AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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FEDERAL REGISTER

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934

VOLUME 27 NUMBER 108

Washington, Tuesday, June 5, 1962

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Price: $1.50

Compiled by Office of the Federal Register, National Archives and Records Service, General Services Administration

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

FEDERAL REGISTER

Telephone WOrth 3-3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

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PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Defense

Effective upon publication in the FEDERAL REGISTER, subparagraph (21) of paragraph (a) of § 6.304 is revoked.

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

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

[F.R. Doc. 62-5438; Filed, June 4, 1962; 8:49 a.m.]

Title 6—AGRICULTURAL CREDIT

Chapter IV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[1962 C.C.C. Grain Price Support Bulletin 1, Supp. 1, Wheat]

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1962-Crop Wheat Loan and Purchase Agreement Program

A price support program has been announced for the 1962-crop of wheat. The 1962 C.C.C. Grain Price Support Bulletin 1 (27 F.R. 4411) issued by the Commodity Credit Corporation and containing the specific regulations of a general nature with respect to price support operations for certain grains and other commodities produced in 1962 is supplemented as follows:

Sec.
421.1201 Purpose.
421.1202 Availability of price support.
421.1203 Eligibility requirements.
421.1204 Eligible wheat.
421.1205 Determination of quality.
421.1206 Determination of quantity.
421.1207 Warehouse receipts.
421.1208 Warehouse charges.
421.1209 Maturity of loans.
421.1210 Inspection of wheat under purchase agreements.
421.1211 Settlement.
421.1212 Support rates.

AUTHORITY: §§ 421.1201 to 421.1212 issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U.S.C. 714c, 7 U.S.C. 1441, 1421.

§ 421.1201 Purpose.

This supplement states additional specific requirements which, together with the applicable provisions of the general regulations contained in the 1962 C.C.C. Grain Price Support Bulletin 1 (27 F.R. 4411) and any amendments thereto apply to loans and purchase agreements under the 1962-Crop Wheat Price Support Program.

§ 421.1202 Availability of price support.

(a) *Area.* Price support will be available through farm-storage and warehouse-storage loans and purchase agreements on eligible wheat produced in the commercial wheat-producing area of the United States. Farm-storage loans will not be available in areas where the State committee determines that wheat cannot be safely stored on the farm.

(b) *Where to apply.* Application for price support should be made at the office of the county committee which keeps the farm program records for the farm.

(c) *When to apply.* Loans and purchase agreements will be available from harvest through January 31, 1963. The applicable documents must be signed by the producer and delivered to the office of the county committee not later than such date.

§ 421.1203 Eligibility requirements.

(a) *Beneficial interest.* To be eligible for price support, the beneficial interest in the wheat must be in the eligible producer tendering the wheat for loan or for delivery under a purchase agreement, and must always have been in him, or in him and a former producer whom he succeeded before it was harvested. Any producer who is in doubt as to whether his interest in the wheat complies with the requirements of this paragraph (a) should make available to the county committee, prior to filing an application, all pertinent information which will permit a determination to be made by CCC.

(b) *Succession of interest.* To meet the requirements of succession to a former producer, the rights, responsibilities and interest of the former producer with respect to the farming unit on which the wheat was produced shall have been substantially assumed by the person claiming succession. Mere purchase of the crop prior to harvest without acquisition of any additional interest in the farming unit, shall not constitute succession. The county committee shall determine whether the requirements with respect to succession have been met.

§ 421.1204 Eligible wheat.

The wheat must meet all of the applicable requirements of this section in addition to other applicable requirements of the program in order to be eligible for a loan, for delivery under a loan and for purchase under a purchase agreement.

(a) *Production.* The wheat must have been produced in the commercial wheat-producing area as designated in 7 CFR 278.1204 26 F.R. 4141, May 13, 1961, in the United States in 1962 by an eligible producer, except that wheat produced on any farm which receives an increased allotment under the provisions of 7 U.S.C. 1334(i) applicable in Modoc and Siskiyou Counties in California, shall not be eligible for price support.

(b) *Grade requirements.* Wheat at the time it is placed under loan, and wheat under purchase agreement which is in approved warehouse-storage prior to notification by the producer of his intention to sell to CCC, must meet the requirements set forth in this paragraph. The wheat must be (1) wheat of any class grading No. 3 or better; (2) wheat of any class grading No. 4 or 5 on the factor of "test weight" and/or because of containing "Durum" and/or "Red Durum" but otherwise grading No. 3 or better; or (3) wheat of the class Mixed wheat, consisting of mixtures of grades of eligible wheat as specified in subparagraph (1) or (2) of this paragraph provided such mixtures are the natural products of the field. Wheat grading Tough, Weevily, Ergoty, or Treated shall not be eligible, except that wheat represented by warehouse receipts grading "Tough" will be eligible if the warehouseman certifies on the supplemental certificate or on a statement attached to the warehouse receipt substantially as follows:

CERTIFICATION

On wheat grading "Tough" delivery will be made of wheat not tough but otherwise of the same country-run quality, quantity and grade as indicated on the applicable warehouse receipt and supplemental certificates, and no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of said warehouse receipt.

