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FEDERAL REGISTER

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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

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Presidential Documents

Title 3—THE PRESIDENT

Executive Order 10919

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE PAN AMERICAN WORLD AIRWAYS, INC., AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between the Pan American World Airways, Inc., a carrier, and certain of its employees represented by the Flight Engineers' International Association, PAA Chapter, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate this dispute. No member of the board shall be pecuniarily or otherwise interested in any organization of airline employees or any carrier.

The board shall report its findings to the President with respect to the dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Pan American World Airways, Inc., or by its employees, in the conditions out of which the dispute arose.

JOHN F. KENNEDY

THE WHITE HOUSE,
February 17, 1961.

[F.R. Doc. 61–1582; Filed, Feb. 20, 1961; 10:07 a.m.]

Executive Order 10920

REVOKING EXECUTIVE ORDER NO. 10700 [1] OF FEBRUARY 25, 1957, AS AMENDED

By virtue of the authority vested in me by the Constitution and statutes, and as President of the United States, it is ordered that Executive Order No. 10700 of February 25, 1957, entitled "Further Providing for the Operations Coordinating Board", as amended, be, and it is hereby, revoked.

JOHN F. KENNEDY

THE WHITE HOUSE,
February 18, 1961.

[F.R. Doc. 61–1583; Filed, Feb. 20, 1961; 10:07 a.m.]

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[1] 3 CFR, 1957 Supp., p. 60; 22 F.R. 1111.

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Defense

Effective upon publication in the FEDERAL REGISTER, paragraph (a) (19) of § 6.304 is revoked.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 61-1538; Filed, Feb. 20, 1961; 8:48 a.m.]

Title 7—AGRICULTURE

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

[Lemon Reg. 886, Amdt. No. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under 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 amendment until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.993 (Lemon Regulation 886, 26 F.R. 1209) are hereby amended to read as follows:

(ii) District 2: 186,000 cartons.

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

Dated: February 15, 1961.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-1527; Filed, Feb. 20, 1961; 8:46 a.m.]

[Amdt. 4]

PART 1032—CARROTS GROWN IN SOUTH TEXAS

Limitation of Shipments

The currently effective limitation of shipments regulation issued pursuant to Marketing Agreement No. 142 and Order No. 132, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), sets forth, inter alia, certain pack requirements applicable to the handling of carrots grown in certain designated counties of South Texas as therein specified (§ 1032.301(d) (2) (iii)). It has been determined (1) that such pack requirements erroneously distinguish between a master container designated therein as crate No. 3820 and a "half val" crate and that such designations in fact identify the same master container and (2) that such pack requirements do not include crate No. 5055 currently in use as a master container in the production area. Therefore, this amendment is necessary to properly identify containers in current use in the production area.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment for 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) this amendment is necessary to properly identify containers in current use in the production area, (2) the amendment imposes no additional restrictions on the handling of carrots grown in the production area, and (3) compliance with the amendment will not require any special preparation on the part of handlers.

Order as amended. In § 1032.301 (25 F.R. 11207, 12828, 13631; 26 F.R. 220), delete paragraph (d) and substitute in lieu thereof a new paragraph (d) as set forth below.

§ 1032.301 Limitation of shipments.

* * * * *

(d) *Pack requirements.* (1) Master containers for 1 pound or 2 pound packages shall contain the following number of packages only:

(i) 24 1-pound packages;
(ii) 48 1-pound packages; or
(iii) 24 2-pound packages.

(2) The net weight of contents plus tare allowance for weight of a master container shall not exceed the following tolerances;

(i) Master containers of packages weighing 1 pound or less shall not exceed an average of 20 percent;

(ii) Master containers of packages weighing over 1 pound and up to and including 2 pounds shall not exceed an average of 15 percent; and

(iii) Master containers of packages weighing over 2 pounds shall not exceed an average of 10 percent. The net weight of contents for master containers shall be determined by multiplying the average number of packages in the master containers by the weight classification of such packages. Tare allowances for master containers shall be 4 pounds for crates Nos. 4015 and 3820 or their equivalents in other containers, and 2 pounds for crate No. 5055 or the equivalent in other containers. Crates Nos. 4015, 3820, and 5055 mean carrier containers designated by such numbers.

(3) Containers weighing 25 pounds or more shall not exceed an average of 10 percent of the net weight of contents.

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

Effective date. This amendment shall become effective upon publication in the FEDERAL REGISTER.

Dated: February 16, 1961.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vegetable Division.

[F.R. Doc. 61-1540; Filed, Feb. 20, 1961; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 656; Special Civil Air Reg. SR-445]

PART 60—AIR TRAFFIC RULES

Reports of Navigation and Communications Equipment Malfunctions; Special Civil Air Regulation

Correction

In F.R. Doc. 61-1439, appearing at page 1398 of the issue for Friday, February 17, 1961, that part of the heading which is enclosed in brackets should read as set forth above.

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

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

Tolerances for Residues of Toxaphene

A petition was filed with the Food and Drug Administration by Hercules Powder Company, Wilmington 99, Delaware, requesting the establishment of tolerances for residues of toxaphene at 7 parts per million in or on collards, kale, and spinach.

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

After consideration of the data submitted in the petition and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.138) are amended by adding collards, kale, and spinach to the list of raw agricultural commodities for which tolerances have been established. All paragraph designations are deleted to facilitate the insertion of new tolerances. As amended, § 120.138 reads as follows:

§ 120.138 Tolerances for residues of toxaphene.

Tolerances are established for residues of toxaphene (chlorinated camphene containing 67 percent–69 percent chlorine) in or on raw agricultural commodities from preharvest or preslaughter application, as follows:

7 parts per million in or on cranberries; collards; fat of meat from cattle, goats, hogs, and sheep; hazelnuts; hickory nuts; horseradish; kale; parsnips; pecans; peppers; pimentos; rutabagas; spinach; walnuts.

5 parts per million in or on barley, oats, rice, rye, sorghum grain, wheat.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: February 15, 1961.

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

[F.R. Doc. 61–1522; Filed, Feb. 20, 1961; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Kentucky Woodlands National Wildlife Refuge, Kentucky

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

Special regulations; sport fishing; for individual wildlife refuge areas.

KENTUCKY

KENTUCKY WOODLANDS NATIONAL WILDLIFE REFUGE

Sport fishing on the Kentucky Woodlands National Wildlife Refuge, Kentucky, is permitted only on the areas designated by signs as open to fishing. This open area, comprising 7,500 acres or 11 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta 23, Georgia. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Black bass, rock bass, sauger, rockfish, crappie, and bream; and other minor species permitted by State regulations.

(b) Open season: Duncan Bay and interior lakes Hematite, Honker, Empire, and Esselstyne—April 1, 1961, through October 15, 1961. Daylight hours only in interior lakes.

(c) Daily creel limits:

Black bass	10
Rock bass	15
Sauger	10
Rockfish	1
White bass	60
Crappie	60
Bream	No limit

Other minor species as permitted by State regulations.

(d) Methods of fishing:

1. Pole and line, rod and reel, artificial and live baits permitted.

2. Row boats, canoes and other floating devices with motors permitted in Duncan Bay. Gasoline powered boats prohibited on interior lakes. Electric motors permitted.

3. Bow and arrows may be used for taking non-game fish as prescribed by Kentucky Regulation KFWR–F–25.

(e) Other provisions:

1. The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

2. A Federal permit is not required to enter the public fishing area.

3. The provisions of this special regulation are effective to October 16, 1961.

WALTER A. GRESH,
Regional Director, Bureau of Sport Fisheries and Wildlife.

FEBRUARY 9, 1961.

[F.R. Doc. 61–1935; Filed, Feb. 20, 1961; 8:48 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—Business and Defense Services Administration, Department of Commerce

[Rules of Practice 1—Revocation]

RP 1—RULES OF PRACTICE BEFORE HEARING COMMISSIONERS

Revocation

BDSA RP 1, Rules of Practice Before Hearing Commissioners (formerly NPA Rules of Practice 1, revised March 17, 1953) is hereby revoked.

(Sec. 704, 64 Stat. 816, as amended, P.L. 86–560, 74 Stat. 282; 50 U.S.C. App. 2154)

This revocation is effective February 15, 1961.

BUSINESS AND DEFENSE SERVICES ADMINISTRATION,
WILLIAM A. WHITE, Sr.,
Administrator.

FEBRUARY 15, 1961.

[F.R. Doc. 61–1529; Filed, Feb. 20, 1961; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 943, 966]

[Docket Nos. AO–231–A14, AO–257–A6]

MILK IN NORTH TEXAS AND NORTHERN LOUISIANA MARKETING AREAS

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreements and to Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to proposed amendments to the tentative marketing agreements and orders regulating the handling of milk in the North Texas and Northern Louisiana marketing areas. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., not later than the close of business the 3rd day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate.

Preliminary statement. The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreements and to the orders, were formulated, was conducted at Dallas, Texas, on January 18, 1961, pursuant to notice thereof which was issued January 9, 1961 (26 F.R. 225).

The material issues on the record of the hearing relate to:

1. Modification of the Class II and Class I pricing formulas under the North Texas order.

2. Modification of the Class II and Class I pricing formulas under the Northern Louisiana order.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

Issue No. 1. Revision of the Class II pricing formula and the basic formula used in determining the Class I price under the North Texas order.

