm Owner-ship, Farm Home or Water Conservation, or Operating loan who has been discharged or released from the active forces of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard under conditions other than dishonorable, and served in any of such forces during (a) the period April 6, 1917, through March 31, 1921, or (b) the period December 7, 1941, through January 31, 1945. For Farm Housing loans, the

sidered necessary for arriving at proper recommendations. This will be done by having the applicant appear at the Committee meeting. After a full interview with the applicant is completed and all pertinent facts have been considered, the Committee, in the absence of the applicant, will take action on the application.

(c) If the County Supervisor has tentatively determined the following action immediately after the County Committee's decision regarding the applicant's qualifications:

(1) If the Committee action is favorable, the County Supervisor will take promptly in accordance with the applicable loan processing instructions. When favorable action has been taken on an application, the applicant will be notified. The care shall be taken that the applicant understands that Committee action does not constitute approval of his loan. In notifying the applicant of favorable Committee action, the County Supervisor also, when practicable, will arrange a meeting with the family to proceed with developing the loan packet.

(2) The County Supervisor may take any action(s) as follows after the Committee action has been taken on his application but final action will be delayed until further information is received concerning the farm to be operated.

(i) When the applicant has been determined eligible for assistance but it is found that a sound loan cannot be made, the County Supervisor will notify the applicant and the approximate amount of credit which will be required. The County Supervisor will then arrange a meeting with the family to discuss the loan and obtain an option on a satisfactory farm. In such a case further loan processing actions will not be taken until the application is presented to the Committee for reconsideration.

(ii) When the applicant has been determined eligible for assistance but it is found that final Committee action will be delayed until further information is received concerning the farm to be operated.

(2) When the applicant has been determined eligible for assistance but it is found that a sound loan cannot be made, the County Supervisor will notify the applicant and the approximate amount of credit which will be required. The County Supervisor will then arrange a meeting with the family to discuss the loan and obtain an option on a satisfactory farm. In such a case further loan processing actions will not be taken until the application is presented to the Committee for reconsideration.

(b) The County Supervisor will analyze the applicant's loan request, giving careful consideration to his experience, ability, needs, resources, and credit needs, and will tentatively determine which type(s) of loans will most effectively meet the applicant's needs.

(h) Applications will remain in effect until withdrawn, disapproved, expired, or the loan is made. An applicant may voluntarily withdraw his application at any time. When a loan will not be made for such reasons as the applicant's not meeting credit from another source, lack of further interest on the part of the applicant, or similar justifiable reasons, the County Supervisor may disapprove that his application will be considered withdrawn unless the County Office receives a notice within 15 days that he desires further consideration.

(g) Applications for Farm Ownership loans received during any fiscal year will remain active during the remainder of that financial year and the subsequent fiscal year unless withdrawn, disapproved or unless the loan is closed. During June of each year, the County Committee in consultation with the County Supervisor will select from the applications those applicants who appear to be eligible and who may wish to renew their applications. The County Supervisor will notify the applicant that it will be necessary to file a new application for further consideration for a Farm Ownership loan.

§ 301.4 Reaching an understanding.

Farmers Home Administration lending experience has clearly demonstrated that success in helping farm families depends in large measure on reaching a proper understanding with each applicant before a loan is approved. A proper understanding will be obtained with all applicants with respect to the basic loan making and servicing policies, the responsibilities of borrowers, and the benefits that may be expected from Farmers Home Administration assistance.

§ 301.5 Persons entitled to veterans' preference.

Veterans' preference will be extended to any person applying for a Farm Owners'hip, Farm Home or Water Conservation, or Operating loan who has been discharged or released from the active forces of the United States Army, Navy, Air Force, Marine Corps, or Coast Guard under conditions other than dishonorable, and served in any of such forces during (a) the period April 6, 1917, through March 31, 1921, or (b) the period December 7, 1941, through January 31, 1945. For Farm Housing loans, the

FEDERAL REGISTER
spouses and children of deceased service-men also will be given preference. “Deceased servicemen” means men or women who died in service during one of the periods specified in this section. (Sec. 1, 50 Stat. 522, as amended, 7 U.S.C. 1001; sec. 507, 68 Stat. 436, as amended, 42 U.S.C. 1477)

Dated: May 12, 1959.

K. H. HANSEN, Administrator, Farmers Home Administration.

F. J. MULHEEN, Acting Director, Animal Disease Eradication Division, Agricultural Research Service.

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND PORK

PART 78—BRUCELLOSIS IN DOMESTIC ANIMALS

Subpart D—Designation of Modified Certified Brucellosis-Free Areas, Public Stockyards, and Slaughtering Establishments

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code of Federal Regulations, containing restrictions on the interstate movement of animals because of brucellosis, under sections 4, 5, and 13 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.13 is amended in the following respects:

a. Paragraphs (d) and (e) are redesignated as paragraphs (e) and (f) and a new paragraph (d) is added to read:

(d) The entire State of Maryland.

b. Paragraphs (f) through (ee) are redesignated as paragraphs (h) through (ee) and a new paragraph (f) is added to read:

(g) The entire State of Nevada.

c. Paragraphs (ee) through (ii) are redesignated as paragraphs (ff) through (jj), and paragraphs (dd) and (jj) relating to Maryland and Nevada, respectively, are deleted.

d. The following paragraphs are amended as follows:

1. The redesignated paragraph (s), relating to Alabama, is amended by adding Jackson County in proper alphabetical order.

2. The redesignated paragraph (u), relating to Arkansas, is amended by adding Independence, Montgomery, Perry, Polk, and Washington Counties in proper alphabetical order.

3. The redesignated paragraph (v), relating to California, is amended by adding Humboldt and Lassen Counties in proper alphabetical order.

4. The redesignated paragraph (w), relating to Colorado, is amended by adding Chaffee, Denver, and Sedgwick Counties in proper alphabetical order.

5. The redesignated paragraph (y), relating to Georgia, is amended by adding Adams County in proper alphabetical order.

6. The redesignated paragraph (z), relating to Idaho, is amended by adding Shoshone County in proper alphabetical order.

7. The redesignated paragraph (dd), relating to Kentucky, is amended by adding Anderson and Warren Counties in proper alphabetical order.

8. The redesignated paragraph (gg), relating to Louisiana, is amended by adding Tensas County in proper alphabetical order.

9. The redesignated paragraph (hh), relating to Maryland, is amended by adding Allegany, Garrett, and Washington Counties in proper alphabetical order.

10. The redesignated paragraph (ii), relating to Montana, is amended by removing Silver Bow County.

11. The redesignated paragraph (jj), relating to Nebraska, is amended by adding Hall and Madison Counties in proper alphabetical order.

12. Paragraph (kk), relating to New York, is amended by adding Cayuga, Oswego, and Washington Counties in proper alphabetical order.

13. Paragraph (mm), relating to Ohio, is amended by adding Noble County in proper alphabetical order.

e. Paragraphs (nn) through (vv) are redesignated as paragraphs (oo) through (ww) and a new paragraph (nn) is added to read:

(oo) Oklahoma: Delaware County.

f. The redesignated paragraph (oo), relating to Oregon, is amended by adding Jefferson County in its proper alphabetical order.

Effective date. The foregoing amendment shall become effective upon publication in the Federal Register.

The amendment deletes Silver Bow County in Montana from the list of areas designated as modified certified brucellosis-free areas, because it has been determined that such county no longer needs to be included in such list. The amendment also adds certain additional areas which have previously been determined to be brucellosis-free areas.

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and relieves certain persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedures with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the Federal Register.

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

PART 409—PROCEDURES AND RULES FOR AIRSPACE AND UTILIZATION

Miscellaneous Amendments

PART 409 of the Regulations of the Federal Aviation Agency, Procedures and Rules for Airspace Assignment and Utilization, was published in the Federal Register on May 1, 1959 (24 F.R. 3489), to become effective May 15, 1959.

It now appears desirable to add to the preamble to Part 409, and to amend § 409.11(b) in order to clarify the scope and applicability of the regulation.

In consideration of the foregoing, the following changes are hereby made to the preamble to Part 409 and § 409.11(b): 1. The following paragraph is added after the first paragraph in the preamble to Part 409:

This part is not applicable to exceptions which may be authorized under section 307(f) of the Act for military emergency or necessity.

2. In § 409.11, the introductory portion of paragraph (b) is amended to read as follows:

(b) Rules, regulations, or orders processed under these procedures are applicable within the United States, and shall be limited to the following rule making actions:

This action shall become effective upon the date of publication in the Federal Register.

Issued in Washington, D.C., on May 12, 1959.

E. R. QUESADA, Administrator.

PART 600—DESIGNATION OF CIVIL AIRWAYS

Altemations

This section is part of the airspace designations being made to establish a more direct routing of air traffic between Los Angeles, California, and San Diego,
California. It also permits the rerouting of air traffic around an area of highly concentrated military air operations associated with military amphibious operations in the vicinity of Oceanside, California. It will be made possible by reducing in size the San Diego Warning Area, W-291 (as republished in the Airman’s Guide, dated May 12, 1959); the designation of additions to three airways (V25, V25E, Red 9); the minor alteration to two airways (V23, V208); the recision of a portion of one airway (V66); the recision of three airways (V23E, Blue 2, Blue 35); and the designation of additions to three airways.

The action taken herein involves the designation of new portions of airways V25, V25E and Red 9; minor alterations to portions of airways V23 and V208; the recision of a portion of airway V66; and the recision of airways V23E, Blue 2 and Blue 35.

This matter has been coordinated with various civil aviation organizations, the Army, the Navy and the Air Force. In addition, the military operations in the vicinity of Oceanside, California, will commence May 18, 1959. Therefore, action by that date is necessary in the interest of safety and to minimize interference with air traffic not participating in such military operations. Accordingly, the procedure and effective date provisions of section 4 of the Administrative Procedure Act are impracticable and would be contrary to the public interest.

Part 600 is amended as follows:

1. Section 600.209 is amended to read:

§ 600.209 Red civil airway No. 9 (San Diego, Calif., to Casa Grande, Ariz.).

From the INT of a line bearing 178° from the Oceanside RBN and a line bearing 276° from the San Diego RR via the San Diego, Calif., RR; INT of the east course of the Gila Bend RR and the west course of the El Centro RR; El Centro, Calif., RR; Yuma, Ariz., RR; INT of the east course of the Yuma RR and the west course of the Gila Bend RR; Gila Bend, Ariz., RR; INT of the east course of the Gila Bend RR and the northwest course of the Tucson, Ariz., RR.

2. Section 600.602 Blue civil airway No. 2 (San Diego, Calif., to Oceanside, Calif.) is revoked.

3. Section 601.635 Blue civil airway No. 35 (San Diego, Calif., to Oceanside, Calif.) is revoked.

4. Section 601.6023 VOR civil airway No. 23 (San Diego, Calif., to Bellingham, Wash.) is amended by changing all before “Long Beach, Calif., omnirange station” to read: “From the San Diego-Lindbergh Field, Calif., TVOR via the Oceanside, Calif., VOR; Long Beach, Calif, VOR;.”

5. Section 600.6026 is amended by changing the caption to read: “VOR civil airway No. 25 (San Diego, Calif., to Elensburg, Wash.)” and by changing all before “Oxnard, Calif., VOR” to read: “From the San Diego-Lindbergh Field, Calif., TVOR via the Los Angeles, Calif., VOR, including an east alternate from the San Diego-Lindbergh Field TVOR to the Los Angeles VOR via the point of INT of the Long Beach VOR 186° radial with the Los Angeles VOR direct radial to the San Diego-Lindbergh Field TVOR, the Long Beach, Calif., VOR and the point of INT of the Long Beach VOR 267° with the Los Angeles VOR direct radial via the El Centro, Calif., VOR; Yuma, Ariz., VOR.”

6. Section 600.6026 VOR civil airway No. 66 (San Diego, Calif., to Charlotte, N.C.) is amended by changing all before “Yuma, Ariz., omnirange station” to read: “From the point of INT of a line bearing 345° toward the Julian, Calif., RBN with the El Centro VOR 265° radial via the El Centro, Calif., VOR; Yuma, Ariz., VOR.”

7. Section 600.6208 is amended to read:

§ 600.6208 VOR civil airway No. 208 (Los Angeles, Calif., to Peach Springs, Ariz.).

From the Los Angeles, Calif., VOR via the INT of the Los Angeles VOR 185° and the Oceanside VOR 220° radials, Oceanside, Calif., VOR; point of INT of the Oceanside VOR 101° and the San Diego-Lindbergh Field, Calif., TVOR 044° radials; Thermal, Calif., VOR; Twenty-Nine Palms, Calif., VOR; Needles, Calif., VOR; to the Peach Springs, Ariz., VOR.

This amendment shall become effective 0001 e.s.t. May 18, 1959.

Issued in Washington, D.C., on May 14, 1959.

E. R. QUESADA, Administrator.

[F.R. Doc. 59-4167; Filed, May 15, 1959; 8:50 a.m.]

Amendment

PART 601—designation of the continental control area, control areas, control zones, reporting points, and positive control route segments

Alterations

This action is part of the airspace designations being made to establish a more direct routing of air traffic between Los Angeles, California, and San Diego, California. It also permits the rerouting of air traffic around an area of highly concentrated military air operations associated with military amphibious operations in the vicinity of Oceanside, California. It will be made possible by reducing in size the San Diego Warning Area, W-291 (as republished in the Airman’s Guide, dated May 12, 1959); the designation of additions to three airways (V25, V25E, Red 9); the minor alteration to two airways (V23, V208); the recision of a portion of one airway (V66); the recision of three airways (V23E, Blue 2, Blue 35); and the designation, redesignation and rescission of the control areas associated with these airways.

The action taken herein involves the adjustment of the control areas associated with the changes relating to civil airways V25, V25E, Blue 2 and Blue 35. Adjustments to control areas associated with the changes relating to civil airways Red 9, V23, V23E, V66 and V208 are made automatically by the concurrent action relating to such airways, appearing in Amendment 18 to Part 600 of the Regulations of the Administrator, Designation of Civil Airways.

This matter has been coordinated with various civil aviation organizations, the Army, the Navy and the Air Force. In addition, the military operations in the vicinity of Oceanside, California, will commence May 18, 1959. Therefore, action by that date is necessary in the interest of safety and to minimize interference with air traffic not participating in such military operations. Accordingly, the procedure and effective date provisions of section 4 of the Administrative Procedure Act are impracticable and would be contrary to the public interest.

Part 601 is amended as follows:

[§ 601.602 [Revocation]

1. Section 601.602 Blue civil airway No. 2 control areas (San Diego, Calif., to Oceanside, Calif.) is revoked.

2. Section 601.635 Blue civil airway No. 35 control areas (San Diego, Calif., to Oceanside, Calif.) is revoked.

3. Section 601.4602 [Revocation]

4. Section 601.4635 Blue civil airway No. 35 (San Diego, Calif., to Oceanside, Calif.) is revoked.

5. Section 601.6026 is amended to read:

§ 601.6025 VOR civil airway No. 25 control areas (San Diego, Calif., to Ellensburg, Wash.)

All of VOR civil airway No. 25, including east alternates and also a west alternate.

This amendment shall become effective 0001 e.s.t. May 18, 1959.

Issued in Washington, D.C., on May 14, 1959.

E. R. QUESADA, Administrator.

[F.R. Doc. 59-4168; Filed, May 15, 1959; 8:50 a.m.]

1 See F.R. Document 59-4187, supra.
PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Alterations

The new and revised standard instrument approach procedures appearing hereinafter are adopted to become effective and/or canceled when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

1. The low or medium frequency range procedures prescribed in § 609.100(a) are amended to read in part:

**LYR STANDARD INSTRUMENT APPROACH PROCEDURE**

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

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

**Transition**

<table>
<thead>
<tr>
<th>From—</th>
<th>To—</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td>ETP &quot;H&quot;</td>
<td>OZR LFR</td>
<td>Direct</td>
<td>1600</td>
<td>T-dn</td>
<td>300-1</td>
</tr>
<tr>
<td>DIN Tvor</td>
<td>OZR LFR</td>
<td>Direct</td>
<td>1700</td>
<td>C-dn</td>
<td>300-1</td>
</tr>
<tr>
<td>DIN Tvor</td>
<td>MXF LFR</td>
<td>Direct</td>
<td>800-2</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Procedure turn N side of crs, 260° Outbound, 006° Inbound, 1060' within 10 mi. Nonstandard due airway south.

Minimum altitude over facility on final approach crs, 500'.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles, climb to 1500' on S W crs within 20 miles.

**City, Ft. Rucker; State, Ala.; Airport Name, Cairns AAF; Elev., 305'; Fac. Class, MRLZ; Ident., OZR; Procedure No. 1, Arndt. Orig.; Eff. Date, 30 May 59**

Minimum altitude over facility on final approach crs, 1200'.

Procedure turn W side of NW crs, 260° Outbound, 302° Inbound, 2000' within 10 miles.

**City, Minot; State, N. Dak.; Airport Name, Minot VOR; Elev., 1723'; Fac. Class, BMRLZ; Ident., MOT; Procedure No. 1, Arndt.; Eff. Date, 30 May 59; Sup. Arndt. No. 5; Dated, 17 July 34**

Minimum altitude over facility on final approach crs, 800'.

**City, Montgomery; State, Ala.; Airport Name, Danville Field; Elev., 1825'; Fac. Class, BMRLZ; Ident., FSX; Procedure No. 1, Arndt. 11; Eff. Date, 30 May 59; Sup. Arndt. No. 15; Dated, 1 June 56**

Minimum altitude over facility on final approach crs, 400'.
2. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

**ADF STANDARD INSTRUMENT APPROACH PROCEDURE**

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

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

---

**Transition**

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td>GLS VOR</td>
<td>GLS HHW</td>
<td>Direct</td>
<td>1300</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>63 knots or less</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>T-dn</td>
<td>300-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C-dn</td>
<td>400-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A-dn</td>
<td>800-2</td>
</tr>
</tbody>
</table>

---

**Procedure**

Procedure turn S side of crs, 330° Outbound, 125° Inbound, 1900' within 10 mi. Beyond 10 mi, NA.

Minimum altitude over facility on final approach crs, 800' N.

Crs and distance, facility to airport, 125°—4.3 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.3 mi, climb to 1300' on crs of 123° within 15 mi.

**CAUTION:** 39° MSL radio tower 700' NE of airport.

**City, Galveston; State, Tex.; Airport Name, Municipal; Elev., 7'; Fac. Class, HHW; Ident., GLS; Procedure No. 1, Arndt. 1; Eff. Date, 30 May 59; Sup. Amtd. No. Orig.; Dated, 1 June 58**

**SJP VOR**

**SJP HH**

**Coral int.**

**Transition**

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Direct</td>
<td>1500</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>63 knots or less</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>T-dn</td>
<td>300-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C-dn</td>
<td>600-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A-dn</td>
<td>800-2</td>
</tr>
</tbody>
</table>

---

**Procedure**

Procedure turn S side of crs, 328° Outbound, 108° Inbound, 1500' within 10 mi. Beyond 10 mi, NA.

Minimum altitude over facility on final approach crs, 1000'.

Crs and distance, facility to airport, 059°—0.5 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.5 mi after passing LOM, climb to 2000' on crs of 065° from LOM within 15 mi, or, when directed to ATC, climb to 1000' on R-127 MGM-VO R within 20 mi.

**CAUTION:** 339° radio tower 1.9 mi S of airport.

**Nonstandard due to high terrain on S side of crs.**

**City, San Juan; State Puerto Rico; Airport Name, Puerto Rico International; Elev., 7'; Fac. Class, MH; Ident., SJP; Procedure No. 1, Ammt. 1; Eff. Date, 30 May 59; Sup. Amtd. No. Orig.; Dated, 21 June 58**

**Chatham Rfn.**

**Newark LOM.**

**Paterson Rfn.**

**Transition**

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Direct</td>
<td>2000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>63 knots or less</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>T-dn</td>
<td>300-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C-dn</td>
<td>600-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A-dn</td>
<td>800-2</td>
</tr>
</tbody>
</table>

---

**Procedure**

Procedure turn *N side of crs, 268° Outbound, 108° Inbound, 1500' within 10 mi. Beyond 10 mi, NA.

Minimum altitude over facility on final approach crs, 1000'.

Crs and distance, OM to airport, 059°—0.5.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.5 mi after passing SJP Rfn, climb to 1000' on crs of GTW within 20 mi.

**CAUTION:** 339° radio tower 1.9 mi S of airport.

**Nonstandard due to high terrain on S side of crs.**

**City, Monroeville; State, Ala.; Airport Name, Municipal; Elev., 221'; Fac. Class, LOM; Ident., MG; Procedure No. 1, Arndt. 1; Eff. Date, 30 May 59; Sup. Amtd. No. Orig.; Dated, 27 Dec. 58**

**Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles.**

**Major Changes:** Deletes transition from CDW-VO R.

**Decent to airport minimums after passing OM; if OM not received maintain 1400'.**

**City, Teterboro; State, N. J.; Airport Name, Teterboro; Elev., 7'; Fac. Class, LMM; Ident., EB; Procedure No. 1, Ammt. 1; Eff. Date, 30 May 59; Sup. Amtd. No. 1; Dated, 7 May 58**

**Lake Tyler Int.**

**White House Int.**

**Mt. Sylvan Int.**

**Transition**

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Direct</td>
<td>2000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>63 knots or less</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>T-dn</td>
<td>300-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>C-dn</td>
<td>600-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>A-dn</td>
<td>800-2</td>
</tr>
</tbody>
</table>

---

**Procedure**

Procedure turn W side NW crs, 307° Outbound, 123° Inbound, 1900' within 10 mi. Beyond 10 mi, NA.

Minimum altitude over LOM Inbound final, 1300'.

Crs and distance, facility to airport, 127°—1.6 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.6 mi after passing LOM, climb to 2000' on crs of 127° within 20 mi.

**City, Tyler; State, Tex.; Airport Name, Pounds Field; Elev., 64'; Fac. Class, LOM; Ident., TY; Procedure No. 1, Ammt. 2; Eff. Date, 30 May 59; Sup. Amtd. No. 1 (ADF portion of Comb. ILS-ADF); Dated, 17 Dec. 58**
3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

**VOR Standard Instrument Approach Procedure**

Radar transition altitude 2000' within 20 mi of Radar Site (Love Field). Radar control must provide 1000' clearance below 2000' to 2000' clearance within 10 mi of VOR and ADF required for this procedure. Air carrier use NA. No weather service on airport.

**Terminal VOR Standard Instrument Approach Procedure**

**Table:**

<table>
<thead>
<tr>
<th>From—</th>
<th>To—</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Transition Ceiling and visibility minimums</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>2-engine or less</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>65 knots or less</td>
<td>65 knots</td>
</tr>
<tr>
<td>Lakeside Int</td>
<td>Lake Int</td>
<td>Direct</td>
<td>1500</td>
<td>T-d</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>C-d</td>
<td>400-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>S-d</td>
<td>400-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>A-d</td>
<td>800-2</td>
</tr>
<tr>
<td>Goddess LFR</td>
<td>PEX-VOR</td>
<td>Direct</td>
<td>1200</td>
<td>T-d</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>C-d</td>
<td>400-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>S-d</td>
<td>400-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>A-d</td>
<td>800-2</td>
</tr>
<tr>
<td>Palacios LFR</td>
<td>GLS-VOR</td>
<td>Direct</td>
<td>1600</td>
<td>T-d</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>C-d</td>
<td>400-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>S-d</td>
<td>400-1</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>A-d</td>
<td>800-2</td>
</tr>
</tbody>
</table>

**Notes:**

- **City, Palacios; State, Tex.; Airport Name, Municipal; Elev., 13'; Fac. Class, BVOR; Ident., PSX; Procedure No. 1, Arndt. 2; Eff. Date, 30 May 59; Sup. Amdt. No. 1; Dated, 4 Oct. 58**

- **City, Galveston; State, Tex.; Airport Name, Municipal; Elev., 7'; Fac. Class, BVOR; Ident., GLS; Procedure No. 1, Arndt. 2; Eff. Date, 30 May 59; Sup. Amdt. No. 1; Dated, 10 Jan. 54**

- **City, Montgomery; State, Ala.; Airport Name, Dannelly Field; Elev., 221'; Fac. Class, BVOR; Ident., MGM; Procedure No. 1, Amdt. 7; Eff. Date, 30 May 56; Sup. Amdt. No. 6; Dated, 14 June 56**

- **City, Palacios; State, Tex.; Airport Name, Municipal; Elev., 19'; Fac. Class, BVOR; Ident., PEX; Procedure No. 1, Amdt. 2; Eff. Date, 30 May 56; Sup. Amdt. No. 1; Dated, 16 Jan. 54**

- **City, Dallas; State, Tex.; Airport Name, Addison Airport; Elev., 644'; Fac. Class, TVOR (Non-Federal facility); Ident., ADS; Procedure No. TerVOR-15, Amdt. 1; Eff. Date, 30 May 56; Sup. Amdt. No. Orig.; Dated, 4 Oct. 58**
### Terminal VOR Standard Instrument Approach Procedure—Continued

<table>
<thead>
<tr>
<th>Transition</th>
<th>To—</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
<th>2-engine or less</th>
<th>More than 2-engine, more than 65 knots</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ross Ave Int</td>
<td>Vickery Int</td>
<td>Direct</td>
<td>2000</td>
<td>T-di-n</td>
<td>300-1</td>
<td>300-1</td>
<td>200-15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>C-di-n</td>
<td>400-1</td>
<td>400-1</td>
<td>500-15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>S-di-31</td>
<td>400-1</td>
<td>400-1</td>
<td>500-15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>A-di-n</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>

**Radar transition altitude 2000'** within 20 miles of Radar Site (Love Field). Radar control must provide 1000' clearance within 3 mi or 500' clearance within 3-5 miles of radio towers 1108' m.s.l. 14 mi north; 1221' m.s.l. 10 mi WSW; 2349' m.s.l. 23 mi SW of airport.