Except as provided above with respect to wheat grading "Tough", wheat of the class hard red spring, durum, or red durum, shall not contain more than 14½ percent moisture, and wheat of any other class shall not contain more than 14 percent moisture.

(c) *Poisonous substances.* The wheat must not contain mercurial compounds or other substances poisonous to man or animals.

(d) *Sanitation requirements.* The wheat must not contain one or more rodent pellets, or comparable amounts of other filth, per pint of wheat (liquid measure), or 1 percent or more by weight of kernels visibly damaged by weevils or other insects.

(e) *Waiting period.* If offered as security for a farm-storage loan, the wheat must have been in store for at least 30 days prior to inspection, measurement, sampling, and sealing, unless otherwise approved by the State committee.

(f) *Purchase agreements—predelivery inspection.* Except as otherwise pro-

vided in § 421.1210(a), wheat under purchase agreement stored in other than approved warehouse storage shall not be eligible for sale to CCC if it does not meet the requirements of paragraphs (b), (c), and (d) of this section on the basis of a predelivery inspection performed by a representative of the county committee, unless the producer complies with the conditions specified in § 421.1210(a) and the wheat on the basis of the inspection made at the time of delivery meets the requirements of paragraphs (b), (c), and (d) of this section.

(g) *Deliveries under farm-storage loans.* Only wheat covered by the loan documents is eligible for delivery under farm-storage loans.

§ 421.1205 Determination of quality.

(a) *Regular grading factors.* The class, subclass, grade, grading factors and all other quality factors shall be determined in accordance with the methods set forth in the Official Grain Standards of the United States for Wheat, whether or not such determinations are made on the basis of an official inspection.

(b) *Sanitation.* Determinations with respect to sanitation requirements specified in § 421.1204(d) shall be made in accordance with instructions issued by CCC.

(c) *Smut.* In the States of California, Idaho, New Mexico, Nevada, Oregon, Utah, Washington, and the counties in Montana where it is a normal practice to determine smut on a percentage basis, the quantity of smut shall be stated in terms of half percent when smut dockage is present in a quantity equal to less than one percent, and in terms of whole percent when present in a quantity equal to one percent or more. A fraction of a half percent shall be disregarded when smut dockage is present in a quantity equal to less than one percent, and a fraction of a percent shall be disregarded when smut dockage is present in a quantity equal to one percent or more. Elsewhere the smut condition of the wheat shall be determined on a degree basis. Where applicable the words, "Light Smutty" or "Smutty" shall be added to, and made a part of the grade determination.

(d) *Garlicky.* The garlicky condition of the wheat shall be made a part of the grade designation by addition of the words "Light Garlicky" or the word "Garlicky".

(e) *Sedimentation.* Sedimentation tests for purposes of making farm storage loans and determination of settlement value of wheat delivered to bin sites will be made by ASCS State or county laboratories. The sedimentation value of wheat delivered to warehousemen who have elected to be held accountable on the basis of sedimentation shall be the value agreed to by the producer and the warehousemen as shown on the warehouse receipt or supplemental certificate, or if such persons cannot agree the value will be determined in accordance with the method prescribed in the applicable Uniform Grain Storage Agreement. In all other instances where a sedimentation test is required, it shall be determined on the basis of certificates issued by an inspector licensed or authorized by United States Department of Agriculture under the Agricultural Marketing Act of 1946, as amended, and the regulations thereunder (7 CFR Part 68). Such certificates are referred to in these regulations as official sedimentation certificates.

(f) *Protein.* Protein tests when required under § 421.1207(c) shall be made by an official protein laboratory, or by a protein laboratory approved by CCC. Protein certificates issued by such a laboratory are referred to herein as official protein certificates.

§ 421.1206 Determination of quantity.

(a) *In warehouse.* The quantity of wheat on which a warehouse storage loan shall be made and the quantity delivered to or acquired by CCC in an approved warehouse under a farm-storage loan or purchase agreement shall be the net weight specified on the warehouse receipt or on the supplemental certificate, if applicable.

(b) *On farm.* The quantity of wheat placed under farm storage loan may be determined either by weight or by measurement. The quantity delivered under a farm storage loan or a purchase agreement shall be determined by weight. When the quantity is determined by weight, a bushel shall be 60 pounds of wheat free of dockage. In determining the quantity of sacked wheat by weight, a deduction of ¾ of a pound for each sack shall be made.

