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Rules and Regulations

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 4—CLAIMS AGAINST INDEMNITY FUND UNDER PROGRAMS ADMINISTERED BY AGRICULTURAL STABILIZATION AND CONSERVATION COUNTY COMMITTEES

Part 4 of Subtitle A of Title 7 of the Code of Federal Regulations (25 F.R. 1985) is revised to cover all programs assigned or hereafter assigned to ASC county committees; and to change the title of the official and the name of the agency in § 4.2(f) to conform with the recent reorganization of the Department of Agriculture; to read as follows:

Sec.

- 4.1 Identification of fund.
- 4.2 Claims by producers for losses sustained from erroneous destruction of crops.
- 4.3 Filing of claims.
- 4.4 Recoveries.

AUTHORITY: §§ 4.1 to 4.4 issued under sec. 375, 52 Stat. 66 as amended, 7 U.S.C. 1375; sec. 403, 61 Stat. 932, 7 U.S.C. 1153; sec. 124, 70 Stat. 198, 7 U.S.C. 1812; sec. 16, 49 Stat. 1151, as amended by 75 Stat. 6, Public Law 87-5, and 75 Stat. 302, Public Law 87-128; Comp. Gen. Decision A-44002, Nov. 1, 1938.

§ 4.1 Identification of fund.

A general Indemnity Fund is maintained in the Treasury of the United States for indemnifying certain losses arising through discharge of Agricultural Stabilization and Conservation (hereinafter referred to as ASC) county committee responsibilities.

§ 4.2 Claims by producers for losses sustained from erroneous destruction of crops.

Losses sustained by producers from the destruction of crops under any program assigned or hereafter assigned to ASC county committees as a result of reliance on erroneous written information furnished by ASC committeemen or employees of ASC committees may be indemnified therefor under the following conditions:

(a) The destruction was caused by reliance in good faith by the farm operator on a notice of measured acreage which was in fact erroneous;

(b) Neither the farm operator nor any producer on the farm had actual knowledge of the error in time to arrange for remeasurement in accordance with applicable regulations;

(c) The incorrect notice was the result of an error by an ASC committeeman or an employee of an ASC committee in reporting, computing, or recording an acreage for the farm;

(d) The extent of the error was such that the farm operator could not reasonably be expected to question the acreage of which he was erroneously notified;

(e) There was no fraud, deceit, error, or failure to cooperate on the part of any producer on the farm which contributed to the erroneous determination of acreage;

(f) The claim is made to the ASC county committee within 90 days of the date of destruction; provided, however, the ASC county committee may request the ASC State committee to obtain an extension from the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service, Washington, D.C., of the period during which the claim may be made if:

(1) There is evidence that the claim would have been eligible for filing if it had been made within the 90-day period; and

(2) The claimant did not become aware of the erroneous destruction in time to file within the 90-day period;

(g) The amount of indemnification to be paid the producer shall be recommended by the county committee to reflect the loss of net income from the crop erroneously destroyed. In determining such amount, the ASC county committee shall take into consideration:

(1) The actual yield per acre on the acreage actually harvested and the proceeds from the harvested acreage;

(2) The estimated costs which would have been incurred by the producer in producing, harvesting and marketing the crop on the acreage destroyed had the crop on such acreage been harvested and marketed;

(3) The net return from any replacement crop grown and marketed; and

(4) If sugar crops are destroyed, the approximate amount of Sugar Act payments which would have been made if such acreage had been carried to harvest.

§ 4.3 Filing of claims.

(a) *Who must file.* Claim must be made to the ASC county committee by the interested party or his duly authorized agent. If the original claimant(s) has died, the claim must be made by the successor(s) in interest to the deceased claimant(s).

(b) *How to file.* The party making the claim must file a statement of facts describing: (1) The circumstances under which the loss occurred, (2) the extent of the loss suffered, and (3) the method used in determining the extent of the loss. The claim shall be filed with the ASC county committee in the county in which such loss occurred. Since payment from the Indemnity Fund is proper only where there has been negligence or error, either willful or not, on the part of ASC committeemen or employees of ASC committees, it is necessary that this fact be clearly indicated either in the claim itself or in an accompanying ASC committee explanation.

(c) *Processing claims.* Claims will be transmitted by the ASC county commit-

tee, through administrative channels, to the Claims Division, General Accounting Office, Washington 25, D.C., for final determination and settlement. The ASC county committee shall attach a recommendation that the claim be honored or denied. In addition, where appropriate a supplemental statement concerning the claim shall be included by the ASC committee.

§ 4.4 Recoveries.

The existence of the Indemnity Fund does not impair the right or lessen the obligation of the Government or private persons to utilize all provisions of law to recover from the responsible person(s) the amount of any loss which was caused by his gross negligence or fraudulent action.

Effective on publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 13, 1961.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 61-8882; Filed, Sept. 15, 1961; 8:51 a.m.]

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 3]

PART 730—RICE

Subpart—Rice Marketing Quota Regulations for 1958 and Subsequent Crop Years

MISCELLANEOUS AMENDMENTS

The amendments herein are issued under and in accordance with the provisions of the Agricultural Adjustment Act of 1938, as amended. They are for the purposes of (1) expanding the language in paragraph (b) of § 730.967 to make it clear that a marketing card will not be issued to a producer who owes any penalty for the current crop year as well as for a preceding crop year, (2) expanding the language in paragraph (a) of § 730.979 to conform to fiscal regulations to make it clear that a refund of penalty in the amount of three dollars or less will not be made without a request from the person entitled thereto, and (3) deleting certain language in paragraph (h) of § 730.980 which is included in Part 719 of this Chapter, Reconstitution of Farms, Farm Allotments, and Farm History and Soil Bank Base Acreages.

Since these amendments are for clarification and to delete certain language which is included in other regulations,

it is hereby found that compliance with the notice, procedure and effective date provisions of the Administrative Procedure Act (5 U.S.C. 1003) is unnecessary and the amendments shall become effective as provided herein.

1. Section 730.967(b) is amended to read as follows:

(b) *Producers ineligible to receive marketing cards.* The producers on a farm shall be ineligible to receive marketing cards: (1) If any producer on the farm owes any penalty for excess rice for the current or any preceding crop year, (2) if determination of the rice acreage has not been made and has been prevented by any producer on the farm, and (3) if the farm marketing excess determined under § 730.959 is adjusted under § 730.962. A producer shall not be considered to owe any penalty under subparagraph (1) of this paragraph if he has avoided or postponed payment of the penalty through storage of excess rice in accordance with applicable regulations.

2. Section 730.979(a) is amended to read as follows:

(a) *Determination of refunds.* The county committee, upon its own motion or upon the request of any interested person, shall review the amount of money received in connection with the penalty for any farm to determine for each producer the amount thereof, if any, which is in excess of the security required for stored excess rice or the penalty due. Any amount in excess of three dollars shall be refunded. A refund in the amount of three dollars or less need not be made unless requested by the person eligible to receive such refund. Any refund shall be made only to persons who bore the burden of the payment and who have not been reimbursed therefor. The excess amount shall first be applied, insofar as the sum will permit, so as to make refunds to eligible persons other than producers and the remainder, if any, shall be applied so as to make refunds to the eligible producers. The amount to be refunded to each producer shall be either (1) the amount determined by apportioning the excess amount among the producers on the farm in the proportion that each contributed toward the payment, avoidance or security of the penalty on the farm marketing excess or (2) the amount which is in excess of the security required for stored excess rice and the penalty due on that portion of the farm marketing excess for which the producer is separately liable. No refund shall be made to any buyer or transferee of any amount which he collected from the producer or another, deducted from the price or consideration paid for the rice or for which he was liable.

3. Section 730.980(h) is amended to read as follows:

(h) *Underplanting the farm acreage allotment for a subsequent crop.* Whenever the rice acreage on any farm for any subsequent crop of rice is less than the farm acreage allotment therefor, the producers on the farm who stored excess rice in accordance with the foregoing provisions of this section shall, upon application made by them to the county committee, be entitled to remove from storage without penalty any rice so stored by them, whether produced in a prior year on the farm or another farm, to the extent of the normal production of the number of acres by which the acreage planted to rice is less than the farm acreage allotment. Such application shall be made in writing not later than December 31 of the crop year in which the underplanted crop is harvested. The amount of rice which would otherwise be authorized to be removed from storage in connection with the farm under this paragraph shall be reduced to the extent that stored excess rice from any other crop is authorized to be removed from storage in connection with the farm. The amount of rice authorized to be removed from storage shall be apportioned among the several producers on the farm who have stored excess rice to the extent of their need therefor in accordance with their shares in the acreage which was or could have been planted to rice or in accordance with their agreement as to the apportionment to be made. A producer shall not be entitled to remove rice from storage under this paragraph in connection with any farm unless, at the time the determination is made under this paragraph, the rice is stored and owned by the producer and, at the end of the rice seeding season for the crop for the area in which the farm is situated, the producer is entitled to share in the rice crop which was or could have been planted on the farm. For the purpose of this paragraph the acreage, if any, under a conservation reserve contract will be considered rice acreage and such acreage shall be added to the rice acreage determined for the farm. The acreage considered as rice acreage under a conservation reserve contract shall be determined as provided in Part 719 of this chapter, Reconstitution of Farms, Farm Allotments, and Farm History and Soil Bank Base Acres.

(Secs. 356, 375, 52 Stat. 62, as amended, 66, as amended; 7 U.S.C. 1356, 1375)

The amendments contained herein shall become effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 13, 1961.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 61-8883; Filed, Sept. 15, 1961; 8:51 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 817, Amdt.]

PART 817—REQUIREMENTS RELATING TO BRINGING OR IMPORTING SUGAR OR LIQUID SUGAR INTO CONTINENTAL UNITED STATES

Miscellaneous Amendments

Basis and purpose. The following amendments are issued pursuant to the Sugar Act of 1948, as amended, and are for the purpose of conforming regulations of the Department governing importation of sugar and liquid sugar under such Act with the provisions of Proclamation 3401, issued March 31, 1961, effective April 6, 1961.

Pursuant to section 408(b) of the Sugar Act of 1948, as amended, the President by Proclamation 3401 determined that the amount of the quotas for sugar and liquid sugar for Cuba for the calendar year 1961 shall be zero. Since Proclamation 3401 applies to all Cuban sugar sought to be imported into the United States, including sugar for export, distillation of alcohol and for livestock feed purposes, the following amendments are issued to make clear that sugar or liquid sugar produced from sugarcane grown in Cuba may not be imported under the regulatory provisions which apply, in general, to sugar imported for export, distillation of alcohol and livestock feed among other purposes.

No requests have been made for authorization to import sugar from Cuba for any purpose in 1961, nor has any information been received of any pending arrangements for shipment of such sugar for importation. In view of the foregoing and since Proclamation 3401 became effective on April 6, 1961, it is hereby found and determined that compliance with the notice, procedure and effective date requirements of the Administrative Procedure Act is unnecessary, impractical and contrary to the public interest and these amendments shall become effective when filed for public inspection in the Office of the Federal Register.

Pursuant to the provisions of section 403 of the Sugar Act of 1948, as amended (61 Stat. 922, as amended), paragraph (e) of § 817.4 and paragraph (a) of § 817.8 are hereby amended to read as follows:

1. Paragraph (e) of § 817.4 is amended to read:

§ 817.4 Application by importer.

* * * * *

(e) Any application made pursuant to this section for a purpose stated in § 817.8 shall show, over the signature of the applicant his agreement and certification as follows:

This application is made subject to the conditions of bond on Form SU-17 number _____ (Insert bond number, if already approved) on which _____

(Insert name of bond principal) principal and _____ (Insert name of surety)

of _____ is surety, under (Address of surety)

which all of the sugar authorized on this application to be brought or imported into the continental United States is to be _____

(Insert one of the purposes stated in paragraph (b) of § 817.8)

The applicant certifies that the sugar covered by this application was not produced from sugarcane grown in Cuba.

2. Paragraph (a) of § 817.8 is amended to read:

§ 817.8 Authorization for purposes other than to fill current quotas.

(a) Upon fulfillment of the requirements of §§ 817.3 and 817.4 and the applicable provisions of this section and § 817.9, the authorization required pursuant to § 817.5 may be given to the Collector to release sugar or liquid sugar for importation for the purposes specified in this section without effect on a quota at the time of importation, except that sugar or liquid sugar produced from sugarcane grown in Cuba may not be imported pursuant to this section.

(Sec. 403, 61 Stat. 932, 7 U.S.C. 1153. Interprets or applies secs. 101, 408(b), 61 Stat. 922, as amended, 74 Stat. 330, as amended; 7 U.S.C. 1101, 1153(b); Presidential Proc. 3401, 26 F.R. 2849)

Done at Washington, D.C., this 13th day of September 1961.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 61-8891; Filed, Sept. 15, 1961; 8:53 a.m.]

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

SUBCHAPTER A—MARKETING ORDERS

[Valencia Orange Reg. 245]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 922.545 Valencia Orange Regulation 245.

(a) Findings. (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that

the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 14, 1961.

(b) Order. (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., September 17, 1961, and ending at 12:01 a.m., P.s.t., September 24, 1961, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 725,000 cartons;
- (iii) District 3: Unlimited movement.

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

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

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

Dated: September 15, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8969; Filed, Sept. 15, 1961; 10:57 a.m.]

PART 934—FRESH PEACHES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Determination Relative to Establishment of Reserve Fund and Carry-over of Unexpended Funds

Notice was published in the August 22, 1961, issue of the FEDERAL REGISTER (26 F.R. 7809) that consideration was being given to a proposal regarding the establishment of a reserve fund to provide for the maintenance and functioning of the Washington Fresh Peach Marketing Committee in accordance with the provisions of the marketing agreement and order No. 34 (7 CFR Part 934) regulating the handling of fresh peaches grown in designated counties in Washington, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). It was proposed that: (1) The Secretary of Agriculture approve the establishment of an operating monetary reserve, which reserve shall not exceed approximately one fiscal year's operational expenses, as appropriate for the maintenance and functioning of the said committee under the aforesaid marketing agreement and order; and (2) that unexpended assessment funds in the amount of \$813.88, which are in excess of expenses incurred during the fiscal period ended March 31, 1961, shall be placed in said reserve.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice which was submitted by the Washington Fresh Peach Marketing Committee, established pursuant to the said marketing agreement and order, the said proposals are hereby approved.

§ 934.203 Reserve fund.

(a) The establishment of a reserve fund of an amount which shall not exceed approximately one fiscal year's operational expenses is appropriate and necessary to the maintenance and functioning of the Washington Fresh Peach Marketing Committee. The committee is hereby authorized to carry forward in the aforesaid reserve \$813.88 which are excess assessment funds from the fiscal period ended March 31, 1961. Such reserve shall be used in accordance with the provisions of § 934.22 of the said marketing agreement and order.

(b) Terms used herein shall have the same meaning as given to the respective term in said marketing agreement and order.

The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

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

Dated: September 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8881; Filed, Sept. 15, 1961; 8:51 a.m.]

[Lemon Reg. 917]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA**Limitation of Handling****§ 953.1024 Lemon Regulation 917.**

(a) *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. 601-674), 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 section 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 section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulations; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 12, 1961.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., September 17, 1961, and ending at 12:01 a.m., P.s.t., September 24, 1961, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 209,250 cartons;

(iii) District 3: 37,200 cartons.

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

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

Dated: September 14, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8918; Filed, Sept. 15, 1961; 8:53 a.m.]

[Amdt. 1]

PART 957—IRISH POTATOES GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON**Limitation of Shipments**

Findings. (a) Pursuant to Marketing Agreement No. 98, and Order No. 57, both as amended (7 CFR Part 957), regulating the handling of Irish potatoes grown in certain designated counties in Idaho and Malheur County, Oregon, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of recommendations and information submitted by the Idaho-Eastern Oregon Potato Committee, established pursuant to the said amended marketing agreement and order, and other available information, it is hereby found that the amendment to the limitation of shipments regulations hereinafter set forth, will tend to effectuate the declared policy of the act.

(b) It is hereby 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 in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) 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 act is insufficient; (2) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the handling of potatoes, in the manner set forth below, on and after the effective date of this amendment, (3) compliance with this amendment will not require any special preparation on the part of handlers which can not be completed by the effective date, (4) reasonable time is permitted, under the circumstances, for such preparation, and (5) information regarding the committee's recommendation has been disseminated to producers and handlers in the production area.

Order. In § 957.320 (26 F.R. 6014) delete paragraphs (a) and (g) and substitute in lieu thereof new paragraphs (a) and (g) as set forth below.

§ 957.320 Limitation of shipments.

(a) *Minimum quality requirements—*(1) *Grade—*(i) *Round varieties.* U.S. No. 1, or better, grade.

(ii) *Long varieties.* U.S. No. 2, or better, grade.

(2) *Size—*(i) *Round varieties.* 2 inches minimum diameter.

(ii) *Long varieties.* 6 ounces minimum weight except that potatoes of U.S. No. 1, or better, grade, may be shipped if they are 2 inches minimum diameter or 4 ounces minimum weight.

(3) *Cleanliness—*(i) *Kennebec variety.* Not more than "slightly dirty."

(ii) *All other varieties.* "Generally fairly clean."

(g) *Applicability to imports.* Pursuant to section 608e of the Act and § 1066.1, "Import regulations" (25 F.R. 2659, 7 CFR Part 1066), Irish potatoes imported into the United States during the period September 20 through September 30, 1961, shall meet the grade, size, quality and maturity requirements specified in paragraphs (a) and (b) of this section. From October 1, 1961, through June 30, 1962, imports of long varieties of potatoes shall meet the grade, size, quality and maturity requirements applicable to long varieties specified in paragraphs (a) and (b) of this section.

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

Dated: September 15, 1961, to become effective September 20, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8970; Filed, Sept. 15, 1961; 10:57 a.m.]

[Avocado Order 24, Amdt. 4; Avocado Order 25, Amdt. 2]

PART 969—AVOCADOS GROWN IN SOUTH FLORIDA**Limitation of Shipments**

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 69, as amended (7 CFR Part 969), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

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

1011), in that the time intervening between the date when information upon which these amendments are based became available and the time when such amendments must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter set forth. A reasonable determination as to the quality and the time of maturity of avocados must await the development of the crop; a determination as to the quality and the stage of maturity of the varieties of avocados covered by these amendments was made at the meeting of the Avocado Administrative Committee on September 12, 1961, after consideration of all available information relative to the growing conditions prevailing during the current season, at which time recommendations and supporting information for such grade and maturity regulation were submitted to the Department; such

meeting was held to consider recommendation for such regulation after giving due notice thereof, and interested parties were afforded opportunity to submit their views at this meeting; the provisions hereof are identical with the aforesaid recommendations of the committee and information concerning such provisions has been disseminated among the handlers of avocados; compliance with the provisions hereof will not require of handlers any preparation therefor which cannot be completed by the effective time hereof; and the provisions hereof relieve restrictions as to the grade of avocados handled.

It is, therefore, ordered, That:

I. The provisions of paragraph (b) of § 969.324 (26 F.R. 4928, 5418, 6428, 7694) are hereby amended as follows:

(1) By revising the dates, weights, and diameters appearing in Table I which are applicable to the Waldin, Booth 8, Booth 7, and Lula varieties so that, after such revision, the portion of such table applicable to such varieties shall read as follows:

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Waldin.....	8-14-61	16 oz..... 3 3/4 in.....	8-28-61	14 oz..... 3 3/4 in.....			9-18-61
Booth 8.....	9-11-61	16 oz..... 3 3/4 in.....	9-25-61	15 oz..... 3 3/4 in.....	10-9-61	13 oz..... 3 3/4 in.....	10-23-61
Booth 7.....	10-16-61	16 oz..... 3 3/4 in.....	10-30-61	14 oz..... 3 3/4 in.....			11-13-61
Lula.....	10-23-61	18 oz..... 3 3/4 in.....	11-6-61	14 oz..... 3 3/4 in.....			11-20-61

[Amdt. 1]

PART 992—IRISH POTATOES GROWN IN WASHINGTON

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 113, and Order No. 92 (7 CFR Part 992), regulating the handling of Irish potatoes grown in the State of Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of recommendations and information submitted by the State of Washington Potato Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the amendment to the limitation of shipments regulations hereinafter set forth, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, and engage in public rule making procedure, and postpone the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) 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 act is insufficient; (2) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the han-

dling of potatoes, in the manner set forth below, on and after the effective date of this amendment, (3) compliance with this amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date, (4) reasonable time is permitted, under the circumstances, for such preparation, and (5) information regarding the committee's recommendation has been disseminated to producers and handlers in the production area.