**No procedure turn.**

Maximum altitude over Vickery Int in final approach crs, 2000'.

Crs and distance, Vickery Int to airport, 2000'—5.9 mi.

Crs and distance, breakoff point to end of runway, 2000'—1 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished when over the TVOR, turn right and proceed direct to DAL VOR climbing to 2000'.

**Notes:** Air Carrier uses NA. No weather service on airport.

### Terminal VOR Standard Instrument Approach Procedure

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

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

### Transition

<table>
<thead>
<tr>
<th>From—</th>
<th>To—</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
<th>2-engine or less</th>
<th>More than 2-engine, more than 65 knots</th>
</tr>
</thead>
<tbody>
<tr>
<td>DAF VOR</td>
<td>Fair Park Int</td>
<td>Direct</td>
<td>2000</td>
<td>T-di-n</td>
<td>300-1</td>
<td>300-1</td>
<td>200-15</td>
</tr>
<tr>
<td></td>
<td>Rose Ave Int</td>
<td>Direct</td>
<td>2000</td>
<td>C-di-n</td>
<td>400-1</td>
<td>400-1</td>
<td>500-15</td>
</tr>
<tr>
<td>Tindle Park Int</td>
<td>Fair Park Int</td>
<td>Direct</td>
<td>2000</td>
<td>S-di-31</td>
<td>400-1</td>
<td>400-1</td>
<td>500-15</td>
</tr>
<tr>
<td></td>
<td>Direct</td>
<td>1800</td>
<td>300-1</td>
<td>300-1</td>
<td>300-1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunnamsville RHN</td>
<td>Direct</td>
<td>2000</td>
<td>300-1</td>
<td>300-1</td>
<td>300-1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Radar terminal area transition altitude 2000'** **within 20 mi.**

**Procedure turn 8 side SE crs, 122° Outbound, 305° inbound, 3000'** **within 10 mi of Ross Ave Int. DA beyond 10 mi.**

**Minimum altitude over Ross Ave Int 3000'** **distance to Rwy 31, 3.1 mi. Altitude over Tank Fld 1000'** **distance to Rwy 31 1.5 mi.**

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 mi of Ross Ave Int, climb to 2000' on NEW crs ILS** **within 20 mi** or, when directed by ATC, turn right, proceed direct to DAL VOR climbing to 2000'** **when under positive radar contact, climb to 2000'** **within 20 mi.**

**CAUTION:** 805 MSL, tank 1.7 mi from approach end of Runway 31.

**Procedure turn nonstandard due to traffic.**

**Altitude over Ross Ave Int 1500'; distance to Rwy 31, 3.1 mi. Altitude over Tank Fix# 1000'; distance to Rwy 31, 1.5 mi.**

**Procedure turn S side SE crs, 127° Outbound, 307° Inbound, 2000'** **within 10 mi of Ross Ave Int.**

**Entry** **within 10 mi.**

**Descent below 1000' MSL NA unless position over Tank Fix determined.**

**Radar terminal area transition altitude 2000'** **within 20 miles of Radar Site (Love Field).**

**Crs and distance, breakoff point to end of Rwy 1, 333°—1 mi.**

**Crs and distance, Vickery Int to airport, 340°—5.0 mi.**

**Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles.**

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

### Transition

<table>
<thead>
<tr>
<th>From—</th>
<th>To—</th>
<th>Course and distance</th>
<th>Minimum altitude (feet)</th>
<th>Condition</th>
<th>Ceiling and visibility minimums</th>
<th>2-engine or less</th>
<th>More than 2-engine, more than 65 knots</th>
</tr>
</thead>
<tbody>
<tr>
<td>MAXF LFR</td>
<td>Catoma Int</td>
<td>Direct</td>
<td>2000</td>
<td>T-di-n</td>
<td>300-1</td>
<td>300-1</td>
<td>200-15</td>
</tr>
<tr>
<td>MGM VOR</td>
<td>Catoma Int</td>
<td>Direct</td>
<td>2000</td>
<td>C-di-n</td>
<td>400-1</td>
<td>400-1</td>
<td>500-15</td>
</tr>
<tr>
<td></td>
<td>Direct</td>
<td>1800</td>
<td>300-1</td>
<td>300-1</td>
<td>300-1</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Direct</td>
<td>2000</td>
<td>300-1</td>
<td>300-1</td>
<td>300-1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Radar terminal area transition altitude 2000'** **within 20 mi.**

**Procedure turn 8 side SE crs, 122° Outbound, 305° inbound, 3000'** **within 10 mi of Ross Ave Int. NA beyond 10 mi.**

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

**Crs and distance, Catoma Int to airport, 273°—4.9 mi.**

**Radar transition altitude 2000'** **within 20 miles of Radar Site (Love Field).**

**Crs and distance, breakoff point to end of Rwy 1, 333°—1 mi.**

**Crs and distance, Vickery Int to airport, 340°—5.0 mi.**

**Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles.**

**At 65 knots more than 2-engine, more than 65 knots.**
Title 7—AGRICULTURE

Chapter 1—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER A—COMMODITY STANDARDS AND STANDARD CONTAINER REGULATIONS

PART 29—TOBACCO INSPECTION

Subpart C—Standards

A notice of proposed rulemaking covering issuance of United States Official Standard Grades for Flue-Cured Tobacco was published in the Federal Register of March 31, 1958, (29 F.R. 2494) and afforded interested persons the opportunity to submit written data, views, or arguments in connection therewith. After consideration of all relevant matters presented, the following United States Official Standards for Flue-Cured Tobacco are promulgated under the authority contained in The Tobacco Inspection Act (49 Stat. 731; 7 U.S.C. 511 et seq.) to become effective 15 days after publication in the Federal Register. These official standards are as follows: Delete §§ 29.301 to 29.399 in Subpart C of Part 29 and substitute therefor immediately after § 29.382 the following:

Official Standard Grades for Flue-Cured Tobacco, U.S. Types 11, 12, 13, and 14

Specifications

WRAPPER GRADES (A GROUP)

Sec.
29.1001 General specifications.

LEAF GRADES (B GROUP)

Sec.
29.1002 General specifications.
29.1003 Cutter grades (C group).
29.1004 Cutting lug grades (X group).
29.1005 Granulating lug grades (X group continued).
29.1006 General specifications.

LEAF GRADES (B GROUP)

Sec.
29.1002 General specifications.
29.1003 Cutter grades (C group). 
29.1004 Cutting lug grades (X group).
29.1005 Granulating lug grades (X group continued).
29.1006 General specifications.

Sec.
29.1061 Lugs (X).
29.1062 Major.
29.1063 Mixed (M).
29.1064 Neutral.
29.1065 Nondescript (N).
29.1066 Odotype.
29.1067 Orange (O).
29.1068 Order (case).
29.1069 Package.
29.1070 Packing.
29.1071 Premature.
29.1072 Primings (P).
29.1073 Quality.
29.1074 Rank (S).
29.1075 Raw.
29.1076 Red (R).
29.1077 Reoasted.
29.1078 Scrap.
29.1079 Semiflue.
29.1080 Side.
29.1081 Smokey leaf (H).
29.1082 Sound.
29.1083 Special factor.
29.1084 Steam-dried.
29.1085 Stem.
29.1086 Stemmed.
29.1087 Stems.
29.1088 Strips.
29.1089 Subgrade.
29.1090 Subgroup.
29.1091 Sweated.
29.1092 Sweating.
29.1093 Tips.
29.1094 Tobacco.
29.1095 Tobacco products.
29.1096 Type.
29.1097 Type 11.
29.1098 Type 12.
29.1099 Type 13.
29.1100 Type 14.
29.1101 Underdried.
29.1102 Undried.
29.1103 Uniformity.
29.1104 Whips or greenish (V).
29.1105 Unsound (U).
### Grade Description, Specifications, and Tolerances

<table>
<thead>
<tr>
<th>U.S. grade</th>
<th>GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1P</td>
<td>Choice Quality Leaf in Lemon Color. Very smooth, very good texture, oily, ripe, firm, medium body, strong, fairly spready, open weave, light color shade, very clear finish, blending fibers, uniform, over 20&quot; long. Tolerance, 5 percent injury.</td>
</tr>
<tr>
<td>A2F</td>
<td>Choice Quality Wrapper in Orange Color. Silky, fine texture, elastic, very oily, medium to fleshy body, fairly spready, harmonizing. Tolerance, 50 percent leaves of a quality not lower than B3 or C3, and 10 percent injury of a nature affecting wrapper yield.</td>
</tr>
<tr>
<td>A2R</td>
<td>Choice Quality Wrapper in Red Color. Rich in oil, fleshy to heavy body, otherwise same as A2F.</td>
</tr>
<tr>
<td>B1L</td>
<td>Choice Quality Leaf in Lemon Color. Smooth, good texture, oily, ripe, firm, medium body, strong, fairly spready, open weave, light color shade, clear finish, blending fibers, uniform, over 20&quot; long. Tolerance, 5 percent injury.</td>
</tr>
<tr>
<td>B1F</td>
<td>Choice Quality Leaf in Orange Color. Very oily, medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B2F</td>
<td>Choice Quality Leaf in Orange Color. Very oily, medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B3L</td>
<td>Choice Quality Leaf in Lemon Color. Fairly smooth, fair texture, oily, ripe, firm, medium body, fairly strong, normal width, fairly open weave, bruised shade, fairly clear finish, similar, over 16&quot; long. Tolerance, 15 percent injury.</td>
</tr>
<tr>
<td>B3F</td>
<td>Choice Quality Leaf in Orange Color. Very oily, medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B4L</td>
<td>Fair Quality Leaf in Lemon Color. Unrough, fairly oily, fairly ripe, fairly firm, medium body, normal strength, fairly true color shade, normal finish, unmixed. Tolerance, 30 percent total injury of which not over 5 percent may be waste or other badly injured tobacco.</td>
</tr>
<tr>
<td>B4F</td>
<td>Fair Quality Leaf in Orange Color. Medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B5L</td>
<td>Good Quality Leaf in Lemon Color. Fairly smooth, fair texture, oily, ripe, firm, medium body, otherwise same as B3L.</td>
</tr>
<tr>
<td>B5F</td>
<td>Good Quality Leaf in Orange Color. Medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B6L</td>
<td>Poor Quality Leaf in Lemon Color. Fairly ripe, medium body, not tender, dark color shade, dingy finish, unmixed. Tolerance, 40 percent total injury of which not over 20 percent may be waste or other badly injured tobacco.</td>
</tr>
<tr>
<td>B6F</td>
<td>Poor Quality Leaf in Orange Color. Medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B7L</td>
<td>Variegated Leaf. Average quality of B5 or better.</td>
</tr>
<tr>
<td>B7F</td>
<td>Variegated Leaf. Average quality of B5 or better.</td>
</tr>
<tr>
<td>B8L</td>
<td>Fairly smooth, fair texture, oily, ripe, firm, medium body, otherwise same as B3L.</td>
</tr>
<tr>
<td>B8F</td>
<td>Fairly smooth, fair texture, oily, ripe, firm, medium body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B9L</td>
<td>Fairly smooth, fair texture, oily, ripe, firm, medium body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B9F</td>
<td>Fairly smooth, fair texture, oily, ripe, firm, medium body, otherwise same as B1L.</td>
</tr>
<tr>
<td>C1L</td>
<td>Choice Quality Cutters in Lemon Color. Fairly silky, fine texture, oily, ripe, firm, thin body, fairly strong, broad, light color shade, very clear finish, blending fibers, uniform, over 20&quot; long. Tolerance, 5 percent injury.</td>
</tr>
<tr>
<td>C1F</td>
<td>Choice Quality Cutters in Orange Color. Fairly thin to medium body, otherwise same as C1L.</td>
</tr>
<tr>
<td>C2L</td>
<td>Fine Quality Cutters in Lemon Color. Very smooth, very good texture, oily, ripe, firm, thin body, fairly strong, very spready, light color shade, very clear finish, blending fibers, harmonizing, over 20&quot; long. Tolerance, 10 percent injury.</td>
</tr>
<tr>
<td>C2F</td>
<td>Fine Quality Cutters in Orange Color. Fairly thin to medium body, otherwise same as C1L.</td>
</tr>
<tr>
<td>C3L</td>
<td>Good Quality Cutters in Lemon Color. Smooth, good texture, fairly oily, ripe, firm, thin body, normal strength, fairly spready, fairly light color shade, clear finish, emerging fibers, similar, over 16&quot; long. Tolerance, 15 percent injury.</td>
</tr>
<tr>
<td>C3R</td>
<td>Good Quality Cutters in Orange Color. Smooth, good texture, fairly oily, ripe, firm, thin body, normal strength, fairly spready, fairly light color shade, clear finish, emerging fibers, similar, over 16&quot; long. Tolerance, 15 percent injury.</td>
</tr>
</tbody>
</table>

### Wrapper Grades (A Group)

<table>
<thead>
<tr>
<th>U.S. grade</th>
<th>SPECIFICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1P</td>
<td>Choice Quality Wrapper in Orange Color. Very silky, very fine texture, very elastic, very oily, medium to fleshy body, otherwise same as A1F.</td>
</tr>
<tr>
<td>A2F</td>
<td>Fine Quality Wrapper Pickers in Orange Color. Silky, fine texture, elastic, very oily, medium to fleshy body, otherwise same as A2F.</td>
</tr>
<tr>
<td>A2R</td>
<td>Fine Quality Wrapper Pickers in Red Color. Rich in oil, fleshy to heavy body, otherwise same as A2F.</td>
</tr>
<tr>
<td>B1L</td>
<td>Choice Quality Leaf in Lemon Color. Very smooth, very good texture, oily, ripe, firm, medium body, strong, fairly spready, open weave, light color shade, very clear finish, blending fibers, uniform, over 20&quot; long. Tolerance, 5 percent injury.</td>
</tr>
<tr>
<td>B1F</td>
<td>Choice Quality Leaf in Orange Color. Very oily, medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B2F</td>
<td>Choice Quality Leaf in Orange Color. Very oily, medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B3L</td>
<td>Choice Quality Leaf in Lemon Color. Fairly smooth, fair texture, oily, ripe, firm, medium body, fairly strong, normal width, fairly open weave, bruised shade, fairly clear finish, similar, over 16&quot; long. Tolerance, 15 percent injury.</td>
</tr>
<tr>
<td>B3F</td>
<td>Choice Quality Leaf in Orange Color. Very oily, medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B4L</td>
<td>Fair Quality Leaf in Lemon Color. Unrough, fairly oily, fairly ripe, fairly firm, medium body, normal strength, fairly true color shade, normal finish, unmixed. Tolerance, 30 percent total injury of which not over 5 percent may be waste or other badly injured tobacco.</td>
</tr>
<tr>
<td>B4F</td>
<td>Fair Quality Leaf in Orange Color. Medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B5L</td>
<td>Good Quality Leaf in Lemon Color. Fairly smooth, fair texture, oily, ripe, firm, medium body, otherwise same as B3L.</td>
</tr>
<tr>
<td>B5F</td>
<td>Good Quality Leaf in Orange Color. Medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B6L</td>
<td>Poor Quality Leaf in Lemon Color. Fairly ripe, medium body, not tender, dark color shade, dingy finish, unmixed. Tolerance, 40 percent total injury of which not over 20 percent may be waste or other badly injured tobacco.</td>
</tr>
<tr>
<td>B6F</td>
<td>Poor Quality Leaf in Orange Color. Medium to fleshy body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B7L</td>
<td>Variegated Leaf. Average quality of B5 or better.</td>
</tr>
<tr>
<td>B7F</td>
<td>Variegated Leaf. Average quality of B5 or better.</td>
</tr>
<tr>
<td>B8L</td>
<td>Fairly smooth, fair texture, oily, ripe, firm, medium body, otherwise same as B3L.</td>
</tr>
<tr>
<td>B8F</td>
<td>Fairly smooth, fair texture, oily, ripe, firm, medium body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B9L</td>
<td>Fairly smooth, fair texture, oily, ripe, firm, medium body, otherwise same as B1L.</td>
</tr>
<tr>
<td>B9F</td>
<td>Fairly smooth, fair texture, oily, ripe, firm, medium body, otherwise same as B1L.</td>
</tr>
<tr>
<td>C1L</td>
<td>Choice Quality Cutters in Lemon Color. Fairly silky, fine texture, oily, ripe, firm, thin body, fairly strong, broad, light color shade, very clear finish, blending fibers, uniform, over 20&quot; long. Tolerance, 5 percent injury.</td>
</tr>
<tr>
<td>C1F</td>
<td>Choice Quality Cutters in Orange Color. Fairly thin to medium body, otherwise same as C1L.</td>
</tr>
<tr>
<td>C2L</td>
<td>Fine Quality Cutters in Lemon Color. Very smooth, very good texture, oily, ripe, firm, thin body, fairly strong, very spready, light color shade, very clear finish, blending fibers, harmonizing, over 20&quot; long. Tolerance, 10 percent injury.</td>
</tr>
<tr>
<td>C2F</td>
<td>Fine Quality Cutters in Orange Color. Fairly thin to medium body, otherwise same as C1L.</td>
</tr>
<tr>
<td>C3L</td>
<td>Good Quality Cutters in Lemon Color. Smooth, good texture, fairly oily, ripe, firm, thin body, normal strength, fairly spready, fairly light color shade, clear finish, emerging fibers, similar, over 16&quot; long. Tolerance, 15 percent injury.</td>
</tr>
</tbody>
</table>
GRADING LUG GRADES (X GROUP CONTINUED)

§ 29.1005 General specifications.

All grades of Grading Lugs must be clean, sound, thin to medium body, other­wise same as XCL.

C4L Fair Quality Cutters in Lemon Color. Fairly smooth, fairly thin, fairly ripe, not flimsy, thin body, not narrow, fairly true color shade, normal finish, unmixed. Toler­ance, 20 percent total injury of which not over 5 percent may be waste or other badly injured tobacco.

C4F Fair Quality Cutters in Orange Color. Fairly thin to medium body, other­wise same as C4L.

C4K Fair Quality Variegated Cutters. Average quality of C4 or better.

C5L Low Quality Cutters in Lemon Color. Fairly smooth, lean, fairly ripe, not flimsy, thin body, not narrow, fairly true color shade, normal finish, unmixed. Tolerance, 20 percent total injury of which not over 10 percent may be waste or other badly injured tobacco.

C5F Low Quality Cutters in Orange Color. Fairly thin to medium body, other­wise same as C5L.

C5K Low Quality Variegated Cutters. Average quality of C5 or better.

C6M Low Quality Mixed Cutters. Average Quality of C5 or better.

CUTTING LUG GRADES (X GROUP)

§ 29.1006 General specifications.

All grades of the Cutting Lugs must be clean, sound, thin to medium body, and must not exceed the tolerances specified with respect to width, body and other injury.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES

U.S. grade

CXL Choice Quality Cutting Lugs in Lemon Color. Smooth, good texture, fairly oily, riped, fairly firm, thin body, not weak, normal width, open weave, fairly light color shade, fairly true finish, emerging fibers, similar. Tolerance, 20 percent total injury of which not over 5 percent may be waste or other badly injured tobacco.

XLF Choice Quality Cutting Lugs in Orange Color. Fairly thin to medium body, otherwise same as XCL.

X2L Fine Quality Cutting Lugs in Lemon Color. Smooth, fair texture, lean, riped, not flimsy, thin body, not weak, not narrow, open weave, fairly true color shade, normal finish, unmixed. Tolerance, 20 percent total injury of which over 5 percent may be waste or other badly injured tobacco.

X2F Fine Quality Cutting Lugs in Orange Color. Fairly thin to medium body, otherwise same as X2L.

X3L Good Quality Cutting Lugs in Lemon Color. Fairly smooth, lean, fairly ripe, not flimsy, thin body, not tender, not stringy, fairly open weave, fairly true color shade, dull finish, unmixed. Tolerance, 40 percent total injury of which not over 10 percent may be waste or other badly injured tobacco.

X3F Good Quality Cutting Lugs in Orange Color. Fairly thin to medium body, otherwise same as X3L.

X3M Good Quality Mixed Cutting Lugs. Average quality of X3 or better.

X3G Good Quality Cutting Lugs in Green Color. Quality of X3, except maturity.

GRANULATING LUG GRADES (X GROUP)

§ 29.1007 General specifications.

Loose, tangled, whole, or broken unstemmed leaves, or the web portions of tobacco leaves reduced to scrap by any process.

U.S. grade


X1F Choice Quality Granulators in Orange Color. Fairly thin to medium body, otherwise same as X1L.

X1K Choice Quality Variegated Granulators. Average quality of X4, except maturity.

X5L Low Quality Granulators in Lemon Color. Fairly ripe, thin body, dark color shade, dingy finish, unmixed. Tolerance 40 percent waste.

X5F Low Quality Granulators in Orange Color. Fairly thin to medium body, otherwise same as X5L.

X5K Low Quality Variegated Granulators. Average quality of X5, except maturity.

X5M Low Quality Mixed Granulators. Average quality of X5 or better.

X5G Low Quality Granulators in Green Color. Quality of X5, except maturity.

NONDESCRIPT (N GROUP)

§ 29.1008 General specifications.

All standard grades of Nondescript must be clean and sound.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES

U.S. grade

N1L Best, Thinnest Body, and Lightest Color Nondescript. Not crude, quality under X5 or P5, and containing not more than 30 percent waste.

N1F Best, Medium Body, and Medium Color Nondescript. Not crude, quality under H6, and containing not more than 30 percent waste.

N1R Best, Heaviest Body, and Darkest Color Nondescript. Not crude, quality under B6, and containing not more than 60 percent waste.

N1G Best, Crude Green Nondescript. Not more than 60 percent crude leaves or waste.

N2 Substandard Nondescript.

SCRAP (S GROUP)

§ 29.1009 General specifications.

Any very immature leaf of which one­fifth or more of its surface has a positive green color; or any tobacco containing 30 percent or more crude leaves.
§ 29.1045 Cured.  
Tobacco thoroughly dried of its sap by either natural or artificial processes.

§ 29.1046 Cutters (C).  
A group of tobacco which is spready and very thin to medium in body as compared with the average width and body of the type and which has the characteristics of Cutting Lugs, except with respect to injury, finish, and length.

§ 29.1047 Damaged.  
The extent of damage to a given tobacco that is not crude but which contains 20 percent or more injury, or which contains foreign matter in the hands or which contains wet tobacco or tobacco of relatively lower quality in the heads under the tie leaves; (d) any lot of tobacco consisting of distinctly different grades, qualities, or conditions which is stacked or arranged in layers with the same kinds together so that the tobacco in the lower layer or layers is distinctly inferior in grade, quality, or condition from the tobacco in the top or upper layers.

§ 29.1048 Decayed.  
A group of tobacco which is damaged to the extent of 20 percent or more.

§ 29.1049 Dun or Walnut (D).  
Tobacco which is chiefly composed of leaves having a very dull or dingy finish and a very dusky or dark shade of brown color and which is not crude, green, or mixed.

§ 29.1050 Flue-cured.  
Tobacco cured under artificial atmospheric conditions by a process of regulating the heat and ventilation without allowing smoke or fumes from the fuel to come in contact with the tobacco; or tobacco cured by some other process which accomplishes the same results.

§ 29.1051 Foreign matter.  
Any substance or material extraneous to tobacco, including dirt, sand, stalks, suckers, straw, strings, etc. cetera.

§ 29.1052 Form.  
The stage of preparation of tobacco, such as unstemmed and stemmed.

§ 29.1053 Grade.  
A subdivision of a type according to group and quality, and according to color when it is of sufficient importance to be treated as a separate factor.

§ 29.1054 Green (G).  
(a) Any leaf of which one-fifth or more of its surface is predominantly green in color; or (b) any lot of tobacco containing 20 percent or more green leaves; or (c) any lot of tobacco which is not crude but which contains 20 percent of green and crude combined.

§ 29.1055 Group.  
A division of a type covering several closely related grades based on the general characteristics of the tobacco, including body, the percentage of injury, and other characteristics.

§ 29.1056 Injury.  
Hurt or impairment from any cause except damage. Injured tobacco shall include dead, burnt, hail-out, or ragged tobacco; or tobacco that has been torn or broken, frozen or frosted, sunburned or scalded, scorched or fire-killed, bulk-burnt or steam-burnt, pole-burnt or house-burnt, bleached or bruised; or tobacco containing deformed leaves; or tobacco hurt by insects; or tobacco affected by wildfire, rust, frogeye, mosaic, trenching, sanddrown, or other similar diseases.