(c) *Adjustment for test weight.* When the quantity is determined by measurement, a bushel shall be 1.25 cubic feet testing 60 pounds per bushel. The quantity determined for wheat of a different test weight shall be adjusted by the applicable percentage in the following table:

For wheat testing:	*Percent*
65 pounds or over	108
64.0 to 64.9	107
63.0 to 63.9	105
62.0 to 62.9	103
61.0 to 61.9	102
60.0 to 60.9	100
59.0 to 59.9	98
58.0 to 58.9	97
57.0 to 57.9	95
56.0 to 56.9	93
55.0 to 55.9	92
54.0 to 54.9	90
53.0 to 53.9	88
52.0 to 52.9	87
51.0 to 51.9	85
50.0 to 50.9	83

(d) *Safety margin.* A safety factor as established by the State committee shall be deducted from the net quantity as determined by measurement when wheat is offered for a farm storage loan. In the case of hard wheat the safety factor shall be not less than 5 percent.

(e) *Dockage.* The percentage of dockage shall be determined and the weight of such dockage shall be deducted from the gross weight of the wheat in determining the net quantity available for loan or purchase.

(f) *Smut.* In the States of California, Idaho, New Mexico, Nevada, Oregon, Utah, Washington, and the counties in Montana where it is a normal practice to determine smut on a percentage basis, the quantity of smut determined in pounds by applying the percentage factor to the total quantity shall be deducted from the weight of the wheat after deduction of dockage.

§ 421.1207 Warehouse receipts.

Warehouse receipts representing wheat in approved warehouse storage, to be placed under a warehouse-storage loan, to be delivered in satisfaction of a farm-storage loan or, to be acquired under a purchase agreement, must meet the requirements of this section.

(a) *Manner of issuance and endorsement.* Warehouse receipts presented for warehouse-storage loans must be issued in the name of the producer and for deliveries under farm-storage loans or purchase agreements, in the name of the producer or CCC, and must be properly endorsed in blank when issued in the name of the producer so as to vest title in the holder. Receipts must be issued by a warehouse for which a Uniform Grain Storage Agreement is in effect and which is approved by CCC for price support purposes or must be receipts issued on warehouses operated by Eastern common carriers under tariffs approved by the Interstate Commerce Commission. The term "Eastern common carriers" as used in this subpart includes the Port of New York Authority.

(b) *Entries for weight and grade (all wheat.)* (1) Each warehouse receipt, or the warehouseman's supplemental certificate (in duplicate) properly identified with the warehouse receipt, must show: (i) Gross weight and net bushels, (ii) class and subclass, (iii) grade (including special grades), (iv) test weight, (v) dockage, (vi) any other grading factor(s) when such factor(s) and not test weight determine the grade and (vii) whether the wheat arrived by rail, truck or barge. The grading factors, classes and subclasses on the warehouse receipt must agree with the inbound inspection certificate for the car, truck or barge when such certificate is issued.

(2) If a warehouseman has furnished a statement as provided in § 421.1204(b), the supplemental certificates must show the numerical grade and the grading factors of the wheat to be delivered. Where the grade and grading factors shown on the supplemental certificate do not agree with the warehouse receipt, the factors shown on the supplemental certificate shall take precedence.

(3) A separate warehouse receipt must be submitted for each grade and quality of wheat.

(c) *Entries for grade and supplemental documents (hard wheat)*—(1) *Sedimentation warehouses.* In the case of warehouses which have elected to be held accountable on the basis of sedimentation value, whenever the sedimentation value is 40 or more, and in all cases where an official sedimentation certificate is issued, an entry indicating the sedimentation value shall be shown on the warehouse receipt or the supplemental certificate or both. In the case of wheat delivered by car, truck or barge on which inbound inspection and sedi-

mentation certificates are issued, entries on the warehouse receipts must agree with like entries on such certificates.

(2) *Protein warehouses.* In the case of warehouses which have elected to be held accountable on the basis of protein content, each warehouse receipt shall be accompanied by an official sedimentation certificate and an official protein certificate or copies thereof whenever a sedimentation test is requested by the producer. In the case of wheat delivered by car, truck, or barge on which inbound inspection, sedimentation and protein certificates are issued, entries on the warehouse receipts must agree with like entries on such certificates.

(d) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in § 421.1208(a). Warehouse receipts shall not be subject to liens for charges in connection with the making of sedimentation or protein tests.

(e) *In-transit movement.* Warehouse receipts representing wheat which has been shipped by rail or water from a country shipping point to a designated terminal point, or shipped by rail or water from a country shipping point to a storage point and stored in-transit to a designated terminal point, must be accompanied by registered freight bills or by a certificate containing similar information. These registered freight bills or certificates will be prescribed by the ASCS commodity office and shall be signed by the warehouseman and may be made a part of the supplemental certificate.

(f) *Where warehouseman is also owner.* If the receipt is issued for wheat of which the warehouseman is the owner either solely, jointly or in common with others, the fact of such ownership shall be stated on the receipt. Such receipts shall also be registered or recorded with appropriate State or local officials when required by State law. In States where the pledge of warehouse receipts by a warehouseman on his own wheat is not valid under State law and the warehouseman elects to deliver wheat to CCC under a purchase agreement for which he is eligible under this program, the warehouse receipt shall be issued in the name of CCC.