Order. In § 992.316 (26 F.R. 5954) delete paragraphs (a) and (g) and substitute in lieu thereof new paragraphs (a) and (g) as set forth below.

§ 992.316 Limitation of shipments.

(a) *Minimum quality requirements—*
(1) *Grade—*(i) *Round varieties.* U.S. No. 1, or better grade.

(ii) *Long varieties.* U.S. No. 2, or better grade.

(2) *Size—*(i) *Round varieties.* 2 inches minimum diameter.

(ii) *Long varieties.* 6 ounces minimum weight except that potatoes of U.S. No. 1, or better grade, may be shipped if they are 2 inches minimum diameter or 4 ounces minimum weight.

(g) *Definitions.* The terms "U.S. No. 1," "U.S. No. 2," "fairly clean," and "moderately skinned" shall have the same meaning as when used in the United States Standards for Potatoes (§§ 51.1540-51.1556 of this title), including the tolerances set forth therein. The term "prepeeling" means potatoes which are clean, sound, fresh tubers prepared commercially in the prepeeling plant by washing, removal of the outer skin or peel, trimming, and sorting preparatory to sale in one or more of the styles of peeled potatoes described in § 52.2422 (United States Standards for Grades of Peeled Potatoes, §§ 52.2421-52.2433 of this title). Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 113, and Order No. 92.

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

Dated: September 12, 1961, to become effective September 16, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8867; Filed, Sept. 15, 1961; 8:49 a.m.]

PART 1020—APRICOTS GROWN IN DESIGNATED COUNTIES IN WASHINGTON

Determination Relative to Amount in Reserve Fund and Carryover of Unexpended Funds

Notice was published in the August 22, 1961, issue of the FEDERAL REGISTER (26 F.R. 7809) that consideration was being given to a proposal regarding an increase in the amount of the reserve fund and the carryover of unexpended assessment funds into such reserve to provide for the maintenance and func-

(2) By adding at the end of subparagraph (4) the following: "and during the period beginning at 12:01 a.m., e.s.t., October 23, 1961, and ending at 12:01 a.m., e.s.t., November 13, 1961, no handler shall handle any avocados of the Booth 8 variety unless the individual fruit in each lot of such avocados weighs at least 11 ounces or is at least 3 1/8 inches in diameter;"

II. The provisions of paragraph (b) of § 969.325 (26 F.R. 6325, 7694) are hereby amended by deleting the date "September 18, 1961" whenever it appears and substituting therefor the date "October 16, 1961," so that, after such amendment, said paragraph (b) shall read as follows:

(b) *Order.* (1) During the period beginning at 12:01 a.m., e.s.t., July 17, 1961, and ending at 12:01 a.m., e.s.t., October 16, 1961, no handler shall handle any avocados unless such avocados grade at least U.S. No. 3 Grade.

(2) On and after 12:01 a.m., e.s.t., October 16, 1961, no handler shall handle any avocados unless such avocados grade at least U.S. No. 2 Grade.

The provisions hereof shall become effective at 12:01 a.m., e.s.t., September 18, 1961.

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

Dated: September 14, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8936; Filed, Sept. 15, 1961; 8:53 a.m.]

tioning of the Washington Apricot Marketing Committee in accordance with the provisions of the marketing agreement and Order No. 120 (7 CFR Part 1020), regulating the handling of apricots grown in designated counties in Washington, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). It was proposed that: (1) The Secretary of Agriculture find that to increase the amount of the reserve fund (§ 1020.205) to an amount not greater than an amount equal to approximately one fiscal year's operational expenses as authorized by § 1020.42 of the marketing agreement and order is appropriate for the maintenance and functioning of the said committee; and (2) that excess assessment funds from the fiscal year ended March 31, 1961, in the amount of \$787.61 be placed in said reserve fund.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice which was submitted by the Washington Apricot Marketing Committee, established pursuant to the said marketing agreement and order, the said proposal is hereby approved.

Order. Section 1020.205 (7 CFR § 1020.205, 25 F.R. 8097) is amended by substituting "of an amount not greater than approximately one fiscal year's operational expenses," for "in the amount of \$5,765.09," in the first sentence thereof and adding, "and \$787.61 which are excess assessment funds from the fiscal period ended March 31, 1961," to the end of the second sentence.

As so amended, § 1020.205 reads as follows:

§ 1020.205 Reserve fund.

(a) The establishment of a reserve fund of an amount not greater than approximately one fiscal year's operational expenses is appropriate and necessary to the maintenance and functioning of the Washington Apricot Marketing Committee. The committee is hereby authorized to carry forward in the aforesaid reserve \$5,765.09 which are excess assessment funds from the fiscal period ended March 31, 1960, and \$787.61 which are excess assessment funds from the fiscal period ended March 31, 1961. Such reserve shall be used in accordance with the provisions of § 1020.42 of the said marketing agreement and order.

(b) Terms used herein shall have the same meaning as given to the respective term in said marketing agreement and order.

The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

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

Dated: September 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8878; Filed, Sept. 15, 1961; 8:51 a.m.]

PART 1029—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND IN UMATILLA COUNTY, OREG.

Determination Relative to Establishment of a Reserve Fund and Carry-over of Unexpended Funds

Notice was published in the August 22, 1961, issue of the FEDERAL REGISTER (26 F.R. 7810) that consideration was being given to a proposal regarding the establishment of a reserve fund to provide for the maintenance and functioning of the Washington-Oregon Fresh Prune Marketing Committee in accordance with the provisions of the marketing agreement and Order No. 129 (7 CFR Part 1029) regulating the handling of fresh prunes grown in designated counties in Washington and in Umatilla County, Oregon, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). It was proposed that: (1) The Secretary of Agriculture approve the establishment of an operating monetary reserve, which reserve shall not exceed approximately one fiscal year's operational expenses, as appropriate for the maintenance and functioning of the said committee under the aforesaid marketing agreement and order; and (2) that excess assessment funds from the fiscal year ended March 31, 1961, in the amount of \$4,863.46 be placed in said reserve fund.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice which was submitted by the Washington-Oregon Fresh Prune Marketing Committee, established pursuant to the said marketing agreement and order, the said proposals are hereby approved.

§ 1029.203 Reserve fund.

(a) The establishment of a reserve fund of an amount which shall not exceed approximately one fiscal year's operational expenses is appropriate and necessary to the maintenance and functioning of the Washington-Oregon Fresh Prune Marketing Committee. The committee is hereby authorized to carry forward in the aforesaid reserve \$4,863.46 which are excess assessment funds from the fiscal period ended March 31, 1961. Such reserve shall be used in accordance with the provisions of § 1029.42 of said marketing agreement and order.

(b) Terms used herein shall have the same meaning as given to the respective term in said marketing agreement and order.

The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

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

Dated: September 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8879; Filed, Sept. 15, 1961; 8:51 a.m.]

PART 1030—FRESH PRUNES GROWN DESIGNATED COUNTIES IN IDAHO AND IN MALHEUR COUNTY, OREG.

Determination Relative to Establishment of Reserve Fund and Carry-over of Unexpended Funds

Notice was published in the August 23, 1961, issue of the FEDERAL REGISTER (26 F.R. 7836) that consideration was being given to a proposal regarding the establishment of a reserve fund to provide for the maintenance and functioning of the Idaho-Malheur County, Oregon Fresh Prune Marketing Committee in accordance with the provisions of the marketing agreement and Order No. 130 (7 CFR Part 1030) regulating the handling of fresh prunes grown in designated counties in Idaho and in Malheur County, Oregon, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). It was proposed that: (1) the Secretary of Agriculture approve the establishment of an operating monetary reserve, which reserve shall not exceed approximately one fiscal year's operational expenses, as appropriate for the maintenance and functioning of the said committee under the aforesaid marketing agreement and order; and (2) that unexpended assessment funds in excess of expenses incurred during the fiscal period ended May 31, 1961, be placed in said reserve.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice which was submitted by the Idaho-Malheur County, Oregon, Fresh Prune Marketing Committee, established pursuant to the said marketing agreement and order, the said proposals are hereby approved.

§ 1030.203 Reserve fund.

(a) The establishment of a reserve fund of an amount which shall not exceed approximately one fiscal year's operational expenses is appropriate and necessary to the maintenance and functioning of the Idaho-Malheur County, Oregon, Fresh Prune Marketing Committee. The committee is hereby authorized to carry forward in the aforesaid reserve unexpended assessment funds in excess of expenses incurred during the fiscal period ended May 31, 1961. Such reserve shall be used in accordance with the provisions of § 1030.42 of the said marketing agreement and order.

(b) Terms used herein shall have the same meaning as given to the respective term in said marketing agreement and order.

The provisions hereof shall become effective 30 days after publication in the FEDERAL REGISTER.

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

Dated: September 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8880; Filed, Sept. 15, 1961; 8:51 a.m.]

[Grapefruit Reg. 16, Amdt. 1]

PART 1031—ORANGES AND GRAPEFRUIT GROWN IN THE LOWER RIO GRANDE VALLEY IN TEXAS

Findings. (1) Pursuant to the marketing agreement and Order No. 131 (7 CFR Part 1031) regulating the handling of oranges and grapefruit grown in the Lower Rio Grande Valley in Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Texas Valley Citrus Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitations on the handling of oranges and grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, unnecessary, 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 thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that, as hereinafter set forth, 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 act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades, sizes, marketing, and pack, pursuant to Grapefruit Regulation 16 (§ 1031.329; 26 F.R. 8248) and would continue to be so regulated, unless sooner amended or terminated, until January 8, 1962; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Texas Valley Citrus Committee on September 7, 1961, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this amendment, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this amendment effective during the period hereinafter set forth, and compliance with this amendment will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

It is, therefore, ordered, That subparagraph (3) of paragraph (b) of § 1031.329

Grapefruit Regulation 16 (26 F.R. 8248) is hereby amended as follows:

1. Subdivision (i) of subparagraph (3) of paragraph (b) is revised to read as follows:

(i) Any container of grapefruit of any variety, grown in the production area, unless such grapefruit meet the requirements of one of the following grades:

- (a) U.S. Fancy;
- (b) U.S. No. 1 Bright;
- (c) U.S. No. 1 with not more than one-third of the surface, in the aggregate, affected by discoloration;
- (d) U.S. Combination with not less than 80 percent, by count, of the grapefruit meeting the requirements of (c) of this subdivision and the remainder of such grapefruit meeting the requirements of (e) of this subdivision.

(e) U.S. No. 2 with not more than one-half of the surface, in the aggregate, affected by discoloration.

- (f) U.S. No. 2 Russet; or
- (g) U.S. No. 3.

2. Subdivision (ii) of subparagraph (3) of paragraph (b) is revised to read as follows:

(ii) Any grapefruit of any variety, grown in the production area, unless each such grapefruit has marked on the outside thereof the word "Texas" or a trade name or trade mark of the handler which contains the word "Texas" or its abbreviation "Tex": *Provided*, That any lot of grapefruit shall be deemed to be in compliance with such marking requirement if (a) not less than 55 percent of the grapefruit in such lot is so marked, and (b) at least the letters "Tex" of such marking are legible.

3. Subdivision (iii) of subparagraph (3) of paragraph (b) is revised to read as follows:

(iii) Any seedless grapefruit, grown as aforesaid, which are of a size smaller than 3¹/₁₆ inches in diameter, except that not more than 10 percent, by count, of such grapefruit in any lot of containers, and not more than 15 percent, by count, of such grapefruit in any individual container in such lot, may be of a size smaller than 3¹/₁₆ inches in diameter: *Provided*, That none of such grapefruit may be smaller than 3¹/₁₆ inches in diameter;

4. Subdivision (vi) of subparagraph (3) of paragraph (b) is revised to read as follows:

(vi) Any grapefruit of any variety, grown as aforesaid, in a container having inside dimensions of 19³/₄ x 13¹/₂ x 13¹/₂ inches unless such container is packed in accordance with one of the following pack sizes and contain the applicable number of grapefruit that are within the diameter limits specified for the particular pack size, except that not more than 10 percent, by count, of such grapefruit in such container may be outside such diameter limits:

Pack size:	Number of grapefruit
46 -----	48
54 or 56 -----	56
64 -----	64
70 or 72 -----	72
80 -----	80
96 -----	96

The provisions of this amendment shall become effective at 12:01 a.m., c.s.t., September 18, 1961.

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

Dated: September 14, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8937; Filed, Sept. 15, 1961; 8:53 a.m.]

SUBCHAPTER B—PROHIBITIONS OF IMPORTED COMMODITIES

[Avocado Reg. 9, Amdt. 4]

PART 1067—AVOCADOS

Importation

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph (a) (1) of § 1067.9 (Avocado Regulation No. 9, as amended; 26 F.R. 4929, 5419, 6326, 7695) are hereby amended by deleting the date "September 18, 1961" whenever it appears and substituting therefor the date "October 16, 1961" so that, after such amendment, said paragraph (a) shall read as follows:

(a) On and after the effective time of this section, the importation into the United States of any avocados is prohibited except in accordance with the following terms and conditions:

(1) All avocados imported (i) during the period beginning at 12:01 a.m., e.s.t., July 17, 1961, and ending at 12:01 a.m., e.s.t., October 16, 1961, shall grade not less than U.S. No. 3, and (ii) during the period beginning at 12:01 a.m., e.s.t., October 16, 1961, and ending at 12:01 a.m., e.s.t., April 30, 1962, shall grade not less than U.S. No. 2.

(2) Avocados of the Pollock variety shall not be imported (i) prior to 12:01 a.m., e.s.t., July 17, 1961; and (ii) during the period beginning at 12:01 a.m., e.s.t., July 17, 1961, and ending at 12:01 a.m., e.s.t., August 14, 1961, unless the individual fruit in each lot of such variety weighs at least 18 ounces or measures not less than 3¹/₁₆ inches in diameter.

(3) Avocados of the Catalina variety shall not be imported (i) prior to 12:01 a.m., e.s.t., August 21, 1961; and (ii) during the period beginning at 12:01 a.m., e.s.t., August 21, 1961, and ending at 12:01 a.m., e.s.t., September 30, 1961, unless the individual fruit in each lot of such variety weighs at least 18 ounces.

(4) Avocados of the Trapp variety shall not be imported (i) prior to 12:01 a.m., e.s.t., August 14, 1961; and (ii) during the period beginning at 12:01 a.m., e.s.t., August 14, 1961, and ending at 12:01 a.m., e.s.t., September 11, 1961, unless the individual fruit in each lot of such variety weighs at least 18 ounces.

(5) Avocados of any variety other than Pollock, Catalina, and Trapp shall not be imported (i) prior to 12:01 a.m., e.s.t., June 26, 1961; and (ii) during the period beginning at 12:01 a.m., e.s.t., June 26, 1961, and ending at 12:01 a.m.,

e.s.t., July 10, 1961, unless the individual fruit in each lot of such avocados weighs at least 16 ounces; (iii) during the period beginning at 12:01 a.m., e.s.t., July 10, 1961, and ending at 12:01 a.m., e.s.t., July 31, 1961, unless the individual fruit in each lot of such avocados weighs at least 14 ounces; and (iv) during the period beginning at 12:01 a.m., e.s.t., July 31, 1961, and ending at 12:01 a.m., e.s.t., September 25, 1961, unless the individual fruit in each lot of such avocados weighs at least 12 ounces: *Provided*, That any lot of such avocados may be imported without regard to such minimum weight requirement if such avocados, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color normal for that fruit when mature.

(6) Notwithstanding the provisions of subparagraphs (2) through (5) of this paragraph regarding the minimum weight or diameter for individual fruit, not to exceed 10 percent, by count, of the individual fruit in each lot may weigh less than the applicable minimum specified weight and be less than the minimum specified diameter: *Provided*, That such avocados weigh not more than 2 ounces less than the applicable specified weight for the particular variety. Such tolerances shall be on a lot basis, but not to exceed double such tolerances shall be permitted for an individual container in a lot.

(7) Each importation of avocados shall be made in conformance with the general regulations (Part 1060 of this chapter) applicable to the importation of listed commodities and the requirements of this section.

Nothing contained herein shall be construed (i) as affecting or waiving any right, duty, obligation, or liability which has arisen or which, prior to the effective time of the provisions hereof, may arise in connection with any provision of said Avocado Regulation No. 9, as amended; or (2) as releasing or extinguishing any violation of Avocado Regulation No. 9, as amended, which has occurred or which, prior to the effective time of the provisions hereof, may occur.

It is hereby determined, on the basis of the information which is now available, that the requirements set forth in this amendment are comparable to the maturity and quality regulations that are being made applicable, at the effective time hereof, to shipments of avocados grown in south Florida.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 1001-1011) in that (i) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (ii) revised quality requirements are being imposed on avocados grown in south Florida under Amendment 2 to Avocado Order 25 (§ 969.325; 26 F.R.

6325, 7694), issued simultaneously herewith to become effective September 18, 1961; (iii) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (iv) this amendment relieves restrictions on imports of avocados during the period September 18-October 16, 1961.

Effective time. The provisions of this amendment shall become effective at 12:01 a.m., e.s.t., September 18, 1961.

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

Dated: September 14, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8935; Filed, Sept. 15, 1961; 8:53 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Saint Lawrence Seaway Development Corporation

Effective upon publication in the FEDERAL REGISTER, paragraph (c) is added to § 6.354 as set out below.

§ 6.354 Saint Lawrence Seaway Development Corporation.

* * * * *

(c) One Administrative Assistant to the Deputy Administrator.

(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. 61-8869; Filed, Sept. 15, 1961; 8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 83—SCREWORMS

Designation of Inspection Stations

Pursuant to the provisions of sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 4 through 7 of the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 115, 117, 120, 121), § 83.10 of the Screwworm Regulations in Part 83, Title 9, Code of Federal Regu-

lations, is amended by adding thereto a new paragraph (a) (14) to read:

§ 83.10 Designation of inspection stations.

(a) * * *

(14) The premises held by Trustees for Hannah S. Rothschild in Phillips County, Arkansas, on the south side of State Highway 6, approximately 200 yards west of the toll plaza for the Mississippi River Bridge at Helena, Arkansas.

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791, as amended, 792, as amended; 21 U.S.C. 111-113, 120, 121. Interpret or apply secs. 6, 7, 23 Stat. 32, as amended; 21 U.S.C. 115, 117; 19 F.R. 74, as amended)

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

The amendment would add a screwworm inspection station at Helena, Arkansas, to those heretofore designated in the regulations, at which livestock required to be inspected under the regulations may receive such inspections. In order to avoid unnecessary inconvenience to shippers of such livestock, to further prevent the interstate spread of screwworms, and to facilitate a Federal-State program now in operation for the control and eradication of the disease, this amendment should be made effective as soon as possible. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 12th day of September 1961.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 61-8868; Filed, Sept. 15, 1961; 8:49 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

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

Definitions and Interpretations

Pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 408, 701, 68 Stat. 511, 52 Stat. 1055 as amended; 21 U.S.C. 348, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), § 120.1 (21 CFR 120.1) of the general regulations for setting tol-

erances and granting exemptions from tolerances for pesticide chemicals in or on raw agricultural commodities is amended as follows:

The list in paragraph (h) is changed to read as follows and a new subpara-

graph (4) is added to paragraph (j), as follows:

§ 120.1 Definitions and interpretations.

(h) * * *

A	B
Beans-----	Green beans, lima beans, navy beans, red kidney beans, snap beans, wax beans, cowpeas, blackeyed peas.
Celery-----	Anise (fresh leaves and stalks only), celery.
Cherries-----	Sour cherries, sweet cherries.
Citrus fruits-----	Grapefruit, lemons, limes, oranges, tangelos, tangerines, citrus citron, kumquats, and hybrids of these.
Melons-----	Cantaloups, casabas, crenshaws, honeydew melons, honey balls, muskmelons, Persian melons, and hybrids of these, watermelons and their hybrids.
Onions-----	Dry bulb onions, green onions, garlic, leeks, shallots, spring onions.
Onions (dry bulbs only) -	Garlic, onions (dry bulb only).

(j) * * *
 (4) Stems shall be removed and discarded from melons before examination for pesticide residues.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since the amendments effected are interpretative in nature and serve to clarify existing regulations.

Effective date. This order shall become effective 30 days from the date of its publication in the FEDERAL REGISTER. (Secs. 408, 701, 68 Stat. 511, 52 Stat. 1055, as amended; 21 U.S.C. 348, 371)

Dated: September 11, 1961.