§ 29.1057 Leaf scrap.  
Unstemmed scrap, which is a by-product from handling unstemmed tobacco consisting of loose and tangled whole or broken leaves.

§ 29.1058 Lemon (L).  
Tobacco which is chiefly yellow in color and which is not crude, green, mixed, or variegated.

§ 29.1059 Light red.  
An intermediate shade of red, which includes the dark side of the F color and the light side of the R color. Light red is designated by the use of a special factor symbol.

§ 29.1060 Lot.  
A pile, basket, bulk, bale, case, hogshand, tierce, package, or other definite unit.

§ 29.1061 Lugs (X).  
A group of tobacco which in the better qualities consists of Cutting Lugs and in the lower qualities consists of Granulated Lugs. Cutting Lugs are normally under 16" long and have the characteristics of Cutting Lugs except for a somewhat narrower width, less injury and waste, a duller finish, and less tensile strength. Granulating Lugs have a material amount of waste and injury of the kind characteristic of leaves grown near the ground and include variegated leaves which are too badly injured, discolored, or have too much waste or other badly injured tobacco to be classified as Cutters or Cutting Lugs.

§ 29.1062 Major.  
The principal or leading kind of tobacco of which a lot consists; or the kind of tobacco which constitutes the largest percentage of a lot.

§ 29.1063 Mixed (M).  
A lot of tobacco which contains 30 percent or more leaves of distinctly different quality or color from the major or run of the lot, and which has not been botched and which contains less than 20 percent of variegated leaves and less than 20 percent of green.

§ 29.1064 Nested.  
Any tobacco which has been loaded, packed, or arranged in such a manner as to conceal foreign matter or tobacco of inferior grade, quality, or condition. Specifically, nested shall include: (a) Any lot of tobacco which contains damaged, injured, tended, or other inferior tobacco, or an abnormal quantity of sand or other foreign matter, any of which cannot be readily detected upon inspection due to the way the lot is packed or arranged; (b) any lot of tied tobacco which contains foreign matter in the inner portions of the hands or which contains foreign matter in the heads under the tie leaves; (c) any lot of tied tobacco in which the leaves on the outside of the hands are so placed or arranged as to conceal from view relatively inferior quality leaves on the inside of the hands, or any tobacco of which contains wet tobacco or tobacco of relatively lower quality in the heads under the tie leaves; (d) any lot of tobacco consisting of distinctly different grades, qualities, or conditions which is stacked or arranged in layers with the same kinds together so that the tobacco in the lower layer or layers is distinctly inferior in grade, quality, or condition from the tobacco in the top or upper layers.

§ 29.1065 Nondescript (N).  
Except as may be designated by a special factor, Nondescript shall include: (a) any tobacco which does not meet the minimum specifications of the lowest grade of any other group; (b) any wet, semicured, or unsound tobacco; or (c) any tobacco which has wasted or contains waste to the extent of 40 percent or more.

§ 29.1066 Offtype.  
Any tobacco which cannot be properly classified in any grade of the type normally sold on the markets of a given type due to its distinctly different characteristics; or any tobacco which for any reason is distinctly foreign to the grades of an established type. Specifically, offtype shall cover any kind of tobacco which is not ordinarily sold on the markets at which it is offered for inspection and shall include any smutty or smoked tobacco, tobacco having an odor foreign to the type, or tobacco showing the effects of smoke or fumes from open fires.

§ 29.1067 Orange (F).  
Tobacco which is chiefly orange in color and which is not crude, green, mixed, or variegated.

§ 29.1068 Order (case).  
The state of tobacco with respect to its moisture content.

§ 29.1069 Package.  
A hogshead, tierce, case, bale, or other securely enclosed parcel or bundle.

§ 29.1070 Packing.  
A lot of tobacco consisting of a certain number of packages submitted for sampling or inspection as one definite unit and represented to contain the same grade and kind of tobacco and having a common identification number or mark on each package.

§ 29.1071 Premature.  
A low degree of maturity, but having the appearance of being ripe.

§ 29.1072 Primings (P).  
A subgroup of Lugs composed of very thin or tissuey, pale, silky, and premature leaves which are low in oil and wax and which have a dull or dingy finish.

§ 29.1073 Quality.  
A division or group, forming the second factor of a grade, based upon the relative degree of one or more of the elementary quality grades of tobacco, construed in relation to the type as a whole unless otherwise specifically restricted, as in the element "color shade" which is restricted to a given color.
§ 29.1074 Rank (S).

Rough, wild, oversized Leaf tobacco characterized by coarse, bony fibers and midrifs. This tobacco is described as "slapjack" by the trade.

§ 29.1075 Raw.

Freshly harvested tobacco, or tobacco as it appears between the time of harvesting and the beginning of the curing process.

§ 29.1076 Red (R).

Tobacco which is chiefly red in color and which is not crude, green, mixed, or variegated.

§ 29.1077 Resweated.

The condition of tobacco which has passed through a second fermentation under abnormally high temperatures, or refermented with a relatively high percentage of moisture, including tobacco which has been dipped or reconditioned after its first fermentation and put through a forced or artificial sweat.

§ 29.1078 Scrap.

A by-product from handling tobacco in both the unstemmed and stemmed forms, consisting chiefly of loose, untied, and unstemmed leaves or the web portion of leaves, which accumulate in warehouses, packing and conditioning plants, and stemmries; or tobacco which has been reduced to scrap by any process.

§ 29.1079 Semicured.

Tobacco in the process of being cured or tobacco which is partially but not thoroughly cured, including tobacco which contains fat-stems, wet-buts, swell-stems, or stems which have not been thoroughly dried in the curing process.

§ 29.1080 Side.

Any distinct characteristic of tobacco; or a certain phase of quality, color, or length as compared with some other phase of quality, color, or length.

§ 29.1081 Smoking Leaf (H).

A subgroup of Leaf: Composed of relatively thin, non-elastic, very ripe to mellow, very granby, and porous leaves; being low in oil; having prominent ribs (considering the rib size in relation to the thickness of the leaf); and characterized by a somewhat duller finish than the corresponding colors of the Leaf group.

Some of the lower grades of Smoking Leaf have a considerable amount of injury of the kind normally found in very granby or overripe tobacco.

§ 29.1082 Sound.

Free of damage.

§ 29.1083 Special factor.

A symbol or term authorized to be used with specified grades to designate a certain side or characteristic of importance, varying from or not covered by the specifications of the grades.

§ 29.1084 Steamdried.

The condition of unfermented tobacco as customarily prepared for storage by means of a redrying machine or other steam-conditioning equipment.

§ 29.1085 Stem.

A midrib of a tobacco leaf.

§ 29.1086 Stemmed.

A form of tobacco from which the stems or midrifs have been removed, which may consist of either strips or web scrap.

§ 29.1087 Stems.

A tobacco by-product composed of the midrifs of tobacco leaves.

§ 29.1088 Strips.

The two whole sides of a tobacco leaf from which the stem has been removed; or a lot of tobacco composed of strips.

§ 29.1089 Subgrade.

Any grade modified by a special factor or subgroup symbol.

§ 29.1090 Subgroup.

A group formed by the substitution of a different group symbol to denote a modification of the specifications or to indicate a certain side or characteristic of the tobacco.

§ 29.1091 Sweated.

The condition of tobacco in the process of fermentation.

§ 29.1092 Sweating.

The condition of tobacco in the process of fermentation.

§ 29.1093 Tips.

A subgrade of leaf tobacco of which 25 percent or more of its leaves are under 16" in length. Tips normally consist of relatively narrow, sharp-pointed, and heavy-bodied leaves, under 16" long, which grow on the top or upper part of the plant but may consist of any short leaf tobacco having the characteristics of tips.

§ 29.1094 Tobacco.

Tobacco as it appears between the time it is cured and stripped from the stalk, or primed and cured, and the time it enters into the different manufacturing processes. The acts of stemming, sweating, and conditioning are not regarded as manufacturing processes. Tobacco, as herein used, does not include any raw tobacco, manufactured products, stems which have been removed from leaves, cuttings, clippings, trimmings, or shorts (fine sizings).

§ 29.1095 Tobacco products.

Products manufactured from tobacco which are subject to internal revenue taxes, including: Cigarettes, cigars, and smoking, chewing, and snuff tobaccos.

§ 29.1096 Type.

A division of a class of tobacco having certain common characteristics and closely related grades. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths shall be treated as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

§ 29.1097 Type 11.

That type of flue-cured tobacco commonly known as Western Flue-cured or Old Belt and Middle Belt Flue-cured, produced principally in the Piedmont sections of Virginia and North Carolina and the district extending eastward to the coastal plains region. That portion of this type known as Old Belt Flue-cured, normally characterized by a heavier body and darker color shade and produced principally in the Piedmont sections of Virginia and North Carolina, may be classified as Type 11a; and that portion of the type known as Middle Belt Flue-cured, normally characterized by a thinner body and lighter color shade and produced principally in a section lying between the Piedmont and coastal plains regions of Virginia and North Carolina, may be classified as Type 11b.

§ 29.1098 Type 12.

That type of flue-cured tobacco commonly known as Eastern Flue-cured, New Belt of North Carolina Flue-cured, or Eastern Carolina Flue-cured, produced principally in the coastal plains section of North Carolina, north of the South River.

§ 29.1099 Type 13.

That type of flue-cured tobacco commonly known as Southeastern Flue-cured, South Carolina Flue-cured, or New Belt of South Carolina, produced principally in the coastal plains section of South Carolina and the southeastern counties of North Carolina, south of the South River.

§ 29.1100 Type 14.

That type of flue-cured tobacco commonly known as Southern Flue-cured or New Belt of Georgia, Florida, and Alabama, produced principally in the southern section of Georgia and to some extent in Florida and Alabama.

§ 29.1101 Undersize.

Tobacco which is shorter than the minimum size established for a particular group or grade of a type.

§ 29.1102 Undried.

The condition of unfermented tobacco which has not been air-dried or steam-dried.

§ 29.1103 Uniformity.

One of the elements of quality in tobacco having reference to the consistency of a lot, as ordinarily sorted and prepared for market, with respect to other elements of quality or color. The following are the specifications for the several degrees of uniformity showing for each degree the percentage of a lot that may be of a distinctly different group, quality, or color from the major or principal kind of which a lot consists: (a) Alike or very uniform, less than 5 percent; (b) uniform, less than 10 percent; (c) harmonizing or fairly uniform, less than 15 percent; (d) similar, less than 20 percent; (e) unmingled, less than 25 percent; (f) unmixed or mingled, less than 30 percent; and (g) mixed, 30 percent or more. When uniformity with respect to quality is specified it includes...
uniformity with respect to group, but when uniformity with respect to color is specified it does not include uniformity with respect to group or quality.

§ 29.1104 Unripe or greenish (V). Tobacco of the B, C, and X groups which is yellow or curly or has a greenish cast, indicating a low degree of maturity, will be designated by the use of a special factor symbol following the grade.

§ 29.1105 Unsound (U). Damaged under 20 percent.

§ 29.1106 Unstemmed. A form of tobacco from which the stems or midribs have not been removed, including both whole leaf and leaf scrap.

§ 29.1107 Variegated (K). Having a diversity of contrasting colors or tints within a leaf; or leaves which are in part distinctly gray, mottled, bleached, stained, or dotty-faced; or leaves which have been badly discolored in the curing process by scalding, scorching, et cetera; or leaves which do not blend with the normal colors of lemon, orange, red, walnut, or green established for the type. Any lot of tobacco containing 20 percent or more of such leaves is classified as variegated.

§ 29.1108 Waste. The portion or portions of the web of tobacco leaves which have been lost or rendered unserviceable for use in tobacco products, including: (a) Portions which are partly decomposed or largely decomposed by field diseases, field-firing, pole-burning, bulk-burning, or scorching; and (b) portions which are dead, lifeless, and do not have sufficient strength or stability to hold together in the normal manufacturing process due to excessive injury of any kind.

§ 29.1109 Web. The portion of a tobacco leaf expanded from the midrib, as distinguished from the stem or midrib; that portion of a tobacco leaf from which the midrib has been removed; a lot of tobacco consisting of the web of tobacco leaves; or any unmanufactured tobacco which does not contain stems.

§ 29.1110 Web scrap. Stemmed scrap or stemless scrap which is a by-product from stemming tobacco or handling strips, consisting chiefly of portions of strips; or a lot of tobacco from which the stems have been removed by threshing or other means which break the web or sides of the leaves into small pieces.

§ 29.1111 Web yield. The ratio of the weight of granulated and clean web which is normally serviceable and useable in reputable tobacco products to the weight of the original unstemmed tobacco.

§ 29.1112 Wet (W). Any sound tobacco containing excessive moisture to the extent that it is in an unsafe or doubtful keeping state for the condition or purpose the tobacco is to be used, handled, or stored. Wet shall apply to any semicured tobacco or other tobacco which is not damaged, but which is likely to develop in account of excessive moisture if treated in the customary manner or unless unusual precaution is taken.

§ 29.1113 Yield. The potential quantity or percentage of a given product which can be produced, per unit, from a lot or packing of tobacco.

§ 29.1143 Rules. The application of these official standard grades shall be in accordance with the following rules.

§ 29.1144 Rule 1. Each grade shall be treated as a subdivision of a particular type and when the grade is stated in an inspection certificate, the type shall also be stated.

§ 29.1145 Rule 2. The determination of grade shall be based upon a thorough examination of a lot of tobacco or an official sample of the lot.

§ 29.1146 Rule 3. In determining the grade of a lot of tobacco, the lot as a whole shall be considered and minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

§ 29.1147 Rule 4. In drawing an official sample from a hogshead or other package of tobacco, three or more breaks shall be made at such points and in such manner as the inspector or sampler may find necessary to determine the kinds of tobacco and the percentage of each kind contained in the lot. One break shall be made not more than twelve inches from the top of the package and one not more than twelve inches from the bottom of the package, and all breaks shall be made so that the tobacco contained in the center of the package is visible to the sampler. Tobacco shall be drawn from at least three of these breaks and, from these, a representative sample of not less than six hands shall be selected. The sample shall include tobacco of each different quality, color, length, and kind found in the lot in proportion to the quantities of each contained in the lot.

§ 29.1148 Rule 5. Tobacco damaged under 20 percent shall be classed as unsound and treated as a subgrade by placing the special factor letter "U" after or above the grade mark. For example: A lot of unsound tobacco which otherwise meets the specifications of B4M shall be graded B4M-U.

§ 29.1149 Rule 6. When a lot of tobacco, unmixed in color, is on the marginal line between two colors so that there is a question as to which is the predominant color, it shall be placed in the color with which the tobacco best corresponds with respect to body and maturity.
be used by placing an additional color symbol in the fourth position in the grademark to indicate variations in the basic color. Color symbols so used shall be considered as special factors and the grades so formed treated as subgrades.

§ 29.1160 Rule 17.
Unripe or greenish tobacco, as defined, shall be designated by the use of the special factor “V” after the grademark.

§ 29.1161 Rule 18.
The special factor symbol “S” shall be used with grades of the B group to designate the rank or wild side.

§ 29.1162 Rule 19.
The special factor “W” shall be used with any grade when in the opinion of the inspector the tobacco is in an unsafe or doubtful keeping order.

§ 29.1163 Rule 20.
Tobacco defined as decayed, nested, off-type, and botched is not covered by the standard grades and shall be designated as “No-G.”

KEY TO STANDARD GRADEMARKS

§ 29.1225 Key to standard grademarks.
Group and subgroup Qualities Colors

A—Wrappers
1—Choice
L—Lemon

B—Leaf
2—Fine
F—Orange

C—C utter s
3—Good
B—Red

X—L eafs
5—Low
K—Variegated

P—Primings
6—Poor
M—Mixed

N—Non-descript
G—Green

§29.1163 Rule 20.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Grades of Chilled Orange Juice are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

<table>
<thead>
<tr>
<th>Product Description, Styles, Types, and Grades</th>
<th>52.2761 Product description.</th>
</tr>
</thead>
<tbody>
<tr>
<td>52.2762 Styles of chilled orange juice.</td>
<td></td>
</tr>
<tr>
<td>52.2763 Types of chilled orange juice.</td>
<td></td>
</tr>
<tr>
<td>52.2764 Grades of chilled orange juice.</td>
<td></td>
</tr>
</tbody>
</table>

FILL OF CONTAINER

§ 29.2765 Recommended fill of container.

FACTORS OF QUALITY

§ 29.2766 Ascertaining the grade of a sample unit.

§ 29.2767 Ascertaining the rating for the factors which are scored.

§ 29.2768 Color.

§ 29.2769 Defects.

§ 29.2770 Flavor.

EXPLANATIONS AND METHODS OF ANALYSES

§ 29.2771 Definitions of terms and methods of analyses.

LOT INSPECTION AND CERTIFICATION

§ 29.2772 Ascertaining the grade of a lot.

SCORE SHEET

§ 29.2773 Score sheet for chilled orange juice.


PRODUCT DESCRIPTION, STYLES, TYPES, AND GRADES

§ 52.2761 Product description.

Chilled orange juice is the unfermented juice initially obtained from sound, mature fruit of the sweet orange group (Citrus sinensis) and Mandarin group (Citrus reticulata), except tangerines, which fruit was prepared by sorting and by washing prior to extraction of the juice to assure a clean and sanitary product. Chilled orange juice is prepared by removal of seeds, undesirable pulp and without chemical preservatives, but may be packed with the addition of a nutritive sweetening ingredient or other ingredients permissible under the provisions of the Federal Food, Drug and Cosmetic Act. Chilled orange juice applicable to these standards is prepared in accordance with one of the types described herein. The prepared orange juice is chilled quickly, in accordance with good commercial practice and is maintained at temperatures necessary for marketing of the product.

§ 52.2762 Styles of chilled orange juice.

(a) Style I, unsweetened.

(b) Style II, sweetened.

§ 52.2763 Types of chilled orange juice.

(a) General. (1) The type of chilled orange juice is not a factor of quality for the purpose of these grades. Types are given here only for the purpose of identification.

(2) “Treated to improve stability” means treated by heat or otherwise treated in whole or in part to reduce bacterial or enzymatic action.

(b) Type 1. Prepared from freshly extracted single-strength orange juice, untreated except for chilling and the removal of seeds and undesirable pulp. The addition of a sweetening ingredient (Style II) is not permitted under this type.

(c) Type 2. Prepared from freshly extracted single-strength orange juice which has been treated to improve stability.

(d) Type 3. Prepared from frozen single-strength orange juice or from a blend of freshly extracted and frozen single-strength juices which may or may not have been treated to improve stability.

(e) Type 4. Prepared from concentrated orange juice(s) (except canned or with added chemical preservatives) with or without the addition of water, and freshly extracted and/or frozen orange juices.

(f) Type 5. Prepared from concentrated orange juice(s) (except canned or with added chemical preservatives) reconstituted solely with water.

§ 52.2764 Grades of chilled orange juice.

U.S. Grade A” (or U.S. Fancy) is the quality of chilled orange juice that shows no coagulation or no material separation and possesses the appearance of fresh orange juice; that possesses a very good color; that is practically free from defects; that possesses a very good flavor; and that scores not less than 85 points when scored in accordance with the scoring system outlined in this subpart.

U.S. Grade B” (or U.S. Choice) is the quality of chilled orange juice that shows no coagulation but may show some separation and possesses the appearance of fresh orange juice; that possesses a very good color; that is practically free from defects; that possesses a very good flavor; and that scores not less than 85 points when scored in accordance with the scoring system outlined in this subpart.

“Substandard” is the quality of chilled orange juice that fails to meet the requirements of U.S. Grade B.

FILL OF CONTAINER

§ 52.2765 Recommended fill of container.

The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that the container be as full of chilled orange juice as practicable.

FACTORS OF QUALITY

§ 52.2766 Ascertaining the grade of a sample unit.

(a) In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

(1) Factors not rated by score points.

(1) Degree of coagulation;

(2) Separation;

(3) Appearance of fresh orange juice.
The numerical range within each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors | Points | Defects | Flavor | Points
--- | --- | --- | --- | ---
--- | --- | --- | --- | ---
Total score | 100

§ 52.2767 Ascertaining the rating for the various defects which are scored.

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

§ 52.2768 Color.

(a) (A) classification. Chilled orange juice that possesses a very good color may be given a score of 34 to 40 points. "Very good color" means a very good yellow to yellow-orange color that is bright and typical of good-colored fresh orange juice.

(b) (B) classification. If the chilled orange juice possesses a color, a score of 20 to 35 points may be given. Chilled orange juice that falls into this classification shall not be graded below U.S. Grade B regardless of the total score for the product (this is a limiting rule). "Good color" means the color is the yellow to yellow-orange color typical of fresh orange juice which may be dull but is not off color for any reason.

(c) (CStd.) classification. Chilled orange juice that falls to meet the requirements of paragraph (e) of this section may be given a score of 0 to 13 points and shall not be graded above Standard, regardless of the total score for the product (this is a limiting rule).

§ 52.2769 Defects.

(a) General. The factor of defects refers to the degree of freedom from seeds and portions thereof, from excessive juice cells and pulp, and from other defects.


(b) (A) classification. Chilled orange juice that is practically free from defects may be given a score of 17 to 20 points. "Practically free from defects" means that there may be present:

(a) Not more than 0.030 percent by volume of recoverable oil; or

(b) Practically no small seeds or portions thereof that can not pass readily through round perforations 3/16 inch in diameter, and only such other seeds or portions thereof as do not materially affect the appearance or drinking quality of the juice; and

(c) Pulp and juice cells only in such amounts as do not materially detract from the appearance or drinking quality of the juice; and

(d) Other defects that are not more than slightly objectionable.

§ 52.2770 Flavor.

(a) (a) classification. Chilled orange juice that possesses a very good flavor may be given a score of 34 to 40 points. "Very good flavor" means that the flavor is fine, distinct, and substantially typical of fresh, mature sweet oranges; is free from off flavors of any kind; and meets the following additional requirements for the applicable style as qualified in regard to source of soluble solids:

(i) Style I, unsweetened, when the soluble solids of the product are derived solely from single-strength juice(s):

(A) Brix—not less than 10.0 degrees; and

(B) Brix-acid ratio—not less than 17.5 to 1 nor more than 20 to 1.

(ii) Style II, sweetened:

(A) Brix—not less than 11.0 degrees; and

(B) Brix-acid ratio—not less than 12.5 to 1 nor more than 15 to 1.

(iii) Soluble orange solids per gallon of finished product:

(A) When derived solely from single-strength juices 0.856 pounds (equivalent to 10 degrees Brix).

(B) When derived wholly or in part from concentrated orange juice(s) 0.1915 pounds (equivalent to 11.7 degrees Brix).

(b) (B) classification. If the chilled orange juice possesses a good flavor a score of 28 to 33 points may be given. Chilled orange juice that falls into this classification shall not be graded below U.S. Grade B regardless of the total score for the product (this is a limiting rule). "Good flavor" means that the flavor is fairly typical of orange juice extracted from fresh, mature sweet oranges; is free from off flavors of any kind; and meets the following additional requirements for the applicable style:

(i) Style I, unsweetened, when the soluble solids of the product are derived solely from single-strength juice(s):

(A) Brix—not less than 10.5 degrees;

(B) Brix-acid ratio—not less than 11.5 to 1 nor more than 22 to 1, except that when the chilled orange juice is produced solely or predominantly from oranges grown in California or Arizona the Brix-acid ratio may be not less than 10.5 to 1 nor more than 20 to 1.

(ii) Style II, sweetened:

(A) Brix—not less than 12.5 degrees; and

(B) Brix-acid ratio—not less than 11 to 1 nor more than 15 to 1.

(c) (CStd.) classification. Chilled orange juice that falls to meet the requirements of paragraph (b) of this section, or is off flavor for any reason, may be given a score of 0 to 13 points and shall not be graded above Standard, regardless of the total score for the product (this is a limiting rule).

EXPLANATIONS AND METHODS OF ANALYSES § 52.2771 Definitions of terms and methods of analyses

(a) Brix. "Brix" means the degrees Brix of chilled orange juice when tested with a Brix hydrometer calibrated at 20 degrees C. (68 degrees F.) and to which any applicable temperature correction has been made. The degree of Brix of chilled orange juice may be determined by any other method which gives equivalent results.

(b) Acid. "Acid" means the grams of total acidity, calculated as anhydrous citric acid, per 100 ml. of chilled orange juice. Total acidity is determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator.

(c) Brix-acid ratio. "Brix-acid ratio" means the ratio between the Brix and the acid as defined in this section.
(d) Recoverable oil. "Recoverable oil" is determined by the following methods:

1. **Equipment.** Oil separatory trap similar to either of those illustrated in Figure 1 or Figure 2.
2. **Procedure.** (1) Place exactly two liters of juice in a three liter flask. Close the stopcock, place distilled water in the graduated tube, run cold water through the condenser from bottom to top, and bring the juice to a boil. Continue boiling for one hour at the rate of approximately 50 drops per minute.
   (ii) By means of the stopcock, lower the oil into the graduated portion of the separatory trap, remove the trap from the flask, allow it to cool, and record the amount of oil recovered.
   (iii) The number of milliliters of oil recovered divided by 20 equals the percent by volume of recoverable oil.