The Class II pricing formula should be revised to provide that during the months of April, May and June, the Class II price shall be the higher of the prices resulting from the butter-powder formula component of the basic formula price, less 14 cents, or a Cheddar cheese formula price identical to that presently provided in the San Antonio and Corpus Christi orders for pricing Class II–A (Cheddar cheese) milk. In all other months such price should be the higher of the butter-powder formula price or the Cheddar cheese formula price. The local Texas manufacturing plant pay price should be deleted as an alternative pricing mechanism in the basic formula price.

Under the present order provisions the Class II price during the months of April, May and June is the higher of the average pay prices of three local Texas manufacturing plants or the butter-powder formula price less 20 cents. In all other months of the year, the Class II price is the higher of the butter-powder formula price or the average of the local manufacturing plant pay prices. The local plant pay prices, the butter-powder formula and the Midwest condensery pay price are components of the basic formula price.

The average of the local manufacturing pay prices normally has been the effective Class II price during the months of April, May and June and in all other months the butter-powder formula price has been the effective price. The local manufacturing plant pay price has never been effective in determining the basic formula price.

Changes in the operation of local manufacturing plants reporting prices paid dairy farmers for ungraded milk seriously impair their usefulness in the pricing provisions of the order. The Borden Company plant at Mount Pleasant, Texas, has ceased operation. The Lamar Creamery Company plant at Paris, Texas, no longer receives ungraded milk from dairy farmers. The volume of ungraded milk handled at the three manufacturing plants dropped from an average of 2.7 million pounds per month in 1957 to about 1.4 million pounds per month in 1959. On the basis of volume figures reported on the record through May 1960, it is apparent that the quantity of ungraded milk receipts decreased still further during 1960, and with only one plant now operating such receipts will be still less in 1961.

Producer proponents contend that while they do not at this time question the appropriateness of the Class II prices provided under the order during 1960, they are unwilling, and believe it inappropriate, to continue to have their Class II milk priced on the basis of a single plant's reported pay price. They propose, therefore, that the Class II price, during the specified flush months of production, be the higher of the butter-powder formula component of the basic formula price, less 14 cents, or a Cheddar cheese formula price. They further proposed that in all other months the Cheddar cheese formula price be the effective Class II price in any month in which such price exceeds the butter-powder formula price.

Producer's proposal would have provided the same Class II price level of $3.266 during 1960 as was in effect under the present order provisions. In addition, it would also have provided Class II prices virtually identical with the actual Class II prices in effect in the years 1958 and 1959. Since their proposal meets the objective of providing a more representative basis for pricing Class II milk, its adoption is appropriate.

The inclusion of the alternative cheese pricing formula [prices paid per pound of Cheddar cheese at Wisconsin Primary markets times 8.4] provides assurance to producers that the Class II price adequately reflects the supply-demand situation for milk for manufacturing uses on a national basis. While the Cheddar cheese pricing formula would not have established the Class II price in any month during the period 1956–1960, the price for milk processed into Cheddar cheese has strengthened significantly in the latter part of 1960. It is possible, therefore, that in some future period such price may exceed the price computed on the basis of the butter-powder formula. Cheddar cheese is generally recognized as one of the residual use values for fluid milk. Since the facilities are available to the market for disposition of the surplus reserve milk for Cheddar cheese, there is no reason why the price for such milk should at any time be less than the price of milk utilized in Cheddar cheese.

One handler recommended that the lower Class II price be extended to include the month of March. He contended that such modification would align the Class II prices for the flush production months with the months when producers are paid base and excess prices. Producer proponents pointed out, however, that they were presently engaged in a reappraisal of the Class II price level and expected that they would submit their conclusions in the form of proposals for hearing within a few months. If a change in the seasonality of Class II prices is desirable, it should be considered at a later hearing.

The basic formula price used in determining Class I prices under the order is presently the highest of the butter-powder formula price, the Midwest condensery pay price or the local manufacturing plant pay price. For reasons previously stated the local manufacturing plant pay price no longer can be presumed to constitute a representative price for manufacturing milk. While such price has never been effective in establishing the Class I price, it nevertheless has provided assurance to producers that their Class I price would reflect competitive manufacturing milk values. The use of the Cheddar cheese formula price as a component of the basic pricing formula, in lieu of the manufacturing plant pay price would

not serve this purpose. The Cheddar cheese formula proposed would never have been effective as a Class I price determinant and it is difficult, if not impossible, to conceive of circumstances under which such price could be higher than either the existing butter-powder formula price or the Midwest condensery pay price. Hence, inclusion of this formula could serve no useful purpose. The deletion of the local manufacturing plant pay price as a component of the basic pricing formula is not expected to affect the level of Class I prices provided by the order.

Issue No. 2. Revision of the Class II pricing formula and the basic formula price used in determining the Class I price under the Northern Louisiana order.

The Class II pricing formula should be revised to provide that during the months of March, April, May, and June, the Class II price shall be the price resulting from the existing butter-powder formula price component of the basic formula price, less 5 cents, and in all other months, the butter-powder formula price. The average of pay prices of three Texas manufacturing plants should be deleted as an alternative pricing mechanism in determination of the basic formula price in the Class I pricing provisions.

Under the present order provisions, the Class II price during the months of March, April, May, and June is the average of the pay prices of the three local Texas manufacturing plants, and in all other months the higher of such price or the butter-powder formula price. The basic formula price used to determine the Class I price is the highest of the butter-powder formula price, the Midwest condensery pay price or the local Texas manufacturing plant pay price.

Producer proponents in the Northern Louisiana market took an identical position to that of North Texas producers relative to the continued use of the Texas local manufacturing plants pay prices as a pricing mechanism for Class I and Class II milk. Unlike North Texas producers, however, their proposed Class II pricing mechanism would have increased the Class II price about 7 cents per hundredweight during the months of March, April, May and June, 1960. They modified their proposal during the hearing to provide that the Class II price be established on the basis of the existing butter-powder formula in all months of the year, without adjustment.

The deletion of the local Texas manufacturing plants pay prices as a component of both the Class I and Class II pricing formulas is desirable for the identical reasons previously set forth in the discussion of Issue No. 1. Since the butter-powder formula generally has been effective in setting the Class II price in the months of July through February, the use of this formula as the sole pricing mechanism during such months is not expected to affect the level of Class II price in such months. While the use of a butter-powder formula price adjusted downward by five cents during the other four months would have increased the Class II price by approximately 7 cents during such months in 1960, this increase is fully justified on the basis of the existing market situation.

The market situation in the Northern Louisiana market is substantially different than that in the North Texas market. The proponent association supplies all handlers with their full requirements for both Class I and Class II uses. Regulated handlers, however, have very limited Class II use. The bulk of the producer milk supply, in excess of the market's Class I needs, is disposed of by the association to nonpool plants for manufacturing uses. During the past several years, the association has been able to realize a return on such excess milk in excess of the order Class II prices. During the months of March through June 1960, the association received as much as 34.5 cents over the Class II price on milk disposed of to manufacturing plants. The association indicated that it will have no difficulty in disposing of all of the surplus milk during 1961 at prices at least as high as that resulting from their amended proposal.

Under normal circumstances there should be no reason why producers' amended proposal could not be adopted. However, it must be recognized that regulated handlers do use limited volumes of Class II milk and adoption of producers' amended proposal would have increased the cost of such milk during the months of March through June 1960 by 12 cents per hundredweight. This hearing was held at Dallas, Texas. No handlers were present at the hearing. Producer proponents, however, stated on the record that they had fully discussed their original proposal for a Class II price based on the butter-powder formula price less 5 cents, during the four flush production months, with handlers individually and that they were not opposed to such a proposal.

While the hearing notice indicated that the hearing would consider appropriate modifications of the proposals set forth in the notice, handlers had little reason to expect that producers would modify their proposals previously discussed with them. There is reason to think that the handlers did not attend the hearing called at a distant place in reliance on producers representation that only the proposals as set forth in the hearing notice would be supported by testimony. Therefore, revision in the Class II price to a level higher than that set forth in the notice would not be appropriate in these particular circumstances.

The prices paid by a single local manufacturing plant do not provide a representative price for purposes of pricing Class I milk under the order. It is desirable, therefore, that this component of the basic formula price be deleted. Since the local manufacturing pay price has never been effective in establishing the Class I price, this modification of the basic pricing formula is not expected to affect the level of Class I price provided by the order.

Rulings on proposed findings and conclusions. A brief and proposed findings and conclusions were filed on behalf of certain interested parties. The brief, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by the interested party are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

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

(a) The tentative marketing agreements and the orders, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

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

(c) The tentative marketing agreements and the orders, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, marketing agreements upon which hearings have been held.

Recommended marketing agreements and orders amending the orders. The following orders amending the orders regulating the handling of milk in the North Texas and Northern Louisiana marketing areas are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreements are not included in this decision because the regulatory provisions thereof would be the same as those contained in the orders, as hereby proposed to be amended:

North Texas Order:

§ 943.50 [Amendment]

1. In the first sentence of § 943.50 delete the phrase "highest of the prices computed pursuant to paragraphs (a), (b), and (c) of this section" and substitute therefor the phrase "higher of the prices computed pursuant to paragraphs (a) and (b) of this section."