(g) *Insurance.* Each warehouse receipt or accompanying supplemental certificate representing grain stored in an approved warehouse operating under the Uniform Grain Storage Agreement shall indicate that the wheat is insured, in accordance with such agreement. Each warehouse receipt or accompanying supplemental certificate issued on warehouses operated by Eastern common carriers and representing wheat to be placed under loan shall indicate that it is insured at the full market value against loss or damage by fire, lightning, inherent explosion, windstorm, cyclone, and tornado. The cost of such insurance shall not be for the account of CCC.

§ 421.1208 Warehouse charges.

(a) *Handling and storage liens.* Warehouse receipts and the wheat represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date it is deposited in the warehouse for storage. Warehouse receipts and the wheat represented thereby stored in approved warehouses operated by Eastern common carriers may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission. In no event shall a warehouseman be entitled to satisfy the lien by sale of the wheat when CCC is holder of the warehouse receipt.

(b) *Deduction of storage charges—UGSA warehouses.* The table shown below provides the deduction for storage charges to be made from the amount of the loan or purchase price in the case of wheat stored in an approved warehouse operated under the Uniform Grain Storage Agreement. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such written evidence is not submitted, the date to be used for computing the storage deduction on wheat stored in warehouses operating under the Uniform Grain Storage Agreement shall be the date of deposit or the date storage charges start, whichever is later; if neither the date of deposit nor the date storage charges start is shown, the date of the warehouse receipt shall be used.

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES BY MATURITY DATES

Feb. 28, 1963	Deduction (cents per bu.)	Mar. 31, 1963
Storage Start Date [1]		*Storage Start Date* [1]
Prior to Apr. 25, 1962	12	Prior to May 26, 1962.
Apr. 25–May 21, 1962	11	May 26–June 21, 1962.
May 22–June 17, 1962	10	June 22–July 18, 1962.
June 18–July 14, 1962	9	July 19–Aug. 14, 1962.
July 15–Aug. 10, 1962	8	Aug. 15–Sept. 10, 1962.
Aug. 11–Sept. 6, 1962	7	Sept. 11–Oct. 7, 1962.
Sept. 7–Oct. 3, 1962	6	Oct. 8–Nov. 3, 1962.
Oct. 4–Oct. 30, 1962	5	Nov. 4–Nov. 30, 1962.
Oct. 31–Nov. 26, 1962	4	Dec. 1–Dec. 27, 1962.
Nov. 27–Dec. 23, 1962	3	Dec. 28, 1962–Jan. 23, 1963.
Dec. 24, 1962–Jan. 19, 1963.	2	Jan. 24–Feb. 19, 1963.
Jan. 20–Feb. 28, 1963	1	Feb. 20–Mar. 31, 1963.

[1] All dates inclusive.

(c) *Deduction of storage charges—Eastern common carriers.* In the case of wheat stored in an approved warehouse operated by an Eastern common carrier, there shall be deducted in computing the loan or purchase price the amount of the approved tariff rate for storage (not including elevation), which will accumulate from the date of deposit through the applicable maturity date unless written evidence is submitted with the warehouse receipt that such charges have been prepaid. The county office shall request the ASCS commodity office to determine the amount of such charges. Where the producer presents evidence showing the elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges prepaid by the producer.

§ 421.1209 Maturity of loans.

Loans mature on demand but not later than February 28, 1963 on wheat stored in the States of Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia and West Virginia, and not later than March 31, 1963, in all other States.

§ 421.1210 Inspection of wheat under purchase agreement.

(a) *Predelivery inspection.* (1) Where the producer has given written notice within the 30-day period prior to the loan maturity date of his intent to sell his wheat stored in other than an approved warehouse under purchase agreement to CCC, the county office shall make an inspection, obtain a sample and submit it for grade analysis prior to delivery.

(2) If the wheat on the basis of the predelivery inspection is of a quality which meets the requirements for a farm-storage loan, the county office shall issue delivery instructions on or after the date of inspection. The producer must then complete delivery within the period specified in the delivery instructions unless the county office determines that more time is needed.

(3) The producer whose wheat is stored in other than an approved warehouse which is not of a quality eligible for a loan at the time of the predelivery inspection shall be notified in writing by the county office that his wheat is not eligible for purchase by CCC. If, nevertheless, the producer informs the county office that he will condition the wheat or otherwise take action to make it eligible and insists upon delivery of the wheat, the county office shall issue delivery instructions. In such case if the wheat does not meet the eligibility requirements of § 421.1204 (b), (c) and (d) as determined on the basis of a sample taken at the time of delivery, the wheat will not be accepted for purchase by CCC.

(4) A predelivery inspection shall not be made in unapproved warehouses where the wheat is stored commingled or is stored so that the identity of the producer's wheat is maintained but a predelivery inspection is not possible. When a predelivery inspection is not made such wheat at the time of delivery must meet the eligibility requirements of § 421.1204 (b), (c) and (d).