**LOT INSPECTION AND CERTIFICATION**

§ 52.2772 Ascertaining the grade of a lot.

The grade of a lot of chilled orange juice covered by these standards is determined by the procedures set forth in the regulations governing inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products (§§ 52.1 to 52.87).

**Score Sheet**

§ 52.2773 Score sheet for chilled orange juice.

<table>
<thead>
<tr>
<th>Size and kind of container</th>
<th>Grade ____________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Containing (gallons)</td>
<td>Grade ____________________________</td>
</tr>
<tr>
<td>or</td>
<td>Group ___________________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Label (including ingredient statement, if any)</th>
<th>Grade ____________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liquid measure (fluid ounces)</td>
<td>Grade ____________________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Brix (degrees)</th>
<th>Grade ____________________________</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acid (grammi: calculated as anhydrous citric acid)</td>
<td>Grade ____________________________</td>
</tr>
<tr>
<td>Recoverable oil (% by volume)</td>
<td>Grade ____________________________</td>
</tr>
</tbody>
</table>

**Degree of congealing**

<table>
<thead>
<tr>
<th>Factors</th>
<th>Score points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Color ____________________________</td>
<td></td>
</tr>
<tr>
<td>(A) 31-40 (B) 28-33 (G/S) 10-27</td>
<td></td>
</tr>
<tr>
<td>Defects ____________________________</td>
<td></td>
</tr>
<tr>
<td>(A) 17-28 (B) 15-16 (G/S) 10-27</td>
<td></td>
</tr>
<tr>
<td>Flavor ____________________________</td>
<td></td>
</tr>
<tr>
<td>(A) 31-40 (B) 28-33 (G/S) 10-27</td>
<td></td>
</tr>
</tbody>
</table>

**Total score**

---

1. Indicates limiting rule.
2. Filed as a part of the original document.
SATURDAY, MAY 16, 1959

FEDERAL REGISTER

3987

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[49th Gen. Rev. of Export Regs., Amdt. 16]

PART 368—MUTUAL ASSISTANCE ON U.S. IMPORTS AND EXPORTS (AS APPLIED TO SELECTED U.S. IMPORTS)

PART 371—GENERAL LICENSES

PART 385—EXPORTATIONS OF TECHNICAL DATA

Miscellaneous Amendments

§ 368.1 [Amendment]

1. Section 368.1 Import certificate and delivery verification on selected imports into the United States is amended as follows:

a. Paragraph (b) United States Import Certificate, subparagraph (1) General, is amended to read as follows:

(1) General. (i) Where a person in the United States is purchasing or intending to receive, or receiving, commodities from a foreign country and is required by such country, in connection with the granting of an export license, to furnish an Import Certificate, such person shall apply for his certification by filing out and executing Form FC-826, Import Certificate, in triplicate (in quadruplicate for “source material,” “by-product material,” “special nuclear material,” or “facilities for the production or utilization of special nuclear material” as defined in the Atomic Energy Act of 1954, as amended, and the regulations of the Atomic Energy Commission).

(ii) Import Certificates will be issued only when required by the government of a foreign country for the commodities specified. Where both are subject to the Atomic Energy Act and the commodities identified on the Positive List of Commodities (§ 399.1 of this chapter) by the symbol “A” in the column headed “Commodity Lists,” in case of doubt, the Field Office of the Department of Commerce serving an area will assist the importer in determining whether an Import Certificate may be issued for a particular commodity.

b. Paragraph (d) Delivery verification on imports into the United States, subparagraph (2) completion and disposition of delivery verifications is amended to read as follows:

(2) Completion and disposition of Delivery Verifications. A United States im-

1* This amendment was published in Current Export Bulletin 814, dated May 7, 1959.

* Form FC-826 may be obtained from all Department of Commerce field offices and from the Bureau of Foreign Commerce, Department of Commerce, Washington 25, D.C.

---

**For regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 14, 1959.

(b) Order. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.S.T., May 17, 1959, and ending at 12:01 a.m., P.A.T., May 24, 1959, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 462,000 cartons;

(iii) District 3: Unlimited movement.

(2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)


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

[F.R. Doc. 59-4234; Filed, May 15, 1959; 11:33 a.m.]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.899 Lemon Regulation 792.

(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 29 F.R. 8053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Farmers' Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 88 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee pursuant to the provisions of the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the Federal Register (80 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 14, 1959.

(b) Order. (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.S.T., May 17, 1959, and ending at 12:01 a.m., P.A.T., May 24, 1959, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 372,000 cartons;

(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 14, 1959.

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

[F.R. Doc. 59-4201; Filed, May 15, 1959; 9:07 a.m.]
porter who is required by the foreign government to transport a Delivery Verification shall present Form FC-908, Delivery Verification, in duplicate, to the Collector of Customs. The Collector of Customs will certify a Delivery Verification after the examination by a duly authorized officer of the Department of State (see §370.4 of this subchapter). The provisions of §371.13 relate only to those commodities which are imported into the United States by private or common carriers.

3. Section 371.15 General License GLC; exportations of commercial vehicles by private or common carriers is amended to read as follows:

§ 371.15 General License GLC; exportations of commercial vehicles by certain civil airlines and by private or common carriers.

A general license designated GLC is hereby established authorizing the exportations described below.

(a) Air carriers. Civil aircraft operated by commercial airlines and used on regular schedules between the United States and another country, provided that:

(1) The aircraft is owned by the United States or another country; (ii) The aircraft is operated by the foreign owner of the aircraft; (iii) The aircraft is operated by a national or territory of the United States on a temporary sojourn abroad of not to exceed six months, or for a total of not to exceed six months; (iv) The aircraft, or its equipment, parts, accessories, or components are not used for any military activity while abroad; (v) The aircraft, or its equipment, parts, accessories, or components will not be disposed of in any foreign country without prior authorization from the Bureau of Foreign Commerce; (vi) The aircraft, or its equipment, parts, accessories, or components shall not be used for the purpose of being repaired or overhauled.

(b) United States registered aircraft. A civil aircraft of United States registry may depart from the United States or to the United States any commodity for which export authorization has not been granted by the appropriate United States Government agency.

(ii) The aircraft is not to be used in any military activity while abroad; (iii) The aircraft is to be operated by a United States licensed pilot (except on demonstration flights) while abroad; (iv) The aircraft, or its equipment, parts, accessories, or components will not be disposed of in any foreign country without prior authorization from the Bureau of Foreign Commerce.

The aircraft's United States registration shall not be changed while abroad;

(vi) The owner or operator of the aircraft presents to the Collector of Customs at the time of departure a written certification which the owner or operator has signed and sealed in the presence of the appropriate United States licensed pilot.

SIGNATURE OF CUSTOMS INSPECTOR

NOTE: 1. Limitation on use of General License GLR. Except as otherwise provided in this section, the provisions of §371.18 do not authorize the exportation of any equipment or spare parts which are licensed for export by the Department of State (see §370.4 of this subchapter). The provisions of §371.13 relate only to those commodities which are licensed for export by the Department of Commerce.
shall endorse it, return one copy to the owner or operator prior to the departure of the aircraft, and retain a copy for his records. Upon return of the aircraft to the United States, the endorsed copy of the certification shall be surrendered to the Collector of Customs at the port of entry. If the port of entry is not the same as that from which the aircraft departed, the Collector of Customs at the port of entry shall forward the surrendered copy of the certification to the Collector of Customs at the port from which the aircraft originally departed, noting thereon the date of entry.

(ii) Where the certification covers a series of flights over a six-months period, each departure and re-entry shall be recorded by the Collector of Customs on the endorsed certification. At the end of the six-months period the certification shall be surrendered to the Collector of Customs at the port from which the aircraft initially departed under authority of the certification.

(3) The Collector of Customs at the port of departure may, upon written request, grant one six-months extension of the time allowed for temporary sojourn. (4) Where it is decided that the aircraft is to be returned to the United States within the authorized six-months period (or one year period where the Collector of Customs has authorized a six-months extension of the sojourn), request for an additional six-months, or to other­wise dispose of the aircraft.

(b) The request shall be by letter, in original and two copies, setting forth the reason for non-return of the aircraft, and the name of the United States port with which the written certification was filed. The letter shall be accompanied by a copy of the certification which was filed with the Collector of Customs at the port of departure. The following additional information shall be included, as appropriate:

(i) Where the request is for extension of the time allowed, the letter shall also include a statement as to the present location of the aircraft, the countries it is expected to visit during the extension, and the approximate date of return to the United States.

(ii) Where the request is for authority to extend the length of the sojourn or to dispose of the aircraft, the Bureau of Foreign Commerce will stamp the letter of request with the validation date of the Department of Commerce and forward one copy to the applicant and one copy to the Collector of Customs at the original port of departure.

§ 385.2 [Amendment]
6. Section 385.2 General Licenses GTDP, GTDU, and GTDS, paragraph (b) General License GTDU, unclassified technical data either unpublished or not generally available in published form, is amended to read as follows:

(b) General License GTDU; unclassified technical data either unpublished or not generally available in published form. (1) A general license designated GTDU is hereby established authorizing the exportation of unclassified technical data, either unpublished or not generally available in published form, subject to the limitations set forth in subparagraphs (2), (3), (4) of this paragraph. (2) This general license shall not be applicable to any exportation of technical data directly or indirectly to any Subgroup A destination or Poland (including Danzig).

(3) This general license shall not be applicable to any exportation to any destinations on said data, other than operating and maintenance manuals, relating to:

(i) Civil aircraft, civil aircraft equipment, parts, accessories, or components listed on the Positive List of Commodities (§ 399.1 of this chapter); or

(ii) The following electronic commodities:

(a) Electrical and electronic instruments, especially designed for testing or calibrating the airborne direction finding, navigational and radar equipment described in Schedule B Nos. 70797 and 70867.

(b) Airborne transmitters, receivers, and transceivers, Schedule B number 70779.

(c) Airborne direction finding equipment, Schedule B number 70787.

(d) Airborne electronic navigation apparatus; airborne, ground, and marine radar equipment, Schedule B number 70867.

(4) Before making any exportation under this general license of technical data of the kind described below in this subparagraph, the exporter shall obtain written assurance from the importer that neither the technical data nor the product thereof is intended to be shipped, either directly or indirectly, to a Subgroup A destination or Poland (including Danzig).

(5) This general license shall not be applicable to any exportation to any destination of technical data of the kind described below in this subparagraph if, at the time of exportation of the technical data from the United States, the exporter knows or has reason to believe that the product is to be manufactured abroad by use of the technical data is intended to be exported or reexported directly or indirectly to a Subgroup A destination or Poland (including Danzig).

(i) Technical data and services listed in (a) of this subdivision for the plants, processes, and equipment listed in (b) of this subdivision:

(a) Types of technical data and services:

(1) Proprietary research and the results therefrom;

(2) Processes developed pursuant to research (including technology with regard to component equipment items);

(3) Catalyst production, activation, utilization, reactivation and recovery;

(4) Plant and equipment design and layout to implement the processes; and

(5) Construction and operation of plant and equipment.

(b) Types of plants and processes:

(1) The following plants and/or processes usable in the treatment of petroleum or natural gas fractions or of products derived directly or indirectly therefrom:

Alkylation. Polymerization.
Aromatization. Reforming.
Cracking. Oxidation.
Dehydrogenation. Halogenation.
Decomposition. Oxyanalysis.
Eco process. Reduction.
Hydrogenation. Nitrification.
Isomerization.

T. Section 385.4 Exports to Subgroup A destinations and Poland (including Danzig) is amended by amending the title of the section and paragraph (a) Scope to read as follows:

§ 385.4 Exports under a validated license.

(a) Scope. (1) Under the provisions of this § 385.4, there is established a procedure for the exportation of technical data not exportable under a general license.

(2) Pursuant to this procedure, application may be made for a validated license, if issued, authorizes the exportation of specified technical data to a designated foreign consignee or consignees within a validity period of six months. This amendment shall become effective June 1, 1959, except that the amendments of §§ 386.1 and 386.2 (b) (4) shall become effective June 8, 1959.


Loring K. Macy,
Director,
Bureau of Foreign Commerce.

[F.R. Doc. 59-4140; Filed, May 15, 1959; 8:47 a.m.]
Title 39—Postal Service
Chapter I—Post Office Department
PART 123—Insurance
PART 152—Indemnity Claims and Payments

Miscellaneous Amendments

Regulations of the Post Office Department are amended as follows: I. Part 123, Insurance, is amended to read as follows:

§ 123.1 Availability.

Insurance is available only to countries with which specific arrangements have been made for this service. See individual country items in § 168.5 of this chapter. In the case of Canada, insurance service is limited to parcel post.

§ 123.2 Preparation.

The general provisions for the preparation of ordinary parcels to other countries apply also to insured parcels.

§ 123.3 Fees.

For scales of fees, see individual country items in § 168.5 of this chapter.

§ 123.4 Limits of insurance.

The maximum amounts for which parcels may be insured are shown under the individual country items in § 168.5 of this chapter. Parcels may not be insured for more than the declared value of the contents or for more than the maximum amount of indemnity payable in connection with insured parcels for the country concerned. However, if desired, parcels may be insured for a portion of the value of the contents, in which case only the fee covering the amount of insurance desired will be charged.

§ 123.5 Special endorsements.

(a) Contents. You must mark parcels containing fragile or perishable articles "Fragile," "Perishable," "Glass," or "Eggs," as appropriate.

(b) Insured nature. (1) You must indicate in United States currency (figures only) in the appropriate space on the Form 2966 (Customs Declaration (Parcel Post)) the amount for which your parcel is insured.

(2) To most countries, the insured value of the parcel must be shown on the wrapper and on the Form 2972 (Dispatch Note (For Mailing Parcels to Certain Countries)). Examples of the types of endorsements to be used are given under individual country items in § 168.5 of this chapter. In some instances the insured value must be shown also in gold francs. Conversion of United States currency into gold francs is made on the basis of 33 cents (approximately) equals 1 gold franc. To determine the gold franc equivalent, multiply the amount in United States currency by 3. For example, $5.25 is equal to 15.75 gold francs.

§ 123.6 Insurance receipts.

You are issued a receipt for mail accepted for insurance. Each receipt will bear the insurance number. You should enter the name and address of the addressee on the receipt and keep it. The receipt must be submitted if you file a claim or an inquiry concerning the parcel.

§ 123.7 Return receipts.

Return receipts for insured parcels are furnished under the same conditions as apply to registry return receipts. (See § 132.6 of this chapter.) No return receipts are furnished for insured parcels to Canada.

NOTE: The corresponding Postal Manual section is 213.

§ 152.2 (Amendment)

II. In § 152.2 Indemnity payments, make the following changes:

A. Amend subparagraph (3) of paragraph (b) to read as follows:

(3) Ecuador. You may be paid up to $50.00, based on actual value, for loss, rifling, or damage, in accordance with the registry fee paid.

NOTE: The corresponding Postal Manual section is 262.223.

D. Subparagraph (5) of paragraph (c) is hereby rescinded.

NOTE: The corresponding Postal Manual section is 262.235.

PART 168—Directory of International Mail

Miscellaneous Amendments

Part 168, Directory of International Mail, as published in the Federal Register of March 20, 1959, at pages 2117–2193 as Federal Register Document 59–2385, is amended as follows:

Amend § 168.1, Postal union mail, to read as follows:

§ 168.1 Postal union mail.

(See Part 111 of this chapter for detailed information as to mailing conditions.)

(a) Classifications, surface rates, and weight limits. (For air mail, see individual country items in § 168.5 of this chapter, for rates, and Part 121 of this chapter for general information.)

<table>
<thead>
<tr>
<th>Classification (surface and air)</th>
<th>Surface rates</th>
<th>Weight limits (surface and air)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Letter mail (see § 111.2(b) of this chapter).</td>
<td>4 cents per ounce</td>
<td>60 pounds.</td>
</tr>
<tr>
<td>Canada.</td>
<td>4 cents per ounce</td>
<td>4 pounds 6 ounces. Do.</td>
</tr>
<tr>
<td>Mexico.</td>
<td>3 cents first ounce, 2 cents each additional ounce. Do.</td>
<td></td>
</tr>
<tr>
<td>All other countries.</td>
<td>3 cents first ounce, 2 cents each additional ounce.</td>
<td></td>
</tr>
<tr>
<td>Postcards (see § 111.2(b) of this chapter).</td>
<td>2 cents single; 6 cents reply paid...</td>
<td>See subparagraph (1) of this paragraph. Do.</td>
</tr>
<tr>
<td>Canada and Mexico.</td>
<td>5 cents single; 10 cents reply paid...</td>
<td></td>
</tr>
<tr>
<td>All other countries.</td>
<td>4 cents first 2 ounces, 2 cents each additional 2 ounces.</td>
<td></td>
</tr>
<tr>
<td>Printed matter (see § 111.2(d) of this chapter).</td>
<td>3 cents first 2 ounces; 1½ cents each additional 2 ounces.</td>
<td></td>
</tr>
<tr>
<td>a. Books and sheet maps (see § 111.2(d)(1)(i) and (ii) of this chapter).</td>
<td>See 111.2(d)(1)(i) of this chapter.</td>
<td></td>
</tr>
<tr>
<td>b. Second class matter mailed by publishers or registered news agents.</td>
<td>3 cents first 2 ounces; 1½ cents each additional 2 ounces.</td>
<td></td>
</tr>
<tr>
<td>Matter for the blind (see § 111.2(e) of this chapter).</td>
<td>See 111.2(d)(1)(i) of this chapter.</td>
<td></td>
</tr>
<tr>
<td>Samples of merchandise (see § 111.2(f) of this chapter).</td>
<td>3 cents first 2 ounces; 1½ cents each additional 2 ounces.</td>
<td></td>
</tr>
<tr>
<td>Commercial papers (see § 111.2(g) of this chapter).</td>
<td>See 111.2(d)(1)(i) of this chapter.</td>
<td></td>
</tr>
<tr>
<td>Small packets: To all countries admitting. (See § 111.2(d)(1)(i) of this chapter.)</td>
<td>4 cents each additional ounce.</td>
<td></td>
</tr>
<tr>
<td>8-ounce merchandise packages: To all countries admitting. (See § 111.2(d)(2) of this chapter.)</td>
<td>Minimum charge, 9 cents.</td>
<td></td>
</tr>
<tr>
<td>8-ounce packages:</td>
<td>4 cents each 2 ounces. Minimum charge, 18 cents.</td>
<td></td>
</tr>
<tr>
<td>(i) Printed matter weight limits.</td>
<td>8 ounces.</td>
<td></td>
</tr>
<tr>
<td>Printed matter in general is subject to a weight limit of 8 pounds 9 ounces, and printing books to a limit of 11 pounds.</td>
<td>4 pounds 6 ounces.</td>
<td></td>
</tr>
<tr>
<td>The following exceptions apply:</td>
<td>Do.</td>
<td></td>
</tr>
<tr>
<td>(i) To Paraguay and Peru the weight limit is 11 pounds.</td>
<td>15 pounds 6 ounces.</td>
<td></td>
</tr>
<tr>
<td>(ii) To Argentina, Bolivia, Brazil, Spain (including Balearic Islands, Canary Islands, and Spanish offices in Northern Africa), Spanish Guinea and Spanish West Africa, the weight limit is 23 pounds.</td>
<td>4 pounds 6 ounces.</td>
<td></td>
</tr>
<tr>
<td>(iii) To Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Haiti, Honduras Republic, Mexico, Nicaragua, Panama, El Salvador, Uruguay and Venezuela, the weight limit is 33 pounds.</td>
<td>2 pounds 3 ounces.</td>
<td></td>
</tr>
<tr>
<td>(iv) Single volume may weigh up to 22 pounds when addressed to Paraguay or Peru, and up to 60 pounds when addressed to Cuba, Mexico, Panama or El Salvador.</td>
<td>8 pounds.</td>
<td></td>
</tr>
<tr>
<td>(v) Packages of second-class publications mailed to Canada at the postage rates prescribed in § 111.2(d) (1) (b) (1) of this chapter may weigh up to 66 pounds.</td>
<td>8 pounds.</td>
<td></td>
</tr>
</tbody>
</table>
| (b) Dimensions. The following general dimensions apply to the various classes of postal union articles:
2. Amend the item **Import restrictions** to read as follows:

**Import restrictions.** The attention of senders should be called to the following requirements, which must be met by addressees:

- Import licenses must be obtained to take delivery of the following:
  - Commercial parcels generally.
  - Gift parcels whose value exceeds 1,000 schillings ($38.50) generally, or 500 schillings ($19.25) in the case of pharmaceutical products.
  - Firearms other than sporting guns.
  - Austrian banknotes.
  - Postage stamps of other countries than Austria exceeding 500 schillings ($19.25) in value.
  - Radio receivers.
  - Medicinal preparations of all kinds, including cosmetic and dietetic products sold as remedies; serums and vaccines; veterinary medicines.
  - Tobacco products. Licenses are granted without difficulty if the value does not exceed 100 schillings ($3.85).

D. In country “Azores,” under Parcel Post, amend the tabular information immediately following the item **Air Parcel rates** to read as follows:

<table>
<thead>
<tr>
<th>Weight limit: 22 pounds.</th>
<th>Sealing: Insured parcels must, and ordinary parcels may, be sealed.</th>
<th>Group shipments: No.</th>
<th>Registration: No.</th>
<th>Insurance: Yes. (Same as Portugal.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal forms required:</td>
<td>1 Form 2922 (Parcel-post sticker).</td>
<td>1 Form 2966 (Customs declaration).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

E. In country “Canada” (including Newfoundland and Labrador), under Parcel Post, amend the third paragraph of the item **Prohibitions** to read as follows:

- Bees must not be on combs, and must be accompanied by a declaration signed by the mailer that the food for the bees carried in the package is free from disease. Honey must not be used in making the candy placed in queen bee mailing cages. Pesticide handling charges are applicable to honey bees in cages, but not to queen bees in small cages, alone or accompanied by a few workers, unless a considerable number of such cages are tied together for transportation outside of mail sacks.

F. In country “Ecuador,” under Parcel Post, amend the item **Observations** to read as follows:

| Observations. Packets or parcels exceeding $40 in value require consular and commercial invoices legalized by an Ecuadoran Consul, from whom consular invoice forms must be purchased. Consuls of Ecuador are located in the following cities:
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Baltimore, Md.</td>
<td>Chicago, Ill.</td>
<td>Cincinnati, Ohio</td>
<td>Cleveland, Ohio</td>
</tr>
<tr>
<td>San Francisco, Calif.</td>
<td>San Juan, Puerto Rico</td>
<td>Seattle, Wash.</td>
<td>Stanford, Conn.</td>
</tr>
<tr>
<td>Tampa, Fla.</td>
<td>Washington, D.C.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Parcels may be addressed to banks or other organizations for ultimate delivery to consular or diplomatic addressees. The latter, however, may not take delivery without written authority from the first address, unless the sender arranges for change of address as provided in Part 127 of this chapter.

After the arrival of parcels in Ecuador each addressee is contacted in order to ascertain whether he desires to accept the parcel. If the addressee refuses the parcel it is treated as undeliverable and disposed of in accordance with the instructions of the sender, but if the addressee accepts the parcel it is then submitted for customs treatment. If, after customs duties have been assessed, the addressee should fail to pay those charges the parcel will not be released for return to the sender until the amount of duty assessed is paid.

G. In country “Liberia,” under Parcel Post, amend the tabular information immediately following the item **Air Parcel Rates** to read as follows:

<table>
<thead>
<tr>
<th>Weight limit: 22 pounds.</th>
<th>Sealing: Insured parcels must, and ordinary parcels may, be sealed.</th>
<th>Group shipments: No.</th>
<th>Registration: No.</th>
<th>Insurance: Yes. (Same as Portugal.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal forms required:</td>
<td>1 Form 2922 (Parcel-post sticker).</td>
<td>1 Form 2966 (Customs declaration).</td>
<td>1 Form 2972 (Dispatch note).</td>
<td></td>
</tr>
</tbody>
</table>

H. In country “Madeira Islands,” under Parcel Post, amend the tabular information immediately following the item **Air parcel rates** to read as follows:

<table>
<thead>
<tr>
<th>Weight limit: 22 pounds.</th>
<th>Sealing: Insured parcels must, and ordinary parcels may, be sealed.</th>
<th>Group shipments: No.</th>
<th>Registration: No.</th>
<th>Insurance: Yes. (Same as Portugal.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal forms required:</td>
<td>1 Form 2922 (Parcel-post sticker).</td>
<td>1 Form 2966 (Customs declaration).</td>
<td>1 Form 2972 (Dispatch note).</td>
<td></td>
</tr>
</tbody>
</table>

I. In country “Morocco” (including Southern Protectorate), make the following changes:

1. Under Parcel union mail, amend the item **Prohibitions** to read as follows:

<table>
<thead>
<tr>
<th>Prohibitions and import restrictions. Manufactured and unmanufactured platinum, gold or silver; jewelry and other precious articles.</th>
<th>Coins and banknotes, unless imported by the State Bank of Morocco or a banking establishment authorized by the Moroccan Government.</th>
<th>Articles prohibited or restricted as parcel post are prohibited or restricted in the postal union mail.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prohibitions and import restrictions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prohibitions and import restrictions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prohibitions and import restrictions.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

J. In country “Peru,” under Parcel Post, strike out the item **Prohibitions and Import Restrictions** and insert in lieu thereof the following:

<table>
<thead>
<tr>
<th>Prohibitions. For reasons of public safety: Arms, except deluxe and hunting arms used for sport; munitions authorized for supply to dealers or for strictly personal use by individuals.</th>
<th>Nipples and pacifiers made of substances other than pure rubber.</th>
<th>Arms, etc.: War arms and parts thereof, except for the Ministry of War.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prohibitions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prohibitions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prohibitions.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SECTION 3391**
State monopolies: Leaf tobacco, manufactured tobacco and kiff, except for the Tobacco Monopoly. However, tobacco required for reasons of health or habit may be imported by individuals for their personal use, subject to previous authorization.