2. Delete paragraph (c).

§ 943.51 [Amendment]

3. Delete paragraph (b) and substitute therefor the following:

(b) *Class II milk.* The Class II price per hundredweight, rounded to the nearest one-tenth cent, shall be as follows:

(1) For each of the months of April, May and June the higher of;

(i) the price computed pursuant to § 943.50(b) less 14 cents; or

(ii) The price computed by multiplying by 8.4 the average of the daily prices paid per pound of cheese at Wisconsin Primary markets ("Cheddars" f.o.b. Wisconsin assembling points, cars or truckloads) as reported by the Department for the month.

(2) For each of the months of July through March, the higher of the prices computed pursuant to § 943.50(b) or subdivision (ii) of subparagraph (1) of this paragraph.

Northern Louisiana Order:

1. Delete § 966.50 and substitute therefor the following:

§ 966.50 Basic formula price.

The basic formula price to be used in determining the price per hundredweight of Class I milk shall be the higher of the prices computed pursuant to paragraphs (a) and (b) of this section, rounded to the nearest one-tenth cent.

(a) The average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department divided by 3.5 and multiplied by 4.0.

Present Operator and Location
Borden Co., Orfordville, Wis.
Borden Co., New London, Wis.
Carnation Co., Sparta, Mich.
Carnation Co., Richland Center, Wis.
Carnation Co., Oconomowoc, Wis.
Pet Milk Co., Wayland, Mich.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Belleville, Wis.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(b) The price per hundredweight computed by adding together the plus values of subparagraphs (1) and (2) of this paragraph:

(1) From the Chicago butter price, subtract 3 cents, add 20 percent thereof, and multiply by 4.0;

(2) From the simple average as computed by the market administrator of the weighted averages of carlot prices per pound for nonfat dry milk, 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 preceding month through the 25th day of the current month by the Department, deduct 5.5 cents and multiply by 8.16.

§ 966.51 [Amendment]

2. Delete paragraph (b) and substitute therefor the following:

(b) *Class II price.* The minimum price shall be the price computed pursuant to § 966.50(b), minus 5 cents per hundredweight for the months of March, April, May and June, and the price computed pursuant to § 966.50(b) for all other months, rounded in each case to the nearest one-tenth cent.

Issued at Washington, D.C., this 16th day of February 1961.

ROY W. LENNARTSON,
Deputy Administrator.

[F.R. Doc. 61-1541; Filed, Feb. 20, 1961; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by E. R. Squibb and Sons, Division of Olin Mathieson Chemical Corporation, Georges Road, New Brunswick, New Jersey, proposing the issuance of a regulation to provide for the safe use of nystatin in medicated chicken feed at a level of 50 grams per ton for prevention and 100 grams per ton for treatment of crop mycosis and/or mycotic diarrhea in chickens and laying hens.

Dated: February 14, 1961.

[SEAL] J. K. KIRK,
Assistant to the Commissioner of Food and Drugs.

[F.R. Doc. 61-1520; Filed, Feb. 20, 1961; 8:46 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by Anchor Serum Company, 2400 Frederick Avenue, St. Joseph, Missouri, proposing the issuance of a regulation to provide for the safe use of dihydrostreptomycin, nemycin, and polymyxin B in the treatment of mastitis in milk-producing dairy cows.

Dated: February 14, 1961.

[SEAL] J. K. KIRK,
Assistant to the Commissioner of Food and Drugs.

[F.R. Doc. 61-1521; Filed, Feb. 20, 1961; 8:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 514]

[Reg. Docket No. 661]

TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS, PROCESSES, AND APPLIANCES

Stall Warning Instruments

Pursuant to the authority delegated to me by the Administrator (14 CFR 405) notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 514 of the Regulations of the Administrator by adopting a new Technical Standard Order. A notice of proposed rule making establishing minimum performance standards for stall warning instruments to be used on civil aircraft of the United States was published in 23 F.R. 8315.

Subsequent to publication of the proposal, it was determined that substantive changes were necessary. These changes consist of incorporating thermal shock and sealing performance tests to insure reliability and safety of the instruments, requiring a positive means for indicating to the pilot when a power loss malfunction occurs, and addition of a quality control statement. Accordingly, this proposal will replace the notice of proposed rule making, 23 F.R. 8315, which is hereby withdrawn.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before April 7, 1961, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. All comments submitted will be available, in the Docket Section, for examination by interested persons when the prescribed date for return of comments has expired. This proposal will not be given further publication as a draft release.

This amendment is proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (72 Stat. 752, 775; 49 U.S.C. 1354(a), 1421).

In consideration of the foregoing it is proposed to amend Part 514 as follows:

By adding § 514.53 as follows:

§ 514.53 Stall warning instruments—TSO-C54.

(a) *Applicability*—(1) *Minimum performance standards.* Minimum performance standards are hereby established for stall warning instruments which specifically are required to be approved for use on civil aircraft of the United States. New models of stall warning instruments manufactured for installation on civil aircraft on or after the effective date of this section shall meet the standards set forth in SAE Aeronautical Standard AS-403A, "Stall

Warning Instrument", revised July 15, 1958,[1] with exceptions, and additions to the standards listed in subparagraph (2) of this paragraph.

(2) *Exceptions and additions.* (i) The following specifically numbered parts in AS 403A do not concern minimum performance and therefore are not essential to compliance with this section: Parts 3.1; 3.1.1; 3.1.2; 3.2 (a), (b), (c), (d), (e), and (f).

(ii) In lieu of Part 7, it is a requirement that stall warning instrument covered by this section be capable of successfully passing the tests in Parts 7.1 through 7.7.

(iii) Thermal shock: This test shall apply to any hermetically sealed component. The component shall be subjected to four cycles of exposure to water at 85°±2° C. and 5°±2° C. without evidence of moisture penetration or damage to coating or enclosure. Each cycle of the test shall consist of immersing the component in water at 85°±2° C. for a period of 30 minutes, and then within 5 seconds of removal from the bath, the component shall be immersed for a period of 30 minutes in the other bath maintained at 5°±2° C. This cycle shall be repeated continuously, one cycle following the other until four cycles have been completed. Following this test, the indicator shall be subjected to the Sealing test specified in (iv). No indicator leakage shall occur as a result of this test.

(iv) Sealing: This performance test shall apply to each hermetically sealed instrument. The instrument shall be immersed in a suitable liquid, such as water. The absolute pressure of the air above the liquid shall then be reduced to approximately 1 inch of mercury (Hg) and maintained for 1 minute, or until air bubbles cease to be given off by the liquid, whichever is longer. The absolute pressure shall then be increased by 2½ inches Hg. Any bubbles coming from within the indicator case shall be considered as leakage and shall be cause for rejection. Bubbles which are the result of entrapped air in the various exterior parts of the case shall not be considered as leakage. A helium leak detector or other means of test, at least equal in sensitivity to the immersion method described, may be used. Where a leak detector is employed for conducting the test, the leak rate shall not exceed 1 microcubic foot per hour at a pressure differential of approximately 1 atmosphere. If the instrument incorporates nonhermetically sealed appurtenances, such as a case extension, these appurtenances may be removed prior to the sealing test.

(v) Power malfunction indication: Means shall be incorporated in the instrument to indicate when adequate power (voltage and/or current) is not being made available to all phases required for the proper operation of the instrument. The indicating means shall indicate a failure or a malfunction in a positive manner, and be readily discernible under any lighting condition normally encountered in aircraft.

(b) *Marking.* In addition to the markings specified in § 514.3 range or rating (voltage) shall be shown.

(c) *Data requirements.* (1) The manufacturer shall maintain a current file of complete design data.

(2) The manufacturer shall maintain a current file of complete data describing the inspection and test procedures applicable to his product.

(3) Six copies each, except where noted, of the following shall be furnished to the Chief, Engineering and Manufacturing Division, Bureau of Flight Standards, Federal Aviation Agency, Washington 25, D.C.

(i) Manufacturer's operating instructions and instrument limitations.

(ii) Drawings of major components or photographs showing exploded views of instruments.

(iii) Installation procedures with applicable schematic drawings, wiring diagrams, and specifications, including any limitations, restrictions, or other conditions pertinent to installation.

(iv) One copy of the manufacturer's test report.

(d) *Quality control.* Each stall warning instrument shall be produced under a quality control system, established by the manufacturer, which will assure that each stall warning instrument is in conformity with the requirements of this section and is in condition for safe operation. This system shall be described in the data required under paragraph (c)(2). A representative of the Administrator shall be permitted to make such inspections and tests at the manufacturer's facility as may be necessary to determine compliance with the requirements of this standard.

(e) *Previously approved equipment.* Stall warning instruments approved by the Administrator prior to the effective date of this section may continue to be manufactured under the provisions of their original approval.

Issued in Washington, D.C., on February 14, 1961.

GEORGE C. PRILL
Acting Director,
Bureau of Flight Standards.

[F.R. Doc. 61-1510; Filed, Feb. 20, 1961; 8:45 a.m.]

[1] Copies may be obtained from the Society of Automotive Engineers, 485 Lexington Avenue, New York 17, N.Y.

[14 CFR Part 515]

[Reg. Docket No. 653; Draft Release No. 61-3]

MAINTENANCE STANDARD ORDERS FOR AIRCRAFT MAINTENANCE

Notice of Proposed Rule Making

Pursuant to the authority delegated to me by the Administrator (14 CFR 405.27), notice is hereby given that there is under consideration a proposed new Part 515 of the regulations of the Administrator, Maintenance Standard Orders for Aircraft Maintenance, as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C., prior to April 20, 1961. Thereafter, such comments will be available in the Docket Section to all interested persons. After examination of the original comments received, interested persons may submit such additional comments in response thereto as they may desire. Such additional comments must be submitted prior to May 22, 1961. (Photostatic copies of comments on file in the Docket Section may be obtained upon payment of the cost of such copies.) All original comments and additional comments in response thereto received by the dates specified for receipt thereof will be considered by the Administrator before taking action on the proposed rules. The proposals contained in this notice may be changed in the light of comments received.