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

[F.R. Doc. 61-8857; Filed, Sept. 15, 1961; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

METHYL FORMATE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by E.I. du Pont de Nemours & Company, Inc., Wilmington 98, Delaware, and other relevant material, has concluded that the following food additive regulation should issue with respect to methyl formate as a fumigant for raisins and Zante currants. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart D the following new section:

§ 121.1062 Methyl formate.

The food additive methyl formate may be safely used in or on specified dried fruits in accordance with the following prescribed conditions:

(a) It is used or intended for use in or on raisins and dried Zante currants as a bulk and package fumigant.

(b) It is used in accordance with directions registered with the United States Department of Agriculture, and so used that the total formic acid present, free and combined in the finished product shall not exceed 250 parts per million (0.025 percent).

(c) To assure safe use of the additive, its label and labeling shall conform to that registered with the United States Department of Agriculture.

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. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: September 8, 1961.

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

[F.R. Doc. 61-8858; Filed, Sept. 15, 1961; 8:47 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

EMULSIFIERS

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by The Dow

Chemical Company, Midland, Michigan, and other relevant material, has concluded that the following regulation should issue with respect to the food additives polysorbate 60 (polyoxyethylene (20) sorbitan monostearate), sodium dioctyl sulfosuccinate, and sodium lauryl sulfate as emulsifiers in the manufacture of resin and latex polymers used in coatings for paper and paperboard in food packaging. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart F the following new section:

§ 121.2521 Emulsifiers used in the manufacture of coatings for paper and paperboard in food packaging.

The substances named in paragraph (b) of this section may be safely used as emulsifiers in resin and latex polymers as coatings for paper and paperboard in food packaging when used in accordance with the following prescribed conditions:

(a) The substance or any combination of substances is used in an amount not greater than that required to accomplish the intended technical effect nor in excess of any stated limitations.

(b) The substances permitted are as follows:

Substances	Limitations
Polysorbate 60 (polyoxyethylene (20) sorbitan monostearate).	Conforming to identity provided in § 121.1030 of this chapter.
Sodium dioctyl sulfosuccinate-----	-----
Sodium lauryl sulfate-----	-----

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. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: September 11, 1961.

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

[F.R. Doc. 61-8859; Filed, Sept. 15, 1961; 8:47 a.m.]

Title 42—PUBLIC HEALTH

Chapter I—Public Health Service, Department of Health, Education, and Welfare

SUBCHAPTER F—QUARANTINE, INSPECTION, LICENSING

PART 73—BIOLOGICAL PRODUCTS

Standards of Potency; Expiration Date; Dating Period

On June 28, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER proposing amendments to Part 73 that would (1) specify additional products for which standard preparations are to be used in testing for potency; (2) prescribe limits of potency for Pertussis Vaccine; and (3) clarify provisions relating to dating periods. Since current practice is in accord with the first two proposed changes and the remaining two changes are merely clarifying, it was proposed to make the amendments effective immediately upon publication in the FEDERAL REGISTER.

Views and arguments respecting the proposed amendments were invited to be submitted within 30 days after publication of the notice in the FEDERAL REGISTER.

After consideration of all comments submitted, the following amendments to Part 73 of the Public Health Service regulations are hereby adopted to become effective on the date of publication in the FEDERAL REGISTER.

1. Section 73.81 is amended to read as follows:

§ 73.81 Standard preparations.

Standard preparations made available by the Director, Division of Biologics Standards, shall be applied in testing for potency all forms of Diphtheria Antitoxin, Tetanus Antitoxin; Botulism Antitoxin, Type A; Botulism Antitoxin, Type B; Histolyticus Antitoxin; Oedematiens Antitoxin; Perfringens Antitoxin; Sordelli Antitoxin; Vibriion Septique Antitoxin; Staphylococcus Antitoxin; Scarlet Fever Streptococcus Antitoxin; Dysentery Antitoxin (Shiga); Antipneumococcic Serum, (Types I, II, V, VII, and VIII); Anti-hemophilus Influenzae Type b Serum; Antirabies Serum; Pertussis Vaccine; Tuberculin, Old; and Tuberculin, Purified Protein Derivative.

2. Section 73.82 is amended to read as follows:

§ 73.82 Limits of potency.

Diphtheria Antitoxin shall have a potency of not less than 500 units per milliliter. Tetanus Antitoxin shall have a potency of not less than 400 units per milliliter. Scarlet Fever Streptococcus Antitoxin shall have a potency of not less than 400 units per milliliter. Pertussis Vaccine shall have a potency of 12 units per total human immunizing dose, based upon test values of not less than 8 units nor more than 36 units. Products dispensed in the dried state shall represent liquid products having these potency limitations.

3. Section 73.84 is amended to read as follows:

§ 73.84 Periods of cold storage.

Except as otherwise provided in the regulations of this part, products may be held by the manufacturer in cold storage after the date of manufacture without decreasing the dating period, for the following periods:

- At a temperature not above 10° C., for six months, or
- At a temperature not above 5° C., for one year, or
- At a temperature not above 0° C., for two years.

4. A new § 73.85 is added to read as follows:

§ 73.85 Expiration date; dating period.

The expiration date for each product shall be no later than the last day of the dating period. The dating period for a product shall begin either on the date of manufacture or on any date not later than the date of issue from the manufacturer's cold storage, except that if stored for longer than the period prescribed in § 73.84, the dating period shall begin no later than the last day of the prescribed cold storage period.

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interpret or apply sec. 351, 58 Stat. 702, as amended; 42 U.S.C. 262)

Dated: September 8, 1961.

[SEAL] LUTHER L. TERRY,
Surgeon General.

Approved: September 12, 1961.

ABRAHAM RIBICOFF,
Secretary.

[F.R. Doc. 61-8874; Filed, Sept. 15, 1961; 8:50 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 882; Amdt. 333]

PART 507—AIRWORTHINESS DIRECTIVES

Bell Model 47 Helicopters

Airworthiness Directive 58-23-1, Amendment 14, 23 F.R. 9690, establishes a service life for the tail rotor pitch change control bearing on Bell helicopters 47B, B3, D, D1, G, G-2, and H-1. The manufacturer now has a new part in production which has the same service life limitations as those covered by AD 58-23-1. There has been no change in the design of the bearing, only the identification has been changed from vendor P/N R4AF4 to Bell P/N 47-641-146-1 to ensure consistent control by the helicopter manufacturer. Accordingly, it is necessary to incorporate the new part number in the directive.

As a situation exists which demands immediate action in the interest of safety, it is found that notice and public procedure hereon are impracticable and

good cause exists for making this amendment effective in less than 30 days after date of publication in the FEDERAL REGISTER.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is amended as follows:

AD 58-23-1, Amendment 14 (23 F.R. 9690), Bell 47B, B3, D, D1, G, G-2, and H-1 helicopters is amended by changing the second paragraph to read as follows:

To preclude the possibility of losing tail rotor control, the tail rotor pitch change bearings, P/N R4AF4, also identified by Bell P/N 47-641-146-1, and alternate P/N's S1RP, and TR4AXIC must be retired from service upon accumulation of 200 hours' time in service, except that bearings identified by Bell P/N 47-641-146-1 which have already accumulated 190 or more hours' time in service on the effective date of this amendment must be retired from service within the next 10 hours' time in service.

This amendment shall become effective September 21, 1961.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on September 11, 1961.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 61-8843; Filed, Sept. 15, 1961; 8:45 a.m.]

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 60-KC-100]

PART 601—DESIGNATION OF CONTROLLED AIRSPACE, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS, AND POSITIVE CONTROL AREAS

Designation of Control Zone

On January 27, 1961, a notice of proposed rule making was published in the FEDERAL REGISTER (26 F.R. 849) stating that the Federal Aviation Agency proposed to designate a part-time control zone at St. Charles, Ill. (Du Page County Airport).

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, Part 601 (14 CFR Part 601) is amended by adding the following section:

§ 601.2463 St. Charles, Ill., control zone.

Within a 3-mile radius of the Du Page County Airport (latitude 41°54'45" N., longitude 88°14'35" W.), from 0600 to 2200 hours local standard time daily.

This amendment shall become effective 0001, e.s.t., November 1, 1961.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)
 Issued in Washington, D.C., on September 12, 1961.

D. D. THOMAS,
 Director,
 Air Traffic Service.

[F.R. Doc. 61-8844; Filed, Sept. 15, 1961;
 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 35-14507]

PART 259—FORMS PRESCRIBED UNDER THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Stock Options

The Securities and Exchange Commission has heretofore published for comment a proposal to amend Form U5S adopted under the Public Utility Holding Company Act of 1935 so as to include information with respect to stock options. Form U5S (described in § 259.5s), which sets forth the information required to be filed annually by each registered holding company, as now in effect, does not require the filing of information (other than in a footnote to the financial statements) with respect to stock options issued to officers, directors or employees of the registered holding company or any of its subsidiary companies. The Commission therefore believed it appropriate, in the public interest and for the protection of investors and consumers, to consider whether Form U5S should be amended so as to add an item requiring the setting forth of adequate information with respect to stock options issued by registered holding companies or their subsidiary companies. Accordingly, notice of a proposed amendment of Form U5S was given on June 9, 1961 (Holding Company Act Release No. 14461), and was published in the FEDERAL REGISTER of June 16, 1961 (26 F.R. 5406).

After receiving public comment on the proposed amendment, the Commission has determined to adopt the amendment as circulated for comment with the addition of a requirement that specific information be filed with the Commission with respect to the date of adoption of any unexpired stock option plan and the number of shares which may be optioned thereunder, and clarification of the definition of the term "option."

Accordingly, the Commission, deeming such action necessary and appropriate in the public interest and for the protection of investors and consumers, hereby amends Form U5S adopted under the Public Utility Holding Company Act of 1935, by adding the following to Item 9, Officers, directors and employees.

(f) *Stock options.* Furnish the following information (in tabular form to the extent practicable):
 (A) As to each officer or director in the holding-company system, who, at any time during the calendar year, held an option to

purchase shares of stock of any company in the holding-company system—(1) name; (2) dates employed by, or served as a director in, the holding-company system; (3) name of each company in the holding-company system from which optionee received any compensation during the calendar year; (4) position in each such company from which optionee received any compensation during the calendar year; (5) name of each such company granting a stock option to optionee; (6) regular annual cash compensation received from each such company employing optionee at date of each grant of option; (7) date of each grant of option held by optionee; (8) number of shares of stock optioned to optionee at date of each grant; (9) per share market value of stock at date of each grant of option held by optionee; (10) per share exercise price of each share optioned to optionee; (11) expiration date of each option; (12) date(s) of exercise by optionee of each share of stock optioned; (13) number of shares acquired by optionee upon each exercise of stock optioned; and (14) per share market value of stock at date of each exercise of option.

(B) As to all other holding-company system employees as a group, without naming them individually, who at any time during the calendar year held an option to purchase shares of stock of any company in the holding-company system—(1) number of such employees whose regular annual cash compensation received from all companies in the holding-company system at the date such employee was granted an option was (i) under \$10,000, (ii) \$10,000 to \$19,999, (iii) \$20,000 to \$29,999, (iv) \$30,000 to \$39,999, (v) \$40,000 to \$49,999, and (vi) \$50,000 and above; (2) the total number of shares optioned during the calendar year to such employees within each of the above ranges of compensation; (3) the expiration date of options issued to such persons within each of the above ranges of compensation; (4) the per share market values of the shares of stock at the dates of the granting of the options to such persons within each of the above ranges of compensation and the number of optioned shares applicable to each such market value figure; (5) the number of shares, if any, purchased by such persons during the calendar year by exercise of options classified as in item (4) hereof; (6) the per share market values of the shares purchased during the calendar year by such persons at the dates of exercise of options classified as in item (4) hereof.

(C) The date of adoption by any company in the holding-company system of any currently effective plan or proposal to permit the issuance of stock options, the name of each such company authorized to issue stock options, and the number of shares which may be optioned thereunder.

Add the following paragraph (5) to the Instructions to Item 9.

5. The term "option" as used in paragraph (f) includes all options, warrants or rights to subscribe to or purchase a security, expiring one year or more after date of issuance, other than those issued to security holders as such on a pro rata basis.

(Sec. 5, 49 Stat. 812, 15 U.S.C. 79e; and sec. 14, 49 Stat. 827, 15 U.S.C. 79n)

This amendment is effective with respect to all filings on Form U5S made subsequent to December 31, 1961.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
 Secretary.

SEPTEMBER 8, 1961.

[F.R. Doc. 61-8856; Filed, Sept. 15, 1961;
 8:47 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

MISCELLANEOUS AMENDMENTS TO CHAPTER

The following miscellaneous amendments have been made to this chapter:

SUBCHAPTER A—GENERAL

PART 200—INTRODUCTION

Subpart D—Delegations of Basic Authority and Functions

In § 200.85 paragraph (a) is amended and a new paragraph (c) is added as follows:

§ 200.85 Executive Board.

(a) *Members.* The committee called the Executive Board is comprised of the following members: Commissioner, Chairman; Deputy Commissioner, Vice Chairman; Assistant to the Commissioner; General Counsel; Assistant Commissioner for Field Operations; Assistant Commissioner for Multifamily Housing Operations; Assistant Commissioner for Technical Standards; Assistant Commissioner for Programs; Assistant Commissioner for Audit and Examination; Assistant Commissioner for Administration; Assistant Commissioner-Comptroller; and Assistant Commissioner for Property Disposition.

(c) *Minutes.* The Commissioner shall designate a secretary to the Board who shall prepare minutes of each Board meeting, which shall constitute the official record of matters considered and actions taken by the Board. Such minutes shall be dated consecutively numbered and shall be signed by each member who attended the meeting. The original of such minutes shall be retained by the Assistant Commissioner-Comptroller, in the official FHA records.

(Sec. 2, 48 Stat. 1246, as amended; sec. 211, 52 Stat. 23, as amended; sec. 607, 55 Stat. 61, as amended; sec. 712, 62 Stat. 1281, as amended; sec. 907, 65 Stat. 301, as amended; sec. 807, 69 Stat. 651, as amended; 12 U.S.C. 1703, 1715b, 1742, 1747k, 1748f, 1750f)

SUBCHAPTER B—PROPERTY IMPROVEMENT LOANS

PART 201—CLASS 1 AND CLASS 2 PROPERTY IMPROVEMENT LOANS

In § 201.2 paragraph (d)(2)(i) is amended to read as follows:

§ 201.2 Eligible notes.

(d) *Maturity.* * * *

(2) *Maximum.* * * *

(i) A class 1 (a) or a class 2 (a) loan is 5 years and 32 days from the date of the note.

In § 201.9 paragraph (b) (1) and (4) is amended to read as follows:

§ 201.9 Refinancing.

(b) *Maximum maturity.* (1) A class 1(a) loan or a class 2(a) loan may be refinanced for an additional period not in excess of 5 years and 32 days from the date of refinancing but not to exceed 7 years from the date of the original note.

(4) When a class 1 loan or a class 2 loan is made or refinanced and consolidated with another class 1 loan or class 2 loan, the new note evidencing the consolidated obligation shall not be for a longer term than that which the component loan having the shortest permissible maturity could have if made or refinanced alone.

(Sec. 2, 48 Stat. 1246, as amended; 12 U.S.C. 1703)

SUBCHAPTER D—RENTAL HOUSING INSURANCE
PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Subpart B—Contract Rights and Obligations

In § 207.253 paragraph (c)(4) is amended, a new paragraph (d) is added and former paragraphs (d) and (e) are redesignated as paragraphs (e) and (f) respectively as follows:

§ 207.253 Adjusted premium and termination charges.

(c) * * *

(4) Where payment in full is made of a delinquent mortgage:

(i) On which foreclosure proceedings have been commenced; or

(ii) For the purpose of avoiding foreclosure, if the transaction is approved by the Commissioner; or

(d) No termination charge shall be due the Commissioner where the termination of insurance is:

(1) In connection with a delinquent mortgage on which foreclosure proceedings have been commenced; or

(2) For the purpose of avoiding foreclosure, if the transaction is approved by the Commissioner.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

SUBCHAPTER E—COOPERATIVE HOUSING INSURANCE
PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

Subpart B—Contract Rights and Obligations—Projects

In Part 213 the appropriate section heading in the Table of Contents is amended to read as follows:

213.263 Where no adjusted premium or termination charge is due.

In § 213.263(a) the introductory text is designated as subparagraph (1), former subparagraphs (1) through (5) are redesignated as subdivisions (i) through (v) respectively, subdivision

(iv) is amended, and a new subparagraph (2) is added, as follows:

§ 213.263 Where no adjusted premium or termination charge is due.

(a) * * *

(1) * * *

(iv) Where payment in full is made of a delinquent mortgage:

(a) On which foreclosure proceedings have been commenced; or

(b) For the purpose of avoiding foreclosure, if the transaction is approved by the Commissioner; or

(2) No termination charge shall be due the Commissioner where the termination of insurance is:

(i) In connection with a delinquent mortgage on which foreclosure proceedings have been commenced; or

(ii) For the purpose of avoiding foreclosure, if the transaction is approved by the Commissioner.

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e)

SUBCHAPTER R—WAR HOUSING INSURANCE
PART 608—MULTIFAMILY PROJECTS; WAR HOUSING MORTGAGE INSURANCE

Subpart B—Contract Rights and Obligations

In § 608.253 paragraphs (b), (c) (4) and (6) are amended, new paragraph (d) is added and former paragraph (d) is redesignated as paragraph (e) as follows:

§ 608.253 Adjusted premium and termination charges.

(b) In no event shall the adjusted premium charge or termination charge exceed the aggregate amount of premium charges which would have been payable if the mortgage had continued to be insured until maturity.

(c) * * *

(4) Where payment in full is made of a delinquent mortgage:

(i) On which foreclosure proceedings have been commenced; or

(ii) For the purpose of avoiding foreclosure, if the transaction is approved by the Commissioner; or

(6) Where the mortgagor is a non-profit mortgagor and the mortgage interest rate was below the maximum permissible rate at the time the loan was endorsed for insurance, if the transaction is approved by the Commissioner.

(d) No termination charge shall be due the Commissioner:

(1) Where the termination of insurance is:

(i) In connection with a delinquent mortgage on which foreclosure proceedings have been commenced; or

(ii) For the purpose of avoiding foreclosure, if the transaction is approved by the Commissioner; or

(2) Where the mortgagor is a non-profit mortgagor and the mortgage interest rate was below the maximum permissible rate at the time the loan

was endorsed for insurance, if the transaction is approved by the Commissioner.

(Sec. 607, 55 Stat. 61, as amended; 12 U.S.C. 1742. Interprets or applies sec. 608, 56 Stat. 303, as amended; 12 U.S.C. 1743)

Issued at Washington, D.C., September 13, 1961.

NEAL J. HARDY,
Federal Housing Commissioner.

[F.R. Doc. 61-8890; Filed, Sept. 15, 1961; 8:52 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 32—HUNTING

Crab Orchard National Wildlife Refuge, Illinois

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

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

ILLINOIS

CRAB ORCHARD NATIONAL WILDLIFE REFUGE

Public hunting of upland game on the Crab Orchard National Wildlife Refuge, Illinois, is permitted only on the area designated by signs as open to hunting. This open area, comprising 9,380 acres or 21 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Pheasants, bobwhite quail, rabbits, squirrels, raccoons, opossums, skunks and weasels, only during the seasons specified below. The hunting of upland game species, as may be otherwise authorized by Illinois State regulations, is prohibited.

(b) Open season: Pheasants—from 12:00 noon to sunset November 18, 1961, and from sunrise to sunset November 19, 1961, through December 12, 1961, except that the season is closed on December 1, 2, and 3, 1961. Bobwhite quail—from 12:00 noon to sunset November 18, 1961, and from sunrise to sunset November 19, 1961, through December 27, 1961, except that the season is closed on December 1, 2, and 3, 1961. Rabbits—from 12:00 noon to sunset on November 18, 1961, and from sunrise to sunset November 19, 1961, through January 31, 1962, except that the season is closed on December 1, 2, and 3, 1961. Squirrels (black, grey, and fox, except white squirrels)—from sunrise to sunset each day from the effective date of this notice through October 15, 1961. Raccoons, opossums, skunks, and weasels (hunting only)—from 12:00 noon on November 15, 1961, to 12:00 noon on January 31, 1962.