For other reasons: Articles bearing false indications or any designs resembling national Moroccan decorations. Import restrictions: Addressess are required to obtain import licenses in some cases. Special licenses are required for tobacco products, admissible firearms, motion-picture films, white lead and other lead compounds.

J. In country “Portugal,” under Parcel Post, make the following changes:
1. Amend the tabular information immediately following the item Air parcel rates to read as follows:
   Weight limit: 22 pounds.
   Sealing: Insured parcels must, and ordinary parcels may, be sealed.
   Group shipments: No.
   Registration: No.
   Insurance: Yes (Same as Portugal).
   Post forms required: 1 Form 2922 (Parcel-post sticker).
   2. Strike out the item “Registration and insurance”, and insert in lieu thereof the following:
   Insurance: The following insurance fees and limits of indemnity apply:

<table>
<thead>
<tr>
<th>Limit of indemnity</th>
<th>Fee, cents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not over $10</td>
<td>20</td>
</tr>
<tr>
<td>From $10.01 to $25</td>
<td>25</td>
</tr>
<tr>
<td>From $25.01 to $50</td>
<td>35</td>
</tr>
<tr>
<td>From $50.01 to $100</td>
<td>55</td>
</tr>
<tr>
<td>From $100.01 to $150</td>
<td>60</td>
</tr>
</tbody>
</table>

Print on the wrapper, near the “Insured” endorsement and number, the amount for which the parcel is insured. This amount shall be shown in United States currency and in gold francs. The indication in United States currency shall be in figures and in letters spelled out in full, and in the gold franc equivalent in figures only, as shown in the following example:

**INSURED VALUE**

| TWENTY-FIVE DOLLARS AND SEVENTY-FIVE CENTS | 77.25 GOLD FRANCS |

See Part 123 of this chapter for method of converting United States currency into gold francs and general information on insurance.

Parcels containing coin, valuable jewelry, or any other precious article must be insured.

K. In country “Rhodesia and Nyasaland (Federation of),” under Parcel Post, add a new paragraph to the item Prohibitions to read as follows:

Bank notes as well as gold, platinum, silver, jewels and other precious articles.

L. In country “Spain,” under Parcel Post, the item Prohibitions is amended to read as follows:

**Prohibitions.** Tobacco (admitted only to the Canary Islands), cigarette lighters, military arms, airguns and blowguns. Playing cards.

M. In country “Sweden,” under Parcel Post, amend the item Import restrictions to read as follows:

**Import restrictions.** Merchandise may be imported only under license issued by the Swedish authorities, except for articles not exceeding 275 crowns ($53) in value sent as gifts for the personal use of the addressee or his family.

N. In country “Trinidad and Tobago”, under Parcel Post, amend the item Import restrictions to read as follows:

**Import restrictions.** Addressess are required to obtain import licenses in most cases. The licenses must be obtained before the parcels arrive.

O. In country “Union of South Africa (Province of Cape of Good Hope, Natal (including Zululand and Amatonga-land), Orange Free State and Transvaal; also British Bechuanaland, Swaziland and Basutoland)” under Parcel Post, amend the fourth paragraph of the item Prohibitions to read as follows:

Honey and preparations of honey including "royal jelly", preserves sweetened with honey, and honey paper.

P. In “Places not included in alphabetical list of countries”, make the following changes:
1. “Canal Zone”, as it appears in alphabetical order therein, is amended to read as follows:
   Canal Zone (U.S. Poss. See P.O. Dir. and Part 2 and § 15.6(d) of this chapter).
2. Insert “Christmas Island (Australia)” in the proper alphabetical order therein.
3. Strike out “Christmas Island (Malaya)” where it appears alphabetically therein.
4. Strike out the reference to “Pt. 112, P.M.” where it appears in the country’s items therein, and insert in lieu thereof “Pt. 2 of this chapter”.


[SEAL]
HERBERT B. WARBURTON,
General Counsel.

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS
[Public Land Order 1847]
[Parafinks—1980]

ALASKA

Withdrawing Public Lands for Use of the Department of the Air Force in Connection With Clear Air Force Station

By virtue of the authority vested in the President and pursuant to Executive Order No. 10555 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral-leasing laws but not the disposal of materials under the act of July 31, 1947 (61 Stat. 661; 30 U.S.C. 601-604) as amended, and reserved for use of the Department of the Air Force as an addition to Clear Air Force Station:

FAIRBANKS MERIDIAN
T. 7 S. R. 8 W., Sec. 4, lots 2 and 4, 1/4 NW1/4, and SW1/4; Sec. 5, lot 1, SE1/4 1/4, and SE1/4; Sec. 8, 1/4 NW1/4, that portion of the NE1/4 lying west of the Alaska Railroad right-of-way.

The areas described aggregate 709.59 acres.

ROGER ERNST,
Assistant Secretary of the Interior.

MAY 12, 1959.

[F.R. Doc. 59-4133; Filed, May 15, 1959; 8:46 a.m.]

Title 50—WILDLIFE

PART 33—CENTRAL REGION

Subpart—Valentine National Wildlife Refuge, Nebraska

FISHING

Basis and purpose. Pursuant to the authority conferred upon the Secretary of the Interior by section 10 of the Migratory Bird Conservation Act of February 13, 1929 (46 Stat. 1234; 16 U.S.C. 715), as amended and supplemented, and acting in accordance with the authority delegated to me by Commissioner’s Order No. 4 (22 F.R. 8126), I have determined that fishing on the Valentine National Wildlife Refuge, Nebraska, would be consistent with the management of the refuge.

By notice of proposed rule making published in the Federal Register of April 3, 1959 (24 F.R. 2588), the public was invited to participate in the adoption of a proposed regulation (conforming substantially with the rule set forth below) which would permit fishing on the Valentine National Wildlife Refuge by submitting written data, views, or arguments to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within a period of 30 days from the date of publication. No comments, suggestions, or objections having been received within the 30-day period, § 33.341 of Part 33, Subpart—Valentine National Wildlife Refuge, Nebraska, is revised and adopted as follows:

§ 33.341 Sport fishing permitted.

Subject to the applicable provisions contained in Parts 18 and 21 of this chapter, sport or noncommercial fishing is permitted during the daylight hours in
acquiescence with the laws of the State of Nebraska, during the period March 16 to December 14, inclusive, in the waters of Clear, Dewey, Hackberry, Pelican, Watts, and Willow Lakes within the Valentine National Wildlife Refuge: Provided, That no person at any time, while on any part of the refuge, shall use for bait any minnows, fish, or parts thereof, either alive or dead, or have in his possession any such bait, or any seine or net that may be used for capturing minnows; and, Provided further, That fishing is prohibited during the open season for the hunting of migratory waterfowl.

In accordance with the requirements imposed by section 4(c) of the Administrative Procedure Act of June 11, 1940, 60 Stat. 236; 5 U.S.C. 553(c), the foregoing amendment shall become effective on the 31st day following publication in the Federal Register.

(See 10, 45 Stat. 1224; 16 U.S.C. 715)  
Dated: May 12, 1959.  
D. H. JANZEN,  
Director, Bureau of  
Sport Fisheries and Wildlife.

[F.R. Doc. 59-4131; Filed, May 15, 1959; 8:45 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Parts 171-174 ]

LANDS LEASED FOR MINERAL DEVELOPMENT TO BE IN COMPACT BODY

Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Acts of May 11, 1938 (52 Stat. 347), March 3, 1939 (52 Stat. 761), June 4, 1939 (41 Stat. 751), as amended by the Act of May 28, 1926 (44 Stat. 658), and May 27, 1908 (35 Stat. 312), it is proposed to amend §§ 171.8 and 174.9, and to add new sections to Parts 172 and 173 to read as set forth below. The purpose of these amendments and additions is to provide that certain Indian tribal and individual Indian allotted lands leased for mining shall be in a reasonably compact body and, wherever practicable, shall conform to the system of public land surveys.

The proposed amendments and additions are to be rule making requirements of the Administrative Procedure Act (5 U.S.C. 1006); however, it is the policy of the Department of the Interior that, wherever practicable, the rule making requirements be observed voluntarily. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments and additions, to the Commissioner of Indian Affairs, Department of the Interior, Washington 25, D.C., within 30 days of the date of publication of this notice in the Federal Register.

Roger Ernst,  
Assistant Secretary of the Interior.

Dated: May 13, 1959.

1. Section 171.8 is amended to read as follows:

§ 171.8 Lands to be in compact body.

The area covered by a lease shall be reasonably compact although not necessarily contiguous and, wherever practicable, shall conform to the system of public land surveys.

2. Section 172.6c, a new section, is added to read as follows:

No. 96—4

FEDERAL REGISTER 3993

§ 172.6c Lands to be in compact body.

The area covered by a lease shall be reasonably compact although not necessarily contiguous and, wherever practicable, shall conform to the system of public land surveys.

§ 173.4c Lands to be in compact body.

The area covered by a lease shall be reasonably compact although not necessarily contiguous and, wherever practicable, shall conform to the system of public land surveys.

4. Section 174.9 is amended to change the caption, and to read as follows:

§ 174.9 Lands to be in compact body.

The area covered by a lease shall be reasonably compact although not necessarily contiguous and, wherever practicable, shall conform to the system of public land surveys.

[7 CFR Part 52]

UNITED STATES STANDARDS FOR GRADES OF DEHYDRATED, LOW-MOISTURE PRUNES

Notice of Proposed Rule Making

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Standards for Dehydrated, Low-Moisture Prunes pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627). These standards, if made effective, will be the first issue by the Department of grade standards for this product.

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

The proposed standards are as follows:

PRODUCT DESCRIPTION, MOISTURE, STYLES, GRADES

Sec.

52.3231 Product description.
52.3232 Moisture of low-moisture prunes.
52.3233 Styles of low-moisture prunes.
52.3234 Grades of low-moisture prunes.

FACTORS OF QUALITY

52.3235 Ascertaining the grade.
52.3236 Ascertaining the rating for the factors which are scored.
52.3237 Color.
52.3238 Uniformity of size and count.

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

DEPARTMENT OF AGRICULTURE

Agricultural–Marketing Service

[7 CFR Part 51]

UNITED STATES STANDARDS FOR NECTARINES

Extension of Time

A proposal for revision of the United States Standards for Nectarines (§§ 51.3145 to 51.3159) was set forth in the notice which was published in the Federal Register on March 24, 1959 (24 F.R. 2278).

In consideration of data, comments and suggestions received indicating the need for further study of the proposed changes, notice is hereby given of an extension until December 31, 1959, of the period of time within which written data, views and arguments may be submitted by interested persons for consideration in connection with the aforesaid proposed revision of the United States Standards for Nectarines.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with the Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service.
Sec. 52.3231 Absence of defects.
52.3240 Texture.

EXPLANATIONS AND METHODS OF ANALYSES

52.3241 Explanations of methods and analyses.
LOT INSPECTION AND CERTIFICATION

52.3242 Ascertaining the grade of a lot.
SCORE SHEET

52.3243 Score sheet for low-moisture prunes.

PROPOSED RULE MAKING

PRODUCT DESCRIPTION, MOISTURE, STYLES, GRADeS

§ 52.3231 Product description.
Dehydrated, low-moisture prunes, hereinafter referred to as “low-moisture prunes”, are prepared from clean and sound fresh prune plums of previously dried prunes, are pitted and otherwise prepared into various sizes and shapes; are prepared to assure a clean, sound, whole pitted product; are processed by dehydration whereby practically all of the moisture is removed to produce a very dry texture; and are packaged (including labeling and proper closure) to assure retention of the low-moisture characteristics of the product.

§ 52.3232 Moisture of low-moisture prunes.
The moisture content of the finished product shall be not more than the following for the respective styles:
Nugget-type—2.5 percent.
Pieces—2.5 percent.
Whole Pitted—3.5 percent.

§ 52.3233 Styles of dehydrated prunes.
(a) Nugget-type. “Nugget-type” is especially processed to produce popcorn-like or form-textured units of irregular-shapes of such size that practically all of the units will pass through 0.625 inch (5/8-inch) square openings.
(b) Pieces. “Pieces” consist of irregularly-shaped cut or chopped pieces of such size that practically all of the units will pass through 0.625 inch (5/8-inch) square openings.
(c) Whole pitted. “Whole pitted” dehydrated prunes, except for minor marking or damage from pitting, are otherwise partially or substantially whole

§ 52.3234 Grades of low-moisture prunes.
(a) “U.S. Grade A” or “(U.S. Fanc’y) low-moisture prunes is the quality of low-moisture prunes that possess a normal flavor and odor, that possess a predominantly normal flavor and odor, that are reasonably free from defects, that possess a reasonably good texture, and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 85 points: Provided, That the low-moisture prunes may possess a reasonably good texture, if the total score is not less than 85 points.

(b) “U.S. Grade B” (or “U.S. Choice”) low-moisture prunes is the quality of low-moisture prunes that possess a normal flavor and odor, that possess a reasonably good color, that score of 14 to 16 points may be given. Low-moisture prunes that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). “Reasonably good color” means that in the style of “nugget-type” the color may vary noticeably in shades of brown color; and that in the style of “pieces” or “whole pitted”, the units may possess a variable dull blue-black to very dark brown color; and that in any style, after cooking, the color may be dull but is typical of cooked low-moisture prunes that have been properly prepared and processed and is not off-color for any reason.

(c) (“Sub-standard”) classification. Low-moisture prunes that fail to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3238 Uniformity of size and count.

(a) (A) classification. Low-moisture prunes that are reasonably uniform in size and count may be given a score of 17 to 20 points. “Reasonably uniform in size and count” has the following meaning for the applicable style:

(b) (“Uniformity of size and count”) classification. The units may possess a variable dull blue-black to very dark brown color; and that in any style, after cooking, the color may be dull but is typical of cooked low-moisture prunes that have been properly prepared and processed and is not off-color for any reason.

§ 52.3237 Color.
(a) (A) classification. Low-moisture prunes that possess a good color may be given a score of 17 to 20 points. “Good color” means that in the style of “nugget-type” the color may range from characteristic light chocolate brown to darker brown but the over-all color impression is reasonably uniform; and that in the style of “pieces” or “whole pitted”, the units may vary from characteristic blue-black typical of the exterior skin color, and chocolate brown to darker brown typical of the interior color, of low-moisture prunes and that such characteristic color of any style, after cooking, is a reasonably rich color typical of cooked low-moisture prunes that have been properly prepared and processed.

(b) (“B) classification. If the low-moisture prunes possess a reasonably good color, a score of 14 to 16 points may be given. Low-moisture prunes that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). “Reasonably good color” means that in the style of “nugget-type” the color may vary noticeably in shades of brown color; and that in the style of “pieces” or “whole pitted”, the units may possess a variable dull blue-black to very dark brown color; and that in any style, after cooking, the color may be dull but is typical of cooked low-moisture prunes that have been properly prepared and processed and is not off-color for any reason.

§ 52.3235 Ascertaining the grade.
In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) Factors not rated by score points.
(1) Color and odor.
(2) Factors rated by score points.

§ 52.3239 Absence of defects.
Absence of defects.

§ 52.3242 Ascertaining the grade.
In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) Factors not rated by score points.
(1) Color and odor.
(2) Factors rated by score points.

§ 52.3235 Ascertaining the grade.
In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) Factors not rated by score points.
(1) Color and odor.
(2) Factors rated by score points.

§ 52.3239 Absence of defects.
Absence of defects.

§ 52.3242 Ascertaining the grade.
In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) Factors not rated by score points.
(1) Color and odor.
(2) Factors rated by score points.

§ 52.3239 Absence of defects.
Absence of defects.

§ 52.3242 Ascertaining the grade.
In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) Factors not rated by score points.
(1) Color and odor.
(2) Factors rated by score points.

§ 52.3239 Absence of defects.
Absence of defects.

§ 52.3242 Ascertaining the grade.
In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) Factors not rated by score points.
(1) Color and odor.
(2) Factors rated by score points.

§ 52.3239 Absence of defects.
Absence of defects.

§ 52.3242 Ascertaining the grade.
In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) Factors not rated by score points.
(1) Color and odor.
(2) Factors rated by score points.

§ 52.3239 Absence of defects.
Absence of defects.

§ 52.3242 Ascertaining the grade.
In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) Factors not rated by score points.
(1) Color and odor.
(2) Factors rated by score points.

§ 52.3239 Absence of defects.
Absence of defects.
§ 52.3239 Absence of defects.

(a) General. The factor of absence of defects means a degree of freedom from damaged and seriously damaged units, from partial units and inseparable units in whole pitted style, from units affected by pit material in whole pitted style, and from other defects or injury that affect the appearance or eating quality of the units or product.

(b) Definitions. (1) "Damaged units" are units that possess defects which materially affect the appearance of the low-moisture prunes and are of such nature that they may or may not disappear upon cooking. Units that are mechanically damaged by pitting, or other preparation including smaller perforations, are not considered "damaged units." "Damaged units" include, but are not limited to, units that possess scars, blemishes, insect injury, or other similar blemishes.

(2) "Seriously damaged units" include units that are excessively darkened due to scorching or burning, that possess serious scorches, serious blemishes, serious insect injury, or serious defects of surface, or in which any other way possess defects that seriously affect the appearance of the low-moisture prunes and that damage is of such nature that it does not disappear upon cooking.

(3) "Partial units" in whole pitted style consist of portions of whole pitted low-moisture prunes which are less than 1 inch in their longest dimension; and "inseparable units" in whole pitted style consist of two or more partial units and/or whole pitted prunes which are stuck together so that they may not be readily separated in the low-moisture prunes.

(4) "Affected by pieces of pit" in whole pitted style means units that are affected by pit material in whole pitted style but are so stuck together that they may not disintegrate generally into pieces that may range from fine and grainy to coarse and saucelike consistency.

(5) "Inseparable units" in whole pitted style consist of two or more partial units and/or whole pitted units which are stuck together so that they may not be readily separated in the low-moisture prunes.

(6) "Affected by pieces of pit" in whole pitted style means units that are affected by pit material in whole pitted style but are so stuck together that they may not disintegrate generally into pieces that may range from fine and grainy to coarse and saucelike consistency.

(7) "Seriously affected by pieces of pit" in whole pitted style means units that are seriously affected by pieces of pit and may disintegrate generally into pieces that may range from fine and grainy to coarse and saucelike consistency.

(8) "Partial units" in whole pitted style consist of portions of whole pitted low-moisture prunes which are less than 1 inch in their longest dimension; and "inseparable units" in whole pitted style consist of two or more partial units and/or whole pitted prunes which are stuck together so that they may not be readily separated in the low-moisture prunes.

(9) Units that have a piece or pieces of pit which are larger than 1/4 inch in their longest dimension.

(c) (A) classification. Low-moisture prunes that possess a good texture may be given a score of 17 to 20 points. "Good texture" means with respect to the low-moisture prunes that the units may vary in texture from partially pliable to brittle but are otherwise reasonably uniform in texture; and, after cooking in accordance with the method outlined in this subpart, the units may disintegrate generally into pieces that may have been present.

(1) Nugget-type. The cooked mass has a reasonably uniform texture and finish that is coarse or grainy without practically any hard particles.

(2) Whole pitted. The cooked product is practically free from hard, firm, or tough units and there is no more than moderate disintegration except for small pieces that may have been present.

(3) Whole pitted. The cooked product is practically free from hard or tough units and substantially retains the semblance of whole pitted prunes except for small pieces that may have been present.

(b) (B) classification. If the low-moisture prunes possess a reasonably good texture, a score of 0 to 13 points may be given. "Reasonably good texture" means with respect to the low-moisture prunes that the units may vary in texture from partially pliable to brittle and may lack uniformity of texture; and, after cooking in accordance with the method outlined in this subpart, meet the following requirements for the applicable style:

(1) Nugget-type. The cooked mass has a fairly uniform texture and finish that may range from fine and grainy to coarse and saucelike consistency; and hard particles may be present.

(2) Whole pitted. The cooked product is fairly free from hard or tough units and may contain small broken or broken larger pieces and whole pitted units intermingled with small amount of material from small pieces which may have been present.

(c) (SStd) classification. Low-moisture prunes that fail to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3240 Textures.

(a) (A) classification. Low-moisture prunes that possess a good texture may be given a score of 17 to 20 points. "Good texture" means with respect to the low-moisture prunes that the units may vary in texture from partially pliable to brittle but are otherwise reasonably uniform in texture; and, after cooking in accordance with the method outlined in this subpart, meet the following requirements for the applicable style:

(1) Whole pitted. The cooked mass has a reasonably uniform texture and finish that is coarse or grainy without practically any hard particles.

(2) Whole pitted. The cooked product is practically free from hard, firm, or tough units and there is no more than moderate disintegration except for small pieces that may have been present.

(3) Whole pitted. The cooked product is practically free from hard or tough units and substantially retains the semblance of whole pitted prunes except for small pieces that may have been present.

(b) (B) classification. If the low-moisture prunes possess a reasonably good texture, a score of 0 to 13 points may be given. "Reasonably good texture" means with respect to the low-moisture prunes that the units may vary in texture from partially pliable to brittle and may lack uniformity of texture; and, after cooking in accordance with the method outlined in this subpart, meet the following requirements for the applicable style:

(1) Nugget-type. The cooked mass has a fairly uniform texture and finish that may range from fine and grainy to coarse and saucelike consistency; and hard particles may be present.

(2) Whole pitted. The cooked product is fairly free from hard or tough units and may contain small broken or broken larger pieces and whole pitted units intermingled with small amount of material from small pieces which may have been present.

(c) (SStd) classification. Low-moisture prunes that fail to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3241 Explanations of methods and analyses.

(a) Moisture method. "Moisture" in low-moisture prunes is determined in accordance with the official method applicable to fruits and vegetables as outlined in the "Official Methods of Analytical of the Association of Official Agricultural Chemists" or in accordance with methods which produce equivalent results.

(b) Cooking procedure. (1) General. The cooking procedures that follow are not intended to be a recipe for purposes of food preparation but are for the purposes of ascertaining compliance with requirements for applicable quality factors as outlined in this subpart.

(2) Method. Add 50 grams of low-moisture prunes to 400 ml. of water in a pan of such size as to cover the prunes, cover pan, bring to a boil, and simmer with only gentle and occasional stirring for the time specified for the respective style.

(i) Nugget-type; pieces 15 minutes.

(ii) Whole pitted, 20 minutes.

(iii) Screening method. The technique for ascertaining compliance with the requirements for particles that pass through U.S. Standard No. 4 and No. 5 sieves is as follows.

(1) Nugget-type; pieces. (i) Place a 100-gram representative sample of low-moisture prunes on a U.S. Standard No. 5, 8-inch diameter, full-height sieve to which a bottom pan has been attached; (ii) Place the assembly on a smooth level surface and with a steady, fairly rapid sieving motion, move the assembly approximately 20 inches in a straight line and return to its original position, repeating the movement 20 times; (iii) Weigh the fine material sifted through to the bottom pan and, on the basis of the original sample weight and the percentage which passed through the No. 8 sieve.

(2) Whole Pitted. (i) From a 100-gram representative sample of low-moisture prunes, place the pit material, all definitely whole pitted prunes, large pieces thereof, or inseparable units, and place the remaining smaller pieces on a U.S. Standard No. 4, 8-inch diameter,
full-height sieve to which a bottom pan has been attached;
(iii) Weigh the fine material sifted through to the bottom pan and, on the basis of the original sample, calculate the percentage which passed through the No. 4 sieve.

**LOT INSPECTION AND CERTIFICATION**

§ 52.3242 Ascertaining the grade of a lot.

The grade of a lot of low-moisture prunes covered by these standards is determined by the procedure set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 through 52.87).

**SCORE SHEET**

§ 52.3243 Score sheet for low-moisture prunes.