Maintenance Standard Orders (MSO's) would set forth minimum standards for maintenance, the equipment and facilities for such maintenance, and the periods for and the manner in which such maintenance shall be made. Such Maintenance Standard Orders would particularly implement the provisions of section 601(a)(3) of the Federal Aviation Act of 1958, which require the Administrator to prescribe, in addition to reasonable rules and regulations, "minimum standards governing, in the interest of safety, (A) the inspection, servicing, and overhaul of aircraft, aircraft engines, propellers, and appliances; (B) the equipment and facilities for such inspection, servicing, and overhaul; and (C) in the discretion of the Administrator, the periods for, and the manner in, which such inspection, servicing, and overhaul shall be made . . ." The term "maintenance," as used in this proposal, is defined in Part 18 of the Civil Air Regulations as follows: "Maintenance, which includes preventive maintenance, is the inspection, overhaul, repair, upkeep, and preservation of airframes, powerplants, propellers, and appliances, including the replacement of parts."

The regulations which govern the maintenance of civil aircraft are found in various parts of the Civil Air Regulations, such as Parts 18, 40, 41, 42, 43, 46, and 52. However, only Part 18 is applicable to all certificated civil aircraft, and all persons who operate or maintain certificated civil aircraft are required to comply with the appropriate provisions thereof. Section 18.30 requires that "All maintenance, repairs, and alterations shall be accomplished in accordance with methods, techniques, and practices approved by or acceptable to the Administrator," thus, it is appropriate that a uniform means be provided to state the approved standard of maintenance to be achieved by the use of such methods, techniques, and practices.

Heretofore, no clearly established and uniform means have been provided whereby persons affected by Part 18 could clearly determine that they were, in fact, in compliance with the provisions of section 18.30. Extensive information on maintenance methods, tech-

niques, and practices has been published from time to time in the form of interpretations and policies in § 18.30 of Civil Aeronautics Manual 18. In addition, other information of similar nature on the same subject has been disseminated by circular letters, directives, or other policy material. It is now intended gradually to remove such material, and to issue MSO's setting forth the approved standards for the maintenance of certificated civil aircraft. The MSO's would contain only minimum conditions which must be met by persons affected thereby, and would not prohibit or hinder the use of maintenance to provide a higher level of safety or to provide for more maintenance than would be required by the minimum conditions.

Each new or amended MSO would be issued in accordance with the Administrative Procedure Act in the same manner as this proposal and other regulations. In addition, insofar as possible, interested persons within the industry would be afforded the opportunity of participating in the development of the substance of individual Maintenance Standard Orders before formal rule making action is proposed. Such participation usually would be afforded by prior correspondence, meetings, or conferences.

A substantial number of persons participated in an informal public Maintenance Requirements Conference held in Washington, D.C., on August 3, 4, and 5, 1960, in which the nature and purpose of the MSO were discussed. This meeting was initiated by the Bureau of Flight Standards to acquaint the aviation industry with the contemplated rule changes, and to seek constructive comments. The results of this meeting were well publicized in the aviation press, thus affording all interested persons preliminary notice of possible rule making action.

The most significant recommendation made at the conference concerned the acceptability of equivalent means of complying with the provisions of an MSO, particularly where these might involve methods, techniques, and practices. The informal proposal presented by the Bureau in the form of a sample MSO contained, in addition to minimum standard criteria, such methods, techniques, and practices which were working details intended to achieve the prescribed standard of maintenance. The proponents of the proposal stated that the purpose of an MSO would be to prescribe, to the maximum extent possible, a minimum end quality of maintenance. They also stated that the MSO was not intended to prescribe detailed methods, techniques, and practices as mandatory requirements, but that in some cases, it might not be possible to avoid this entirely. Accordingly, as proposed herein, each MSO will establish, as far as possible, only minimum standards which will provide a measure of quality governing the end product of maintenance. Detailed methods, techniques, or practices for the performance of maintenance will not be incorporated in MSO's, except for purposes of clarity or explanation, or as recommendations where absolutely necessary to define a standard. In this latter case, they will be incorporated in the form of nonmandatory notes or references to the substance of the MSO. In any case where a method, technique, or practice is incorporated into an MSO, and the Director, Bureau of Flight Standards, or his authorized representative, can find that a proposed alternative will produce an equivalent result, he may accept the alternative in lieu of the specified method, technique, or practice.

Even though Part 18 includes rules for the accomplishment of alterations as well as maintenance, the Maintenance Standard Orders would pertain solely to maintenance. It is contemplated that the matter of alterations will be the subject of separate and subsequent regulatory proposals.

This proposal comprises a Subpart A and a Subpart B. Subpart A contains the general provisions applicable to all Maintenance Standard Orders, while Subpart B contains required standards governing specific conditions or types of maintenance.

The Subpart B, which is a part of this notice of proposed rule making, sets forth proposed standards for the retreading of high-speed tires for use on civil aircraft of United States registry having ground speeds in excess of 160 miles per hour. Such proposed standards are related to the standards for the manufacture of high-speed aircraft tires as set forth in a separate and previous notice of proposed rule making as a Technical Standard Order. Because of this relationship, a substantial portion of this proposal has been the subject of prior discussion with interested tire manufacturers. Additional comments have been received on the specific subject of retreading high-speed tires by interested persons who are engaged in the business of retreading such tires. Such discussion and comments have been considered in the preparation of the proposed standards for tire retreading and, insofar as possible, they have been incorporated herein. Therefore, it is anticipated that such standards will be found to be in close accord with existing retreading practices. However, based on the comment of at least one manufacturer of high-speed aircraft tires, the proposed standard is considerably less stringent than that manufacturer would like to see as a means of retaining the standard of excellence in tires which, at least, that manufacturer would like to maintain. In this connection, it must be remembered that the MSO sets forth only minimum standards as a reasonable means of insuring safe operation of civil aircraft. As noted elsewhere in this notice, any person who would be affected by the proposed MSO for retreading high-speed tires may voluntarily utilize higher standards than set forth herein, but if this proposal is adopted, no person may use standards which are lower than those specified in such MSO.

In consideration of the foregoing, it is proposed to promulgate the new Part 515 of the regulations of the Administrator set forth below.

(Secs. 313(a), 601, 604, 605, and 607 of the Federal Aviation Act of 1958; 72 Stat. 752, 775, 778, 779; 49 U.S.C. 1354(a), 1421, 1424, 1425, 1427)

Issued in Washington, D.C., on February 8, 1961.

OSCAR BAKKE,
Director, Bureau of Flight Standards.

PART 515—MAINTENANCE STANDARD ORDERS FOR AIRCRAFT MAINTENANCE

Subpart A—General

§ 515.1 Basis.

Sections 601, 604, 605, and 607 of the Federal Aviation Act of 1958, and § 18.30 of this title.

§ 515.2 Scope.

Subpart B of this part prescribes standards for the accomplishment of maintenance, the equipment and facilities for such maintenance, and the periods for and the manner in which such maintenance is made.

§ 515.3 Applicability.

Unless otherwise specified in Subpart B of this part, Maintenance Standard Orders issued pursuant to this part shall be applicable to all certificated civil aircraft of the United States.

Subpart B—Maintenance Standard Order MSO–A–1

§ 515.10 Retread high-speed tires—MSO–A–1.

(a) *Scope and applicability.* Standards of this Maintenance Standard Order [1] are for the retreading of high-speed tires for use on civil aircraft of United States registry. They shall apply to all tires installed on aircraft having ground speeds in excess of 160 miles per hour.

(b) *General.* Each retreaded tire shall comply with subparagraphs (1) through (3) of this paragraph. In addition, each tire shall be retreaded with materials and under a quality control in compliance with paragraphs (g) and (h) of this section to insure that it is in a condition enabling it to meet the tests prescribed in paragraph (e) of this section.

(1) *Condition of tire to be retreaded.* Tires having breaks in the fabric, due to flat spots, cuts, cracks, abrasions, etc., shall not be retreaded unless it is determined or demonstrated that such breaks will not adversely affect the safe operation of the retreaded tire. Damaged tires shall be determined to be acceptable for retreading in accordance with acceptable practices.

(2) *Marking.* The retread tire shall be permanently marked and shall include the markings listed in subdivisions (i) through (v) of this subparagraph. The marking data required of the original tire manufacturer shall not be obliterated.

[1] Copies may be obtained upon request addressed to: Aeronautical Reference Branch, Correspondence Inquiry Section, MS–126, Federal Aviation Agency, Washington 25, D.C.

(i) The letter "R" followed by a numeral "1", "2", etc., to signify the first, second, etc., time the tire has been retreaded.

(ii) If the dynamometer retread qualification speed is less than the new tire qualification speed, the retread speed shall be indicated in front of the letter "R".

(iii) The month and year of tread application.

(iv) The name of the retreading company.

(v) Applicable Maintenance Standard Order (MSO number).

(3) *Balance.* Each retreaded tire shall be balanced to determine that the static unbalance, in inch-ounces, does not exceed the following moment values:

(i) Actual tire diameters (d) up to and including 28 inches: $M=0.01d^2+0.38d$.