(c) Daily bag limits: Pheasants (cocks only)—3; bobwhite quail—8; rabbits—5; squirrels—5; raccoons, opossums, skunks, and weasels—no limit.

(d) Methods of hunting:

(1) Weapons—game animals may be taken with gun and dog, gun or dog, or bow and arrow. Pheasants may be taken with shotgun, or shotgun and dog, or bow and arrow. Bobwhite quail may be taken with shotgun and dog, or shotgun or dog, or bow and arrow.

(2) Dogs—hunting dogs, not to exceed 2 per hunter, may be used for hunting and retrieving; dogs may not be permitted to run at large.

(3) It is unlawful to use snares, ferrets, spears, poisons, chemicals, explosives, or crossbows in taking wild birds or animals.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A Federal permit is not required to enter the public hunting area.

(3) The provisions of this special regulation are effective through January 31, 1962.

ALLAN T. STUDHOLME,
*Acting Regional Director, Bureau
of Sport Fisheries and Wildlife.*

SEPTEMBER 11, 1961.

[F.R. Doc. 61-8853; Filed, Sept. 15, 1961;
8:46 a.m.]

PART 32—HUNTING

Tamarac National Wildlife Refuge,
Minnesota

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

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

MINNESOTA

TAMARAC NATIONAL WILDLIFE REFUGE

Public hunting of upland game on the Tamarac National Wildlife Refuge, Minnesota, is permitted only on the area designated by signs as open to hunting. This open area, comprising 9,000 acres or 27 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis 8, Minnesota. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Pheasants; ruffed grouse; grey and fox squirrels; cottontail, jack, and snowshoe rabbits; and raccoons, during the season specified below. The hunting of upland game species, as may be otherwise authorized by Minnesota State regulations, is prohibited.

(b) Open season: Pheasants—from 12:00 noon to sunset on October 28, 1961, and from 10:00 o'clock to sunset each day from October 29, 1961, through November 26, 1961. Ruffed grouse—from sunrise to sunset each day from September 23, 1961, through November 19, 1961.

Grey and fox squirrels—from sunrise to sunset September 30, 1961, through December 31, 1961. Cottontail, jack, and snowshoe rabbits—from sunrise to sunset September 30, 1961, through March 1, 1962. Raccoon (hunting)—24 hours per day from September 30, 1961, through December 31, 1961.

(c) Daily bag limits: Pheasants (cocks only)—3; ruffed grouse—4; grey and fox squirrels—7, combined; cottontail, jack, and snowshoe rabbits—10 of each species; raccoon—no limit.

(d) Methods of hunting:

(1) Weapons—shotguns and small bore rifles as permitted by State regulations.

(2) Dogs—hunting dogs, not to exceed 2 per hunter, may be used for hunting and retrieving; dogs may not be permitted to run at large.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A Federal permit is not required to enter the public hunting area.

(3) The provisions of this special regulation are effective through March 1, 1962.

ALLAN T. STUDHOLME,
*Acting Regional Director, Bureau
of Sport Fisheries and Wildlife.*

SEPTEMBER 11, 1961.

[F.R. Doc. 61-8854; Filed, Sept. 15, 1961;
8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 939]

[Docket No. AO-99-A2]

BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU VARIETIES OF PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA

Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Proposed Amendment of Amended Marketing Agreement and Order Regulating Handling

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing of this recommended decision with the Hearing Clerk, United States Department of Agriculture, with respect to the proposed amendment of the marketing agreement, as amended, and Order No. 39, as amended (7 CFR Part 939), hereinafter referred to collectively as the "order," regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Washington, Oregon, and California to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "act." Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D.C., not later than the close of business of the 15th day after publication thereof in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The public hearing, on the record of which the proposed amendment of the order is formulated, was initiated by the Agricultural Marketing Service as a result of proposals submitted by the Control Committee, the agency established pursuant to the order to administer the provisions thereof. In accordance with the applicable provisions of the aforesaid rules of practice and procedure, a notice that such public hearing would be held on July 13, 1961, in Room 246-248, Sheraton Hotel, 1000 N.E. Multnomah, Portland, Oregon, was published in the FEDERAL REGISTER (26 F.R. 5897) on June 30, 1961.

Material issues. The material issues presented on the record of the hearing were concerned with amending the order to:

(1) Authorize the establishment of a financial reserve not to exceed approximately one fiscal year's operational expenses;

(2) Authorize marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of pears;

(3) Authorize exemption from inspection and certification of pears in minimum quantities not exceeding 200 boxes; and

(4) Authorize such other changes as are necessary to make the order conform with any amendments thereto.

Findings and conclusions. The findings and conclusions on the material issues, all of which are based upon the evidence adduced at the hearing and the record thereof, are as follows:

(1) The provisions of the order should be amended to provide for establishing and maintaining a financial operating reserve in an amount equal to approximately one fiscal period's expenses. The accumulation and maintenance of an operating reserve are recognized as important contributors to successful business operations. Such a reserve could contribute substantially to the continued and economical operation of the order over a period of years.

The budget and assessment rate established under the order are based on an estimate of pear shipments in interstate commerce. As the crop varies from year to year it is necessary to vary the assessment rate. The pear crop is subject to the hazards of weather and other factors which may reduce production. It is undesirable in the operation of the order to establish an excessively high assessment rate, and this would be necessary if the crop is reduced to a low level. An operating reserve would make it possible for the committee to maintain a reasonably stable assessment rate from year to year by providing operating funds during years of lowered production. Such a fund would also provide money to cover operating costs prior to the time funds become available in the fiscal period before shipments are made. The fiscal period begins July 1 and shipments in volume are not made until late September. No current assessment income is available to the committee until shipments are made.

The committee has followed the practice of crediting any excess funds to the account of handlers at the end of each fiscal period and refunding at that time only to handlers requesting a refund. The unrequested balance is used to finance operations during the subsequent fiscal period until current assessment income is sufficient for this purpose. In some years the surplus was insufficient to cover the expenses during the early part of the fiscal period and the committee has had to borrow money from other sources to cover costs of operations. An operating reserve could be used to

avoid the inconvenience and expense occasioned by the necessity of borrowing money in order to provide for continuous operations under the order.

If insufficient assessments are collected to cover expenses during a season due to overestimation of the crop, crop failure due to unfavorable weather or other crop reducing factors, it would be necessary for the committee to increase the assessment rate and bill handlers to cover the deficit. To increase the assessment rate after some disaster has reduced the crop would be an added burden to the industry. Funds from an operating reserve could be used to supplement those collected, and the establishment of an increased assessment rate avoided.

As heretofore indicated, a reserve fund should be available to the committee to defray reasonable and necessary operational expenses, as approved by the Secretary, and it should also be available to cover the costs of liquidating the program in the event the order is terminated. It is possible that the program may be terminated at the end of a fiscal period or during a year when the production of pears is relatively light. In such circumstances, it would be burdensome to handlers to require payment of an assessment to cover costs of liquidation. All handlers receive benefits from the program's operations; and even if a handler ceases handling pears before the full time of its operation has expired, it would be appropriate and equitable for such handler to share in the expense of liquidation. However, the great majority of persons and firms involved in the growing and handling of pears are in the business as a long term venture and those who contribute to a reserve fund would receive the benefit of its operation.

Contributions to the reserve fund should be on a pro rata basis so that any expenses paid therefrom will be shared equitably by handlers. If at the end of a fiscal period the excess of assessments is larger than needed to bring the reserve up to approximately one fiscal period's expenses, or if the committee wishes to place only part of such excess in the reserve, a uniform percentage factor should be applied to each handler's excess of assessments in computing the amount of the required individual's contributions. After the required amount has been placed in the reserve fund, the balance, if any, should be available as refunds to those from whom it was collected.

Upon termination of the order any funds in the reserve which are not used to defray the necessary expenses of liquidation should, to the extent practicable, be returned to the handlers from whom collected. However, should the order be terminated after several years of operation, and many withdrawals and redeposits in the reserve, the precise equities of handlers may be difficult to ascertain and any requirement that there

be a precise accounting of the remaining funds could involve such costs as to nearly equal the monies to be distributed. Therefore, it would be desirable and necessary to permit the unexpended reserve funds to be disposed of in any manner the Secretary may determine to be appropriate in the circumstances. In view of the foregoing, it is, therefore, concluded that authority should be provided, as hereinafter set forth, to permit the establishment and use of a reserve fund in the manner heretofore described.

(2) The order should be amended, as hereinafter set forth, to authorize the committee to undertake marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of pears. The expenses of such projects, as authorized by the act, are to be paid out of assessment income.

Through the medium of research the committee should be able to develop information on improved methods of handling and marketing, or to bring together existing information, which will be of value to the industry in establishing more orderly marketing and expanding market outlets for pears. One needed development project referred to at the hearing was the preparation and publication of an "Export Manual" in order to further trade in pears with European outlets. Such a project was developed and the plans for it submitted for approval, but due to the fact that the order did not contain the necessary authority, no further action could be authorized. The export market is an important outlet for pears. The addition of research and development authority hence is needed to permit the conduct of such projects by the committee. The foregoing is only one example of the type of research and development work which may need to be undertaken. The scope and character of the projects authorized should not be limited more than is specified in the act. The committee should be in a position to undertake any marketing research and development project, authorized by the act, as circumstances indicate would tend to broaden the market for pears.

The work in connection with any such marketing research and development project should, of course, be performed in the most economical and efficient manner possible. Thus, the committee should avail itself of the facilities of either public or private agencies in carrying out authorized research activities if it would be more economical or expeditious to do so. It is not intended that the research activities of the committee duplicate work already performed or underway by other agencies. However, it may be that additional research, or more intensive study than that underway, may be needed; in which case the committee should cooperate with the other agencies concerned in carrying out the particular project.

As the Secretary is charged with the responsibility for administration of the order, plans for research and development projects should be submitted for his approval prior to conduct of the work.

Since this amendment would add research and development authority in a separate section, and to avoid unnecessary duplication of provisions, the existing reference to authority for research and service activities carried in § 939.32 (c) should be deleted as hereinafter set forth.

(3) Currently all pears shipped in commercial channels in interstate commerce are subject to inspection and certification primarily for compliance with any grade and size limitations effective under the order. Except for exemptions to individual growers permitting them to ship a percentage of a variety equal to their district average, regardless of grade and size limitations, exemptions are provided only for pears shipped for use by charitable institutions, for distribution by relief agencies, for by-product uses, and pears in individual gift packages. Such shipments for charity, relief, by-products, and gifts are exempt from all requirements, including assessments, except for rules and regulations prescribed to prevent such shipments from entering commercial fresh-fruit channels of trade.

It was proposed in the notice of hearing, and witnesses supported this proposal at the hearing, to include a provision in the order whereby pears in individual lots not exceeding a quantity equal to 200 Northwest pear boxes ($\frac{1}{2}$ bushel) would be exempt from inspection and certification, but subject to all other provisions of the order. It was contended that such exemption is needed to facilitate distribution of pears primarily in "mixed load shipments" in which pears are transported on the same carrier with other commodities, principally apples. The shipment of pears in relatively small quantities in mixed loads is increasing. Some such shipments are to small markets which are unable to handle a full truck or carload of pears before the onset of deterioration. It was indicated that the shipment of pears to such markets and in such manner helps to broaden the market for pears by placing them in markets which otherwise would not receive them.

It was contended that the cost of inspection and certification of pears in lots of 200 boxes or less is disproportionate to the value of the fruit and so increases the price to customers as to threaten to curtail sales. The cost of the required inspection and certification for these shipments, as well as other shipments under the order, is covered by fees paid by the handler applicants to the Federal-State inspection service. The fee charged for inspecting and certifying small lots of pears is prescribed in a minimum fee schedule based on the cost of the service rendered. Such costs are high in relation to those for pears in carload or larger quantities. The current fee for inspecting and certifying pears in the State of Washington in a lot of 200 or less boxes is \$3.00, while the fee for pears in larger quantities is $1\frac{1}{2}$ cents per box. Thus, the per box charge for 200 boxes is the same as for larger quantities, but as the number of boxes becomes progressively smaller than 200, the per box fee becomes pro-

gressively larger. The fee for pears in a 10-box lot, for example, would be 30 cents per box.

Warehouse inspection of pears in large lots, commonly referred to as "block" inspection, providing for subsequent shipment of smaller quantities from the block, has been offered as a means of reducing inspection costs. However, it was reported that this method has not proved entirely satisfactory because of difficulties encountered in assembling different grades and sizes from the various blocks in the warehouse.

Statistical data were presented showing that in the 1960-61 season a total of 2,892 shipments of pears of 200 or less boxes were made. Of these, 2,260 were from the Wenatchee and Yakima Districts in Washington. Additional shipments in such quantities originated in the Washington Counties of Skamania and Klickitat which are included in the Hood River-White Salmon-Underwood District, from which 396 shipments of 200 boxes and smaller were shipped during such season. Currently, shipments of pears originating in Washington which are not subject to mandatory Federal-State inspection and certification are subject, under Washington State law, to inspection and certification in the form of a permit for compliance with any grades and sizes marked on box labels. If pears produced in Washington are exempted from Federal-State inspection and certification under the order, such pears would then become subject to the Washington requirement. The current fee for the required Washington State inspection and certification is one-half that of the Federal-State fee. It was pointed out, however, that Washington State inspection for a permit is not as thorough as that required for a Federal-State inspection certificate and that no similar State service is available in California and Arizona. It was generally agreed by the proponents, including those from Washington, Oregon, and California, that since the large majority of small shipments originate in Washington, and such shipments would be subject to inspection and certification under State law, that from a compliance standpoint the adoption of the amendment would be practical. Some opposition to the amendment was voiced by a representative from the Santa Clara District of California on the basis that such exemption could provide a means whereby compliance with grade and size limitations could be avoided and this would tend to weaken effectiveness of the order.

In addition to the Washington State permit, further measures—such as spot checks of pears in the markets by employees of the committee, reports of small-lot shipments by handlers, and alternative inspection procedures—were advanced as the means of effecting compliance with order requirements should inspection not be mandatory on small-lot shipments of pears.

In view of the foregoing, it is concluded that amendment of the order to authorize exemption from inspection and certification requirements of pears in such minimum quantities as the com-

mittee, with the approval of the Secretary, may prescribe, offers a means of reducing marketings costs and, if properly safeguarded, should not lessen the effectiveness of order operations. It is further concluded, consistent with the evidence presented, that such exemption should not permit shipment of a quantity exceeding 200 Northwest pear boxes on any one conveyance by a handler at any one time. It is recognized, however, that such an exemption could open avenues for avoiding compliance with order requirements. Therefore, the establishment of such exemption should be contingent upon the concurrent establishment of safeguards designed to assure that the exempted shipments of pears comply with all applicable requirements under the order. In the event the committee finds that due to changed conditions, or difficulties in effecting compliance, that any such exemption should be modified, suspended, or terminated, it shall so recommend to the Secretary. If the Secretary finds from the recommendations and information submitted by the Control Committee, or from other available information, that any such exemption should be modified, suspended, or terminated, he shall so modify, suspend, or terminate such exemption.

The order should be amended, therefore, as hereinafter set forth.

General findings. (1) The said order as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The said order as hereby proposed to be amended regulates the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in the States of Oregon, Washington, and California in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, the marketing agreement upon which hearings have been held;

(3) The said order as hereby proposed to be amended is limited in its application to the smallest regional production area that is practicable, consistent with carrying out the declared policy of the act; and the issuance of several orders applicable to subdivisions of such regional production area would not effectively carry out the declared policy of the act; and

(4) The said order as hereby proposed to be amended prescribes such different terms, applicable to different production and marketing areas, as are necessary to give due recognition to differences in the production and marketing of such pears.

Rulings on proposed findings and conclusions. July 20, 1961, was fixed as the latest date for the filing of briefs with respect to the facts presented in evidence at the hearing and the findings and conclusions which should be drawn therefrom. No brief was filed.

Recommended amendment of the marketing agreement and order. The following amendment of the marketing agreement and order, as amended, is

recommended as the detailed means by which the aforesaid conclusions may be carried out:

1. Section 939.42 *Handler accounts* is revised to read as follows:

§ 939.42 Accounting.

(a) If, at the end of a fiscal period, the assessments collected are in excess of expenses incurred, the committee, with the approval of the Secretary, may carryover such excess into subsequent fiscal periods as a reserve: *Provided*, That funds already in the reserve do not exceed approximately one fiscal period's expenses. Such reserve may be used (1) to cover any expense authorized under this part and (2) to cover necessary expenses of liquidation in the event of termination of this part. Any such excess not retained in a reserve or applied to any outstanding obligation of the person from whom it was collected shall be refunded proportionately to the persons from whom it was collected. Upon termination of this part, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate: *Provided*, That to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

(b) All funds received by the committee pursuant to the provisions of this part shall be used solely for the purpose specified in this part and shall be accounted for in the manner provided in this part. The Secretary may at any time require the committee and its members to account for all receipts and disbursements.

2. A new § 939.47 is added as follows:

§ 939.47 Research and development.

The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of pears.

§ 939.60 [Amendment]

3. Section 939.60 *Inspection and certification* is amended as follows:

a. The following is added at the beginning of the first sentence: "(a) Except as hereinafter provided,".

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

(b) Any handler may ship pears, on any one conveyance and in such quantity as the committee, with the approval of the Secretary, may prescribe, exempt from the inspection and certification requirements of paragraph (a) of this section.

§ 939.32 [Amendment]

4. The following phrase is deleted from § 939.32(c): "to engage in such research and service activities relative to the handling of pears as may be approved by the Secretary."

Dated: September 12, 1961.

CHARLES S. MURPHY,
Under Secretary.

[F.R. Doc. 61-8866; Filed, Sept. 15, 1961;
8:49 a.m.]

ONIONS

Imports

Section 8e (7 U.S.C. 608e) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), hereinafter referred to as the "act," was further amended by section 141(5) of the Agricultural Act of 1961 (75 Stat. 305; Public Law 87-128) by the addition of "onions," among others, to the commodities listed therein. Section 8e of the act prohibits the importation into the United States of certain listed agricultural commodities unless the imported commodities comply with the grade, size, quality and maturity requirements applicable to the same commodities produced in the United States under a marketing order issued pursuant to section 8c (7 U.S.C. 608c) of the act, or comply with comparable restrictions. The only grade, size, quality, and maturity requirements currently applicable to onions produced in the United States are effective under Marketing Order No. 117 regulating the handling of dry onions grown in designated counties of Idaho and Eastern Oregon.

Pursuant to the requirements of section 8e, as amended, notice is hereby given that the Department is giving consideration to (1) making applicable to imports of dry onions the provisions of the General Regulations governing the importation of listed commodities (7 CFR Part 1060) and, (2) making applicable to imports of dry onions the same grade, size, quality, and maturity requirements in effect under Marketing Order No. 117 for onions grown in designated counties of Idaho and Eastern Oregon together with regulations necessary and appropriate thereto.

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 20 days following publication of this notice in the FEDERAL REGISTER.

The proposal as to (2), above, is set forth below.

§ 1070.1 Onion Regulation No. 1.

(a) *Import restrictions.* During the period from October 23, 1961, to June 30, 1962, both dates inclusive, no person shall import any dry onions of any variety, unless such onions meet the requirements of the U.S. No. 2, or better, grade.

(b) *Minimum quantity.* Any importation which in the aggregate does not exceed 100 pounds in any day, may be imported without regard to the provisions of paragraph (a) of this section.

(c) *Plant quarantine.* No provisions of this section shall supersede the restrictions or prohibitions on onions under the Plant Quarantine Act of 1912.

(d) *Designation of Governmental inspection services.* The Federal or the Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, and the Fruit

and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, are hereby designated as governmental inspection services for the purpose of certifying the grade, size, quality, and maturity of onions that are imported, or to be imported, into the United States under the provisions of section 8e of the act.

(e) *Inspection and official inspection certificates.* (1) Inspection by the Federal or Federal-State Inspection Service, by the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, or by such other governmental inspection service as may be designated, or approved, by the Director, Fruit and Vegetable Division, Agricultural Marketing Service, with appropriate evidence thereof in the form of an official inspection certificate issued by the respective service and applicable to a particular shipment of onions, is required. Each such lot shall be made available and accessible for inspection. Such inspection and certification will be made available in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables and other products (Part 51 of this title). Since inspectors may not be stationed in the immediate vicinity of some smaller ports of entry, importers of uninspected and uncertified onions should make advance arrangements for inspection by ascertaining whether or not there is an inspector located at their particular port of entry. For all ports of entry where an inspection office is not located, each importer must give the specified advance notice to the applicable office listed below prior to the time the onions will be imported.