<table>
<thead>
<tr>
<th>Factors</th>
<th>Score points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Color</td>
<td>(A) 17-20</td>
</tr>
<tr>
<td></td>
<td>(B) 14-16</td>
</tr>
<tr>
<td></td>
<td>(C) 10-13</td>
</tr>
<tr>
<td>Uniformity of size and count</td>
<td>(A) 17-20</td>
</tr>
<tr>
<td></td>
<td>(B) 14-16</td>
</tr>
<tr>
<td></td>
<td>(C) 10-13</td>
</tr>
<tr>
<td>Absence of defects</td>
<td>(A) 26-33</td>
</tr>
<tr>
<td></td>
<td>(B) 20-25</td>
</tr>
<tr>
<td></td>
<td>(C) 10-13</td>
</tr>
<tr>
<td>Texture</td>
<td>(A) 17-30</td>
</tr>
<tr>
<td></td>
<td>(B) 14-16</td>
</tr>
<tr>
<td></td>
<td>(C) 10-13</td>
</tr>
<tr>
<td>Total score</td>
<td>100</td>
</tr>
</tbody>
</table>

1 Indicates limiting rule.

**UNIFIED STATES STANDARDS FOR GRADES OF DEHYDRATED, LOW-MOISTURE APRICOTS**

Notice of Proposed Rule Making

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Standards for Grades of Dehydrated, low-moisture apricots pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627). These standards, if made effective, will be the first issue by the Department of grade standards for this product.

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

The proposed standards are as follows:

**PRODUCT DESCRIPTION, MOISTURE, STYLES, AND GRADES**

Sec. 52.3871 Product description.

52.3872 Moisture of low-moisture apricots.

52.3873 Styles of low-moisture apricots.

52.3874 Grades of low-moisture apricots.

**FACTORS OF QUALITY**

52.3875 Ascertaining the grade.

52.3876 Ascertaining the rating for the factors which are scored.

52.3877 Color.

52.3878 Uniformity of size.

52.3879 Absence of defects.

52.3880 Texture.

**EXPLANATIONS AND METHODS OF ANALYSIS**

52.3881 Explanations of methods and analyses.

52.3882 Score sheet for low-moisture apricots.

**LOT INSPECTION AND CERTIFICATION**

§ 52.3883 Ascertaining the grade of a lot.

**SCORE SHEET**

§ 52.3883 Score sheet for low-moisture apricots.

**AUTHORITY:** §§ 52.3871 to 52.3882 issued under secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627.

**PRODUCT DESCRIPTION, MOISTURE, STYLES, AND GRADES**

§ 52.3871 Product description.

Dehydrated low-moisture apricots hereinafter referred to as "low-moisture apricots" are prepared from clean and sound fresh or previously dried apricots which are alternatively prepared into various sizes and shapes and are packaged (including kind of container and proper closure) to assure retention of the low-moisture characteristics of the product. The product shall have been subjected to sulfur treatment sufficiently to retain a characteristic color but no other additives may be present.

§ 52.3872 Moisture of low-moisture apricots.

The moisture content of the finished product shall be not more than the following for the respective styles:

- **Nugget-type:** 4.5 percent.
- **Pieces:** 3.5 percent.
- **Diced:** 5.0 percent.
- **Sliced:** 5.0 percent.

**FACTORS OF QUALITY**

§ 52.3875 Ascertaining the grade.

(a) "Nugget-type." "Nugget-type" is especially processed to produce popcorn-like or foam-textured units of irregular shapes of such size that practically all of the units will pass through 0.25 inch (%-inch) square openings.

(b) Pieces. "Pieces" consist of irregularly-shaped cut or chopped pieces of such size that practically all of the units will pass through 0.25 inch (%-inch) square openings.

(c) Slices. "Slices" consist of predominantly parallel-cut strips of irregular shapes and thicknesses.

§ 52.3874 Grades of low-moisture apricots.

(a) "U.S. Grade A" (or "U.S. Fancy").

(b) "U.S. Grade B" (or "U.S. Choice").

(c) "Substandard" low-moisture apricots that fail to meet the requirements of U.S. Grade B.

**FACTORS OF QUALITY**

§ 52.3875 Ascertaining the grade.

In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) Factors not rated by score points.

(1) Flavor and odor.

(b) Factors rated by score points.

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

<table>
<thead>
<tr>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Color</td>
</tr>
<tr>
<td>Uniformity of size</td>
</tr>
<tr>
<td>Absence of defects</td>
</tr>
<tr>
<td>Texture</td>
</tr>
</tbody>
</table>

Total score 100
The low-moisture apricots that possess a reasonably uniform texture and have been properly prepared and processed.

(c) Flavor and odor. "Normal flavor and odor" means that the low-moisture apricots and the cooked product possess a characteristic flavor and odor that is free from objectionable flavors or objectionable odors of any kind. A flavor and odor in the low-moisture apricots indicative of proper sulfur treatment is not considered objectionable unless after cooking the flavor is objectionable from such detectable cause.

§ 52.3876 Ascertaining the rating for the factors which are scored.
The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

§ 52.3877 Color.
(a) (A) classification. Low-moisture apricots that possess a good color may be given a score of up to 20 percent of the total score for the applicable style classification. "Good color" means that the over-all color is characteristic for the product ranging from bright reddish-orange to bright orange-amber among the units and within the unit, and that such color is reasonably uniform; and that such characteristic color, upon cooking, is a reasonably bright color typical of cooked low-moisture apricots that have been properly prepared and processed.

(b) (B) classification. If the low-moisture apricots possess a reasonably uniform color, a score of 14 to 16 points may be given. Low-moisture apricots that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" means that the over-all color may vary considerably ranging from slightly dull orange to dull amber; and that such characteristic color, upon cooking, may be slightly dull but is typical of cooked low-moisture apricots that have been properly prepared and processed.

(c) (SStd) classification. Low-moisture apricots that fail to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3878 Uniformity of size.
(a) (A) classification. Low-moisture apricots that are reasonably uniform in size may be given a score of 17 to 20 points. "Reasonably uniform in size" has the following meanings for the respective styles:

(1) Nugget-type; pieces. Practically all of the units, except for small pieces, are definite parallel-cut strips of varying lengths; and not more than 10 percent, by weight, of the low-moisture apricots approximate cube-shapes and not less than 60 percent, by weight, of the low-moisture apricots are of such nature that they may or may not disappear upon cooking and include, but are not limited to:

(i) Units that are definitely mechanically damaged other than from preparation or shipping damage, and

(ii) Units that possess scars, blemishes, insect injury, or other abnormality.

(2) "Seriously damaged units" include units that are seriously darkened (very dark brown to black) or which in any other way seriously affect the appearance of the low-moisture apricots and that the damage is of such nature that it does not disappear upon cooking.

(c) (A) classification. Low-moisture apricots that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that the low-moisture apricots are practically free from any defects that affect more than slightly the appearance or eating quality either in the low-moisture apricots or after cooking; and that not more than a total of 5 percent, by weight, of the low-moisture apricots may be damaged units: Provided. That not more than 2 percent, by weight, of low-moisture apricots may be seriously damaged units.

(d) (B) classification. If the low-moisture apricots are reasonably free from defects, a score of 26 to 33 points may be given. Low-moisture apricots that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the low-moisture apricots are reasonably free from any defects that affect materially the appearance or eating quality either in the low-moisture apricots or after cooking; and that not more than a total of 10 percent, by weight, of the low-moisture apricots may be damaged units: Provided. That not more than 4 percent, by weight, of the low-moisture apricots may be seriously damaged units.

(e) (SStd) classification. Low-moisture apricots that fail to meet the requirements of paragraph (d) of this section may be given a score of 20 to 33 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3883 Texture.
(a) (A) classification. Low-moisture apricots that possess a good texture may be given a score of 17 to 20 points. "Good texture" means with respect to the low-moisture apricots that the units may vary in texture from partially pliable to brittle but are otherwise reasonably uniform in texture; and, after cooking in accordance with the method outlined in this subpart, meet the following requirements for the applicable style:

(1) Nugget-type. The cooked mass has a reasonably uniform texture and does not contain any coarse or grainy without practically any hard particles.

(2) Pieces. The cooked product is practically free from hard, firm, or tough units and there is no more than moderate separation except for fine pieces that may have been present.

(3) Diced. The cooked product is practically free from hard or tough units and substantially retains the semblance of diced apricots or is pieces or odd-shaped pieces that may have been present.

§ 52.3879 Absence of defects.
(a) General. The factor of absence of defects refers to the degree of freedom from damaged and seriously damaged units and from other defects or injury that affect the appearance or eating quality of the units or product.

(b) Definitions. (1) "Damaged units" are units that possess defects which materially affect the appearance of the low-moisture apricots and are of such nature that they may or may not disappear upon cooking and include, but are not limited to:

(i) Units that are definitely mechanically damaged other than from preparation or shipping damage, and

(ii) Units that possess scars, blemishes, insect injury, or other abnormality.

(2) "Seriously damaged units" include units that are seriously darkened (very dark brown to black) or which in any other way seriously affect the appearance of the low-moisture apricots and that the damage is of such nature that it does not disappear upon cooking.

(c) (A) classification. Low-moisture apricots that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that the low-moisture apricots are practically free from any defects that affect more than slightly the appearance or eating quality either in the low-moisture apricots or after cooking; and that not more than a total of 5 percent, by weight, of the low-moisture apricots may be damaged units: Provided. That not more than 2 percent, by weight, of low-moisture apricots may be seriously damaged units.

(d) (B) classification. If the low-moisture apricots are reasonably free from defects, a score of 26 to 33 points may be given. Low-moisture apricots that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the low-moisture apricots are reasonably free from any defects that affect materially the appearance or eating quality either in the low-moisture apricots or after cooking; and that not more than a total of 10 percent, by weight, of the low-moisture apricots may be damaged units: Provided. That not more than 4 percent, by weight, of the low-moisture apricots may be seriously damaged units.

(e) (SStd) classification. Low-moisture apricots that fail to meet the requirements of paragraph (d) of this section may be given a score of 20 to 33 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).
3998

PROPOSED RULE MAKING

§ 52.3912 Moisture of low-moisture peaches.

The moisture content of the finished product shall have been subjected to sulfur treatment sufficiently to retain a characteristic color but no other additives may be present.

§ 52.3912 Moisture of low-moisture peaches.

The moisture content of the finished product shall be not more than the following for the respective styles:

- **Nugget-type:** 3.0 percent.
- **Pieces:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
- **Nugget-type:** 3.0 percent.
§ 52.3913 Styles of low-moisture peaches.

(a) Nugget-type. "Nugget-type" is especially processed to produce popcorn-like or foam-textured units of irregular-shapes of such size that practically all of the units will pass through 0.625 inch (1/4 inch) square openings.

(b) Nuggets. Practically all of the units, except for small pieces, are definite parallel-cut strips and not less than 70 percent, by weight, of the low-moisture peaches approximate 1/4 inch to 1/2 inch in width and approximate 1/8 inch in length; and not more than 5 percent, by weight, of the low-moisture peaches may pass through meshes of a U.S. Standard No. 8 sieve (0.0937-inch, ±3 percent, square openings).

(c) Diced. Practically all of the units, except for small pieces, are definite parallel-cut strips and not less than 70 percent, by weight, of the low-moisture peaches approximate 1/4 inch to 1/2 inch in width and approximate 1/8 inch in length; and not more than 5 percent, by weight, of the low-moisture peaches may pass through meshes of a U.S. Standard No. 8 sieve (0.0937-inch, ±3 percent, square openings).

§ 52.3914 Grades of low-moisture peaches.

(a) "U.S. Grade A" (or "U.S. Fancy") low-moisture peaches is the quality of low-moisture peaches that possess a normal flavor and odor, that possess a good color, and are reasonably uniformly uniform in size, that are practically free from defects, that possess a good texture, and that for those factors which are scored in accordance with the scoring system outlined in this subpart, the total score is not less than 85 points: Provided, That the low-moisture peaches may be fairly uniform in size and may possess a reasonably good texture if the total score is not less than 80 points.

(b) "U.S. Grade B" (or "U.S. Choice") low-moisture peaches is the quality of low-moisture peaches that possess a normal flavor and odor, that possess a reasonably good color, that are fairly uniform in size, that are reasonably free from defects, that possess a reasonably good texture; and that for those factors which are scored in accordance with the scoring system outlined in this subpart, the total score is not less than 70 points: Provided, That the low-moisture peaches may vary in uniformity of size, if the total score is not less than 70 points.

§ 52.3915 Ascertaining the grade.

In addition to considering other requirements outlined in the standards, the following quality factors are evaluated:

(a) Factors not rated by score points.

(1) Flavor and odor.

(b) Factors rated by score points.

(1) Color.

(2) Uniformity of size.

(3) Absence of defects.

(4) Texture.

(c) Textures.

(d) Pieces.

§ 52.3916 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is from "17 to 20 points" means 17, 18, 19, or 20 points).

§ 52.3917 Color.

(a) (A) classification. Low-moisture peaches that possess a good color may be given a score of 17 to 20 points. "Good color" means that the over-all color is characteristic flavor and odor that is free from objectionable colors or objectionable odors of any kind. A flavor and odor in the low-moisture peaches indicative of proper sulphur treatment is not considered objectionable unless after cooking the flavor is objectionable from such detectable causes.

(b) (B) classification. If the low-moisture peaches are fairly uniform in size, a score of 14 to 16 points may be scored for the uniformity in size; the low-moisture peaches may pass through meshes of a U.S. Standard No. 8 sieve (0.0937-inch, ±3 percent, square openings).

§ 52.3918 Uniformity of size.

(a) (A) classification. Low-moisture peaches that are reasonably uniform in size may be given a score of 17 to 20 points. "Reasonably uniform in size" has the following meanings for the respective styles:

(1) Nugget-type; pieces. Practically all of the units, except for small pieces, are definite parallel-cut strips of varying lengths, and not less than 50 percent, by weight, of the low-moisture peaches approximate 1/4 inch to 1/2 inch in width and not more than 10 percent, by weight, of the low-moisture peaches pass through meshes of a U.S. Standard No. 8 sieve (0.0937-inch, ±3 percent, square openings).

(b) (B) classification. Low-moisture peaches that fail to meet the requirements of paragraph (b) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard A, regardless of the total score for the product (this is a partial limiting rule).

§ 52.3919 Absence of defects.

(a) General. The factor of absence of defects refers to the degree of freedom from damaged and seriously damaged units and from other defects or injury that affect the appearance or eating quality of the units.

(b) Definitions. (1) "Damaged units" are units that possess defects which materially affect the appearance of the low-moisture peaches and are of such nature that they may or may not disappear upon cooking and include, but are not limited to:

(1) Units that are definitely mechanically damaged other than from preparation by cutting or chopping; and
(d) Units that possess scars, blemishes, insect injury, or other abnormality. Practically free from defects includes units that are seriously darkened (very dark brown to black) or which in any other way seriously affect the appearance of the low-moisture peaches and which may disintegrate. The cooked product may be noticeably but not objectionable.

(e) "Classification. Low-moisture peaches that are practically free from defects may be given a score of 35 to 40 points. "Practically free from defects" means that the low-moisture peaches are practically free from any defects that affect more than slightly the appearance or eating quality either in the low-moisture peaches or after cooking; and that not more than a total of 5 percent, by weight, of the low-moisture peaches may be damaged units:

Provided, That not more than 2 percent, by weight, of the low-moisture peaches may be seriously damaged units.

(f) Classification. If the low-moisture peaches are reasonably free from defects, a score of 33 to 35 points may be given. Low-moisture peaches that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the low-moisture peaches are reasonably free from any defects that affect materially the appearance or eating quality either in the low-moisture peaches or after cooking; and that not more than a total of 10 percent, by weight, of the low-moisture peaches may be damaged units:

Provided, That not more than 4 percent, by weight, of the low-moisture peaches may be seriously damaged units.

(g) Classification. Low-moisture peaches that fail to meet the requirements of paragraph (d) of this section may be given a score of 6 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

EXPLANATIONS AND METHODS OF ANALYSES § 52.3921 Explanations of methods and analyses.

(a) Moisture method. "Moisture" in low-moisture peaches is determined in accordance with the official method applicable to dried fruits as outlined in the "American Standard Methods of Analysis of the Association of Official Agricultural Chemists" or in accordance with methods which produce equivalent results.

(b) Cooking procedure—(1) General. The cooking procedures that follow are not intended to be a recipe for purposes of food preparation but are for the purposes of ascertaining compliance with requirements for applicable quality factors as outlined in this subpart.

(ii) Method. Add 50 grams of low-moisture peaches to 400 ml. of water, bring to a boil, and simmer with only gentle and occasional stirring for the time specified for the respective styles:

(i) Nugget-type; pieces. Simmer for 15 minutes.

(ii) Diced; sliced. Simmer for 25 minutes.

(c) Screening method. The technique for ascertaining compliance with the requirements in all styles for particles that pass through a U.S. Standard No. 8 sieve is as follows:

(i) Nugget-type; pieces; diced; sliced. Place a 100 gram representative sample of the low-moisture peaches on a U.S. Standard No. 8, 8-inch diameter, full-height sieve to which a bottom pan has been attached;

(ii) Place the assembly on a smooth level surface and with a steady, fairly rapid elevating motion, move the assembly approximately 20 inches in a straight line and return to its original position, repeating the movement 20 times;

(iii) Weigh the fine material sifted through to the bottom pan and, on the basis of the original sample, calculate the percentage which passed through the No. 8 sieve.

LOT INSPECTION AND CERTIFICATION § 52.3922 Ascertaining the grade of a lot.

The grade of a lot of low-moisture peaches covered by these standards is determined by procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§§ 52.1 through 52.97).
means the territory in the counties of Bond, Clinton, Madison, Monroe, Randolph, Washington, Jefferson, Macoupin, Marion, Montgomery, Jersey, Greene, Calhoun, Cole, and Clay (except Scott Military Reservation, East St. Louis, Centerville and Canteen and Sistes Townships and the City of Belleville), all in the State of Illinois.

§ 947.7 Producer

"Producer" means any person, except a producer-handler, who produces milk under a dairy farm permit or rating for the production of Grade A milk issued by a duly constituted health authority, which milk is delivered from the farm to a pool plant or diverted pursuant to paragraph (a) or (b) of this section: Provided, That no person shall be a producer with respect to milk which is delivered to a milk plant partially exempt from the provisions of this part pursuant to § 946.61.

(a) Diverted for this account by the operator or a pool plant from such plant to a nonpool plant during the months of March through July: Provided, That milk so diverted shall be deemed to have been received with respect to milk which is approved for distribution as Class I milk in the marketing area and at the location of the plant from which diverted; or

(b) Diverted by a cooperative association qualified pursuant to § 947.5 for the same month from a supply plant to a nonpool plant any day during the months of March through July or not more than 10 days' production during any month from August through February, net of any diverted, that milk so diverted shall be deemed to have been received by the cooperative association at a pool plant at the location of the plant from which diverted.

§ 947.8 Distributing plant.

"Distributing plant" means a plant at which milk is processed and packaged and from which milk, skim milk or cream is delivered to Class I milk in the marketing area to wholesale or retail outlets (except other pool plants) including deliveries by vendors and sales through plant stores.

§ 947.9 Supply plant.

"Supply plant" means a plant except a distributing plant which is qualified pursuant to § 947.10(b) or a plant from which milk or skim milk which is approved for distribution as Grade A milk in the marketing area is supplied during the month to a distributing plant which is a pool plant.

§ 947.10 Pool plant.

"Pool plant" means:

(a) A distributing plant from which no less than 50 percent of its receipts of approved milk is distributed as Class I milk on routes to wholesale or retail outlets including plant stores and vendors and from which no less than 50 percent of such receipts are distributed as Class I milk in the marketing area during the months of March through July; or

(b) A supply plant from which no less than 50 percent of its receipts of approved milk during the month is shipped and is assigned as reserve supply credit pursuant to § 947.11 to a distributing plant which is a pool plant pursuant to paragraph (a) of this section: Provided, however, That if such a plant shall ship and have assigned as reserve supply credit pursuant to § 947.10 to a distributing plant which is a pool plant equal to at least 75 percent of its producer milk in October and November and at least 50 percent of such milk in three additional months during the months of August through January inclusive, such plant shall, unless it requests nonpool status in writing, be designated by the market administrator as a pool plant until the end of any month during which such credit is assigned.

§ 947.11 Reserve supply credit.

The hundredweight of reserve supply credit which may be assigned to approved milk transferred to a nonpool plant shall be an amount calculated by multiplying the hundredweight of producer milk at such plant by 0.65. Any future result from this calculation plus reserve supply credit so calculated and assigned to approved milk transferred to other pool plants shall be known as reserve supply credit pro rata to Class I approved milk received from supply plants: Provided, That if the operator of the transference plant notifies the market administrator in writing on or before the 7th day after the end of the month of an assignment to Class I approved milk received from other plants, other than that specified in this section, such other assignment shall be allowed except that assignment of reserve supply credit to approved milk received from a distributing plant shall not be allowed for any month during which reserve supply credit has been received with respect to approved milk transferred to a distributing plant.

§ 947.12 Nonpool plant.

"Nonpool plant" means any milk receiving, manufacturing, or processing plant other than a pool plant.

§ 947.13 Handler.

"Handler" means (a) any person in his capacity as the operator of a distributing plant or a supply plant; (b) a producer-handler; or (c) a cooperative association qualified pursuant to § 947.5 with respect to milk delivered for the account of such association from a pool plant to a nonpool plant; (d) a cooperative association, with respect to the milk of its member-producers which is delivered to the pool plant by another handler in a tank truck owned or operated by or under contract to such cooperative association for the account of such cooperative association (such milk shall be considered as having been received by such cooperative asso-
§ 947.14 Producer-handler. “Producer-handler” means any person who operates a distributing plant and who processes milk from his own farm production, distributing all or a portion of such milk within the marketing area as Class I milk, but who receives no other source milk or milk from other producers.

§ 947.15 Producer milk. “Producer milk” means only that skim milk or butterfat contained in milk (a) received at a pool plant directly from producers, or (b) diverted from a pool plant to a nonpool plant in accordance with the conditions set forth in § 947.7.

§ 947.16 Approved milk. “Approved milk” means any skim milk and butterfat contained in producer milk or in milk, skim milk or cream which is received from a pool plant, except the plant of a producer-handler, and which is approved by the appropriate health authority for distribution as Class I milk in the marketing area.

§ 947.17 Other source milk. “Other source milk” means all skim milk and butterfat contained in: (a) Receipts during the month in the form of products designated as Class I milk pursuant to § 947.41(a), except (1) such products approved by the appropriate health authority for distribution as Class I milk in the marketing area which are received from pool plants, or (2) producer milk; and (b) Products designated as Class II milk pursuant to § 947.41(b) (1) from any source (including those from a plant’s own production), which are reprocessed or converted to another product in the plant during the month.

MARKET ADMINISTRATOR

§ 947.20 Designation. The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of the Secretary.

§ 947.21 Powers. The market administrator shall have the following powers with respect to this part: (a) To administer its terms and provisions; (b) To receive, investigate, and report to the Secretary complaints of violations; (c) To make rules and regulations to effectuate its terms and provisions; and (d) To recommend amendments to the Secretary.

§ 947.22 Duties. The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including, but not limited to, the following: (a) Within 45 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary. (b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions; (c) Obtain a bond in a reasonable amount and with reasonable surety thereon satisfactory to the market administrator; (d) Pay, out of the funds received pursuant to § 947.87, the cost of his bond and of the bonds of his employees, his own compensation and all other expenses (except those incurred under § 947.88) necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties; (e) Keep such books and records as will clearly reflect the transactions provided for in this section and submit such books and records for examination by the Secretary as requested; (f) Furnish such information and such verified reports as the Secretary may request; (g) Prepare and disseminate, for the benefit of producers, consumers, and handlers, such statistics and information concerning the operation of this order as do not reveal confidential information; (h) Publicly disclose to handlers and producers, at his discretion, the name of any handler who, after the date on which he is required to perform such acts, has not made reports pursuant to §§ 947.30 through 947.33 or payments pursuant to §§ 947.80 through 947.87; (i) Verify all reports and payments of each handler by audit, if necessary, of such books and the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends; (j) Publicly announce on or before: (1) The 5th day of each month, the minimum price for Class I milk, pursuant to § 947.51(a), and the Class I butterfat differential, pursuant to § 947.53(a), both for the current month; and the minimum price for Class II milk, pursuant to § 947.51(b), and the Class II butterfat differential, pursuant to § 947.53(b), both for the preceding month; and (2) The 10th day after the end of each month, the uniform price, pursuant to § 947.71, and the producer butterfat differential, pursuant to § 947.81; and (k) On or before the 10th day after the end of each month, report to each cooperative association of producers qualified pursuant to § 947.88(b), which so requests, the percentage of the milk caused to be delivered by the cooperative association or by its members to the pool plant( s) of each handler during the month, which was utilized in each class. For the purpose of this report, the milk so delivered shall be allocated to each class for each handler in the same ratio as all approved milk received by such handler during the month.

REPORTS, RECORDS AND FACILITIES

§ 947.30 Reports of receipts and utilization. On or before the 7th day after the end of each month, each handler, except a producer-handler, shall report for such month to the market administrator in the detail and on forms prescribed by the market administrator: (a) The quantities of skim milk and butterfat contained in all receipts at retail, of his distribution and supply plants of (1) producer milk, (2) skim milk or butterfat contained in Grade A products designated as Class I milk, pursuant to § 947.41(a), received from pool plants; and (b) The quantities of skim milk and butterfat contained in producer milk diverted to nonpool plants pursuant to § 947.6.