(b) *Inspection of wheat stored by producer after maturity date.* (1) The producer may be required to retain the wheat stored in other than approved warehouse storage under purchase agreement for a period of 60 days after the loan maturity date without any cost to CCC. CCC will not assume any loss in quantity or quality of the wheat covered by a purchase agreement occurring prior

to delivery to CCC except for quality deterioration under the following circumstances. If a producer has properly requested delivery instructions for wheat which was determined to be of an eligible grade and quality at the time of the predelivery inspection, and CCC cannot accept delivery within the 60-day period following the loan maturity date, the producer may notify the county office at any time after such 60-day period that it is going out of condition or is in danger of going out of condition. If the county office determines that the wheat is going out of condition or is in danger of going out of condition and it cannot be satisfactorily conditioned by the producer; and delivery cannot be accepted within a reasonable length of time, the county office shall obtain an inspection and grade and quality determination.

(2) When delivery is completed, settlement shall be made on the basis of such grade and quality determination or the grade and quality determination made at the time of delivery, whichever is higher, and on the quantity actually delivered.

§ 421.1211 Settlement.

(a) *General.* Settlement for wheat acquired by CCC under loan or purchase agreement will be made with the producer as provided in this section. The support rate per bushel at which settlement will be made for eligible wheat shall be determined under the applicable provisions of § 421.1212, and this section.

(1) *Warehouse-storage loans.* Settlement for eligible wheat acquired by CCC under warehouse-storage loans and represented by warehouse receipts shall be made on the basis of weight, grade and other quality factors shown on such warehouse receipt or accompanying documents.

(2) *Farm-storage loans and purchase agreements.* (i) Delivery will be made in accordance with instructions issued by the county office. The settlement rate for eligible wheat delivered under farm-storage loans or purchase agreements from other than approved warehouses, shall be the applicable support rate for the county in which the producers customary shipping point (as determined by the county committee) is located, except that if the producer is directed to deliver his wheat to a terminal market for which a support rate is established, settlement shall be based on the support rate for such terminal market. Settlement will be based on the quality and quantity as indicated on warehouse receipts and accompanying documents issued by an approved warehouse or if applicable, the quality and quantity as shown on Form CCC-50.

(ii) Wheat purchased under a purchase agreement shall be paid for by sight draft drawn on CCC. The producer shall indicate on commodity purchase Form 4 to whom payment shall be made.

(b) *Charges for sedimentation or protein tests.* The cost of obtaining the required sedimentation and protein tests (when applicable), on wheat delivered under loan or purchase agreement, shall not be for the account of CCC, except in the case of deliveries from farm-storage to CCC bin sites.

(c) *Settlement rate to be established.* In the case of delivery of wheat under a farm-stored loan and wheat under purchase agreement which was determined to be eligible at the time of predelivery inspection but which upon delivery is of a grade or quality for which no support rate has been established, the settlement rate shall be the applicable basic support rate adjusted by the premiums and discounts shown in § 421.1212 to the extent they apply and in addition, by the amount of market discounts, if any, as determined by the appropriate ASCS commodity office for the quality by which the wheat is lower than the quality for which such price support discounts are established: *Provided, however,* That if such wheat is sold by CCC for the purpose of determining its market price, the settlement value shall not be less than such sales price. Notwithstanding the foregoing, the settlement rate shall not in any event be more than the rate which would have been established under § 421.1212 by using the price support premiums and discounts in such section to the extent that they apply.

(d) *Compensation for hauling.* If the producer is directed by the county office to deliver his price support wheat to a point a greater distance than to his customary delivery point, the producer will be allowed compensation (as determined by the ASC State committee at not to exceed the common carrier truck rate or the rate available from local truckers) for hauling eligible wheat the additional distance: *Provided,* That if the producer is directed to deliver his wheat to a terminal market for which a support rate is established, no compensation shall be allowed for hauling. The ASC State committee, may in determining the rates of payments for any excess haul, establish reasonable mileage minimums below which producers will not receive compensation for hauling the wheat.

(e) *Track-loading payment.* A track-loading payment of 3 cents per bushel shall be made to the producer on eligible wheat delivered to CCC on track at a country point.

(f) *Storage payment where CCC is unable to take delivery of wheat stored in other than an approved warehouse under loan or purchase agreement.* The producer may be required to retain wheat stored in other than an approved warehouse under loan or purchase agreement for a period of 60 days after the maturity date without any cost to CCC. However, if CCC is unable to take delivery of such wheat within the 60-day period after maturity, the producer shall be paid a storage payment upon delivery to CCC: *Provided, however,* That a storage payment shall be paid a producer whose wheat is stored in other than an approved warehouse under purchase agreement only if he had properly given notice of his intention to sell the wheat to CCC and delivery cannot be accepted within the 60-day period after maturity. The period for earning such storage payment shall begin the day following the expiration of the 60-day period after the maturity date and extend through the final date of delivery, or the final date for delivery as specified in the delivery instructions issued to the producer by the county office whichever is earlier. The storage payment shall be computed at the storage rate for wheat provided for in the Uniform Grain Storage Agreement in effect at the time of such storage.