Ports	Office	Advance notice
All Texas points,	W. T. McNabb, P. O. Box 111, 222 McClendon Bldg., 305 E. Jackson St., Harlingen, Tex. (Tel.: Garfield 3-5644).	1 day.
All Arizona points,	R. H. Bertelson, 136 Grand Ave., P.O. Box 1646, Nogales, Ariz. (Tel.: Atwater 7-2902).	Do.
All California points,	Carley D. Williams, 294 Wholesale Terminal Bldg. 784 S. Central Ave., Los Angeles 21, Calif. (Tel.: Madison 2-8756).	3 days.
New York City,	Edward J. Beller, 346 Broadway, Room 306, New York 13, N.Y. (Tel.: Rector 2-8000, Ext. 807).	1 day.
All other points,	E. E. Conklin, Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, AMS, Washington 25, D.C. (Tel.: Dudley 8-5870).	3 days.

(2) Inspection certificates shall cover only the quantity of onions that is being imported at a particular port of entry by a particular importer.

(3) The inspections performed, and certificates issued, by the Federal or Federal-State Inspection Service, or the Fruit and Vegetable Division, Production and Marketing Branch, Canada Department of Agriculture, shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables and other products (Part 51 of this title). The cost of any inspec-

tion and certification shall be borne by the applicant therefor.

(4) Each inspection certificate issued with respect to any onions to be imported into the United States shall set forth, among other things:

- (i) The date and place of inspection;
- (ii) The name of the shipper, or applicant;
- (iii) The commodity inspected;
- (iv) The quantity of the commodity covered by the certificate;
- (v) The principal identifying marks on the containers;
- (vi) The railroad car initials and number, the truck and trailer license number, the name of the vessel, or other identification of the shipment; and
- (vii) The following statement, if the facts warrant; Meets U. S. Import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937.

(f) *Definitions.* For the purpose of this part, "Onions" means all varieties of *Allium cepa* marketed dry, except onion sets, green onions and pickling onions. Onions meeting the requirements of Canada No. 1 grade and Canada No. 2 grade shall be deemed to comply with the requirements of the U.S. No. 1 grade and U.S. No. 2 grade, respectively, and the tolerances for size, as set forth in the United States Standards for Onions (§§ 51.2830 to 51.2850, inclusive, of this title; 26 F.R. 2817), may be used. Onions commonly referred to as "braided," that is, with tops, may be imported if they meet the grade and size requirements except for top length.

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

Dated: September 13, 1961.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61-8865; Filed, Sept. 15, 1961; 8:49 a.m.]

Agricultural Stabilization and Conservation Service

[7 CFR Part 730]

RICE

Notice of Determinations To Be Made With Respect to Marketing Quotas, National, State, and County Acreage Allotments, County Normal Yields, and Proposed Date for Conducting a Referendum on Marketing Quotas for 1962 Crop

Pursuant to the authority contained in applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1301, 1352, 1353, 1354, 1377), the Secretary of Agriculture is preparing to determine whether marketing quotas are required to be proclaimed for the 1962 crop of rice, to determine and proclaim the national acreage allotment for the 1962 crop of rice, to apportion among States and counties the national acreage allotment for the 1962 crop of rice, to establish county normal yields for the 1962 crop of rice, and to establish a date

for conducting a referendum on marketing quotas in the event quotas are proclaimed for the 1962 crop of rice.

Section 354 of the act provides that whenever in the calendar year 1961 the Secretary determines that the total supply of rice for the 1961-62 marketing year will exceed the normal supply for such marketing year the Secretary shall, not later than December 31, 1961, proclaim such fact and marketing quotas shall be in effect for the crop of rice produced in 1962. Within thirty days after the issuance of such proclamation, the Secretary shall conduct a referendum by secret ballot of farmers engaged in the production of the immediately preceding crop of rice to determine whether such farmers are in favor of or opposed to such quotas. In the event that the Secretary proclaims quotas in effect for the 1962 crop of rice, it is proposed that the date for holding the referendum be set as Tuesday, December 12, 1961.

Section 352 of the act, as amended, provides that the national acreage allotment of rice for 1962 shall be that acreage which the Secretary determines will, on the basis of the national average yield of rice for the five calendar years 1957 through 1961 produce an amount of rice adequate, together with the estimated carry-over from the 1961-62 marketing year, to make available a supply for the 1962-63 marketing year not less than the normal supply. The Secretary is required under this section of the act to proclaim such national acreage allotment not later than December 31, 1961.

Section 353(c) (6) of the act, as amended, provides that the national acreage allotment of rice for 1962 shall be not less than the national acreage allotment for 1956, including the 13,512 acres apportioned to States pursuant to paragraph (5) of section 353(c) of the act. Under this provision, the national acreage allotment of rice for 1962 will be not less than 1,652,596 acres.

As defined in section 301 of the act, for purposes of these determinations, "total supply" for any marketing year is the carry-over of rice for such marketing year, plus the estimated production of rice in the United States during the calendar year in which such marketing year begins and the estimated imports of rice into the United States during such marketing year; "normal supply" for any marketing year is the estimated domestic consumption of rice for the marketing year ending immediately prior to the marketing year for which normal supply is being determined, plus the estimated exports of rice for the marketing year for which normal supply is being determined, plus 10 per centum of such consumption and exports, with adjustments for current trends in consumption and for unusual conditions as deemed necessary; and "marketing year" for rice is the period August 1-July 31.

Section 353 (a) and (c) (6) of the act require that the national acreage allotment of rice for the 1962 crop, less a reserve of not to exceed one per centum thereof for apportionment to farms receiving inadequate allotments because of insufficient State or county allotments or because rice was not planted

on the farm during all the years of the base period, be apportioned among the several States in which rice is produced in the same proportion that they shared in the total acreage allotted to States in 1956 (State acreage allotments, plus the additional acreage allocated to States under section 353(c) (5) of the act, as amended).

Section 353(b) of the act requires that the State acreage allotment of rice for the 1962 crop shall be apportioned to farms owned or operated by persons who have produced rice in the State in any one of the five calendar years 1957 through 1961 on the basis of past production of rice in the State by the producer on the farm taking into consideration the acreage allotments previously established in the State for such owners or operators; abnormal conditions affecting acreage; land, labor, and equipment available for the production of rice; crop rotation practices; and the soil and other factors affecting the production of rice. Provision is made that if the State committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the act, he may provide for the apportionment of part or all of the State acreage allotment to farms on which rice has been produced during any one of such period of years on the basis of the foregoing factors, using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for such owners or operators. Provision is also made that if the Secretary determines that part of the State acreage allotment shall be apportioned on the basis of past production of rice by the producer on the farm and part on the basis of the past production of rice on the farm, he shall divide the State into two administrative areas, to be designated "producer administrative area" and "farm administrative area", respectively, which areas shall be separated by a natural barrier which would prevent each area from being readily accessible to rice producers in one area from producing rice in the other area, and each area shall be composed of whole counties. Not more than 3 per centum of the State acreage allotment shall be apportioned among farms operated by persons who will produce rice in the State in 1962 but who have not produced rice in the State in any one of the years, 1957 through 1961, on the basis of the applicable apportionment factors set forth herein: *Provided*, That in any State in which allotments are established for farms on the basis of past production of rice on the farm such percentage of the State acreage allotment shall be apportioned among the farms on which rice is to be planted during 1962 but on which rice was not planted during any of the years, 1957 through 1961, on the basis of the applicable apportionment factors set forth in said section 353. In determining the eligibility of any producer or farm for an

allotment as an old producer or farm under the first sentence of subsection (b) of section 353 of the act or as a new producer or farm under the second sentence of such subsection, such producer or farm shall not be considered to have produced rice on any acreage which under subsection (c) (2) of section 353 of the act either is not to be taken into account in establishing acreage allotments or is not to be credited to such producer. For purposes of section 353 of the act in States which have been divided into administrative areas pursuant to subsection (b) thereof, the term "State acreage allotment" shall be deemed to mean that part of the State acreage allotment apportioned to each administrative area and the word "State" shall be deemed to mean "administrative area", wherever applicable.

Section 353(c) (1) of the act provides that if farm acreage allotments are established by using past production of rice on the farm and the acreage allotments previously established for the farm in lieu of past production of rice by the producer and the acreage allotments previously established for owners or operators, the State acreage allotment shall be apportioned among counties in the State on the same basis as the national acreage allotment is apportioned among the States and the county acreage allotments shall be apportioned to farms on the basis of the applicable factors set forth in subsection (b) of the section: *Provided*, That if the State is divided into administrative areas pursuant to subsection (b) of this section the allotment for each administrative area shall be determined by apportioning the State acreage allotment among counties as provided in this subsection and totaling the allotments for the counties in such area: *Provided*, That the State committee may reserve not to exceed 5 per centum of the State allotment, which shall be used to make adjustments in county allotments for trends in acreage and for abnormal conditions affecting plantings.

Section 301(b) (13) (D) of the act provides that the "normal yield" of rice for 1962 for any county shall be the average yield per acre of rice for the county during the five calendar years 1957 through 1961 adjusted for abnormal weather conditions and trends in yields. Provision is made therein that if for any such year data are not available, or there is no actual yield, an appraised yield for such year, determined in accordance with regulations of the Secretary, taking into consideration the yields obtained in surrounding counties during such year and the yield in years for which data are available, shall be used as the actual yield for such year.

Section 301(b) (13) (F) of the act provides that if on account of drought, flood, insect pests, plant disease, or other uncontrollable natural cause, the yield for any county for any year during the years 1957 through 1961 is less than 75 per centum of the average, 75 per centum of such average shall be substituted therefor in calculating the normal yield per acre; and if on account

of abnormally favorable weather conditions, the yield for any county for any year during the years 1957 through 1961 is in excess of 125 per centum of the average, 125 per centum of such average shall be substituted therefor in calculating the normal yield per acre.

Section 377 of the act provides that in any case in which the acreage planted to rice on any farm in 1962 is less than the 1962 rice acreage allotment for the farm, the entire acreage allotment for such farm shall be considered for purposes of future State, county, and farm acreage allotments to have been planted to rice in 1962, if, except for Federally owned land, an acreage equal to or greater than 75 per centum of the farm acreage allotment for 1960, 1961, or 1962 was actually planted to rice in such year or was regarded as planted to rice under the soil bank program.

Sections 106 and 112 of the Soil Bank Act provide that the acreage on any farm which is determined to have been diverted from the production of rice under the acreage reserve or conservation reserve program shall be considered as rice acreage for the purpose of establishing future farm, county, and State acreage allotments under the Agricultural Adjustment Act of 1938, as amended.

Prior to making any of the foregoing determinations with respect to marketing quotas and national, State, and county acreage allotments, and county normal yields for the 1962 crop of rice, including national, State, and county reserves, and establishing the date of the referendum, if marketing quotas are required, consideration will be given to data, views, and recommendations pertaining thereto which are submitted in writing to the Director, Grain Division, Agricultural Stabilization and Conservation Service, United States Department of Agriculture, Washington 25, D.C. All written submissions must be post-marked not later than thirty days after the date of publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D.C., on September 13, 1961.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 61-8884; Filed, Sept. 15, 1961; 8:52 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 694]

[Administrative Order 559]

SPECIAL INDUSTRY COMMITTEE FOR VIRGIN ISLANDS

Members; Place of Hearing

Pursuant to authority in the Fair Labor Standards Act of 1938 (29 CFR 201 et seq.), and Reorganization Plan No. 6 of 1950 (3 CFR, 1949-53 Comp., p. 1004), and in accordance with 29 CFR 511.3 I hereby appoint the following persons to

serve on Industry Committee No. 7 for the Virgin Islands appointed and convened by Administrative Order No. 552 (26 F.R. 6128).

The representatives of the public shall be:

G. Allan Dash, Jr., Chairman, Philadelphia, Pa.
Henry W. de Lagarde, St. Thomas, V.I.

The representatives of the employees shall be:

Thomas E. Harris, Washington, D.C.
Ithiel Melchoir, St. Thomas, V.I.

The representatives of the employers shall be:

Walter Page Brown, St. Thomas, V.I.
Robert L. Merwin, St. Croix, V.I.

The places where these proceedings are to be held has been changed. The special industry committee shall meet in executive session at 10 a.m., on September 25, 1961, in the Government House, St. Croix, Virgin Islands, and shall commence its hearing at 2:00 p.m., the same day at the same place. Upon completion of its proceedings at St. Croix, the committee shall move the hearing to the dining room of Bluebeard's Castle in St. Thomas where the hearing will be resumed on September 27, 1961.

Signed at Washington, D.C., this 13th day of September 1961.

ARTHUR J. GOLDBERG,
Secretary of Labor.

[F.R. Doc. 61-8877; Filed, Sept. 15, 1961; 8:51 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 (FAP 564) has been filed by American Cyanamid Company, Post Office Box 383, Princeton, New Jersey, proposing the amendment of § 121.208 of the food additive regulations to provide for the safe use of chlortetracycline in swine feed as follows:

Level of use	Period of administration	Purpose
200 grams of chlortetracycline per ton of feed.	Continuously...	As an aid in reducing spread of leptospirosis.
400 grams of chlortetracycline per ton of feed.	14 days except not within 10 days of slaughter.	As an aid in reducing shedding of leptospirae; as an aid in reducing the abortion rate of swine and the mortality rate of newborn pigs when leptospirosis is present.

The petition further proposed the amendment of § 121.1014 of the food additive regulations to establish tolerances for chlortetracycline in edible tissues of swine as follows:

4 parts per million in uncooked kidneys.
2 parts per million in uncooked muscle, liver, and fat.

Dated: September 11, 1961.

[SEAL] WINTON B. RANKIN,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 61-8860; Filed, Sept. 15, 1961; 8:48 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petitions

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 two petitions (FAP 372, 379) have been filed by The Haynes Manufacturing Company, 4180 Lorain Avenue, Cleveland 13, Ohio, proposing the issuance of a regulation to provide for the safe use of two aerosol spray lubricants for food-handling and processing equipment. The two lubricants are prepared respectively from the following lists of substances in addition to a gaseous propellant:

1. FAP 372:

Mineral oil, U.S.P. grade, viscosity 370 Saybolt Universal Seconds at 100° F.

2. FAP 379:

Glyceral monoester.
Mineral oil, U.S.P. grade, viscosity 340 Saybolt Universal Seconds at 100° F.
Polybutene.
Polyethylene.

Dated: September 11, 1961.

[SEAL] WINTON B. RANKIN,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 61-8861; Filed, Sept. 15, 1961; 8:48 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 (FAP 471) has been filed by Southern Chemical Associates, 1165 Broadway, New York 1, New York, proposing the issuance of a regulation to provide for the safe use of the following substances used in the formulation of a finished primer for food-packaging paper and paperboard:

Coconut oil fatty acid (C₁₂-C₁₆) diethanolamide.
Ethyl acrylate, methyl methacrylate, and acrylic acid, copolymerized.
Oleic acid.
Polyethylene.
Polyoxyethylene octaphenol.

Sodium lauryl sulfate.
Sodium methyl silicate.

Dated: September 11, 1961.

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

[F.R. Doc. 61-8862; Filed, Sept. 15, 1961; 8:48 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 (FAP 536) has been filed by Merck and Company, Inc., Rahway, New Jersey, proposing the issuance of a regulation to provide for the safe use of amprolium in combination with not less than 50 grams nor more than 200 grams of zinc bacitracin per ton of feed for the prevention or treatment of diseases of chickens.

Dated: September 11, 1961.

[SEAL] WINTON B. RANKIN,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 61-8863; Filed, Sept. 15, 1961; 8:48 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 (FAP 562) has been filed by Commercial Solvents Corporation, Terre Haute, Indiana, proposing the issuance of a regulation to provide for the safe use of 4 grams to 50 grams of zinc bacitracin per ton of pheasant feed for growth promotion.

Dated: September 11, 1961.

[SEAL] WINTON B. RANKIN,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 61-8864; Filed, Sept. 15, 1961; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 507]

[Reg. Docket No. 883]

AIRWORTHINESS DIRECTIVES

Vickers Viscount 745D and 810 Series Aircraft

Pursuant to the authority delegated to me by the Administrator, (14 CFR Part 405), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive

which will supersede Amendment 271 (26 F.R. 2525) for Vickers Viscount 745D and 810 Series aircraft. Subsequent to adoption of Amendment 271, the aircraft manufacturer issued additional provisions, in which the FAA concurs, for insuring airworthy bolt installation. The proposal is based on the later issues of the manufacturer's Preliminary Technical Leaflet covering the new provisions.

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 C-226, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before October 17, 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 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 distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

VICKERS. Applies to all Viscount Models 745D and 810 Series aircraft.

Compliance required as indicated.

As a result of reported cracks in the inner and outer wing spar attachment joint lugs, inspections were made and a number of aircraft were found to have cracks in the spar boom joint lugs. These cracks may occur on any one of the fingers of the joint lugs and appear to originate in the taper holes and then generally progress in a direction parallel to the joint lug. Accordingly, the following must be accomplished:

(a) Unless already accomplished per Amendment 271, 26 F.R. 2525, within the next 20 hours' time in service after the effective date of this AD, inspect for cracks using ultrasonic methods, or FAA approved equivalent, all the inner wing to outer wing spar boom attachment joint lugs, top and bottom, right and left and the center section to inner wing spar boom attachment joint lugs, top and bottom, right and left, in the region of the taper bolt holes.

(1) If cracks are found in any of the lower spar boom joints, replacement with new spar booms is required prior to further flight.

(2) If there are no cracks in any of the lower spar boom joints, aircraft having cracks in the top spar boom joints, within the limits specified in (a)(2)(i), may be continued in service provided the inspection of (a) is repeated on the affected top spar boom joints at the intervals specified in (b)(4).

(i) One crack is permitted in any of the four top joints, i.e., a total of four cracks per aircraft. Permissible cracks are those extending completely between two adjacent holes in one lug only; extending between the bolt hole nearest the end of one lug and the end of that lug; or between the bolt hole nearest the boom body and a line one inch from this hole towards the body of the boom, in one lug only.

(3) If cracks beyond the limits specified in (a)(2)(i) are found in any of the top spar boom joints, replacement with a new top spar boom is required prior to further flight; except that, if there are no cracks in any of the lower spar boom joints and the extent of the cracking in the top spar boom joints has been reported to Vickers-Armstrongs for evaluation and the operator has obtained and presented to the FAA approval for flight from Vickers-Armstrongs based upon such evaluation, the aircraft may be flown in accordance with CAR's 1.76 and 1.77 to a base where replacement with a new top spar boom can be accomplished.

(b) Subsequent to the initial inspection of (a), the following repetitive inspections must be accomplished:

(1) Inspect all bottom spar boom joints for cracks using ultrasonic methods, or FAA approved equivalent, at intervals not exceeding two years, commencing from date of last ultrasonic or FAA approved equivalent inspection. If cracks are found in any of the bottom spar boom joints, replacement with new spar booms is required prior to further flight.

(2) Inspect all top spar boom joints, in which the taper bolts have not been retensioned to the revised instructions detailed in the applicable PTL referenced below, for cracks using ultrasonic methods, or FAA approved equivalent, at intervals not exceeding six months, commencing from the date of the last ultrasonic or FAA approved equivalent inspection. Aircraft found to have cracks in the top spar boom joints which are within the limits specified in (a)(2)(i) may be continued in service and must be reinspected in accordance with paragraph (b)(4). When cracks are found which exceed the limits of paragraph (a)(2)(i), the spar boom must be replaced prior to further flight in accordance with paragraph (a)(3).

(3) Inspect top spar boom joints, in which the taper bolts have been retensioned to the revised instructions detailed in the applicable PTL referenced below, for cracks using ultrasonic methods, or FAA approved equivalent, at intervals not exceeding twelve months, commencing from the date of the last bolt retensioning. Aircraft found to have cracks in the top spar boom joints which are within the limits specified in (a)(2)(i) may be continued in service and must be reinspected in accordance with paragraph (b)(4). When cracks are found which exceed the limits of paragraph (a)(2)(i), the spar boom must be replaced prior to further flight in accordance with paragraph (a)(3).

(4) One aircraft having cracks in the top spar boom joint which are within the limits of paragraph (a)(2)(i), inspect the affected joint using ultrasonic methods, or FAA approved equivalent, at intervals not exceeding three months, commencing from the date of the last ultrasonic inspection. When cracks exceed limits (a)(2)(i), spar boom must be replaced prior to further flight per paragraph (a)(3).