(ii) Actual tire diameters (d) greater than 28 inches; $M=0.034d^2-0.304d$.

(c) *Proof of qualification.* Critical tires shall be selected in accordance with paragraph (d) of this section and tested in accordance with paragraph (e) of this section. The tires shall be tested on each aircraft type and shall withstand the tests without failure or visible signs of deterioration other than expected tread wear. In establishing proof of qualification, the provisions of subparagraphs (1) through (4) of this paragraph shall apply.

(1) Substantiation of retread tires shall be based upon the aircraft manufacturer's data [2] showing the aircraft's characteristics in terms of weight, speed, deceleration, and groundroll distance.

(2) The aircraft data indicated in subparagraph (1) of this paragraph shall be used in establishing conservatively representative load-speed-time schedules [3] to be followed during the tests prescribed in paragraph (e) of this section. The representative load-speed-time schedules shall be established in terms of parameters defined in subdivisions (i) through (viii) of this subparagraph.

(i) S_1—initial dynamometer test speed in miles per hour;

(ii) S_2—speed in miles per hour at which the average deceleration between S_1 and S_2 does not exceed the specified value;

(iii) D—constant rate of deceleration in feet/second^2 between S_1 and S_2 speeds;

(iv) RD—roll distance in feet as determined from the aircraft data;

(v) L_1—initial tire load in pounds corresponding with the intersection of the two lines representing the load-time curve from the aircraft data (see subparagraph (3) of this paragraph);

(vi) L_2—maximum rated static load of tire in pounds;

(vii) T_1—time in seconds for applying load L_1;

(viii) T_2—elapsed time in seconds in applying load $L_2=\frac{S_1-\sqrt{S_1^2-2D(RD)}}{D}$.

(3) The critical load-time curve taken from the aircraft data shall be represented for test purposes by enveloping straight lines originating from the zero load point and the L_2 point.

(4) The critical speed-time (deceleration) curve taken from the aircraft data shall be represented for test purposes by a straight line between the speeds S_1 and S_2 in such a manner that the speed at any given load is not less than the speed at that load indicated by the aircraft data.

(d) *Selection of tires for testing.* For any specific tire size having different ply ratings, a critical tire shall be selected for testing. The tire considered critical shall be the one having the highest value of L_1/L_2 ratio (see paragraph (c)(2)(v) and (vi)). All tires of the same size having all equal or lower L_1/L_2 ratio, as well as an equal or lesser static load rating than the tire tested, shall be considered as having been substantiated by test. If a tire with a greater static load rating is to be substantiated, it shall be tested at that static load rating, and the value of L_1 in the test schedule shall be adjusted to result in the highest L_1/L_2 ratio of all tires of the same size being substantiated.

(e) *Dynamometer tests.* A critical tire, selected in accordance with paragraph (d) of this MSO shall comply with the conditions of subparagraph (1) of this paragraph and shall withstand the tests prescribed in subparagraph (2) of this paragraph without failure or visible signs of deterioration other than expected tread wear. In lieu of the applicable load-speed-time schedules specified herein, dynamometer tests incorporating a variable loading procedure which more realistically simulates actual airplane performance on the runway may be used.

(1) *Conditions for tests.* The conditions of subdivisions (i) through (vi) of this subparagraph shall apply.

(i) Only a manufacturer's approved tire shall be used for testing. Prior to retreading, the tire shall be at least 90 percent worn or, alternatively, shall have simulated service use by having been subjected to the tests prescribed in subparagraph (2) of this paragraph.

(ii) The dynamometer qualification speed for which the carcass was designed. The minimum dynamometer test speeds S_1 for the corresponding operational groundspeed ranges shall be as follows:

Maximum operational ground speed of aircraft, mph.:	*Dynamometer test speed S_1 mph.*
160–180	180
181–200	200
201–225	225
226–250	250

(iii) In applying the dynamometer test schedule, a tolerance of ±1 second shall be permissible for the T_1, and a tolerance of +10 percent shall be permissible for the time T_2. (See paragraph (c)(2)(vii) and (viii) of this section.) When T_2 is calculated by the formula (see paragraph (c)(2)(viii) of this section), S_2 may be ignored and D is assumed constant throughout the roll distance RD (Ref. Figure 2).

(iv) The tire inflation during the tests shall be that necessary to give the same deflection on the flywheel under the L_2 load as the flat plate deflection of the tire at its rated static load and inflation.

(v) The measurement of carcass temperatures, as required by subparagraph (2) of this paragraph, shall be within one inch above the rim flange and in the shoulder or crown area.

(vi) It shall be permissible to run the tests on a test drum of a fixed mass, provided that the speeds, loads, and roll distance are identical to those which would exist if the tests were conducted on an inertia type dynamometer.

(2) *Execution of tests.* The tests shall consist of not less than 50 cycles of Test A as prescribed in subdivision (i) of this subparagraph, and 50 cycles of Test B as prescribed in subdivision (ii) of this subparagraph. The time between cycles of Test A and Test B shall be the minimum to insure carcass peak temperatures of not less than 160° F. or contained air peak temperatures of not less than 140° F. for each run. Unavoidable deviations from these temperatures shall be noted in the substantiating test data.

(i) *Test A.* Each cycle of the test shall include a speed cycle and a load cycle in accordance with (*a*) and (*b*) of this subdivision.

(*a*) *Speed cycle.* The tire shall be landed against the dynamometer flywheel rotating at a peripheral speed of S_1 mph. Immediately thereafter, the flywheel peripheral speed shall be decreased at an average deceleration of D ft./sec.^{2} until a value of S_2 is reached. No specific deceleration need be required below the speed S_2. The peripheral speed of the flywheel shall be decreased until the roll distance of RD feet has been covered, at which time the tire shall be unlanded.

(*b*) *Load cycle.* Upon landing the tire against the dynamometer flywheel, the load shall be increased from zero to L_1 pounds within T_1 seconds and further increased linearly with time to a value of L_2 pounds within T_2 seconds after landing, or at the moment of unlanding, whichever occurs first. If the required roll distance RD feet is not reached until after T_2, the load shall be maintained at L_2 pounds until RD is covered (Ref. Figure 1).

(ii) *Test B.* Each cycle of the test shall include a speed cycle and a load cycle in accordance with (*a*) and (*b*) of this subdivision. In executing this test, the dynamometer flywheel weight shall be such that the kinetic energy stored up in the dynamometer shall correspond with a speed of 120 mph and the rated maximum static load of the

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[2] Aircraft manufacturer's data applicable for the substantiation of retread tires indicate the aircraft's ground performance for the most critical combinations of takeoff weights, speeds, and center of gravity positions, with due consideration to operations at high ambient temperatures and from airports at high elevations.

[3] Illustrations of representative load-speed-time schedules are contained in Figures 1 and 2 of this MSO. It should be noted that in some instances the form of aircraft data available from the manufacturer needs replotting to put it into the form of Figures 1 and 2.

tire. The kinetic energy shall be computed as follows:

$$KE = CWV^2;$$

where
KE = kinetic energy, ft.-lbs.,
C = 0.011,
W = tire load, lbs.,
V = 120 mph.

If the number of flywheel plates does not result in the exact calculated kinetic energy, a greater number of plates may be used and the landing speed decreased accordingly.

(a) *Speed cycle.* The tire shall be landed against the dynamometer flywheel rotating at a peripheral speed of 90 mph and unlanded at zero speed.

(b) Upon landing the tire against the dynamometer flywheel, the rated maximum static load of the tire shall be applied and held until the tire is unlanded.

(f) *Modified tread.* Tires having skid depths or undertread thickness greater than those previously qualified shall not be acceptable unless they are substantiated by showing compliance with paragraph (e) of this section.

(g) *Materials.* Materials shall be of a quality which service experience and/or tests have demonstrated to be suitable and dependable for use in high-speed tires.

(h) *Quality control.* A quality control system shall be established by the renovating company to insure that each tire is in conformity with the provisions of this section and is in condition for safe operation. The retreading facility shall maintain a current file of complete data describing the inspection and test procedures applicable to his system. The Administrator shall be immediately notified of any subsequent changes to the system as it might affect the quality control. A representative of the Administrator shall be permitted to make such inspections and tests at the renovating facilities as might be necessary to determine compliance with the provisions of this section. Workmanship shall be consistent with high grade aircraft tire retreading practices.

(i) *Conformance with aircraft type design limits.* (1) Retreaded tires intended for use on a specific aircraft must conform to type design limitations of such aircraft as may be applicable.[4]

(2) Changes in tread design adversely affecting heat dissipation, which in turn could cause tread breakdown or separation, shall be substantiated by the applicable dynamometer test requirements contained herein.

[4] This is intended to alert the retreader to giving due consideration to conditions such as excessive dimensional and weight changes of the tire in the retreading process.