(g) *Storage deduction for early delivery.* If farm-stored wheat is delivered to CCC prior to maturity date, a deduction for storage shall be made, except that no deduction shall be made if such early delivery is made because the loan is called solely for the convenience of CCC, or if it is determined by CCC at the time of delivery that the wheat will be sold rather than stored, or if CCC requires early delivery on an area basis.

(h) *Refund of prepaid handling charges.* In the case a warehouseman charges the producer for the receiving or the receiving and loading out charges on wheat under loan or purchase agreement stored in an approved warehouse, the producer shall, upon delivery of the wheat to CCC, be reimbursed or given credit by the county office for such prepaid charges not to exceed those specified in the Uniform Grain Storage Agreement, provided the producer furnishes to the county committee written evidence signed by the warehouseman that such charges have been paid. In the case an approved warehouse operated by an Eastern common carrier charges the producer for the elevation charges on wheat under loan or purchase agreement, the producer shall, upon delivery of the wheat to CCC, be reimbursed or given credit by the county office for such prepaid charges in an amount not to exceed the charges specified in the applicable approved tariff; provided the producer furnishes to the county office written evidence signed by the warehouseman that such charges have been paid and that CCC has not previously given the producer credit for such charges as provided in § 421.1208(c).

(i) *Ineligible wheat inadvertently accepted by CCC.* (1) In the case of (i) ineligible wheat delivered to or acquired by CCC under a loan; (ii) wheat delivered in excess of the maximum quantity stated in the purchase agreement; (iii) ineligible wheat delivered under a purchase agreement where a predelivery inspection was not made; (iv) ineligible wheat delivered under a purchase agreement where the predelivery inspection indicated it to be of an ineligible quality, and (v) any other ineligible wheat acquired by CCC under a purchase agreement. The settlement value shall be the market price as determined by CCC, but in no event more than the applicable support rate.

(2) If CCC sells the wheat for the purpose of determining its market price, the settlement value shall be such sales price. The provisions of this paragraph do not apply to ineligible wheat covered by paragraphs (j), (k) and (l) of this section.

(j) *Fraud.* The making of any fraudulent representation by the producer,

in connection with settlement or deliveries under a loan shall render the producer personally liable, aside from any additional liability under criminal and civil frauds statutes, for the amount of the loan, for any additional amounts paid to the producer on the commodity, and for all costs which the Corporation would not have incurred had it not been for the producer's fraudulent representation, together with interest at the rate of 6 percent per annum on such amounts from the date of disbursement. For the purpose of establishing any deficiency remaining due in the event the producer has made any such fraudulent representation, the value of the wheat acquired by CCC under the loan shall be the market value as determined by CCC on the date of delivery or removal in the case of farm-storage loans or the market value of the wheat as of the close of the market on the final date for repayment in the case of warehouse-storage loans, or in the case of both farm-storage and warehouse-storage loans the sales price if the wheat is sold by CCC in order to determine its market value. If the producer has made a fraudulent representation in a sale under a purchase agreement or in the purchase agreement documents, he shall be personally liable, aside from any additional liability under criminal or civil frauds statutes for any loss which CCC sustains upon the wheat delivered under the purchase agreement. For the purpose of this program, such loss shall be deemed to be the price paid to the producer on the wheat delivered under the purchase agreement plus all costs sustained by CCC in connection with the wheat, together with interest at the rate of 6 percent per annum from the date of disbursement, less the market value, as determined by CCC of the wheat as of the close of the market on the date of delivery, or the sales price if the wheat is sold in order to determine its market value.

(k) *Poisonous substances.* If wheat is delivered to CCC which contains mercurial compounds or other substances poisonous to man or animals, such wheat shall be sold for seed (in acordance with applicable State seed laws and regulations), fuel, or industrial uses where the end product will not be consumed by man or animals, and the settlement value shall be the same as the sales price, except that if CCC is unable to sell such wheat for the use specified above, the settlement value shall be the market value, as determined by CCC, as of the date of delivery.

(l) *Sanitation requirements.* If the wheat delivered is of a quality which does not meet sanitation requirements, the wheat shall be sold for uses other than food for human consumption and beverages. The settlement value shall be the same as the sales price, except that if CCC is unable to sell the wheat for the use specified above, the settlement value shall be the market value determined by CCC, as of the date of delivery.

§ 421.1212 Support rates.

Basic support rates for wheat will be a part of this section to be issued at a later date. The support rate for the quality of wheat placed under a loan or acquired under a loan or a purchase agreement shall be the applicable basic support rate adjusted in accordance with the provisions of this section, and in the case of settlement of loans and purchase agreements as further provided in § 421.1211.