(c) Reprotection of wing spar joints at controlled intervals is required and must be accomplished in accordance with the procedure detailed in the applicable PTL referenced herein. This procedure necessitates the removal of all bolts in each joint thus enabling a thorough visual inspection for corrosion and cleanliness, of both bolts and holes. After inspection per the provisions of this AD and repair in accordance with the applicable PTL, the bolts and joints are to be reprotected and assembled in accordance with the applicable PTL referenced below. Refitment of the bolts must be followed by an inspection of the joint for cracks using ultrasonic methods, or FAA approved equivalent, prior to further flight. Reprotection of all top and bottom spar boom joints must be carried out on all aircraft when they

achieve five years of age, dating from the time of manufacture. If this age is achieved before June 30, 1962, compliance is required by this date. Subsequently, repeat the re-protection at intervals of six years. If the spar taper bolts were retensioned prior to receipt of Vickers-Armstrongs cable SS.6952, re-protection of all spar joints must be accomplished within six years from the date of the initial retensioning and at subsequent intervals of six years.

(d) Following the installation of new or replated bolts, unless already accomplished, conduct a visual inspection of the bolts for security at a suitable inspection period, not less than 100 hours' and not more than 600 hours' time in service from the time of bolt installation. Any new or replated bolts with 550 or more hours' time in service that have not been inspected for security on the effective date of this AD, must be inspected within the next 50 hours' time in service. Within six months of refitting, a check must be carried out to ensure that the torque values of the bolts are within the figures given in the PTL. Where any of the bolts in a joint have a torque value less than that quoted in the applicable PTL, the procedure detailed in the applicable PTL must be carried out on that joint.

(Vickers-Armstrongs Preliminary Technical Leaflet (PTL) No. 230 Issue 4, as amended (700 Series) and PTL No. 97 Issue 3 as amended (800/810 Series) cover this subject.)

This supersedes Amendment 271, 26 F.R. 2525.

Issued in Washington, D.C., on September 11, 1961.

G. S. MOORE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 61-8845; Filed, Sept. 15, 1961; 8:45 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 60-LA-30]

CONTROLLED AIRSPACE

Withdrawal of Proposal to Designate Control Area Extension

In a notice of proposed rule making published in the FEDERAL REGISTER as Airspace Docket No. 60-LA-30 on June 18, 1960 (25 F.R. 5537), it was stated that the Federal Aviation Agency proposed to designate a control area extension at Helena, Mont.

Subsequent to publication of the notice, a review of the requirements for controlled airspace in the Helena area has indicated that, upon implementation of the provisions of Amendment 60-21 to Part 60 of the Civil Air Regulations numerous changes will be required in the dimensions of the controlled airspace proposed in the notice. The need for these changes will be considered in an Amendment 60-21 implementation study to be made on an area basis in which requirements for controlled airspace in the Helena area will be correlated with requirements in adjacent areas. Accordingly, the notice is being withdrawn, and a new proposal will be issued upon completion of the study.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the proposal

contained in Airspace Docket No. 60-LA-30 is withdrawn.

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on September 12, 1961.

CHARLES W. CARMODY,
Chief, Airspace Utilization Division.

[F.R. Doc. 61-8846; Filed, Sept. 15, 1961; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 14229 etc.; FCC 61-1090]

CERTAIN UHF AND VHF TELEVISION CHANNELS

Order Extending Time for Filing Comments and Reply Comments

In the matter of fostering expanded use of UHF television channels, Docket No. 14229; in the matters of deintermixture of Madison, Wis.; Rockford, Ill.; Hartford, Conn.; Erie, Pa.; Binghamton, N.Y.; Champaign, Ill.; Columbia, S.C.; Montgomery, Ala.; Docket Nos. 14239; 14240; 14241; 14242; 14243; 14244; 14245; 14246; in the matters of assignment of an additional VHF Channel to Oklahoma City, Okla.; Johnston, Pa.; Baton Rouge, La.; Dayton, O.; Jacksonville, Fla.; Birmingham, Ala.; Knoxville, Tenn.; Charlotte, N.C., Docket Nos. 14231; 14232; 14233; 14234; 14235; 14236; 14237; 14238.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 7th day of September 1961;

Having acted, in our Order of September 1, 1961, on petitions listed therein seeking extensions of time for filing comments in the pending UHF channel reallocations rule making proceeding (Docket 14229) and in 8 pending deintermixture proceedings (Dockets 14239-14246), we act herein on the remaining listed requests for six-month extensions of time in the 8 pending proceedings on VHF channel assignments, at standard spacing, to 8 television markets.

Under consideration in these proceedings (Docket Nos. 14231-14238, inclusive) is the possible provision of a third local outlet in eight important markets which are among the top 75 television markets in the United States. It is clearly desirable that there be no avoidable delay in obtaining comments and data which will assist the Commission in making its decision. We are, however, aware of the amount of detailed work involved in the preparation of comments in proceedings of this nature, and the assistance such comments can give us. We are, therefore, of the opinion that a 60-day extension of time

is justifiable for the filing of comments in these proceedings.

We believe, however, that the six-month extension requested would unduly prolong the proceedings and unjustifiably delay the ultimate initiation of third services in the markets under consideration if we should find that the assignment of third VHF channels to these markets would be in the public interest.

We note in addition the reasons advanced by Purdue University in support of its request for at least a six-month extension in Docket No. 14229. It is urged that the time should be allowed for the taking and submission on this record of field intensity measurements of transmissions from airborne transmitters being operated under experimental authorizations. While recognizing that, at the appropriate stage, any proposals which may be filed contemplating more extended use of airborne transmitters would have to be examined in the light of their impact on ground-based transmitters, we do not believe it desirable that our opportunity to commence our study of other available submissions regarding the matters under review in Docket No. 14229 should be so long delayed as is suggested by Purdue University. Such data as are available by the due dates may be submitted, and continuing opportunity will exist for the submission of supplementing data, since it would not appear that final decisions respecting airborne educational television could in any event be reached on the sole basis of submissions in Docket 14229.

On September 1, 1961, but after adoption on the same date of the above-mentioned Order, the American Broadcasting Company filed an opposition to a pleading previously filed by the Association of Maximum Service Telecasters, Inc., entitled "Motion to Strike or Dismiss and in the Alternative, Reply to Opposition of the American Broadcasting Company." AMST therein asserted that ABC's opposition (filed August 22, 1961) to AMST's pending request for extension of time had not been timely filed. We so ruled in our September 1, 1961, Order.

ABC contends that its opposition was timely filed on August 22, 1961, 11 days after the filing of AMST's petition and 1 day later than the 10-day period provided for in § 1.13 of the rules. ABC relies essentially on the argument that because public notice is not customarily given of the filing of requests for extension of time, the consequent difficulty of discovering and filing prompt responsive pleadings to such requests warrants the exercise of discretion, which ABC believes we have, to treat the 10-day prescription in § 1.13 as not controlling.

Whatever the merits of possible rule changes, we are unable to adopt ABC's interpretation of the rules as they stand. The orderly conduct of rule making proceedings requires regular observance of

established time limits for filing pleadings except where departures are properly sought and amply justified. Section 1.13 clearly requires oppositions to be filed within 10 days of the filing of a request for extension of time. The language in § 1.13 reading "except as otherwise provided in this chapter" does not exclude oppositions to requests for extensions of time in cases such as this because there is no other provision in the chapter applicable to this situation. Section 1.11, which ABC would have us treat as the requisite other provision, relates only to the filing of informal requests and applies, according to its own terms, "except where formal procedures are required." Section 1.13 establishes the formal requirement of filing oppositions within 10 days of the filing of the pleading opposed. It thus governs.¹

In so construing our rules of procedure we nevertheless recognize the burdens placed upon persons desiring to oppose requests for extensions of time, and we are separately considering the desirability of rule changes providing for public notice of the filing of such requests. It should be noted that, in any event, it would be necessary to preserve the Commission's present latitude of discretion to act upon requests for extension of time before expiration of the prescribed time within which responsive pleadings (such as oppositions and replies to oppositions) may be filed. Otherwise, the Commission would frequently be precluded from taking timely action on requests for the extension of filing deadlines which are imminent.

Accordingly, having found that the public interest would be served thereby: *It is ordered*, That the time for filing comments in Docket Nos. 14231-14238 (inclusive) is extended from October 2, 1961, to December 4, 1961, and the time for filing reply comments in said dockets is extended from November 2, 1961, to January 8, 1962.

It is further ordered, That with regard to Docket Nos. 14231-14238 (inclusive), to the extent that the subject requests for extensions of time are consistent with the foregoing they are granted and in other respects they are denied.

It is further ordered, That the Petition for Extension of Time in Docket 14229 filed by Purdue University insofar as it is consistent with the Order entered herein on September 1, 1961, is moot, and in other respects it is denied.

Released: September 13, 1961.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-8889; Filed, Sept. 15, 1961; 8:52 a.m.]

¹The untimely pleading does not, in any event, appear to contain arguments which, were they before us, would alter our decision on the requested extension of time.

Notices

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration DESCRIPTION OF AGENCY AND PROGRAMS

Officials Authorized To Serve as Acting Regional Director, Puerto Rico

Section I, Description of Agency and Programs, is hereby amended as follows:

Paragraph F is amended by changing the list of officials authorized to serve as Acting Regional Director in the Puerto Rico Regional Office to read as follows:

1. Theodore Goshen, assistant director for management.
2. Alexander Shaw, regional attorney.

Approved: September 8, 1961.

[SEAL] MARIE C. MCGUIRE,
Commissioner.

[F.R. Doc. 61-8851; Filed, Sept. 15, 1961;
8:46 a.m.]

DESCRIPTION OF AGENCY AND PROGRAMS

Officials Authorized To Serve as Acting Regional Director, Fort Worth

Section I, Description of Agency and Programs, is hereby amended as follows:

Paragraph F is amended by changing the list of officials authorized to serve as Acting Regional Director in the Fort Worth Regional Office to read as follows:

1. George A. Parker, regional attorney.
2. F. W. Digby-Roberts, assistant director for development.

Approved: September 8, 1961.

[SEAL] MARIE C. MCGUIRE,
Commissioner.

[F.R. Doc. 61-8852; Filed, Sept. 15, 1961;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

September 1961 Monthly Sales List

Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The prices at which Commodity Credit Corporation commodity holdings are available for sale during September 1961 were announced today by the U.S. Department of Agriculture. The following commodities are available: Butter, cheddar

cheese, nonfat dry milk, cotton (upland and extra long staple), peanuts, wheat, rice (rough), corn, oats, barley, rye, grain sorghums, and tung oil.

Major changes in the list for September are a shift to 1961-crop price support basis in setting minimum domestic sales prices for peanuts, and—as announced August 14 (press release USDA 2596-61)—a shift to the use of flat mark-ups over the applicable support price to determine minimum sales prices for wheat for unrestricted use. Dry edible beans have been dropped from both the sales and the barter list because all CCC-owned stocks have been committed.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing lists, address: Director, Price Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington 25, D.C.

All commodities except oats and rye currently offered for sale by CCC, plus tobacco from CCC loan stocks, are eligible for special export sale under the CCC Export Credit Sales Program. The following commodities are currently eligible for barter: Nonfat dry milk, cotton, tobacco, rice (Pearl rough), wheat, corn, barley, and grain sorghums. This list is subject to change from time to time.

Interest rates per annum under the CCC Export Credit Sales Program for September 1961 are 3 $\frac{3}{8}$ percent for periods up to six months, 3 $\frac{7}{8}$ percent for periods from over six and up to 18 months, and 4 $\frac{3}{8}$ percent for periods from over 18 months up to a maximum of 36 months.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC storage within a reasonable period of time. Where conditions of sale for export differ from those for domestic sale, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or li-

cense. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington 25, D.C., with respect to all commodities or—for specified commodities—with the designated ASCS Commodity Office.

Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

If CCC does not have adequate information as to the financial responsibility of a prospective buyer to meet all contract obligations that might arise by acceptance of an offer or if CCC deems such buyer's financial responsibility to be inadequate CCC reserves the right (i) to refuse to consider the offer, (ii) to accept the offer only after submission by the buyer of a certified or cashier's check, bond, letter of credit or other security acceptable to CCC assuring that the buyer will discharge the responsibility under the contract, or (iii) to accept the offer upon condition that the buyer promptly submit to CCC such of the aforementioned security as CCC may direct. If a prospective buyer is in doubt as to whether CCC is acquainted with his financial responsibility he should communicate with the ASCS Office at which the offer is to be placed to determine whether a financial statement or advance financial arrangement will be necessary in his case.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate ASCS Office promptly upon appearance and therefore generally they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions, and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with

only minor exceptions, will constitute a domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

The Department of Commerce, Bureau of International Programs (the Bureau of Foreign Commerce until August 9, 1961), pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities (except absorbent cotton and sterilized gauze and bandages with respect to Cuba only) under this program to Cuba, the Soviet Bloc, or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Programs.

These regulations generally require that exporters, in or in connection with their contracts with foreign purchasers, where the contract involves \$10,000 or more and exportation is to be made to a Group R country, obtain from the foreign purchaser a written acknowledgment of his understanding of (1) U.S. Commerce Department prohibitions (Comprehensive Export Schedule, 15 CFR 371.4 and 371.8) against sales or resale for re-export of said commodities, or any part thereof, without express Commerce Department authorization, to the Soviet Bloc, Communist China, North Korea or the Communist-controlled area of Vietnam or to Cuba, and (2) the sanction of denial of future U.S. export privileges that may be imposed for violation of the Commerce Department regulations. Exporters who have a continuing and regular relationship with a foreign purchaser may obtain a blanket acknowledgment from such purchaser covering all transactions involving surplus agricultural commodities and manufactures thereof purchased from CCC or subsidized for export by the Secretary of Agriculture or CCC. Where commodities are to be exported by a party other than the original purchaser of the commodities from the CCC the original purchaser should inform the exporter in writing of the requirement for obtaining the signed acknowledgment from the foreign purchaser.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule, 15 CFR 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Programs or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

Commodity	Sales price or method of sale					
Dairy products.....	Sales are in carlots only in store at storage location of products. Submission of offers: For products in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington, submit offers to the Portland ASCS Commodity Office. For products in other States and the District of Columbia, submit offers to the Cincinnati ASCS Commodity Office.					
Butter.....	Domestic, unrestricted use; announced prices, under LD-29 as amended: 65.75 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 65.0 cents per pound—Washington, Oregon, and California. All other States/64.75 cents per pound. Export: Competitive bid under LD-33, as amended, pursuant to invitations to bid to be issued by Cincinnati and Portland ASCS Commodity Offices. Announced prices under LD-35: When sales are made under LD-33, as amended, above, any butter offered but not sold under the invitation to bid will be offered for sale through the following Wednesday at prices announced in Washington each Thursday.					
Nonfat dry milk.....	Domestic, unrestricted use: Announced prices, under LD-29 as amended: Spray process, U.S. extra grade, 17.40 cents per pound. Roller process, U.S. extra grade 15.40 cents per pound. Export: Competitive bid under LD-33, as amended, pursuant to invitations to bid to be issued by Cincinnati and Portland ASCS Commodity Offices. Announced prices under LD-35: When sales are made under LD-33, as amended, above, any nonfat dry milk offered but not sold under the invitation to bid will be offered for sale through the following Monday at prices announced in Washington each Tuesday.					
Cheddar cheese (standard moisture basis).	Domestic, unrestricted use; announced prices under LD-29 as amended: 39.75 cents per pound—New York, Pennsylvania, New England, New Jersey, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 38.75 cents per pound. Export: Competitive bid under LD-33, as amended, pursuant to invitations to bid to be issued by Cincinnati ASCS Commodity Office. Announced prices under LD-35: When sales are made under LD-33, as amended above any cheese offered but not sold under the invitation to bid will be offered for sale through the following Wednesday at prices announced in Washington each Thursday.					
Cotton, upland.....	Domestic or export, unrestricted use: Competitive bid under the terms and conditions of Announcement NO-C-16 (sale of upland cotton for unrestricted use). Under this announcement, upland cotton acquired under price support programs will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price plus reasonable carrying charges or (b) the market price for such cotton, as determined by CCC. No carrying charges will be added for September.					
Cotton, extra long staple.....	Domestic or export, unrestricted use: Competitive bid under the terms and conditions of Announcement NO-C-6 (revised July 22, 1960), as amended, and NO-C-10, as amended, but not less than the higher of (a) 115 percent of the current support price plus reasonable carrying charges, or (b) the domestic market price as determined by CCC. No carrying charges will be added for September.					
Catalogs.....	Catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from the New Orleans ASCS Commodity Office.					
Wheat, bulk.....	Domestic, unrestricted use: Market price basis in store, ¹ but not less than the 1961 applicable support price for the class, grade, and quality of the wheat plus the amount shown below applicable to the type of carrier involved.					
	Received by—		Examples of minimum prices (exrail or barge)			
	Unit	Truck	Rail or barge	Terminal	Class and grade	Price
Wheat (commercial area) ²	Bushel.....	Cents 19	Cents 15	Chicago.....	No. 1 RW.....	\$2.24
				Minneapolis.....	No. 1 DNS.....	2.31
				Kansas City.....	No. 1 HW.....	2.24
				Portland.....	No. 1 SW.....	2.14
	Export: (1) Under Announcement GR-345 (revised June 30, 1960), as amended for redemption of certificates under export payment-in-kind program, (2) under Announcement GR-212 (revision 2, Jan. 9, 1961), for specified offerings as announced and (3) as wheat under Announcement GR-261 (revision 2, Jan. 9, 1961), or as flour under Announcement GR-262 (revision 2, Jan. 9, 1961), for application under arrangements for barter which permits exportation of wheat as flour and approved credit sales only at prices determined daily. Available Evanston, Dallas, Kansas City, Minneapolis, and Portland ASCS Commodity Offices.					
Corn, bulk.....	Domestic: Storable: Basis in store ³ at the 1960 applicable support price for corn plus the amount shown below applicable to the storage point involved. For grain in store at other than the point of production to the present point of storage will be added.					
	Unit	In store at—		Examples of minimum prices		
		Point of production	Other point	Terminal	Class and grade	Price
Corn.....	Bushels.....	Cents 18	Cents 21	Chicago.....	No. 2 yellow, 13.3% moisture, 1.4% f.m.	⁴ \$1.463 ⁴ ⁶ 1.281 ²
				Minneapolis..		
	Available: At bin sites through ASC County Offices, except in certain States in which emergency areas have been designated storable corn is available only under the Livestock Feed Program, and to stockmen and livestock (including poultry) owners who use this grain for feeding their livestock and poultry. At other locations through the Evanston, Dallas, Kansas City, Minneapolis, and Portland ASCS Commodity Offices. Nonstorable (as available): At not less than market price as determined by CCC. At bin sites through ASCS County Offices. At other locations through the ASCS Commodity Offices indicated above.					

See footnotes at end of table.