§ 947.31 Reports of milk received from producers. (a) On or before the 25th day of each month, each handler shall report to the market administrator on forms approved by the market administrator, his producer payroll, which shall show the total pounds of milk received from each producer during the first 15 days of such month and (b) on or before the 20th day after the end of each month, each handler shall report to the market administrator on forms approved by the market administrator, his producer payroll, which shall show for each producer from whom milk was received: (1) The total pounds and butterfat content of milk received from such producer; (2) the price and the total amount paid for milk received from such producer, together with the amount and nature of any deductions; and (3) the amount and nature of payments made pursuant to § 947.86.

§ 947.32 Reports to cooperative associations. Each handler who receives milk during the month from producers for which payment is to be made to a cooperative association pursuant to § 947.80(b) shall report to such cooperative association for each such producer on forms approved by the market administrator as follows: (a) On or before the 25th day of the month, the total pounds of milk received during the first 15 days of such month;
b) On or before the 7th day of the following month (1) the pounds of milk received each day and the total for the month, together with the butterfat content of such milk, (2) the amount of butterfat in each form of the milk; (3) the amount and nature of payments due pursuant to § 947.80(c).

§ 947.33 Reports of transportation rates.

On or before the 10th day after a request is received from the market administrator, each handler who makes deductions in payments to producers for the purpose of hauling shall submit a schedule of transportation rates which are charged and paid for such transportation of milk from the farm of the producer to such handling plant or classification point.

§ 947.34 Reports of producer-handlers.

Each producer-handler shall make reports to the market administrator at such times and in such manner as the market administrator may require. Except as is necessary in connection therewith.

§ 947.35 Records and facilities.

Each handler shall maintain and make available to the market administrator or to his representatives during the usual hours of business such accounts and records of his operations, together with such facilities as are necessary for the market administrator to verify or establish the correct data with respect to:

(a) The receipt and utilization of all skim milk and butterfat handled in any form during the month;
(b) The weights and butterfat and other content of all milk, skim milk, cream and other milk products handled during the month;
(c) The amount and nature of deductions authorized by producers and cooperative associations, and disbursements of any money so deducted; and
(d) The pounds of skim milk and butterfat contained in or represented by all milk, skim milk, cream or other milk products on hand at the beginning and end of the month.

§ 947.36 Retention of records.

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of 3 years to begin at the end of the calendar month to which such book and records pertain.

Provided, That if, within such 3-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under section 8c(15)(A) of the act or a court action specified in such notice, the handler shall retain such books and records of specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

§ 947.40 Basis of classification.

All skim milk and butterfat received by a handler at a pool plant and which is required to be reported pursuant to § 947.30 shall be classified by the market administrator pursuant to the provisions of §§ 947.41 through 947.45.

§ 947.41 Classes of utilization.

Subject to the conditions set forth in §§ 947.42 and 947.43, the classes of utilization of skim milk and butterfat shall be:

(a) Class I milk. Class I milk shall be all skim milk (including reconstituted skim milk) and butterfat:

(1) Disposed of in fluid form as milk, skim milk, buttermilk, milk drinks (plain or flavored), cream (fresh, frozen, or sour);

(2) In milk, flavored milk, or flavored milk drinks in concentrated form (fresh or frozen, pasteurized, and packaged and disposed of on routes or through plant stores for fluid consumption; and

(3) Not specifically accounted for as Class II milk;

(b) Class II milk shall be all skim milk and butterfat accounted for:

(1) As having been used to produce any product other than those specified as Class I in paragraph (a) of this section; or

(2) In inventory of products designated as Class I milk in paragraph (a) of this section on hand as at the end of the month;

(3) In shrinkage allocated to receipts of producer milk, but not in excess of 2 percent of receipts of skim milk and butterfat, respectively, directly from producers (except producer milk diverted in producer cans to a nonpool plant pursuant to § 947.7) plus 1.5 percent of receipts of skim milk and butterfat, respectively, transferred in bulk tank from pool plants of other handlers, less 1.5 percent of skim milk and butterfat, respectively, specified in the bulk tank lot to the pool plants of other handlers; and

(4) Prorate the resulting amounts between (1) the receipts of skim milk and butterfat in the net quantity of milk from producers, from cooperative associations pursuant to § 947.13(d) and in bulk tanks from pool plants of other handlers, and (2) the receipts of skim milk and butterfat in other source milk.

§ 947.42 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat shall be reclassified as Class I milk unless the handler who first receives such skim milk and butterfat proves to the market administrator that such skim milk and butterfat should be classified in another class.

(b) Any skim milk or butterfat classified in one class shall be reclassified if used or reused by such handler or by another handler (except a producer-handler) in another class.

§ 947.43 Transfers.

(a) Skim milk and butterfat disposed of in the form of products designated as Class I milk pursuant to § 947.41(a) (1) and (2) by transfer from a pool plant to a pool plant of another handler, except a producer-handler, shall be classified as Class I milk unless utilization in another class is proved in the reports filed with the market administrator by both handlers pursuant to § 947.30 on or before the 7th day after the end of the month within which such transaction occurred, in which case such skim milk and butterfat shall be classified according to such mutual agreement: Provided, That skim milk or butterfat so assigned to Class II milk shall be limited to the amount remaining in such class in the plant of the transferee-handler after the subtraction of other source milk pursuant to § 947.45, and transfers of skim milk or butterfat, respectively, in excess of that so remaining shall be assigned to Class I milk: And provided further, That if either plant has received other source milk, the products so transferred shall be classified in such plant to result in minimum assignment of the producer milk in both plants to Class I milk.

(b) Skim milk and butterfat disposed of in the form of milk, skim milk, or cream by transfer from a pool plant to a producer-handler shall be classified as Class I milk.

(c) Skim milk and butterfat disposed of in the form of milk, skim milk, or cream by transfer from a pool plant to a nonpool plant shall be classified as Class I milk.

(d) Unless the transferee plant is located within the surplus manufacturing area designated for Order No. 3;

(e) Unless the handler claims assignment to Class II, in the report submitted pursuant to § 947.30 or otherwise, on or before the 7th day after the end of the month in which such transaction occurred, to require:

(4) Unless the operator of the transferee plant maintains books and records showing the utilization of all skim milk and butterfat received in any form at such plant, which are made available if requested by the market administrator for the purpose of verification; and

(5) To the extent of the quantity of assignable Class I milk remaining after the following computation:

(i) From the total skim milk and butterfat, respectively, disposed of from such nonpool plant and classified as Class I milk pursuant to the classification provisions of this order applied to such nonpool plant, subtract the skim milk and butterfat received at such plant directly from dairy farmers who hold permits to supply Grade A milk and who the market administrator determines constitute the regular source of supply for such fluid milk products for such nonpool plant;

(ii) From the remainder, subtract the skim milk and butterfat, respectively, received from any plant which is (a) subject to the appropriate classification and pricing provisions of another order issued pursuant to the act, and (b) located at a shorter highway distance than the trans-
feror pool plant which is subject to this order.
If any milk is transferred to a second nonpool plant, under paragraph (c) of this section, the same conditions of audit, classification, and allocation shall apply.

§ 947.44 Computation of skim milk and butterfat in each class.
For each month the market administrator shall compute for mathematical and other obvious errors in the reports submitted by each handler and compute the total pounds of skim milk and butterfat respectively in Class I and Class II milk, using the practices prescribed in Paragraph (1). That if any of the water contained in the milk from which a product is made is removed, the pounds of skim milk used or disposed of in such product shall be considered as an amount equivalent to the nonfat milk solids contained in such product plus all of the water originally associated with such solids.

§ 947.45 Allocation of skim milk and butterfat classified.
After computing the classification of all skim milk and butterfat for each handler pursuant to § 947.44 the market administrator shall determine the classification of producer milk received by such handler as follows: Provided, That in case a plant is receiving and packaging both St. Louis Grade A milk and Illinois Grade A milk the receipts from producers holding St. Louis Grade A permits shall be allocated to the total Class I milk of such plant to the extent that St. Louis Grade A milk is available; And provided, That in case milk is transferred from an Order No. 3 pool plant to a pool plant under this part and classified as Class I, such milk shall not be allocated as other source milk at the pool plant under this part.

(a) Skim milk shall be allocated in the following manner:
(1) Subtract from the total pounds of skim milk in Class II milk the pounds of skim milk determined pursuant to § 947.41(b)(3);
(2) Subtract from the remaining pounds of skim milk in each class the pounds of skim milk received from pool plants of other handlers in a form other than milk, skim milk or cream according to its classification pursuant to § 947.41;
(3) Subtract from the pounds of skim milk remaining in Class II the remaining pounds of skim milk in other source milk which was subject to Class I pricing provisions of another order issued pursuant to the Act: Provided, That if the pounds of skim milk to be subtracted is greater than the remaining pounds of skim milk in Class II milk, the balance shall be subtracted from the pounds of skim milk in Class I milk;
(4) Subtract from the pounds of skim milk remaining in Class II the pounds of skim milk designated as cream, butter, milk which was subject to Class I pricing provisions of another order issued pursuant to the Act: Provided, That if the pounds of skim milk to be subtracted is greater than the remaining pounds of skim milk in Class II milk, the balance shall be subtracted from the pounds of skim milk in Class I milk and (5) Subtract from the pounds of skim milk remaining in Class II the pounds of skim milk contained in inventory of product designated as Class I milk in § 947.41(a) on hand at the beginning of the month: Provided, That if the pounds of milk in such inventory exceeds the remaining pounds of skim milk in Class II, the balance shall be subtracted from the pounds of skim milk remaining in Class I;
(6) Subtract from the pounds of skim milk remaining in each class the skim milk and butterfat for each milk from plants of other handlers according to its classification pursuant to § 947.43(a);
(7) Add to the pounds of skim milk remaining in Class II the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph;
(8) If the pounds of skim milk remaining in both classes exceed the pounds of skim milk received from producers, subtract such excesses from the remaining pounds of skim milk in the month beginning with Class II milk. Any amount so subtracted shall be known as "overages;
(b) Determine the pounds of butterfat in each class to be allocated to producer milk in the same manner as prescribed for skim milk in paragraph (a) of this section.
(c) Add the pounds of skim milk and the pounds of butterfat allocated to producers' milk in each class, respectively, as computed pursuant to paragraphs (a) and (b) of this section and determine the weighted average butterfat content of the milk in each class.

MINIMUM PRICE

§ 947.50 Basic formula price.
The basic formula price for the month to be used in determining the class prices, set forth in § 947.51, shall be the higher of the prices computed pursuant to paragraphs (a) and (b) of this section, rounded to the nearest cent.
(a) Determine the average of the basic or field, prices paid or to be paid per hundredweight for milk of 3.5 percent butterfat content for Federal and State manufacturing plants in the Chicago area, as published for the period from the first day of the preceding month through the 25th day of the current month by the Department, and add 20 percent thereof:
(b) The price per hundredweight of the order No. 3 basic price for Federal manufacturing plants in the Chicago area, as published for the period from the first day of the preceding month through the 25th day of the current month by the Department, shall be the price announced by the market administrator for Class I milk of 3.5 percent butterfat content for Federal Order No. 3, in effect during the preceding month:

Concern and Location
Borden Co., Orfordville, Wisconsin.
Carnation Co., Avo, Missouri.
Carnation Co., Seymour, Missouri.
Carnation Co., Sparta, Michigan.
Carnation Co., West Bend, Wisconsin.
Carnation Co., Oconomowoc, Wisconsin.
Litchfield Creamery Co., Litchfield, Illinois.
Pet Milk Co., Cooperville, Michigan.
Pet Milk Co., Belleville, Wisconsin.
White House Milk Co., Manitowoc, Wisconsin.
White House Milk Co., West Bend, Wisconsin.

The price per hundredweight obtained by adding any plus amounts obtained pursuant to subparagraphs (1) and (2) of this paragraph:
(1) Multiply by 3.5 the simple average as computed by the market administrator of the daily wholesale selling prices for butter (using the midpoint of any price range as one price) of 92-cent bulk creamery butter per pound at Chicago, as reported by the Department during the month, and add 20 percent thereof;
(2) The weighted average of carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 26th day of the current month by the Department, subtract 5 1/2 cents and multiply by 7.0.

§ 947.51 Class prices.
Subject to the provisions of §§ 947.52 and 947.53, the Class I price per hundredweight shall be as follows:
(a) Class I price. The Class I price shall be the price announced by the market administrator for Class I milk of 3.5 percent butterfat content, f.o.b. the marketing area for Federal Order No. 3, regulating the handling of milk in the St. Louis marketing area, less 30 cents per hundredweight: Provided, however, That if no price is announced for Order No. 3, the price announced pursuant to the basic formula price and it shall be the price for the appropriate month.
(b) Class II price. The Class II price for the months of March through July shall be the price announced by the market administrator for Class II milk of 3.5 percent butterfat content for Federal Order No. 3, regulating the handling of milk in the St. Louis marketing area, plus 5 cents per hundredweight: Provided, however, That if no price is announced for the St. Louis Order No. 3, the Class II price shall be computed as follows:
(1) For the months of August through February, Class II prices shall be the basic formula price less 6 cents.
(2) For all other months, the Class II price shall be an amount calculated as follows:
(i) Multiply by 4.24 the simple average as computed by the market administrator of the daily wholesale selling prices (using the midpoint of any price range as one price) of 93-cent bulk creamery butter per pound at Chicago, as reported by the Department during the preceding month; Provided, however, That if no price is reported for 93-cent butter, the highest of the prices reported for 92-cent butter for that day shall be used in lieu thereof;
(ii) Multiply by 8.2 the weighted average of carlot prices per pound for spray process nonfat dry milk solids, for bu-
nian consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 29th day of the immediately preceding month through the 25th day of the current month by the Department; and

(iii) From the sum of the results arrived at in paragraphs (1) and (2) of this paragraph subtract 81 cents.

§ 947.52 Location differentials to handlers.

With respect to milk and butterfat contained in milk received from producers at a pool plant located outside of the marketing area and which is classified as a pool plant shall be reduced 6 cents per hundredweight for the first 10 miles and for each additional 10 miles or fraction thereof the price shall be reduced an additional 1 cent per hundredweight. All mileage shall be computed on the shortest hard surface road mileage as computed by the market administrator.

§ 947.53 Butterfat differentials to handlers.

If the average butterfat test of Class I milk or Class II milk, as calculated pursuant to § 947.45(a), is more or less than 3.5 percent, there shall be added to, or subtracted from, as the case may be, the price for such class of utilization, for each one-tenth of 1 percent that such average butterfat test is above or below 3.5 percent, a butterfat differential calculated for each class of utilization as follows:

(a) Class I milk. Multiply by 0.120 the average of the daily wholesale prices (using the midpoint of any price range as one price) of 92-score bulk creamery butter per pound at Chicago, as reported by the Department of Agriculture during the preceding month, and round to the nearest one-tenth cent.

(b) Class II milk. Multiply by 0.115 the average of the daily wholesale prices (using the midpoint of any price range as one price) of 92-score bulk creamery butter per pound at Chicago, as reported by the Department of Agriculture during the month, and round to the nearest one-tenth cent.

Application of Provisions

§ 947.60 Producer-handlers.

Sections 947.40 through 947.45, 947.50 through 947.53, 947.70 through 947.71, and 947.80 through 947.88 shall not apply to a producer-handler.

§ 947.61 Plants subject to other Federal orders.

The provisions of this part shall not apply to a plant specified in paragraph (a) or (b) of this section except as follows: The operator of such plant shall, with respect to the total receipts and utilization or disposition of skim milk and butterfat at the plant, make reports to the market administrator at each time and in such manner as the market administrator may require, and allow verification of such reports by the market administrator.

(a) Any distributing plant which would be subject to the classification and pricing provisions of another order issued pursuant to the act unless such plant qualifies as a pool plant pursuant to § 947.10 to profit the Secretary determines that more Class I milk is disposed of from such plant to retail or wholesale outlets (except pool plants) in the St. Louis marketing area than in the marketing area regulated pursuant to such other order.

(b) Any supply plant which would be subject to the classification and pricing provisions of another order issued pursuant to the act unless such plant qualifies as a pool plant pursuant to the provisions of § 947.10(b).

§ 947.62 Handlers operating nonpool plants.

None of the provisions from §§ 947.43 through 947.45, inclusive or from §§ 947.70 through 947.85, inclusive, shall apply in the case of a handler in his capacity as the operator of a nonpool plant, except that such handler shall, on or before the 15th day after the end of each month, pay to the market administrator at such time and place as the market administrator may require, an amount calculated by multiplying the total refund of butterfat and skim milk disposed of as Class I milk from such plant to retail or wholesale outlets (including deliveries by vendors and sales through plant stores) in the marketing area during the month, by the Class II price for the preceding month, and rounding the resultant figure to the nearest one-tenth cent.

Determination of Uniform Price To Producers

§ 947.70 Computation of value of milk for each handler.

For each month the market administrator shall compute the value of producer milk for each handler as follows:

(a) Multiply the quantity of producer milk in each class computed pursuant to § 947.45(a) by the applicable class price, total the resulting amounts, and add any amount necessary to reflect adjustments in location differential allowances required pursuant to § 947.52.

(b) Add an amount computed as follows: (i) The higher of (1) the uniform price for Class II milk for the preceding month, or (2) the uniform price for Class II milk for the preceding month multiplied by the hundredweight of producer milk classified as Class II milk (other than approved shrinkage) during the preceding month, less than 3.5 percent, subtracted from the Class I price for the preceding month and the Class I price for the current month by the per hundredweight of producer milk classified as Class II milk (other than approved shrinkage) during the preceding month and the Class I price for the current month.

(c) Add an amount computed by multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the per hundredweight of producer milk classified as Class II milk (other than approved shrinkage) during the preceding month and the Class I price for the current month by the per hundredweight of producer milk classified as Class II milk (other than approved shrinkage) during the preceding month.

(d) Subtract not less than 4 cents nor more than 5 cents from the amount computed pursuant to paragraph (c) of this section, each handler shall subtract from the Class I price for the preceding month multiplied by the hundredweight of milk received from such producer during the first 15 days of the month, less any proper deductions authorized by such producer to be made from payments due pursuant to this subparagraph.

(e) Add an amount computed by multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the per hundredweight of producer milk classified as Class II milk (other than approved shrinkage) during the preceding month and the Class I price for the current month by the per hundredweight of producer milk classified as Class II milk (other than approved shrinkage) during the preceding month.

§ 947.71 Computation of the uniform price.

For each month, the market administrator shall compute the uniform price per hundredweight of milk of 3.5 percent butterfat content, f.o.b. marketing area, received from producers as follows:

(a) Combine into one total the values computed pursuant to § 947.70 for all handlers who make the reports prescribed in § 947.30 and which are not in default of payments pursuant to § 947.84.

(b) Add an amount equivalent to the total deductions made pursuant to § 947.80.

(c) Subtract if the weighted average butterfat content of milk received from producers is more than 3.5 percent, or add if such average butterfat content is less than 3.5 percent, an amount computed by multiplying the producer butterfat differential by the difference between 3.5 and the average butterfat content of producer milk, and multiplying the resulting figure by the total hundredweight of such milk.

(d) Add an amount equivalent to one-half of the unobligated balance in the producer-settlement fund.

§ 947.72 Determination of uniform price.

For each month the market administrator shall compute the uniform price per hundredweight of milk of 3.5 percent butterfat content, f.o.b. marketing area, received from producers as follows:

(a) Except as provided in paragraph (b) of this section, each handler shall make payment to each producer for milk withheld during the month at the uniform price for producer milk testing 3.5 percent butterfat, f.o.b. the marketing area.

§ 947.73 Payments

§ 947.80 Time and method of payment for producer milk.

(a) Except as provided in paragraph (b) of this section, each handler shall make payment to each producer for milk withheld during the month not later than the uniform price adjusted by the butterfat and location differentials.

(b) For the period from the 26th day of the month, and round to the nearest one-tenth cent.
PROPOSED RULE MAKING

§ 947.81 Butterfat differential to producers.

In making payments for milk received from producers pursuant to § 947.80, the uniform price shall be adjusted by adding or subtracting, as the case may be, for each one-tenth of 1 percent by which the average butterfat content of such milk is more than or less than 3.5 percent, an amount equal to the butterfat differential computed pursuant to § 947.83(b).

§ 947.82 Location differentials to producers.

In making payments for milk received from producers pursuant to § 947.80 the uniform price per hundredweight for milk received at plants located outside the marketing area shall be reduced by 6 cents per hundredweight for the first 10 miles and for each additional 10 miles or fraction thereof the price shall be reduced an additional 1 cent per hundredweight. All mileage shall be computed on the shortest hard surface road mileages computed by the market administrator.

§ 947.83 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund to be known as the "Producer-Settlement Fund", into which he shall deposit all payments made by handlers pursuant to §§ 947.62, 947.84, and 947.86, and out of which he shall make payments due handlers pursuant to §§ 947.85 and 947.86.

§ 947.84 Payments out of the producer-settlement fund.

On or before the 12th day after the end of each month, each handler shall pay to the market administrator the amount by which the value of milk for each one-tenth of 1 percent by which the butterfat content of (a) producer milk, (b) milk distributed in the marketing area which was subject to the order issued pursuant to the act during the month, and shall pay such obligations of such handler to producers, pursuant to § 947.80: Provided, That to this amount shall be added one-half of 1 percent of any amount due the market administrator pursuant to this section for each month or any portion thereof that such payment is overdue.

§ 947.85 Adjustment of accounts.

When ever audit by the market administrator of any handler’s reports, books, records, or accounts discloses that money is due (a) the market administrator, or (b) any producer or cooperative association from such handler, the market administrator shall make payments to such handler of any amounts due the handler, or any amounts due the market administrator or producers or cooperative associations, and such payments shall be made on or before the next date for making payments as set forth in the provisions relating to the payments which were in error.

§ 947.87 Expense of administration.

As his pro rata share of the expense of the administration of this part, each handler shall pay to the market administrator on or before the 15th day after the end of each month for such month an amount equal to the expense of administration of this part, as prescribed by the Secretary may prescribe, for each hundredweight of skim milk and butterfat contained in (a) producer milk, (b) Grade A other source milk which was subject to the Class I pricing provisions of another order issued pursuant to the act which is allocated to Class I, or (c) Class I milk distributed in the marketing area from a nonpool plant.

§ 947.88 Marketing services.

(a) Deduction of marketing services.

Except as set forth in paragraph (b) of this section, each handler making payments to producers pursuant to § 947.80, shall deduct 5 cents per hundredweight, or such lesser amount as the Secretary may prescribe, with respect to all milk received by such handler from producers (excluding such handler’s own production) during the month, and shall pay such deductions to the market administrator on or before the 15th day after the end of such month. Such monies shall be used by the market administrator to verify weights, samples, and tests of milk received from such producers and to provide them with market information. Such services shall be performed in whole or in part by the market administrator or by an agent engaged by and responsible to him.

(b) Producers cooperative association.

In the case of producers for whom a cooperative association qualified pursuant to § 947.5 is actually performing the services set forth in paragraph (a) of this section each handler in lieu of the deductions specified in paragraph (a) of this section shall:

(1) If the cooperative association is not receiving payment for its producer-members pursuant to § 947.80(b), make the deductions from the payments made pursuant to § 947.80(a)(2), which are authorized by its producer-members, and pay any money so deducted to the cooperative association on or before the 15th day after the end of the month in which the milk was received from producers.

(2) If the cooperative association is receiving payment for its producer-members pursuant to § 947.80(b), make no marketing service deductions.

§ 947.90 Effective time.

The provisions of this part, or any amendment to this part, shall become effective at such time as the Secretary
may declare and shall continue in force until suspended or terminated pursuant to § 947.91.

§ 947.91 Suspension and termination.

Any or all provisions of this part, or any amendment to this part, shall be suspended or terminated as to any or all handlers after such reasonable notice as the Secretary may give, and shall, in any event, terminate whenever the provisions of the act authorizing it cease to be in effect.

§ 947.92 Continuing power and duty.

(a) If, upon the suspension or termination pursuant to § 947.91, there are any obligations arising under this part the final accrual or ascertainment of full title to all funds, property, and records or other instruments necessary to meet outstanding obligations or other instruments necessary to the final accrual or ascertainment of full title to all funds, property, or records of the market administrator, or any person as the Secretary may designate, shall if so directed by the Secretary pursuant to § 947.91, the market administrator or such person pursuant to this part be continued notwithstanding such suspension or termination. Provided, That any such acts required to be performed by the market administrator shall, if the Secretary so directs, be performed by such other person, persons, or agency as the Secretary may designate (b) The market administrator, or such other person as the Secretary may designate, shall (1) continue in such capacity until discharged, (2) from time to time account for receipts and disbursements and deliver all funds or property on hand, together with the books and records of the market administrator, or such person to such person as the Secretary shall direct, and (3) if so directed by the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title to all funds, property, and claims vested in the market administrator or such person pursuant to this part.

§ 947.93 Liquidation after suspension or termination.

Upon the suspension or termination pursuant to § 947.91, the market administrator, or such person as the Secretary may designate, shall if so directed by the Secretary, liquidate the business of the market administrator’s office and dispose of all funds and property then in his possession or under his control, together with claims for any funds which are unpaid and owing at the time of such suspension or termination. Any funds collected pursuant to the provisions of this part, over and above the amounts necessary to meet outstanding obligations and the expenses necessarily incurred by the market administrator or such person in liquidating and distributing such funds, shall be distributed to the contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 947.100 Unfair methods of competition.