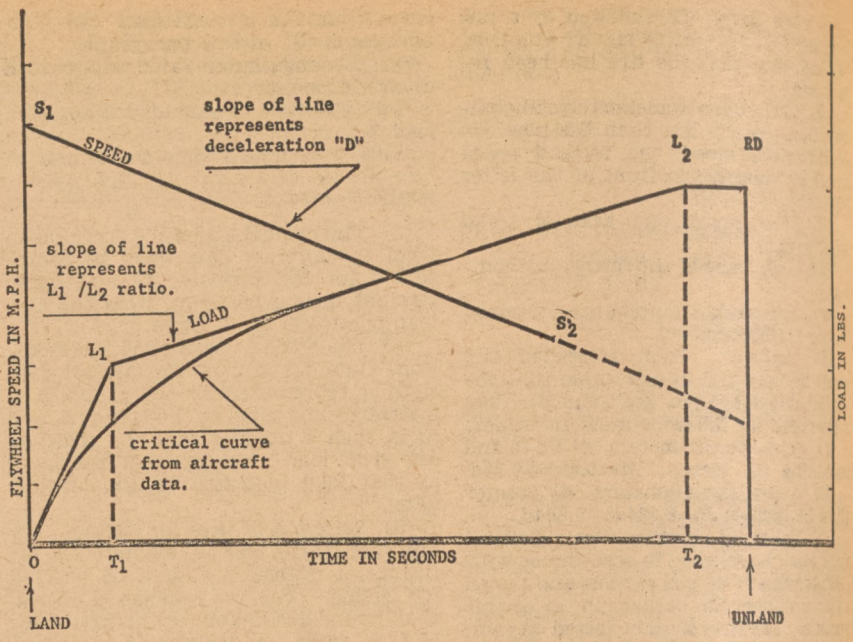

FIGURE 1—*Graphic representation of Load-Speed-Time Test when time T_2 occurs before required roll distance is completed.*

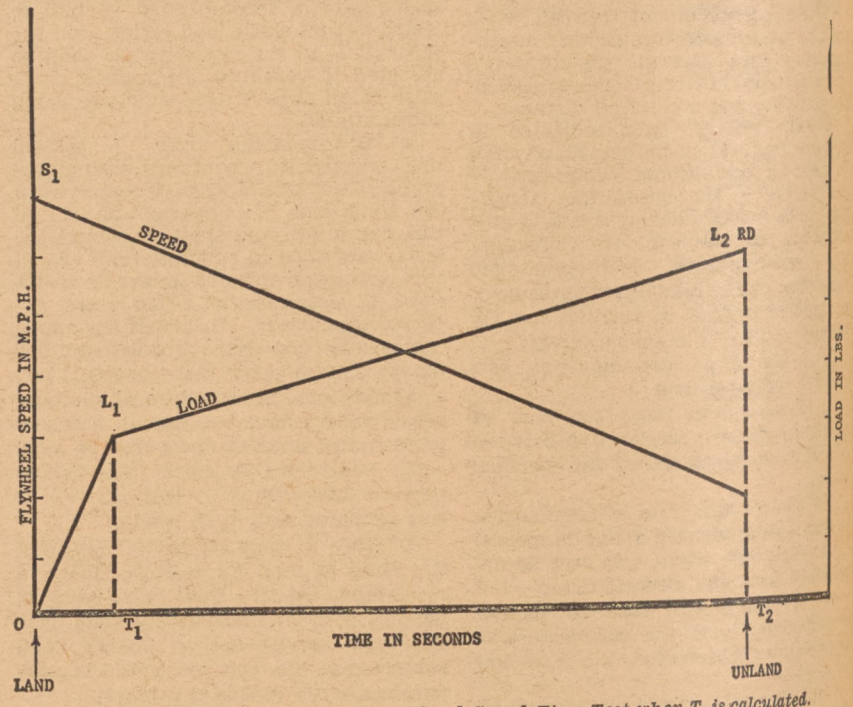

FIGURE 2—*Graphic representation of Load-Speed-Time Test when T_2 is calculated.*

[F.R. Doc. 61-1440; Filed, Feb. 20, 1961; 8:45 a.m.]

Notices

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3938]

AMERICAN NATURAL GAS CO.

Notice of Filing Regarding Charter Amendment, Increase in Authorized Shares of Common Stock, Two and One-half for One Common Stock Split, and Solicitation of Proxies

FEBRUARY 14, 1961.

Notice is hereby given that American Natural Gas Company ("American Natural"), a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating sections 6(a), 7, and 12(e) of the Act and Rule 62 thereunder as applicable to the proposed transactions, which are summarized as follows:

American Natural proposes to amend its Certificate of Incorporation to change its authorized common stock from 6,000,000 shares of $25 par value each to 15,000,000 shares of $10 par value each; and to issue to its stockholders of record at the close of business on May 8, 1961, three additional shares of common stock for each two shares of such stock held. The stockholders will not be required to surrender outstanding stock certificates. The proposed transactions will result in changing American Natural's presently outstanding 5,884,517 shares of $25 par value each into 14,711,292 shares of $10 par value each.

No fractional shares are to be issued but, with respect to one-half share interests, American Natural proposes to issue non-transferable Order Forms which will enable stockholders, on or before July 3, 1961, to instruct The First National City Bank of New York, Agent, to purchase one-half share interests in order to make up full shares, or to sell one-half share interests covered by the Order Forms. All shares held to cover one-half share interests with respect to which the Agent does not receive completed Order Forms before the close of business on July 3, 1961, will be sold in due course for the account of the holders thereof, and checks for the proceeds will be mailed to the stockholders entitled thereto at their last known addresses. All expenses in connection with the above-described transactions will be defrayed by American Natural.

American Natural states that the proposed amendment to its Certificate of Incorporation will require the favorable vote of two-thirds in interest of stockholders present or represented and voting thereon. A special meeting of stockholders for this purpose will be held concurrently with the annual meeting of stockholders on April 26, 1961. Solicitation material and proxy forms in connection therewith will be submitted later for Commission approval.

The fees and expenses to be incurred in connection with the transactions are estimated at $147,000, including Agent's fees of $85,000; registrar's fees of $18,000; stock listing fee of $22,000; printing expenses of $15,000; counsel fees and expenses of $5,000; and miscellaneous expenses of $2,000.

The declaration states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than March 2, 1961, request this Commission 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 raised by the declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules as provided in Rules 20(a) and 100 thereof, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 61-1516; Filed, Feb. 20, 1961; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-V-4 (Rev. 1)]

REGIONAL COUNSEL

Delegation Relating to Legal Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation No. 30 (Revision 6), as amended, (25 F.R. 1706, 7418 and 26 F.R. 177) there is hereby redelegated to the Regional Counsel the following authority:

A. *Legal.* To disburse all approved loans.

B. *Administrative.* To approve annual and sick leave, except advance annual and sick leave, for employees under his supervision.

C. *Correspondence.* To sign all nonpolicymaking, routine correspondence, except Congressional correspondence, relating to the legal functions of the regional office.

II. The specific authority in I.A. and B. may not be redelegated. The authority in I.C. may be redelegated, such delegation being limited to routine correspondence only.

III. The authority delegated herein may be exercised by any SBA employee designated as Acting Regional Counsel.

IV. All previous authority delegated by the Regional Director to the Regional Counsel is hereby rescinded without prejudice to actions taken under all such delegations prior to the date hereof.

Effective date: January 16, 1961.

JAMES F. HOLLINGSWORTH,
Regional Director,
Atlanta Regional Office.

[F.R. Doc. 61-1517; Filed, Feb. 20, 1961; 8:46 a.m.]

BRANCH COUNSEL, JACKSON, MISSISSIPPI

Delegation Relating to Legal Functions

I. Pursuant to the authority delegated to the Branch Manager by Delegation of Authority No. 30-V-11 (Revision 2), (26 F.R. 499) there is hereby redelegated to the Branch Counsel, Jackson Branch Office, the following authority:

A. *Legal.* To disburse all approved loans.

B. *Correspondence.* To sign routine correspondence relating to the legal functions of the branch office, except:

(a) Congressional correspondence, and

(b) Correspondence to other SBA offices and other Government agencies.

II. The authority delegated herein may not be redelegated.

III. The authority delegated herein may be exercised by any SBA employee designated as Acting Branch Counsel.

Effective date: January 16, 1961.

GEORGE A. FIELD,
Branch Manager,
Atlanta Regional Office.

[F.R. Doc. 61-1518; Filed, Feb. 20, 1961; 8:46 a.m.]

[Delegation of Authority No. 30-V-9 (Rev. 2)]

CHIEF, LOAN PROCESSING SECTION, FINANCIAL ASSISTANCE DIVISION

Delegation Relating to Financial Assistance Functions

I. Pursuant to the authority delegated to the Chief, Financial Assistance Division, by Delegation of Authority No. 30-V-1 (Revision 2) (26 F.R. 499), there is hereby redelegated to the Chief, Loan Processing Section, the following authority:

A. *Financial assistance.* 1. To approve disaster loans and limited partici-

pation loans in an amount not exceeding $20,000.

2. To approve but not decline business participation loans in an amount not exceeding $25,000.

3. To approve but not decline direct business loans.

4. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), *Administrator.*
By ----------,
(Name)
Chief, Loan Processing Section, FAD.

5. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

6. To extend disbursement period on all loan authorizations or undisbursed portions of loans.

7. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents and certify to the participating bank that such documents are in compliance with the participation authorization.

B. *Administration.* 1. To approve annual and sick leave, except advance annual and sick leave, for employees under his supervision.

C. *Correspondence.* To sign all nonpolicymaking, routine correspondence relating to the loan processing functions, except Congressional correspondence.

II. The specific authority delegated in I.A. and B. may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Loan Processing Section, Financial Assistance Division.

IV. All previous authority delegated by the Chief, Financial Assistance Division is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date: January 16, 1961.