Commodity	Sales price or method of sale															
	Corn, bulk (continued).....	Domestic, unrestricted use: Under Announcement GR-368 (revised Aug. 31, 1959), as amended, for feed grain export, payment-in-kind program, and under Announcement GR-212 (revision 2, Jan. 2, 1961), for application to arrangements for barter, approved credit and emergency sales. Available: Evanson, Dallas, Kansas City, Minneapolis, and Portland ASCS Commodity Offices.														
Oats, bulk.....	Domestic: Storage: Basis in store ¹ at 105 percent of the applicable 1961 support price ⁷ for the class, grade, and quality of the grain plus the amount shown below applicable to the storage point involved. For grain in store at other than the point of production, the freight from point of production to the present point of storage will also be added.															
Oats.....	<table border="1"> <thead> <tr> <th rowspan="2">Unit</th> <th colspan="2">In store at—</th> <th colspan="2">Examples of minimum prices (ex-rail or barge)</th> </tr> <tr> <th>Point of production</th> <th>Other point</th> <th>Terminal</th> <th>Class and grade</th> </tr> </thead> <tbody> <tr> <td>Bushel.....</td> <td>Cents⁵</td> <td>Cents⁷</td> <td>Chicago.....</td> <td>No. 3.....</td> </tr> </tbody> </table>	Unit	In store at—		Examples of minimum prices (ex-rail or barge)		Point of production	Other point	Terminal	Class and grade	Bushel.....	Cents ⁵	Cents ⁷	Chicago.....	No. 3.....	<p>Available: At bin sites through ASC County Offices, except in certain States in which emergency areas have been designated storage oats will be available only under the Livestock Feed Program, and to stockmen and livestock (including poultry) owners who use this grain for feeding their livestock and poultry. At other locations through the Evanson, Dallas, Kansas City, and Portland ASCS Commodity Offices. Storage oats will not be available for sale by the Minneapolis ASCS Commodity Office.</p> <p>Nonstorable (as available): At not less than market price as determined by CCC. At bin site through ASC County Offices. At other locations through the ASCS Commodity Offices indicated above, and the Minneapolis ASCS Commodity Office.</p>
Unit	In store at—		Examples of minimum prices (ex-rail or barge)													
	Point of production	Other point	Terminal	Class and grade												
Bushel.....	Cents ⁵	Cents ⁷	Chicago.....	No. 3.....												
Barley, bulk.....	Domestic: Storage: Basis in store ² at 105 percent of the applicable 1961 support price ¹⁰ for the class, grade, and quality of the grain plus the amount shown below applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight will be added to the above.															
Barley.....	<table border="1"> <thead> <tr> <th rowspan="2">Unit</th> <th colspan="2">Received by—</th> <th colspan="2">Examples of minimum prices (ex-rail or barge)</th> </tr> <tr> <th>Truck</th> <th>Rail or barge</th> <th>Terminal</th> <th>Class and grade</th> </tr> </thead> <tbody> <tr> <td>Bushel.....</td> <td>Cents⁶</td> <td>Cents⁴</td> <td>Minneapolis.....</td> <td>No. 2 or better.....</td> </tr> </tbody> </table>	Unit	Received by—		Examples of minimum prices (ex-rail or barge)		Truck	Rail or barge	Terminal	Class and grade	Bushel.....	Cents ⁶	Cents ⁴	Minneapolis.....	No. 2 or better.....	<p>Available: At bin sites through ASCS County Offices, except in certain States in which emergency areas have been designated storage barley is available only under the Livestock Feed Program, and to stockmen and livestock (including poultry) owners who use this grain for feeding their livestock and poultry. At other locations through the Evanson, Dallas, Kansas City, and Portland ASCS Commodity Offices.</p> <p>Nonstorable (as available): At not less than market price as determined by CCC. At bin sites through ASCS County Offices. At other locations through ASCS Commodity Offices indicated above.</p>
Unit	Received by—		Examples of minimum prices (ex-rail or barge)													
	Truck	Rail or barge	Terminal	Class and grade												
Bushel.....	Cents ⁶	Cents ⁴	Minneapolis.....	No. 2 or better.....												

Commodity	Sales price or method of sale															
	Rye, bulk.....	Domestic, unrestricted use: Storage: Basis in store ¹ at 105 percent of the applicable 1961 support price ¹² for the class, grade, and quality of the grain plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight will be added to the above.														
Rye.....	<table border="1"> <thead> <tr> <th rowspan="2">Unit</th> <th colspan="2">Received by—</th> <th colspan="2">Examples of minimum prices (ex-rail or barge)</th> </tr> <tr> <th>Truck</th> <th>Rail or barge</th> <th>Terminal</th> <th>Class and grade</th> </tr> </thead> <tbody> <tr> <td>Bushel.....</td> <td>Cents⁷</td> <td>Cents⁴</td> <td>Minneapolis.....</td> <td>No. 2 or better (or No. 3 on TW only).</td> </tr> </tbody> </table>	Unit	Received by—		Examples of minimum prices (ex-rail or barge)		Truck	Rail or barge	Terminal	Class and grade	Bushel.....	Cents ⁷	Cents ⁴	Minneapolis.....	No. 2 or better (or No. 3 on TW only).	<p>Available: At bin sites through ASCS County Offices. At other locations through the Evanson, Dallas, Kansas City, Minneapolis, and Portland ASCS Commodity Offices.</p> <p>Nonstorable (as available): At not less than market price as determined by CCC, through the ASCS Commodity Offices indicated above.</p> <p>Domestic, unrestricted use: Storage: Until further notice, CCC will redeem rights represented by pooled certificates under the 1961 Feed Grain Program as if the price at point of delivery, as determined by CCC, were the price at the point of determination of the class, grade, and quality of the grain. CCC also reserves the right to restrict the availability of such rights. CCC also reserves the right to location whenever such action is deemed necessary.</p> <p>Available: Through the Evanson, Dallas, Kansas City, Minneapolis, and Portland ASCS Commodity Offices.</p> <p>Nonstorable (as available): At not less than market price, as determined by CCC, through the ASCS Commodity Offices indicated above.</p> <p>Export: Under Announcement GR-368 (revised Aug. 31, 1959), as amended, for feed grain payment-in-kind program, and under Announcement GR-212 (revision 2, Jan. 2, 1961), for application to arrangements for barter and approved credit and emergency sales. Available: Evanson, Dallas, Kansas City, Minneapolis, and Portland ASCS Commodity Offices.</p> <p>Domestic, unrestricted use: Market price but not less than 105 percent of the applicable 1961 support price, plus 18 cents per hundredweight, basis in store.</p> <p>Export: As milled or brown under Announcement GR-369 (revision 1, Feb. 1, 1961), Rice Export Program—Payment-in-kind, and under GR-379 (revision 1, May 1, 1961) for approved credit sales. California Pearl only for application to approved barter contracts under GR-379 (revision 1, May 1, 1961). Prices, quantities, and varieties of rough rice available from Dallas and Portland ASCS Commodity Offices.</p> <p>Domestic, unrestricted use: Market price but not less than 105 percent of the 1961 support price (adjusted for milling); plus reasonable carrying charges, under Rice Export Program. Domestic, unrestricted use: Competitive bid under CCC Peanut Announcement 1 (revised Feb. 16, 1959), as amended.</p> <p>Domestic or export, unrestricted use: Competitive bid and under the terms and conditions of tung oil Announcement DI-OP-11 A available Dallas ASCS Commodity Office.</p>
Unit	Received by—		Examples of minimum prices (ex-rail or barge)													
	Truck	Rail or barge	Terminal	Class and grade												
Bushel.....	Cents ⁷	Cents ⁴	Minneapolis.....	No. 2 or better (or No. 3 on TW only).												
Rice, rough (as available).....	Domestic, unrestricted use: Storage: Basis in store ¹ at 105 percent of the applicable 1961 support price ¹² for the class, grade, and quality of the grain plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight will be added to the above.															
Rice, shelled (as available).....	Domestic, unrestricted use: Storage: Basis in store ¹ at 105 percent of the applicable 1961 support price ¹² for the class, grade, and quality of the grain plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight will be added to the above.															
Tung oil.....	Domestic or export, unrestricted use: Competitive bid and under the terms and conditions of tung oil Announcement DI-OP-11 A available Dallas ASCS Commodity Office.															

- 1 On bin site sales such delivery basis shall be f.o.b. buyers conveyance at the bin site.
- 2 Noncommercial producing area wheat shall be on the same basis as commercial producing area wheat except increase applicable support price by 33 percent.
- 3 On bin site sales such delivery basis shall be f.o.b. buyers conveyance at the bin site.
- 4 Includes paid in freight from Woodford County, Minn.
- 5 Includes paid in freight from Redwood County, Minn.
- 6 On bin site sales delivery basis shall be f.o.b. buyers conveyance at the bin site.
- 7 To compute, multiply applicable support price by 1.05, round product up to nearest whole cent and add amount shown above and any applicable freight for grain stored outside the area of production.
- 8 Includes paid in freight from Woodford County, Ill.
- 9 On bin site sales such delivery basis shall be f.o.b. buyers conveyance at the bin site.
- 10 To compute, multiply applicable support price by 1.05, round product up to nearest whole cent, and add amount shown above and any applicable freight for grain stored outside the area of production.
- 11 To compute, multiply applicable support price by 1.05, round product up to nearest whole cent and add amount shown above and any applicable freight for grain stored outside the area of production.
- 12 To compute, multiply applicable support price by 1.05, round product up to nearest whole cent and add amount shown above and any applicable freight for grain stored outside the area of production.

FEDERAL COMMUNICATIONS COMMISSION

[Mexican List 223]

MEXICAN BROADCAST STATIONS

List of Changes, Proposed Changes, and Corrections in Assignments

JULY 18, 1961.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Mexican broadcast stations modifying the appendix containing assignments of Mexican broadcast stations (Mimeograph 47214-6) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U.S.C. 1427)

Signed at Washington, D.C., on September 13, 1961.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 61-8885; Filed, Sept. 15, 1961; 8:52 a.m.]

CIVIL AERONAUTICS BOARD

[Dockets 12471, 12472]

EMPRESA GUATEMALTECA DE AVIACION, S.A. (AVIATECA)

Notice of Hearing

In the matter of the applications of Empresa Guatemalteca de Aviacion, S.A., for renewal of its foreign air carrier permit between points in Guatemala and Miami, Florida, and New Orleans, Louisiana, and between points in Guatemala and the terminal point New York, New York, in the transportation of persons, property, and mail.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled matter is assigned to be held on October 12, 1961, at 10 a.m., e.d.s.t., in Room 1027, Universal Building Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned Examiner.

Dated at Washington, D.C., September 12, 1961.

[SEAL] WALTER W. BRYAN,
Hearing Examiner.

[F.R. Doc. 61-8872; Filed, Sept. 15, 1961; 8:50 a.m.]

[Docket 12429]

SOUTHERN AIRWAYS, INC.

Use It or Lose It Investigation, Notice of Hearing

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on October 10, 1961, at 10:00 a.m., local time, in the Public Service Commission Courtroom, 1105 Woolfolk State Office Building, Jackson, Mississippi, before the undersigned Examiner.

For information concerning the issues involved and other aspects of this proceeding, interested persons are referred to the Board Orders E-16814 and E-17366, dated May 16 and August 25, 1961, respectively, the Prehearing Conference Report served August 23, 1961, and all other documents in the formal docket of this proceeding in the Docket Section of the Civil Aeronautics Board, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., September 13, 1961.

[SEAL] HENRY F. MARTIN, Jr.,
Hearing Examiner.

[F.R. Doc. 61-8873; Filed, Sept. 15, 1961; 8:50 a.m.]

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
XEZG (New)	Zihuatanejo, Guerrero	550 kilocycles 1 D/0.150 N	ND	U	III-D IV-N	Jan. 18, 1962.
		580 kilocycles				
XEHP (change in daytime classification)	Ciudad Victoria, Tamaulipas.	1 D/0.150 N	ND	U	III-D IV-N	July 8, 1961.
XENX (PO: 1270 kc 0.25 kw U, IV).	Mazatlan, Sinaloa	600 kilocycles 1 D/0.100 N	ND	U	III-D IV-N	Jan. 18, 1962.
		680 kilocycles				
XETK (now in operation on new frequency).	do	1 D/0.250 N	ND	U	IV	July 18, 1961.
XEKQ (delete assignment—vide 680 kc).	Tapachula, Chiapas	670 kilocycles 1	ND	D	II	Jan. 18, 1962.
		680 kilocycles				
XEKQ (now in operation on new frequency).	do	5 D/0.500 N	ND	U	II	Do.
		710 kilocycles				
XERL (PO: 1470 kc 1 kw DA-N, U, III).	Colima, Colima	1 D/0.200 N	ND	U	II	Do.
		790 kilocycles				
XECS (PO: 960 kc 1 D/0.1 N, ND, U, IV).	Manzanillo, Colima	1 D/0.150 N	ND	U	III-D IV-N	Do.
		810 kilocycles				
XERI (in operation)	Reynosa, Tamaulipas	0.250	ND	D	II	July 18, 1961.
		840 kilocycles				
XEEC (delete assignment).	Ciudad Mante, Tamaulipas.	0.500	ND	D	II	Do.
		850 kilocycles				
XEZR (New)	Zaragoza, Coahuila	0.500	ND	D	II	Jan. 18, 1962.
		860 kilocycles				
New	Ciudad Juarez, Chihuahua.	1 D/0.250 N	ND	U	III	Do.
		910 kilocycles				
XEHO (in operation on new frequency).	Ciudad Obregon, Sonora	1 D/0.250 N	ND	U	III-D IV-N	July 18, 1961.
		980 kilocycles				
XEHM (change in call letters from XEPK and increase in power).	Chihuahua, Chihuahua	1	ND	D	III	Do.
		950 kilocycles				
XERA (PO: 1490 kc 0.25 kw ND, U, IV).	do	0.500	ND	D	III	Jan. 18, 1962.
		980 kilocycles				
XETU (PO: 5 D/1 N, ND, U, III-B).	Tampico, Tamaulipas	10 D/1 N	DA-D	U	III-B	Oct. 18, 1961.
		990 kilocycles				
XEER (PO: 0.5 kw ND, D).	Ciudad, Cuauhtemoc, Chihuahua.	0.500 D/0.200 N	ND	U	II	Do.
		1010 kilocycles				
XEPB (in operation)	Hermosillo, Sonora	0.250	ND	D	II	July 18, 1961.
		1020 kilocycles				
XEPC (New)	Ciudad Camargo, Chihuahua.	0.250	ND	D	II	Jan. 18, 1962.
		1080 kilocycles				
XEMI (initially notified on 1600 kc 0.25 kw ND, U, IV).	Minatitlan, Veracruz	0.500	ND	D	II	Do.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
XEIV (delete assignment) XESFO (New)	Uruapan, Michoacan	1160 kilocycles	ND	D	II	Jan. 18, 1962.
	Acambaro, Guanajuato	1	ND	D	II	Do.
	Oaxaca, Oaxaca	1240 kilocycles	ND	U	IV	Oct. 18, 1961.
XECE (change from 0.25 kw ND, U, IV).	Ciudad Obregon, Sonora	1260 kilocycles	ND	U	IV	July 18, 1961.
XEHO (assignment deleted—vide 910 kc).	Montemorelos, Leon	1320 kilocycles	ND	U	IV	Do.
XEOJ (change in call letters from XERN).	Ocotlan, Jalisco	1 D/0.100 N	ND	U	IV	Do.
XERN (change in call letters from XEOJ).	Monclova, Coahuila	0.500 D/0.200 N	ND	U	IV	Do.
XEWO (change from 1 kw ND, D, III).	Ciudad Obregon, Sonora	1580 kilocycles	ND	U	III-D IV-N	Oct. 18, 1961.
XEOS (change in call letters from XEDB).	Ciudad Obregon, Sonora	1540 kilocycles	ND	U	IV	July 18, 1961.
XEJK (now in operation with increased day power).	Ciudad Delicias, Chihuahua	0.250	ND	U	IV	Do.
XESA (change from 5 D/0.5 N, ND, U, III-B).	Culliacan, Sinaloa	1 D/0.250 N	ND	U	III-B	Oct. 18, 1961.
XEPA (PO: 1490 kc 0.25 kw ND, U, IV).	Puebla, Puebla	1870 kilocycles	ND	U	III-D IV-N	Jan. 18, 1962.
XEPG (New)	Durango, Durango	5 D/0.250 N	ND	U	III-D IV-N	Do.
		1 D/0.100 N	ND	U	III-D IV-N	Do.
XEXC (PO: 1270 kc 1.25 kw D/0.1 kw ND, U, IV).	Taxco, Guerrero	1590 kilocycles	ND	U	III-D IV-N	Do.
XEPL (in operation with increased day power).	Tuxtepec, Veracruz	1 D/0.250 N	ND	U	III	July 18, 1961.
XENG (assignment of call letters—now in operation).	Huachuclingo, Puebla	5 D/1 N	ND	U	IV	Do.
XETP (New)	Ciudad Victoria, Tamaulipas	1400 kilocycles	ND	U	IV	Do.
		0.250	ND	U	IV	Do.
		1410 kilocycles	ND	U	IV	Jan. 18, 1962.
XEGF (now in operation).	Gutierrez Zamora, Veracruz	1 D/0.150 N	ND	U	IV	Jan. 18, 1962.
XEPK (change in call letters from XEHA).	Pachueca, Hidalgo	1480 kilocycles	ND	U	IV	July 18, 1961.
XELI (now in operation).	Chihuahua, Chihuahua	0.500 D/0.100 N	ND	U	IV	Do.
		0.250 D/0.150 N	ND	U	IV	Do.
		5 D/0.150 N	ND	U	III-D IV-N	Do.
XEWD	Ciudad Miguel Aleman Sinaluapas (in operation).	1450 kilocycles	ND	U	III-D IV-N	Do.
		2 D/0.150 N	ND	U	III-D IV-N	Do.
XELY (in operation)	Morelia, Michoacan	1	ND	D	III	Do.

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-8838; Filed, Sept. 15, 1961; 8:45 a.m.]

[Docket No. 13798 etc.; FCC 61M-1488]
OKLAHOMA BROADCASTING CO.
ET AL.

Order Re Procedural Dates

In re applications of R. B. Bell and Bernice Bell, d/b as Oklahoma Broadcasting Company, Sapulpa, Oklahoma, Docket No. 13798, File No. BP-12403; Ira E. Courtney, tr/as Courtney Broadcasting Co., Winfield, Kansas, Docket No. 13799, File No. BP-12407; Lloyd Clinton McKenney, tr/as Winfield Broadcasting Company, Winfield, Kansas, Docket No. 13800, File No. BP-12756; William E. Minshall and Melwyn E. Klar, d/b as Sapulpa Broadcasters, Sapulpa, Oklahoma, Docket No. 13801, File No. BP-12876; for construction permits.

Upon written request of counsel for William E. Minshall and Melwyn E. Klar, d/b as Sapulpa Broadcasters, and with the informal consent of the other parties: *It is ordered*, This 12th day of Sep-

[Docket No. 14251]
AMERICAN TELEPHONE AND TELEGRAPH CO.

Correction

In the matter of American Telephone and Telegraph Company, Docket No. 14251, regulations and charges for TEL-PAK services and channels.

In the Commission's Order of September 7, 1961, instituting the above-entitled proceedings (FCC 61-1039), the 1st line of paragraph (1) in the 1st column of 26 F.R. 8608 is corrected to read: "(1) Whether any of the charges, classifications,"

Released: September 13, 1961.

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-8886; Filed, Sept. 15, 1961; 8:52 a.m.]

[SEAL]

September 1961, that the presently scheduled dates governing this proceeding, be, and the same are, hereby rescheduled as follows:

	From—	To—
Exchange of Engineering Exhibits—	Sept. 15	Sept. 25
Informal Engineering Conference—	Sept. 21	Sept. 29
Exchange of Non-Engineering Exhibits	Sept. 21	Oct. 2
Further Pre-Hearing Conference—	Sept. 26	Oct. 6
Notification of Witnesses—	Oct. 5	Oct. 11
Hearing—	Oct. 11	Oct. 18

Released: September 13, 1961.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 61-8887; Filed, Sept. 15, 1961; 8:52 a.m.]

[Docket No. 14074; FCC 61M-1491]

STRAFFORD BROADCASTING CORP. (WWNH)

Order Continuing Hearing

In re application of Strafford Broadcasting Corporation (WWNH), Rochester, New Hampshire, Docket No. 14074, File No. BP-13053, for construction permit.

On the joint oral request of the parties in the above-entitled matter: *It is ordered*, This 12th day of September 1961, that the hearing presently scheduled for September 18, 1961, be, and the same is, hereby continued to October 11, 1961.

Released: September 13, 1961.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 61-8888; Filed, Sept. 15, 1961; 8:52 a.m.]

FEDERAL AVIATION AGENCY

[OE Docket No. 61-FW-62]

PROPOSED RADIO ANTENNA STRUCTURE

Determination of No Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal to interested persons for aeronautical comment and has conducted a study to determine its effect upon the safe and efficient utilization of airspace: The American Telephone and Telegraph Company, New York, New York, proposes to construct a radio antenna structure near Cornudas, Texas, at latitude 31°38'42" north, longitude 105°44'52" west. The overall height of the structure would be 5,448 feet above mean sea level (218 feet above ground).

No objections were made in response to the circularization. The Agency study disclosed that the proposed structure would have no adverse effect upon aeronautical operations, procedures or minimum flight altitudes.

Therefore, pursuant to the authority delegated to me by the Administrator (14 CFR 626.33; 26 F.R. 5292), it is concluded that the proposed structure, at the location and mean sea level elevation specified herein, would have no adverse effect upon aeronautical operations, procedures or minimum flight altitudes; and it is hereby determined that this structure would not be a hazard to air navigation, provided that the structure be obstruction marked and lighted in accordance with applicable Federal Communications Commission rules.