(a) *Discounts where weed control laws apply.* Where the State committee determines that State, district, or county weed control laws, as administered, affect the wheat crop, the support rate in the case of farm storage shall be 10 cents per bushel below the applicable county support rate unless the producer obtains a certificate from the appropriate weed control official indicating that the wheat complies with the weed control laws. In the case of warehouse storage, whenever the State committee of the State in which the wheat is stored determines that State, district or county weed control laws as administered affect wheat stored in approved warehouses, the rate shall be 10 cents per bushel below the applicable support rate unless the producer obtains a certificate from either the appropriate State, county or district weed control official or the storing warehouseman that the wheat complies with the weed control laws and in the case of a certificate from the warehouseman, that he will save CCC harmless from loss or penalty because of the weed control laws. The certificate of the warehouseman may be in substantially the following form:

CERTIFICATION

This is to certify that the grain evidenced by warehouse receipt No. _____ issued to _____ is not subject to seizure or other action under weed control laws or regulations in effect at point of storage. It is further certified and agreed that should such grain be taken over by CCC in settlement of a loan or be purchased under the purchase agreement program that the undersigned will save CCC from loss or penalty under weed control laws or regulations in effect at the point the grain was stored under the above warehouse receipt.

_____
(Signature)

_____
(Address)

_____
(Date)

(b) *Support rates at designated terminal markets.* (1) The support rates established for designated terminal markets apply to wheat shipped on a domestic interstate freight rate basis. The support rate at the designated terminal market for any wheat shipped at other than the domestic interstate freight rate shall be reduced by the difference between the rate of freight paid and the domestic interstate freight rate.

(2) The support rates established for designated terminal markets also apply to wheat which has been shipped by rail or water from a country shipping point to one of the designated terminal markets, as evidenced by paid freight bills duly registered for transit privileges. In the event the amount of paid-in freight is insufficient to guarantee the minimum proportional domestic interstate freight rate, if any, from the terminal market to a recognized market determined by the appropriate ASCS commodity office, there shall be deducted from the applicable terminal support rate the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee outbound movement at the minimum proportional domestic interstate freight rate. If the wheat is stored at any designated terminal market and neither registered freight bills nor registered freight certificates are presented, the support rate shall be equal to the terminal rate minus the actual amount of paid-in freight required to guarantee the proportional outbound rate from the terminal market to a recognized market determined by the appropriate ASCS commodity office.

(3) The support rate for wheat received by truck and stored at any designated terminal market shall be determined by deducting from the terminal rate, the actual amount of paid-in freight required to guarantee the proportional outbound rate from the terminal market to a recognized market determined by the appropriate ASCS commodity office, plus 3.25 cents per bushel.

(4) Notwithstanding the foregoing provisions of this paragraph, the support rate for wheat shipped by rail or water and stored at any of the following terminal markets shall be equal to the applicable terminal rate, less the transportation cost, if any, as determined by the appropriate ASCS commodity office, for moving the wheat to a tidewater facility located within the same switching limits:

Long Beach, Los Angeles, Oakland, San Francisco, Stockton, and Wilmington, California
Baton Rouge and New Orleans, Louisiana [1]
Baltimore, Maryland
Duluth, Minnesota
Astoria and Portland, Oregon
Albany and New York, New York
Philadelphia, Pennsylvania
Galveston, Houston, Corpus Christi and Port Arthur, Texas
Norfolk, Virginia
Kalama, Longview, Seattle, Tacoma and Vancouver, Washington
Superior, Wisconsin

(5) Notwithstanding the foregoing provisions of this paragraph, the support rate for wheat received by truck and stored at any of the terminal markets listed in subparagraph (4) of this paragraph shall be determined by making a deduction 3.25 cents per bushel from the terminal rate, plus the transportation cost, if any, as determined by the appropriate ASCS commodity office, for moving the wheat to a tidewater loading facility located within the same switching limits.

(c) *Support rates for wheat in approved warehouse storage at other than designated terminal markets.* Except for the States designated in paragraph (d) of this section, the support rate for wheat which is shipped by rail or water and which is stored in approved warehouses (other than those situated in the designated terminal markets) shall be

[1] For use in determining the support rate for wheat grown only in the commercial wheat-producing area.

determined by deducting from the rate for the appropriate designated terminal market, as determined by CCC, an amount equal to the transit balance, if any, of the through-freight rate from the point of origin for such wheat to such terminal market: *Provided*, That on any wheat shipped at other than the domestic interstate freight rate, the support rate shall be further reduced by the difference between the freight rate paid and the domestic interstate freight rate from the point of origin of such wheat to the point of destination or appropriate terminal market: *And provided further*, That in the case of wheat stored at any railroad transit point, taking a penalty by reason of out-of-line movement to the appropriate designated market, or for any other reason, there shall be added to such transit balance an amount equal to any out-of-line costs or other costs incurred in storing wheat in such position.

(d) *Support rates in approved warehouse storage determined by the ASCS commodity office.* In the States of Delaware, Kentucky, Maryland, New Jersey, North Carolina, Tennessee, Virginia, and West Virginia, the ASCS commodity office shall, upon request of the county committee, determine the support rate for wheat stored in approved warehouses (except those situated at designated terminal markets) which was shipped by rail in the movement of natural market direction as approved by CCC, by adding to the county rate for the county from which the wheat was shipped an amount per bushel equal to the receiving and loading-out charges computed in accordance with the applicable rates of the Uniform Grain Storage Agreement in effect at the time the loan is made and an amount equal to the transit value of the freight paid from the points of origin to markets designated by CCC. The warehouse receipts must be accompanied by the original paid freight bills or a certificate signed by the warehouseman as set forth in § 421.1207(e). If the wheat is stored in approved warehouses located at transit points, taking a penalty by reason of backhaul, or out-of-line of normal market movements, such penalty or other costs by reason of such movement, as determined by CCC shall be deducted from the support rates as determined in this paragraph.