A. B. LYNCH,
Chief, Financial Assistance Division, Atlanta Regional Office.

[F.R. Doc. 61-1519; Filed, Feb. 20, 1961; 8:46 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 12085]

TRANSFER OF LAV AND AVENSA PERMITS TO VIASA

Notice of Prehearing Conference

In the matter of the application of Linea Aeropostal Venezolana (LAV) and Aerovias Venezolanas, S.A. (AVENSA) for permission to transfer foreign air carrier permits to Venezolana Internacional de Aviacion, S.A. (VIASA).

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 28, 1961, at 10:00 a.m., e.s.t., in Room 1029, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner William Cusick.

Dated at Washington, D.C., February 16, 1961.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 61-1537; Filed, Feb. 20, 1961; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. RP61-19]

MIDWESTERN GAS TRANSMISSION CO.

Order Instituting Investigation and Providing for Hearing

FEBRUARY 13, 1961.

Midwestern Gas Transmission Company (Midwestern), a Delaware corporation with its principal place of business at Houston, Texas, is engaged in the transportation and sale of natural gas in interstate commerce for resale and is, therefore, a natural-gas company within the meaning of the Natural Gas Act, as heretofore found by the Commission in Opinion No. 320, issued May 12, 1959, in Midwestern Gas Transmission Company, et al., Docket Nos. G-16841, et al., 21 F.P.C. 653, 663.

In Opinion No. 320, the Commission provided that "* * * We shall arrange that shortly after the expiration of a year and a month from the commencement of operations a hearing shall be scheduled under section 5(a) of the Natural Gas Act so as to permit prompt inquiry into the justness and reasonableness of the rate filed with" * * * the Commission pursuant to paragraph (E) of the order accompanying Opinion No. 320. On December 14, 1960, Midwestern filed a statement and supporting data in purported compliance with the aforesaid paragraph (E) in which the Commission had provided and required that Midwestern should file rates satisfactory to the Commission within one month after the end of the first year of operation of its Southern System.

The Commission finds:

(1) Midwestern's tender of December 14, 1960, does not appear to meet the requirements imposed by Opinion 320, issued May 12, 1960, in Docket No. G-16841.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that an investigation be instituted by the Commission, upon its own motion, into and concerning the rates, charges, or classifications demanded, charged, or collected by Midwestern for or in connection with any transportation or sale of natural gas subject to the jurisdiction of the Commission, and any rules, regulations, practices, or contracts affecting such rates, charges or classifications.

The Commission orders:

(A) An investigation of Midwestern be and it hereby is instituted under the provisions of the Natural Gas Act, for the purpose of enabling the Commission to determine with respect to Midwestern's operations, whether in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, any rates, charges, or classifications demanded, observed, charged, or collected, or any rules, regulations, or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory, or preferential.

(B) If after hearing has been had, the Commission finds that any rates, charges, or classifications, rules, regulations, practices, or contracts applicable to Midwestern's operations in its Southern System are unjust, unreasonable, unduly discriminatory, or preferential, the Commission shall thereupon determine, fix and prescribe by appropriate order or orders, just, reasonable, nondiscriminatory, and non-preferential rates, charges, classifications, rules, regulations, practices, or contracts to be thereafter observed and in force in Midwestern's Southern System.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 5, 14, 15, and 16 thereof, and the Commission's rules of practice and procedure, a public hearing be held at a date later to be designated by notice from the Secretary of the Commission in a hearing room of the Commission at 441 G Street NW., Washington 25, D.C., concerning the matters specified in paragraph (A) above.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 31, 1961.

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61-1511; Filed, Feb. 20, 1961; 8:45 a.m.]

[Docket Nos. RI61-351—RI61-356]

SOCONY MOBIL OIL CO., INC., ET AL.

Order Providing for Hearings on and Suspension of Proposed Changes in Rates [1]

FEBRUARY 14, 1961.

Socony Mobil Oil Company, Inc., Docket No. RI61-351; Woods Petroleum Corporation, et al., Docket No. RI61-352; Sinclair Oil & Gas Company, Docket Nos. RI61-353; RI61-354; Kansas Natural Gas Inc. (Operator), et al., Docket No. RI61-355; Sunray Mid-Continent Oil Company, Docket No. RI61-356.

The above-named respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. In each instance the sales are made at 14.65 psia. The proposed changes are designated as follows:

[1] This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date [1] unless suspended	Date suspended until—	Cents per Mcf: Rate in effect	Cents per Mcf: Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI61-351...	Socony Mobil Oil Co., Inc. (operator) et al., P.O. Box 900, Dallas 21, Tex.	67	14	Phillips Petroleum Co. (Hugoton Field, Sherman and Hansford Counties, Tex.).	$49,508	1-16-61	3- 7-61	(2)	9.5876	10.59238	RI61-231
RI61-352...	Woods Petroleum Corp., et al., c/o John J. Snider, attorney, 2700 First National Building, Oklahoma City 2, Okla.	3	2	Cities Service Gas Co. (Eureka Field, Alfalfa County, Okla.).	1,820	1-17-61	2-26-61	7-26-61	12.0	13.0	----------
RI61-353...	Sinclair Oil & Gas Co., P.O. Box 521, Tulsa 2, Okla.	178	2	Panhandle Eastern P/L Co. (Hugoton Field, Texas County, Okla.).	220	1-18-61	3-22-61	8-22-61	16.4	16.8	----------
RI61-354...	Sinclair Oil & Gas Co.	109	2	Phillips Petroleum Co. (Panhandle Field, Hutchinson County, Tex.).	208	1-18-61	3- 3-61	8- 3-61	11.0	12.0	----------
RI61-355...	Kansas Natural Gas, Inc. (operator), et al., c/o Dale E. Doty, attorney, 1028 Connecticut Ave., Washington 6, D.C.	25	2	Kansas-Colorado Utilities, Inc. (Hugoton Field, Grant and Stevens Counties, Kans.).	5,649	1-23-61	3- 1-61	8- 1-61	11.0	12.0	----------
RI61-356...	Sunray Mid-Continent Oil Co., P.O. Box 2039, Tulsa 2, Okla.	135	6	Natural Gas P/L Co. of America (Camrick Field, Beaver County, Okla.).	118	1-23-61	3-21-61	8-21-61	16.8	17.0	RI60-131

[1] The pressure base is 14.65 p.s.i.a.
[2] The rate is suspended until March 8, 1961, or until such time as the related resale rate of Phillips Petroleum Co. in Docket No. RI60-349 becomes effective, whichever is later.

The increased rates and charges so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

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

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Rate Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before March 30, 1961.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 61-1513; Filed, Feb. 20, 1961; 8:45 a.m.]

[Docket No. RI61-134 etc.]

PHILLIPS PETROLEUM CO. ET AL.

Order Permitting Withdrawal of Rate Filings, Terminating Proceedings, and Cancelling Hearing

FEBRUARY 14, 1961.

Phillips Petroleum Company (Operator), et al., Docket No RI61-134; Tidewater Oil Company, Docket No. RI61-158; Humble Oil & Refining Company, Docket No. RI61-340; Pan American Petroleum Corporation, (Operator), et al., Docket No. RI61-341.

On October 17 and 19, 1960, the Commission suspended certain rate filings containing proposed increased rates of 24.659 cents per Mcf for the jurisdictional sales of gas to United Fuel Gas Company from the Erath Fields, Vermilion Parish, Southern Louisiana. The rate filings are designated Supplement No. 11 to Humble Oil & Refining Company (Humble) FPC Gas Rate Schedule No. 23, Supplement No. 12 to Phillips Petroleum Company (Operator), et al. (Phillips) FPC Gas Rate Schedule No. 273, Supplement No. 4 to Pan American Petroleum Corporation (Operator), et al. (Pan American) FPC Gas Rate Schedule No. 219, and Supplement No. 13 to Tidewater Oil Company (Tidewater) FPC Gas Rate Schedule No. 26. These supplements were suspended and the use thereof deferred until April 1, 1961. By order issued January 19, 1961, the Commission granted a motion of the United Gas Improvement Company for an immediate hearing concerning the rate proposals; a consolidated hearing was set for February 20, 1961.

On February 7 and 8, 1961, Humble, Pan American, Phillips, and Tidewater filed notices of withdrawal of the subject rate filings without prejudice to later refiling. Phillips, Humble, and Tidewater state they are unable to prepare for the immediate hearing. Also, Pan American, Humble and Tidewater state they are withdrawing lest they interfere with the early scheduling of an area rate hearing for Southern Louisiana.

The Commission finds:

Good cause exists for permitting the withdrawal of the above-designated rate filings without prejudice to later refiling, for terminating the above-designated proceedings, and for cancelling the scheduled consolidated hearing in said proceedings.

The Commission orders:

(A) The withdrawal of Supplement No. 11 to Humble's FPC Gas Rate Schedule No. 23, Supplement No. 12 to Phillips' FPC Gas Rate Schedule No. 273, Supplement No. 4 to Pan American's FPC Gas Rate Schedule No. 219, and Supplement No. 13 to Tidewater's FPC Gas Rate Schedule No. 26 is hereby permitted without prejudice to later refiling.

(B) The proceedings in Docket Nos. RI61-134, RI61-158, RI61-340, and RI61-314 are hereby terminated.

(C) The consolidated hearing scheduled for February 20, 1961, in said proceedings is hereby cancelled.

By the Commission.

JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 61-1512; Filed, Feb. 20, 1961; 8:45 a.m.]

[Docket Nos. RI61-323 etc.]