This determination is effective as of the date of issuance and will become final 30 days thereafter, provided that no appeal herefrom under § 626.34 (26 F.R. 5292) is granted. Unless otherwise revised or terminated a final determination hereunder will expire 18 months after its effective date or upon earlier abandonment of the construction proposal (§ 626.35; 26 F.R. 5292).

Issued in Washington, D.C., on September 7, 1961.

OSCAR W. HOLMES, Chief,

Obstruction Evaluation Branch.

[F.R. Doc. 61-8840; Filed, Sept. 15, 1961; 8:45 a.m.]

[OE Docket No. 61-FW-82]

PROPOSED RADIO ANTENNA STRUCTURE

Determination of No Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal to interested persons for aeronautical comment and has conducted a study to determine its effect upon the safe and efficient utilization of airspace: The Southern Railway System, Washington, D.C., proposes to construct a microwave radio antenna structure near Eutaw, Alabama, at latitude 32°50'05" north, longitude 87°53'20" west. The overall height of the structure would be 379 feet above mean sea level (203 feet above ground).

No objections were made in response to the circularization. The structure would be located approximately 1.7 miles northwest of the Eutaw, Alabama, airport and would exceed the inner conical surface criteria of the Joint Industry/Government Tall Structures Committee, as applied to this airport, by 43 feet. However, the Agency study disclosed that this factor would not adversely affect aeronautical operations at this airport.

No other aeronautical operations, procedures or minimum flight altitudes would be affected by the proposed structure.

Therefore, pursuant to the authority delegated to me by the Administrator (14 CFR 626.33; 26 F.R. 5292), it is concluded that the proposed structure, at the location and mean sea level elevation specified herein, would have no adverse effect upon aeronautical operations, procedures or minimum flight altitudes; and it is hereby determined that this structure would not be a hazard to air navigation, provided that the structure be obstruction marked and lighted in accordance with applicable Federal Communications Commission rules.

This determination is effective as of the date of issuance and will become final 30 days thereafter, provided that no appeal herefrom under § 626.34 (26 F.R. 5292) is granted. Unless otherwise revised or terminated a final determination hereunder will expire 18 months after its effective date or upon earlier abandonment of the construction proposal (§ 626.35; 26 F.R. 5292).

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

OSCAR W. HOLMES, Chief,

Obstruction Evaluation Branch.

[F.R. Doc. 61-8841; Filed, Sept. 15, 1961; 8:45 a.m.]

[OE Docket No. 61-FW-52]

PROPOSED RADIO ANTENNA STRUCTURE

Determination of No Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal to interested persons for aeronautical comment and has conducted a study to determine its effect upon the safe and efficient utilization of airspace: The Southern Railway System, Washington, D.C., proposes to construct a microwave radio antenna structure near Saint George, Georgia, at latitude 30°31'01" north, longitude 82°07'07" west. The overall height of the structure would be 279 feet above mean sea level (103 feet above ground).

No objections were made in response to the circularization. The Agency study disclosed that the proposed structure would require an increase from 1,200 feet above mean sea level to 1,300 feet above mean sea level in the minimum obstruction clearance altitude on VOR Federal Airway No. 22 between the Bryceville, Florida, intersection and Moniac, Georgia, intersection. However, this increase would have no adverse effect upon aeronautical operations. The existing Instrument Flight Rules minimum en route altitude along this airway segment is 1,500 feet MSL.

No other aeronautical operations, procedures or minimum flight altitudes would be affected by the proposed structure.

Therefore, pursuant to the authority delegated to me by the Administrator (14 CFR 626.33; 26 F.R. 5292), it is concluded that the proposed structure, at the location and mean sea level elevation specified herein, would have no adverse effect upon aeronautical operations, procedures or minimum flight altitudes; and it is hereby determined that this structure would not be a hazard to air navigation.

This determination is effective as of the date of issuance and will become final 30 days thereafter, provided that no appeal herefrom under § 626.34 (26 F.R. 5292) is granted. Unless otherwise revised or terminated a final determination

hereunder will expire 18 months after its effective date or upon earlier abandonment of the construction proposal (§ 626.35; 26 F.R. 5292).

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

OSCAR W. HOLMES,
Chief,

Obstruction Evaluation Branch.

[F.R. Doc. 61-8842; Filed, Sept. 15, 1961;
8:45 a.m.]

FEDERAL MARITIME COMMISSION

AMERICAN PRESIDENT LINES, LTD., ET AL.

Notice of Agreements Filed for Approval

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

Agreement Numbered 8061-9, between American President Lines, Ltd., Lykes Bros. Steamship Co., Inc., Isthmian Lines, Inc., Mitsui Steamship Co., Ltd., N.V. Stoomvaart Maatschappij "Nederland", Koninklyke Rotterdamsche Lloyd, N.V., Kawasaki Kisen Kaisha, Ltd., Compagnie Maritime des Chargeurs Reunis, and the carriers comprising the Barber-Fern-Ville Lines, Blue Funnel Line and A.P. Moller-Maersk Line joint services, modifies approved Agreement Numbered 8061, as amended, which covers an arrangement for the apportionment of the carriage of all rubber originating in Siam (except Bangkok local rubber) destined to U.S. Atlantic and Gulf ports or transhipped by road, rail or otherwise, to vessels of the carriers at ports in Malaya, Kohsi-chang or Bangkok. The purpose of this modification is to provide for (1) the withdrawal of Prince Line, Ltd., as a party to Agreement Numbered 8061, as amended, because of the withdrawal of such carrier from membership in the Siam/New York Conference and (2) the revision of the percentage participation of the parties to the agreement in the carriage of rubber as a result of such withdrawal.

Agreement Numbered 8610, between Compagnie Maritime Belge (Lloyd Royal) S.A. and Armement Doppe, S.A., covers an arrangement for alternate sailings in the trade between U.S. Gulf ports and ports of France, Belgium, Holland and Germany.

Agreement Numbered 8685, between the parties comprising the Wilhelmsen Line joint service (operating under approved joint service Agreement Numbered 7589, as amended) and Swedish American Line, provides for a sailing and pooling arrangement and the apportionment of all revenue, except that from passengers and mail traffic, derived from the carriage of cargo in the trade between Scandinavian, Baltic and Continental ports, and ports of Cuba, East Coast of Mexico, and U.S. Gulf and South Atlantic ports. Each party undertakes to provide equivalent tonnage for

the trade and to alternate sailings. Net revenues, after deducting port and handling charges, will be pooled and apportioned on the basis of the boat days contributed by each party. In all other respects the lines will operate independently of one another. Upon approval, Agreement Numbered 8685 will supersede and cancel approved Agreement Numbered 7985, which provided for an alternate sailing arrangement between the same parties in the trade between Scandinavian, Baltic and Continental ports and U.S. Atlantic and Gulf ports.

Interested parties may inspect these agreements and obtain copies thereof at the Office of Regulations, Federal Maritime Commission, Washington, D.C., and may submit within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to any of these agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: September 12, 1961.

By order of the Federal Maritime Commission.

GEO. A. VIEHMANN,
Acting Secretary.

[F.R. Doc. 61-8875; Filed, Sept. 15, 1961;
8:50 a.m.]

HODGSON AND ASSOCIATES, INC., ET AL.

Notice of Show Cause Order; Proposed Cancellation of Registration

Notice is hereby given that at a session of the Federal Maritime Commission held at its Office in Washington, D.C., the 24th day of August 1961, the Board entered the following order:

Whereas, the following persons, firms, and corporations are registered as ocean freight forwarders pursuant to 46 CFR Part 244 [General Order 72].

Name and city	Reg. No.	Date issued
Hodgson & Associates, Inc. (Los Angeles)	2478	5-6-59
Mar-Pak Shipping Corp. (Detroit)	2355	8-19-58
Orchid Freight Service (Los Angeles)	2475	4-28-59
Quick Delivery, Inc. (Baton Rouge)	2772	1-18-61
Rosalie Sanchez (Miami)	2499	6-10-59
Selig O. Wassner (Teaneck, N.J.)	2226	12-6-57

Whereas, the Office of Regulations, Federal Maritime Commission, has by regular and registered letters requested the above-named registrants to furnish certain information in connection with their forwarding operations pursuant to 46 CFR 244.3 [General Order 72]; and

Whereas, each of these registrants has failed to respond to such requests for information;

Now, therefore, it is ordered, That the above-named registrants show cause in writing, or at a public hearing to be hereafter set if requested by any registrant, why their registrations should not be cancelled for the reason above stated; and

It is further ordered, That such cause be shown, or request for hearing be made,

within 30 days from the date of publication hereof in the FEDERAL REGISTER; and

It is further ordered, That failure of any such registrant to respond as ordered hereby will result in automatic cancellation of its freight forwarder registration without further action by the Commission and the Secretary of the Commission shall notify the said registrant of such cancellation by registered letter sent to the said registrant's last known address; and

It is further ordered, That a copy of this order be sent by registered mail to each of the above-named registrants at its last known address; and

It is further ordered, That this order be published in the FEDERAL REGISTER.

Dated: September 12, 1961.

By order of the Federal Maritime Commission.

GEO. A. VIEHMANN,
Acting Secretary.

[F.R. Doc. 61-8876; Filed, Sept. 15, 1961;
8:50 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-16991 etc.]

AMERICAN PETROFINA COMPANY OF TEXAS ET AL.

Notice of Applications and Date of Hearing

SEPTEMBER 11, 1961.

American Petrofina Company of Texas, Docket No. G-16991; Robert F. Roberts, et al., Docket No. G-19191; Chicago Mill and Lumber Company, et al., Docket No. G-19192; Columbia Gas Transmission Company, Docket No. G-19193.

Take notice that on November 17, 1958, American Petrofina Company of Texas (Petrofina), P.O. Box 2159, Dallas, Texas, filed in Docket No. G-16991 an application pursuant to section 7(c) of the Natural Gas Act (Act) for authorization to assume and continue all the sales and transportations of natural gas in interstate commerce being made by Natural Gas Distributing Corporation (Natural) under Natural's FPC Gas Rate Schedule Nos. 1-6, inclusive, which rate schedules have been adopted by Petrofina. It is stated that by assignment effective May 31, 1958, Natural transferred all of its properties located in the states of Texas and Louisiana to American Petrofina, Incorporated (Petrofina, Inc.) which properties Petrofina, Inc. transferred to Petrofina by assignment effective June 30, 1958.

On August 10, 1959, Columbia Gas Transmission Company (Columbia), 1125 Brazos St., Houston, Texas, filed in Docket No. G-19193 an application pursuant to section 7(c) of the Act for authority to: (1) Acquire from Petrofina 45,936 feet of 4½-inch O.D. pipeline extending from a point on Columbia's 30-inch main transmission line in Franklin Parish, Louisiana, to dehydration facilities of Petrofina in the Killens Ferry Area, and (2) construct a measuring station on said pipeline, all as more fully

described in the application in Docket No. G-19193.

Also on August 10, 1959, Petrofina filed an amendment to its application in Docket No. G-16991 to exclude therefrom the transportation of natural gas by means of the 45,936 feet of pipeline sought to be acquired by Columbia, for authority to transfer said pipeline to Columbia, and to exclude from the authorization requested in the original application service to be rendered from acreage in the Killens Ferry Field by Robert F. Roberts, et al. (Roberts) as set forth hereinafter.

Robert F. Roberts, et al., on August 10, 1959, filed in Docket No. G-19191 an application for authorization to sell natural gas produced from the Killens Ferry Field in Franklin and Tensas Parishes, Louisiana, to United Fuel Gas Company (United) pursuant to a gas sales contract dated September 31, 1952, between United, as buyer, and Sohio Petroleum Company, et al. (predecessor in interest to Roberts), as seller, which contract was duly ratified by Roberts by agreement dated June 22, 1959.

Chicago Mill and Lumber Company, et al. (Chicago Mill) filed in Docket No. G-19192 an application for authority to sell natural gas produced from the Killens Ferry, Newlight and West Newlight Fields, Franklin and Tensas Parishes, Louisiana, to United, pursuant to a gas sales contract dated June 22, 1959, between United, as buyer and Chicago Mill, as seller.

Petrofina, Roberts and Chicago Mill jointly propose to construct and operate a gasoline processing plant in Tensas Parish, Louisiana, together with a gathering system to collect the gas to be sold under these applications, and also approximately 3 miles of residue gas pipeline from the tailgate of the proposed gasoline plant to a point of connection with the pipeline which Columbia seeks to acquire from Petrofina.

Columbia will pay \$45,936 and the joint operators of the gasoline plant will pay \$34,064 of the total sum of \$80,000 which Petrofina will receive for the 45,936 feet of pipeline. The measuring station proposed to be constructed by Columbia will cost an estimated \$18,360. All financing will be from funds on hand.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 12, 1961, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under

the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 2, 1961. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 61-8847; Filed, Sept. 15, 1961; 8:46 a.m.]

[Docket No. C161-644]

J. M. HUBER CORP.

Notice of Application and Date of Hearing

SEPTEMBER 11, 1961.

On October 24, 1960, J. M. Huber Corporation, a New Jersey corporation (Huber), whose principal place of business is located at 2401 East Second Avenue, Denver 6, Colorado, filed an application for a certificate of public convenience and necessity under §§ 157.23, et seq., of Order No. 174-B, as amended, requesting that it be authorized to deliver and sell gas as hereinafter described.

Huber in its application as filed proposes to sell and deliver to Colorado Interstate Gas Company (CIG) an additional average daily volume of 20,000 Mcf of natural gas. This gas will be transported in interstate commerce by CIG for resale. The gas which Huber proposes to sell and deliver to CIG is to be produced from Huber's gas leaseholds and fee properties in the Panhandle Field of Texas.

By letter order of June 29, 1961, Huber was granted temporary authorization in the above-captioned docket to sell 20,000 Mcf per day to CIG at an initial rate of 17 cents per Mcf subject to the conditions that (1) if the permanently certificated rate is less than 16 cents per Mcf, Huber shall only be required to refund amounts collected at a rate above 16 cents per Mcf and (2) the upward Btu price adjustment clause in the Huber gas purchase contract¹ with CIG be eliminated.

On July 25, 1961, Huber filed a Petition for Reconsideration and Rehearing in which it requested that either the above-mentioned conditions be removed from its temporary authorization or for alternative relief that would provide for the issuance of a permanent certificate to Huber (under the abridged hearing procedure at an initial rate of 16 cents per Mcf and with waiver of the upward Btu adjustment provision in its purchase gas contract as noted above.

On the basis of the Huber request the sale of the above-mentioned gas to CIG

¹ J. M. Huber Corp. FPC Rate Schedule 31, Supplement No. 3.

for purposes of permanent certification is at a rate of 16 cents per Mcf.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 9, 1961 at 9:30 a.m. e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 29, 1961. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 61-8848; Filed, Sept. 15, 1961; 8:46 a.m.]

[Docket No. RP60-13]

NORTHERN NATURAL GAS CO.

Notice of Postponement of Oral Argument

SEPTEMBER 8, 1961.

Upon consideration of the request filed September 7, 1961, by counsel for Northern Natural Gas Company for postponement of the oral argument now scheduled for October 5, 1961, in the above-designated matter;

Notice is hereby given that oral argument is postponed to be heard at 10:00 a.m., October 26, 1961, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

By direction of the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 61-8849; Filed, Sept. 15, 1961; 8:46 a.m.]

[Docket No. CP60-103 etc.]

PANHANDLE EASTERN PIPE LINE CO. ET AL.

Order Fixing Date for Oral Argument and Denying Motions To File Briefs

SEPTEMBER 11, 1961.

Panhandle Eastern Pipe Line Company, Docket No. CP60-103; Shell Oil Company, Docket No. C160-660; Pioneer Production Corporation, Docket No.

CI60-689; Calvert Petroleum Company, Docket No. CI60-691; Ashland Oil & Refining Company, Docket No. CI60-738; Union Oil Company of California, Docket No. CI60-802; King-Stevenson Oil Company, Inc., Docket No. CI60-813.

On August 28, 1961, the Commission's staff filed exceptions to the presiding examiner's decision issued July 11, 1961, in the above-entitled proceeding. Panhandle Eastern Pipe Line Company, Shell Oil Company, Calvert Petroleum Company and King-Stevenson Oil Company, Inc., filed on August 14, 1961, August 22, 1961, August 25, 1961, and August 28, 1961, respectively, motions requesting oral argument before the Commission and seeking permission to file briefs in support of the examiner's decision.

The Commission finds: It is appropriate in carrying out the provisions of the Natural Gas Act that oral argument be had before the Commission in these matters as hereinafter ordered and provided.

The Commission orders:

(A) Oral argument shall be had before the Commission on November 2, 1961, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington 25, D.C., concerning the matters involved in and the issues presented by the above-mentioned exceptions to the presiding examiner's decision herein.

(B) Those parties to this proceeding who intend to participate in the oral argument shall notify the Secretary of the Commission on or before October 16, 1961, of such intention and of the time required for presentation of their arguments.

(C) The requests for the filing of briefs in support of the examiner's decision are hereby denied.

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 61-8850; Filed, Sept. 15, 1961;
8:46 a.m.]

GENERAL SERVICES ADMINISTRATION

[Delegation of Authority 401]

POSTMASTER GENERAL

Authority To Perform Certain Building Operation, Maintenance, and Protection Functions

1. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, authority is hereby delegated to the Postmaster General to perform the functions of building operation, maintenance, and

protection of the Federal Building and Post Office in Denton, Maryland.

2. The authority hereby delegated shall be exercised in accordance with all applicable laws and regulations of the General Services Administration in effect on the date of such exercise.

3. The authority herein delegated may be redelegated to any officer or employee of the Post Office Department.

4. This delegation of authority is effective immediately.

Dated: September 11, 1961.

JOHN L. MOORE,
Administrator.

[F.R. Doc. 61-8871; Filed, Sept. 15, 1961;
8:50 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-4252]

UNITED INDUSTRIAL CORP.

Order Summarily Suspending Trading

SEPTEMBER 12, 1961.

In the matter of trading on The American Stock Exchange, The Detroit Stock Exchange, The New York Stock Exchange and The Pacific Coast Stock Exchange in common stock, \$1 par value, Series A convertible preferred stock, \$8.50 par value, warrants to purchase common stock of United Industrial Corporation (Delaware), File No. 1-4252.

The common stock, \$1 par value of United Industrial Corporation (Delaware) being listed and registered on the New York Stock Exchange and the Pacific Coast Stock Exchange, and admitted to unlisted trading privileges on the Detroit Stock Exchange; and

The Series A convertible preferred stock \$8.50 par value of United Industrial Corporation (Delaware) being listed and registered on the New York Stock Exchange and the Pacific Coast Stock Exchange; and

The warrants to purchase common stock of United Industrial Corporation (Delaware) being listed and registered on the American Stock Exchange and the Pacific Coast Stock Exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in each such security on such Exchanges and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion further that such suspensions are necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any

transaction in, or to induce or attempt to induce the purchase or sale of any of such securities, otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19(a)(4) of the Securities Exchange Act of 1934 that trading in said securities on the American Stock Exchange, the New York Stock Exchange, the Detroit Stock Exchange and the Pacific Coast Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, September 13, 1961, to September 22, 1961, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F.R. Doc. 61-8855; Filed, Sept. 15, 1961;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 13, 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. 37343: Soda ash from official territory points to Jones Mills, Ark. Filed by Southwestern Freight Bureau, Agent (No. B-8075), for interested rail carriers. Rates on soda ash, other than modified, in bulk or in bulk in bags, in carloads, from specified points in Michigan, New York, Ohio, and Virginia, to Jones Mills, Ark.

Grounds for relief: Market competition.

Tariff: Supplement 24 to Southwestern Freight Bureau tariff I.C.C. 4406.

FSA No. 37344: Grain and grain products to points in California. Filed by Pacific Southcoast Freight Bureau, Agent (No. 241), for interested rail carriers. Rates on grain, grain products, and related articles, in carloads, from points in Montana, to points in California.

Grounds for relief: Unregulated truck competition.

Tariff: Supplement 105 to Pacific Southcoast Freight Bureau tariff I.C.C. 1577.

By the Commission.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 61-8870; Filed, Sept. 15, 1961;
8:49 a.m.]

CUMULATIVE CODIFICATION GUIDE—SEPTEMBER

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**Announcing first
5-year Cumulation**

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STATUTES AT LARGE
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Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of public laws enacted during the years 1956-1960. Includes index of popular name acts affected in Volumes 70-74.

Price: \$1.50

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