Each handler shall refrain from acts which constitute unfair methods of competition by way of indulging in any practices with respect to the transportation of milk for, and the supplying of goods and services to, producers from whom milk is received, which tend to defeat the purpose and intent of the terms and provisions of this part.

§ 947.101 Separability of provisions.

If any provision of this part, or its application to any person or circumstance is held invalid, the application of such provision, and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

§ 947.102 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States to act as his agent or representative in connection with any of the provisions of this part.

§ 947.103 Termination of obligations.

The provisions of this section shall apply to any obligation under this part for the payment of money irrespective of when such obligation arose.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in § 947.91, be continued in effect during the period of any failure or refusal. If the market administrator notifies a handler, the handler shall refrain from acts which constitute unfair methods of competition by way of indulging in any practices with respect to the transportation of milk for, and the supplying of goods and services to, producers from whom milk is received, which tend to defeat the purpose and intent of the terms and provisions of this part.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler’s last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the amount for which it is to be paid.

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representatives all books and records required by this part to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler’s last known address, and it shall contain, but need not be limited to, the following information:

(1) The amount of the obligation;

(2) The month(s) during which the milk, with respect to which the obligation exists, was received or handled; and

(3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the amount for which it is to be paid.

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section, a handler’s obligation under this part to pay money which may be terminated with respect to any transaction involving fraud or willful concealment of a fact material to the obligation on the part of the handler against whom the obligation is sought to be imposed thereby.

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall continue in effect until suspended or terminated. Provided, That any such acts required to be performed by the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall be in effect.

§ 947.104 Petition.

Any handler may, within two years after the end of the calendar month during which the milk involved in the claim was received, if an underpayment is claimed, or two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler if a refund on such payment is claimed, file a petition in the applicable period of time, files, pursuant to section 8c(15) (A) of the act, a petition claiming such money.

Proposed by the Sealtest Foods, Division of National Dairy Products Corporation:

Proposal No. 2:

Provide the terms and provisions of a Federal milk marketing order to regulate the marketing of milk under a “Suburban St. Louis Milk Market Order” within a “marketing area” designated as follows:

All the territory in the counties of Madison, Bond, Fayette, Monroe, Clinton, Montgomery, Washington, Jefferson, Randolph, Perry, Franklin, Jackson, Williamson, and St. Clair (except Scott Military Reservation, the city of Belleville, and the townships of East St. Louis, Centreville, Canton, and Stites), all in the State of Illinois.

Proposed by Midwest Dairy Products:

Proposal No. 3:

Include Jackson, Franklin, Williamson and Perry Counties, Illinois, in the marketing area.

Copies of this notice may be procured from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Issued at Washington, D.C., this 13th day of May 1959.

F. R. Burke,
Acting Deputy Administrator.

[FR Doc. 59-4161 Filed, May 15, 1959; 8:50 a.m.]
BIRCH DOORS FROM CANADA

Determination of No Sales at Less Than Fair Value

MAY 8, 1959.

A complaint was received that birch doors manufactured by Canada Flushwood Door Company, Terrebonne, P.Q., Canada, were being sold to the United States at less than fair value within the meaning of the Antidumping Act, 1921. I hereby determine that birch doors manufactured by Canada Flushwood Door Company, Terrebonne, P.Q., Canada, are not being, nor are likely to be, sold in the United States at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons. During the period under consideration, approximately two-thirds of the manufacturer's production of birch doors was sold for home consumption, and the balance was sold to the United States on an outright basis. Of the quantity sold to the United States, approximately 90 percent consisted of one type which was identical to one of the types sold in the home market. Two other types sold to the United States in minor quantities were not comparable to any of the types of birch doors sold in the home market.

Accordingly, the fair value comparison for the bulk of the birch doors sold to the United States was between purchase price and the home market price. As to the two types sold to the United States in minor quantities, the fair value comparison was between purchase price and constructed value.

The home market price used for the purpose of the fair value comparison was the carload price less applicable discounts as sales to the United States were in carload quantities. Due allowance was made for the difference between home market and export selling expenses. Included inland freight was deducted. The Canadian market consists of three different areas to each of which different prices and terms apply. As the quantity sold to each area showed no definite preponderance of sales to any one market, a weighted average of the prices to all three markets was taken to arrive at a price which would give the most realistic comparison with the price to the United States.

There were some sales in which the purchase price was less than the weighted average price, but the quantity involved and the price difference were not more than insignificant. The manufacturer, upon being advised of the price difference, promptly adjusted his price to the United States to eliminate the difference and remove any possibility of future sales to the United States at less than home market price.

In the instances in which constructed value was used for fair value purposes, purchase price was not less than the constructed value.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

A. G. Gilmore Flues,
Acting Secretary of the Treasury.

[SEAL] A. GILMORE FLUES, Acting Secretary of the Treasury.

STEEL WELDED PIPE AND TUBING FROM CANADA

Determination of No Sales at Less Than Fair Value

MAY 8, 1959.

A complaint was received that API and ASTM steel welded pipe and tubing were being sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, by Alberta-Phoenix Tube & Pipe Ltd., Edmonton, Canada.

It has been ascertained that the manufacturer sells only reject or commercial grade pipe and tubing in the United States.

I hereby determine that reject or commercial grade pipe and tubing from Alberta-Phoenix Tube & Pipe Ltd., Edmonton, Canada, are not being, nor are likely to be, sold in the United States at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons. The purchase price was found to be not less than the home market price of comparable merchandise when sold on the same basis.

This determination and the statement of reasons therefor are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)).

[SEAL] A. GILMORE FLUES, Acting Secretary of the Treasury.

[SEAL] A. GILMORE FLUES, Acting Secretary of the Treasury.

[FR Doc. 59-4166; Filed, May 15, 1959; 8:50 a.m.]
FEDERAL REGISTER

Saturday, May 16, 1959

No. 96------6

4009

ALASKA

Notice of Filing of Plot of Survey and Order Providing for Opening of Public Lands

1. Plot of survey of the lands described below will be officially filed in the An-
file at the Commission’s Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 11th day of May 1959.

For the Atomic Energy Commission.

H. L. Pucke,
Director, Division of Licensing and Regulation.

[Construction Permit No. CPPR-1; Amdt. 1] Condition (1) of Construction Permit No. CPPR-1 is hereby amended by changing the second sentence thereof to read as follows:

The latest date for completion of the reactor is October 1, 1961.

The final paragraph of Construction Permit No. CPPR-1 is hereby amended to read as follows:
Pursuant to 50.60 of the regulations in Title 10, Chapter I, CPR, Part 50, the Commission has allocated to Consolidated, for use in connection with the operation of the reactor, 9,934 kilograms of uranium 235 contained in uranium at the isotopic ratios specified in Consolidated’s application for license. An estimated schedule of special nuclear material transfers to Consolidated and returns to the Commission are contained in Appendix A which is attached hereto. Deliveries by the Commission to Consolidated in accordance with column (2) in Appendix A will be conditioned upon Consolidated’s return to the Commission of special nuclear material substantially in accordance with column (3) of Appendix A.

Appendix A to Construction Permit No. CPPR-1 is hereby amended to read as follows:

AMENDED APPENDIX "A" TO CONSOLIDATED EDISON COMPANY OF NEW YORK, INCORPORATED
CONSTRUCTION PERMIT NO. CPPR-1

Estimated Schedule of Transfers of Special Nuclear Material from Consolidated to the Commission and to the Commission from Consolidated

<table>
<thead>
<tr>
<th>Date of transfer (fiscal year)</th>
<th>Transfers from AEC to Consolidated, kilograms U-235</th>
<th>Returns by Consolidated to AEC, kilograms U-235</th>
<th>Net yearly distribution, kilograms U-235</th>
<th>Cumulative distribution, kilograms U-235</th>
</tr>
</thead>
<tbody>
<tr>
<td>1959</td>
<td>1,425</td>
<td>165</td>
<td>1,260</td>
<td>1,260</td>
</tr>
<tr>
<td>1960</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1961</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1962</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1963</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1964</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1965</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1966</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1967</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1968</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1969</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1970</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1971</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1972</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1973</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1974</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1975</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1976</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1977</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1978</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1979</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1980</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1981</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1982</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1983</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1984</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1985</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1986</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1987</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1988</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1989</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1990</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1991</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1992</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1993</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1994</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
<tr>
<td>1995</td>
<td>1,295</td>
<td>165</td>
<td>1,295</td>
<td>1,295</td>
</tr>
</tbody>
</table>

This amendment is effective as of the date of issuance.

For the Atomic Energy Commission.

[For. R. Doc. 59-4142; Filed, May 15, 1959; 8:48 a.m.]
This revocation shall take effect May 12, 1959.

BUNDY CARVER-DURHAM, INC., AND HERBERT T. GRAHAM

Order Continuing Hearing


Because of the prospective consolidation of another application now pending before the Commission: It is ordered, This 7th day of May 1959, that the hearing now scheduled for June 10, 1959 is continued to a date to be set by subsequent order.

Released: May 8, 1959.

FEDERAL COMMUNICATIONS COMMISSION

GEORGE T. HERNREICH AND PATTESSON BROTHERS

Order Continuing Hearing

In re applications of George T. Hernreich, Jonesboro, Arkansas, Docket No. 12833, File No. BPCT-2588; Alan G. Patte­sson, Jr. and Mathew Carter Patteson, d/b as Patteson Brothers, Jonesboro, Arkansas, Docket No. 12834, File No. BPCT-2587; for construction permits for new television broadcast stations (Channel B). It is ordered, This 8th day of May 1959, that, pursuant to agreement of counsel arrived at during the prehearing conference held on this date, the hearing in the above-entitled proceeding, previously scheduled to commence on June 9, 1959, is continued to September 16, 1959, at 10 o'clock a.m., in Washington, D.C.

Released: May 11, 1959.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] MARY JANE MORRIS, Secretary.

[FR Doc. 59-4156; Filed, May 15, 1959; 8:49 a.m.]

WILLIAM PARMER FULLER, III, ET AL.

Order Scheduling Prehearing Conference


The Hearing Examiner having under consideration the above-entitled proceeding: It is ordered, This 12th day of May 1959, that all parties or their attorneys, who desire to participate in the proceeding, are directed to appear for a prehearing conference, pursuant to the provisions of § 1.111 of the Commission's rules, at the Commission's offices in Washington, D.C., at 10:00 a.m., June 8, 1959.

Released: May 12, 1959.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] MARY JANE MORRIS, Secretary.

[FR Doc. 59-4157; Filed, May 15, 1959; 8:49 a.m.]

TELEMUSIC CO.

Order Continuing Hearing

In re application of Richard C. Simonton, d/b as Telemusic Co., San Bernardino, California, Docket No. 12318, File No. BPH–2183; for construction permit.

The Hearing Examiner having under consideration motion for continuance filed by Richard C. Simonton, d/b as Telemusic Co., on May 1, 1959: It appearing, that the time has expired within which an opposition may be filed to the above motion, and that no opposition has been received; It is ordered, This 12th day of May 1959, that the motion is granted; and the dates designated for various procedural steps herein are postponed as follows:
NOTICES

Released: May 12, 1959.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] MARY JANE MORRIS, Secretary.

[PR. Doc. 59-4159; Filed, May 10, 1959; 8:49 a.m.]

FRANK JAMES AND SAN MATEO BROADCASTING CO.

Order Continuing Hearing

In re applications of Frank James, Redwood City, California, Docket No. 12636, File No. BPH-2344, Grant R. Wrathall, tr/ as San Mateo Broadcasting Company, San Mateo, California, Docket No. 12637, File No. BPH-2431; for construction permits.

The Hearing Examiner having under consideration a motion for continuation for a period of thirty days filed by Frank James on May 1, 1959;

It appearing, that good cause is shown, and that it is anticipated the study will be completed within a period of one week from May 12, 1959; and

It further appearing, that the other parties have consented to the request as well as to a waiver of the four-day rule:

It is ordered, This 5th day of May 1959, that the motion of Frank James for continuation is granted and the hearing is continued from May 11 to June 15, 1959.

Released: May 6, 1959.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] MARY JANE MORRIS, Secretary.

[PR. Doc. 59-4160; Filed, May 15, 1959; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[Sec. 5a Application 70]

WESTERN MOTOR TARIFF BUREAU, INC.

Application for Approval of Agreement

MAY 13, 1959.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed May 8, 1959 by: W. J. Knoll, Attorney-in-Fact, Western Motor Tariff Bureau, Inc., P.O. Box 1296, Huntington Park, Calif.

Agreement involved: Agreement between and among common carriers by motor vehicle, members of Western Motor Tariff Bureau, Inc., relating to joint consideration in establishing or changing rates, classifications, ratings, rules, regulations, and practices governing the transportation of property between points in Arizona, California, Colorado, Idaho, Nevada, New Mexico, Oregon, Texas, Utah, and Washington.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of publication of this notice. Pursuant to section 17(b) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY, Secretary.

[PR. Doc. 59-4151; Filed, May 15, 1959; 8:49 a.m.]
driveaway service—from and between Kalamazoo, Mich., and to points in the United States; trailers designed to be drawn by passenger automobiles, in initial movements in truckaway service, from Berrion Springs, Mich., to points in the U.S. and from Hastings and Williamston, Mich.; trucks in secondary movements, in driveaway service, from Kalamazoo and points within one mile thereof to points in California, Idaho, Nevada, Oregon, and Washington shall be temporarily suspending the conditional exemption under Regulation A, and particularly with respect for:

a. The failure to disclose adequately the nature and outcome of operations by the issuer, its predecessors, and others on the issuer's mining properties;

b. The failure to disclose adequately the material terms of the issuer's mining leases and purchase agreements, particularly, the amount of royalties payable thereunder and the total costs to the issuer of these mining properties and the payments due thereon;

c. The failure to disclose adequately the background and capabilities of the management of the issuer, particularly, as to the personnel with respect to the activities at the properties will be conducted;

d. The failure to disclose adequately (1) Information about the type, condition, and capacity of the mill and, (2) The justification for the proposed expenditures on the issuer's mill in light of the amount of known ore;

e. The failure to include adequate financial statements, particularly, a statement of cash receipts and disbursements of the issuer's predecessors;

f. The inclusion as an asset in the financial statement of $149,215.93, a substantial portion of which represents the par value of shares issued to promoters and predecessors for mineral property rights, such amount being arbitrary and having no relation to the nominal cost actually paid for such leases by the promoters and predecessors;

g. The failure to disclose that since 1942 there have been substantial increases in the costs of operating mines and mills similar to those on the issuer's properties while the price of gold has remained at $35 an ounce;

h. The offering will be made in violation of section 17 of the Act.

It is hereby ordered, That William W. Swift or any officer or officers of the Commission designated by it for that purpose shall preside at the hearing, and any officer or officers so designated to preside at any such hearing are hereby authorized to exercise all the powers granted to the Commission under sections 19(b), 21, and 22(c) of the Securities Act of 1933, as amended, and to hearing officers under the Commission's rules of practice. It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on North American Exploration Co., Inc., issuer, any officer or officers of the Commission designated by it for that purpose shall preside at the hearing, and any officer or officers so designated to preside at any such hearing are hereby authorized to exercise all the powers granted to the Commission under sections 19(b), 21, and 22(c) of the Securities Act of 1933, as amended, and to hearing officers under the Commission's rules of practice.
ral group gives rise to certain inequities in the allocation of the consolidated tax liabilities among the members of the group if effected in accordance with the peremptive provisions of Rule 45(b)(6). Accordingly, the members of the group propose to enter into an agreement providing that, beginning with the tax return for 1956 and thereafter, the consolidated tax liabilities of the group will be allocated (1) by computing the consolidated tax as though American Louisiana had not elected to use the accelerated amortization privilege for Federal income tax purposes, and (2) by allocating to American Louisiana any decrease or increase in such tax due to such accelerated amortization of emergency facilities.

The joint declaration states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions; and that the fees and expenses to be incurred in connection with such transactions are estimated by declarants at $4,500 consisting of counsel fees of $2,500, accountants' fees of $1,000, and charges of the system service company, American Natural Gas Service Company, of $1,000.

Notice is further given that any interested person may not later than May 25, 1959, request in writing that a hearing be held in respect of such matters stating the nature of his interest, the reasons for such request, and the issues of fact or law which he desires to controvert, or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date the Commission may permit the joint declaration, as filed or as it may be amended, to become effective, as provided by Rule 23 promulgated under the Act, or the Commission may grant exemption from its rules under the Act, as provided by Rules 20 (a) and 100 thereof, or take such other action as it may deem appropriate.

By the Commission.

[Seal]  
ORVAL L. DU BOIS,  
Secretary.

[F.R. Doc. 59-4139; Filed, May 15, 1959; 8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

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

<table>
<thead>
<tr>
<th>3 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proclamations:</td>
<td></td>
</tr>
<tr>
<td>3279</td>
<td>3527</td>
</tr>
<tr>
<td>3290</td>
<td>3527</td>
</tr>
<tr>
<td>3291</td>
<td>3611</td>
</tr>
<tr>
<td>Executive Orders:</td>
<td></td>
</tr>
<tr>
<td>10140</td>
<td>3779</td>
</tr>
<tr>
<td>10501</td>
<td>3777</td>
</tr>
<tr>
<td>10574</td>
<td>3465</td>
</tr>
<tr>
<td>10813</td>
<td>3474</td>
</tr>
<tr>
<td>10815</td>
<td>3474</td>
</tr>
<tr>
<td>10816</td>
<td>3777</td>
</tr>
<tr>
<td>10817</td>
<td>3779</td>
</tr>
<tr>
<td>10818</td>
<td>3779</td>
</tr>
<tr>
<td>10819</td>
<td>3779</td>
</tr>
</tbody>
</table>

Presidental documents other than proclamations and Executive orders:

Memorandum, May 7, 1959... 3777

<table>
<thead>
<tr>
<th>5 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>3559, 3692, 3719</td>
</tr>
<tr>
<td>20</td>
<td>3780</td>
</tr>
<tr>
<td>26</td>
<td>3780</td>
</tr>
<tr>
<td>325</td>
<td>3475</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>6 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>3559, 3811</td>
</tr>
<tr>
<td>301</td>
<td>3969</td>
</tr>
<tr>
<td>301</td>
<td>3475</td>
</tr>
<tr>
<td>421</td>
<td>3813, 3845</td>
</tr>
<tr>
<td>427</td>
<td>3475, 3482</td>
</tr>
<tr>
<td>438</td>
<td>3559</td>
</tr>
<tr>
<td>443</td>
<td>3662</td>
</tr>
<tr>
<td>462</td>
<td>3687</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>3978</td>
</tr>
<tr>
<td>50</td>
<td>3782, 3824, 3866</td>
</tr>
<tr>
<td>106</td>
<td>3992</td>
</tr>
<tr>
<td>201</td>
<td>3951</td>
</tr>
<tr>
<td>301</td>
<td>3529, 3955</td>
</tr>
<tr>
<td>401</td>
<td>3845, 3847, 3848</td>
</tr>
<tr>
<td>722</td>
<td>3845</td>
</tr>
<tr>
<td>729</td>
<td>3742, 3986</td>
</tr>
<tr>
<td>730</td>
<td>3747</td>
</tr>
<tr>
<td>801</td>
<td>3886</td>
</tr>
<tr>
<td>576</td>
<td>3488</td>
</tr>
<tr>
<td>931</td>
<td>3614</td>
</tr>
<tr>
<td>922</td>
<td>3530, 3565, 3623, 3750, 3986</td>
</tr>
<tr>
<td>923</td>
<td>3750</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>8 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>103</td>
<td>3789</td>
</tr>
<tr>
<td>212</td>
<td>3990</td>
</tr>
<tr>
<td>214</td>
<td>3790</td>
</tr>
<tr>
<td>231</td>
<td>3790</td>
</tr>
<tr>
<td>245</td>
<td>3790</td>
</tr>
<tr>
<td>251</td>
<td>3790</td>
</tr>
<tr>
<td>299</td>
<td>3790</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>9 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>78</td>
<td>3972</td>
</tr>
<tr>
<td>94</td>
<td>3817</td>
</tr>
<tr>
<td>Proposed rules:</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>3735</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>10 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>3791</td>
</tr>
<tr>
<td>60</td>
<td>3955</td>
</tr>
<tr>
<td>Proposed rules:</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>3537</td>
</tr>
<tr>
<td>140</td>
<td>3508</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>12 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>220</td>
<td>3866</td>
</tr>
<tr>
<td>221</td>
<td>3867</td>
</tr>
<tr>
<td>563</td>
<td>3733</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>13 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>121</td>
<td>3461</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>14 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1—199</td>
<td>3574</td>
</tr>
<tr>
<td>60</td>
<td>3596</td>
</tr>
<tr>
<td>200—299</td>
<td>3369</td>
</tr>
<tr>
<td>241</td>
<td>3869</td>
</tr>
<tr>
<td>249</td>
<td>3831</td>
</tr>
<tr>
<td>400—635</td>
<td>3747</td>
</tr>
<tr>
<td>409</td>
<td>3468, 3972</td>
</tr>
<tr>
<td>507</td>
<td>3744, 3794</td>
</tr>
<tr>
<td>600</td>
<td>3870, 3871, 3972</td>
</tr>
<tr>
<td>601</td>
<td>3872, 3874, 3973</td>
</tr>
<tr>
<td>602</td>
<td>3875</td>
</tr>
<tr>
<td>608</td>
<td>3875, 3876</td>
</tr>
<tr>
<td>609</td>
<td>3974</td>
</tr>
<tr>
<td>610</td>
<td>3500</td>
</tr>
<tr>
<td>1200—1299</td>
<td>3574</td>
</tr>
<tr>
<td>1201</td>
<td>3574</td>
</tr>
<tr>
<td>Proposed rules:</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>3980</td>
</tr>
<tr>
<td>514</td>
<td>3699, 3700, 3882</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>15 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>368</td>
<td>3977</td>
</tr>
<tr>
<td>370</td>
<td>3762</td>
</tr>
<tr>
<td>371</td>
<td>3887</td>
</tr>
<tr>
<td>385</td>
<td>3752</td>
</tr>
<tr>
<td>399</td>
<td>2974</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>16 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>3531, 3579, 3580, 3625, 3877</td>
</tr>
<tr>
<td>Proposed rules:</td>
<td></td>
</tr>
<tr>
<td>230</td>
<td>3514, 3765</td>
</tr>
<tr>
<td>231—239</td>
<td>3765</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>17 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed rules:</td>
<td></td>
</tr>
<tr>
<td>101</td>
<td>3905</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>18 CFR</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>3766</td>
</tr>
<tr>
<td>5</td>
<td>3532</td>
</tr>
<tr>
<td>10</td>
<td>3568</td>
</tr>
<tr>
<td>16</td>
<td>3417</td>
</tr>
<tr>
<td>18</td>
<td>3532</td>
</tr>
<tr>
<td>Proposed rules:</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>3513</td>
</tr>
<tr>
<td>31</td>
<td>3535</td>
</tr>
<tr>
<td>CFR</td>
<td>Page</td>
</tr>
<tr>
<td>-----</td>
<td>------</td>
</tr>
<tr>
<td>21 CFR</td>
<td>3756</td>
</tr>
<tr>
<td>22 CFR</td>
<td>3777</td>
</tr>
<tr>
<td>25 CFR</td>
<td>3682</td>
</tr>
<tr>
<td>26 (1939) CFR</td>
<td>3819</td>
</tr>
<tr>
<td>26 (1954) CFR</td>
<td>3693, 3819</td>
</tr>
<tr>
<td>27 CFR</td>
<td>3669, 3767</td>
</tr>
<tr>
<td>29 CFR</td>
<td>3841</td>
</tr>
<tr>
<td>30 CFR</td>
<td>3795</td>
</tr>
<tr>
<td>31 CFR</td>
<td>3533</td>
</tr>
<tr>
<td>32 CFR</td>
<td>3562</td>
</tr>
<tr>
<td>33 CFR</td>
<td>3506</td>
</tr>
<tr>
<td>36 CFR</td>
<td>3581</td>
</tr>
<tr>
<td>37 CFR</td>
<td>3545</td>
</tr>
<tr>
<td>38 CFR</td>
<td>3592</td>
</tr>
<tr>
<td>39 CFR</td>
<td>3533, 3534</td>
</tr>
<tr>
<td>41 CFR</td>
<td>3513</td>
</tr>
<tr>
<td>42 CFR</td>
<td>3956</td>
</tr>
<tr>
<td>43 CFR</td>
<td>3581</td>
</tr>
<tr>
<td>44 CFR</td>
<td>3800</td>
</tr>
<tr>
<td>45 CFR</td>
<td>3880</td>
</tr>
<tr>
<td>46 CFR</td>
<td>3507</td>
</tr>
<tr>
<td>47 CFR</td>
<td>3763</td>
</tr>
<tr>
<td>49 CFR</td>
<td>3957</td>
</tr>
<tr>
<td>50 CFR</td>
<td>3992</td>
</tr>
</tbody>
</table>