SUNRAY MID-CONTINENT OIL CO. ET AL.

Correction

FEBRUARY 8, 1961.

Sunray Mid-Continent Oil Company, et al., Docket Nos. RI61-323 etc.; Cumberland Gas Corporation, Docket No. RI61-328.

In the order providing for hearing on and suspension of proposed changes in rates and in allowing proposed increased rates to become effective subject to refund, issued January 12, 1961, and published in the FEDERAL REGISTER on January 19, 1961 (F.R. Doc. 61-422; 26 F.R. 498): Under column entitled "Amount

of Annual Increase" on line for RI61–328, change "18,312" to read "3,431."

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 61–1514; Filed, Feb. 20, 1961; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

MAXIMUM LEVEL—IMPORTS OF RESIDUAL FUEL OIL TO BE USED AS FUEL

Districts I–IV for the Period January 1, 1961 Through March 31, 1961

Pursuant to paragraph (e) section 2 of Presidential Proclamation 3279, as amended, the maximum level of imports into Districts I–IV of residual fuel oil to be used as fuel shall be 630,000 barrels daily for the allocation period January 1, 1961, through March 31, 1961. This action constitutes an adjustment upward of the maximum level (530,000 barrels daily) now in effect in those Districts. Neither the present level nor the adjusted level includes residual fuel oil withdrawn from bonded warehouse for ships' supplies or for exportation.

STEWART L. UDALL,
Secretary of the Interior.

FEBRUARY 16, 1961.

[F.R. Doc. 61–1560; Filed, Feb. 17, 1961; 2:11 p.m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

OSKAR TEUBER

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Oskar Teuber, Salzburg, Austria; $1,245,715.85 in the Treasury of the United States. The following securities, presently in custody of the Safekeeping Department of the Federal Reserve Bank, New York:

Atchison, Topeka and Sante Fe Railway Co., 4% General Mortgage 100 year Gold Coupon Bonds due 1995, Nos. 2739, 15418, 23132, 10000 at $500 each, 32289, 82087, 110145, 119619, 48645, 62845, 62844, 38299, 117387, 117383, 107363, 118945, 118944, 42417, 60212, 119618, 25404, and 37982 at $1,000 each.

Atlantic Refining Co., common stock, certificate Nos. A31438/9 and A30224/5 for 100 shares each, A011123/4 for 5 shares each.

The Chesapeake and Ohio Railway Co., common stock, certificate Nos. 427880/1 for 35 shares each.

Insurance Co. of North America, $5.00 par value stock, certificate Nos. PA/O 88921 for 10 shares, PA/O 8794 for 44 shares, PA/O 41085 for 8 shares and 162996 for 62 shares.

The Pennsylvania Railroad Co., 4½% General Mortgage Gold Bonds due 1965, Nos. 92300, 87930, 62970, 62971 and 62972 at $1,000 each.

The Pennsylvania Railroad Co., 4¼% General Mortgage Gold Bonds due 1981, 46027/33 and 46034/41 at $1,000 each.

School District of Philadelphia 3% Loan of August 1, 1939 due 1964, Nos. 63/70 at $1,000 each.

All right, title, interest, and claim of any kind or character whatsoever of Emerich (Imre) Teuber, Emerika Teuber and Oskar Teuber in and to the trust estate created under the Will of Brinton Coxe, deceased.

Mortgage secured by premises 1809 Wallace St., Philadelphia, Pennsylvania.

1/24th interest in real property known as 801–07 Arch St., Philadelphia, Pennsylvania.

Improved real property known as 5227 Walnut St., Philadelphia, Pennsylvania.

Improved real property known as 1541 No. 60th St., Philadelphia, Pa.

Undivided fractional interests in various parcels of land in Carbon, Columbia, Luzerne, Northumberland, and Schuykill Counties, Pa.

Claim No. 37788.

Vesting Order Nos. 1104 and 4266 and 1130.

Executed at Washington, D.C., on February 15, 1961.

For the Attorney General.

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

[F.R. Doc. 61–1534; Filed, Feb. 20, 1961; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

FEBRUARY 16, 1961.

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

LONG-AND-SHORT HAUL

FSA No. 36907: *Pulpwood from Roanoke, Ala.* Filed by O. W. South, Jr., Agent (No. A4064), for interested rail carriers. Rates on pulpwood, as described in the application, in carloads, from Roanoke, Ala., to Chattahoochee, Fla. (Applicable only on traffic destined to Port St. Joe, Fla.)

Grounds for relief: Carrier competition.

Tariff: Supplement 15 to Central of Georgia tariff I.C.C. 3383.

FSA No. 36908: *Joint motor-rail rates between the East and West.* Filed by Rocky Mountain Motor Tariff Bureau, Inc., Agent (No. 6), for interested carriers. Rates on various commodities moving on class and commodity rates, over joint routes of applicant rail and motor carriers, between points in transcontinental territory, also Alberta and British Columbia, on the one hand, and points in the United States, east of such points, on the other.

Grounds for relief: Rail-truck competition.

Tariffs: 3d revised page 14 to Rocky Mountain Motor Tariff Bureau, Inc., tariff MF–I.C.C. 123, and other schedules named or referred to in the application.

FSA No. 36909: *Motor vehicles from Kenosha, Wis., to Texas points.* Filed by National Automobile Transporters Association, Agent (No. 1), for interested carriers. Rates on motor vehicles, freight or passenger, in truckloads, as described in the application, from Kenosha, Wis., to points in Texas.

Grounds for relief: Rail-motor competition.

Tariff: National Automobile Transporters Association, tariff I.C.C. 7.

FSA No. 36910: *Sugar from South Atlantic ports.* Filed by O. W. South, Jr., Agent (No. A4065), for interested rail carriers. Rates on sugar, beet, or cane, in bulk, in covered hopper cars, from Fernandina and Jacksonville, Fla., Brunswick, Port Wentworth, and Savannah, Ga., Moorehead City and Wilmington, N.C., and Charleston, S.C., to St. Louis, Mo., and East St. Louis, Ill.

Grounds for relief: Restore rate relationship with New Orleans, La., and market competition.

Tariff: Supplement 33 to Southern Freight Association tariff I.C.C. N–12.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 61–1531; Filed, Feb. 20, 1961; 8:47 a.m.]

[Notice 451]

MOTOR CARRIER TRANSFER PROCEEDINGS

FEBRUARY 16, 1961.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) 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.

No. MC–FC 63714. By order of February 10, 1961, the Transfer Board approved the transfer to Albert Ochroch and Charles Ochroch, doing business as Ochroch Transportation Co., Philadelphia, Pa., of Certificate No. MC 117210, issued July 2, 1958, to Comet Express, Inc., Philadelphia, Pa., authorizing the transportation of: Paper products, and such commodities as are dealt in by wholesale and retail dry goods and grocery houses, between Philadelphia, Pa., on the one hand, and, on the other, Newark, New Brunswick, Trenton, Perth Amboy, Passaic, and Paterson, N.J., and points in the New

York, N.Y., Commercial Zone. Jacob Polin, 426 Barclay Building, City Line at Belmont Avenue, Bala-Cynwyd, Pa., Practitioner for applicants.

No. MC-FC 63776. By order of February 13, 1961, the Transfer Board approved the transfer to Alert Motor Freight, Inc., Riverton, N.J., of Certificate No. MC 56344, issued January 30, 1959, to Marie F. Grubb, Philadelphia, Pa., authorizing the transportation of: Heaters and parts, radiators, enamel ware, plumbing supplies, sheet metal, and corrugated metal products, from Philadelphia, Pa., to points in Delaware, Maryland, New Jersey, and the District of Columbia. V. Baker Smith, 226 South 16th Street, Philadelphia 2, Pa., attorney for applicants.

No. MC-FC 63951. By order of February 13, 1961, the Transfer Board approved the transfer to William E. Fry, Westphalia, Kansas, of Certificate No. MC 29605, issued February 26, 1941, to Emil Ludolph, Westphalia, Kansas, authorizing the transportation, over irregular routes, of agricultural implements and parts, hardware, fertilizer, flour, iron and steel articles, fencing materials, roofing, feed, and seeds, from Kansas City, Mo., and Kansas City, Kans., to Westphalia, Kans., and points within 10 miles of Westphalia, and livestock, between Kansas City, Mo., and Kansas City, Kans., on the one hand, and, on the other, points in the above-specified territory.

No. MC-FC 63962. By order of February 13, 1961, the Transfer Board approved the transfer to Murray B. Glickstein and Rose Glickstein, a partnership, doing business as Moed's Transfer Company, 616 Fields Avenue, Jacksonville 4, Fla., of Certificates Nos. MC 111400 and MC 111400 Sub 1, both issued May 11, 1950, to I. M. Lieberman and Murray B. Glickstein, a partnership, doing business as Moed's Transfer Co., 616 Fields Avenue, Jacksonville, Fla., authorizing the transportation, over irregular routes, of general commodities, excluding household goods, commodities in bulk, and other specified commodities, between points in Jacksonville, Fla., household goods, between Jacksonville, Fla., on the one hand, and, on the other, points in Florida within 50 miles of Jacksonville, meat, meat products, meat by-products, dairy products, and articles distributed by meat packing houses, from Jacksonville, Fla., to points in Florida within 100 miles of Jacksonville.

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

[F.R. Doc. 61-1532; Filed, Feb. 20, 1961; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—FEBRUARY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during February.

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