(e) *Basic county support rates.* (1) The basic county support rates per bushel are established for wheat grading No. 1. Farm-storage loans and county warehouse storage loans, except as otherwise provided in paragraphs (c) and (d) of this section will be based on the support rate established for the county in which the wheat is stored. The basic county support rate for wheat stored in a non-commercial county, when needed, will be furnished by the Director, Grain Division, ASCS, upon request of the State ASC committee.

(2) If two or more approved warehouses are located in the same or adjoining towns, villages, or cities having the same domestic interstate freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point and the same support rate shall apply even though such warehouses are not all located in the same county. Such support rate shall be the highest support rate of the counties involved.

(f) *Discounts and premiums.* The basic support rates shall be adjusted by the following applicable premiums and discounts.

	Cents per bushel
(1) Class premiums and discounts:	
(i) Premiums: [1]	
Hard Amber Durum	+40
Amber Durum	+25
Ordinary Durum	+10
(ii) Discounts:	
Red Durum	−20
Mixed Wheats (do not apply more than 1 of the Mixed Wheat discounts):	
Mixed Wheat (including Mixed Wheat containing less than 5 percent of wheats of the classes Durum and/or Red Durum)	−2
Mixed Wheat (containing from 5 percent to 10 percent of wheat of the classes Durum and/or Red Durum)	−6
Mixed Wheat (containing more than 10 percent of wheats of the classes Durum and/or Red Durum)	−15

[1] Not applicable to any of the undesirable varieties listed in the variety discount schedule.

	Cents per bushel
(2) Grade premium and discounts:	
(i) Premium:	
No. 1 Heavy (Hard Red Spring)	+1
(ii) Discounts:	
No. 2	−1
No. 3	−3
No. 4 on basis of test weight	−6
No. 5 on basis of test weight	−9
No. 4 or 5 because of containing Durum and/or Red Durum [2] and [3]	−6
Smut—Degree basis:	
Light Smutty	−2
Smutty	−6
Smut—Percentage basis:	
One-half of 1 percent	−1
One percent or over	−3
Garlic—Degree basis:	
Light Garlicky	−6
Garlicky	−15
(3) Variety discount	−20
The following varieties listed by class will be subject to discounts. This discount is in addition to any other applicable discount.	

[2] This discount is in addition to any other applicable numerical grade discount, and any other discounts which may be applicable.

[3] Not applicable to any of the Mixed Wheats or Red Durum. For discounts applicable to Mixed Wheat containing Durum and/or Red Durum, see subparagraphs (1)(ii) of this paragraph.

Hard Red Winter	Hard Red Spring	Durum	White	Soft Red Winter
Blue Jacket	C.T. 231	Golden Ball	Fifty-Fold	Kanqueen.
Cache [3]	Gasser	Peliss	Florence	Kawvale.
Chiefkan	Henry [1]	Pentad	Greeson	Nured.
Cimarron	Kenney		Rex	Seabreeze.
Early Blackhull	Premier		Sonora	
Kanking	Progress			
Kharkof MC 22	Russell [3]			
New Chief	Spinkcota			
Pawnee Sel. 33	Sturgeon			
Purkof				
Red Chief				
Red Hull				
Red Jacket				
Stafford				
Wasatch [4]				
Yogo				

[1] Except in Oregon, Washington, and Wisconsin.
[2] Except in Wisconsin.
[3] Except in Idaho and Utah.
[4] Except in Colorado, Utah, and Idaho.

(4) Schedule of premiums for sedimentation values. (Not applicable to varieties listed in subparagraph (3) of this paragraph.)

Sedimentation value	*Premium (cents per bushel)*
40–41–42	3
43	4
44	5
45	6
46	7
47	8
48	9
49	10
50	11
51	12
52	13
53	14
54	15
55	16
56	17
57	18
58	19
59	20
60	21
61	22
62	23
63	24
64 and over	25

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 29, 1962.

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

[F.R. Doc. 62-5435; Filed, June 4, 1962; 8:49 a.m.]

[1962 C.C.C. Cottonseed Bulletin 1]

PART 443—OILSEEDS

Subpart—1962 Cottonseed Loan Program Regulations

This bulletin states the requirements with respect to loans under the 1962 Cottonseed Price Support Program formulated by Commodity Credit Corporation (referred to in this subpart as "CCC") and the Agricultural Stabilization and Conservation Service (referred to in this subpart as "ASCS"). A separate bulletin (or bulletins) will cover purchases of cottonseed under the 1962 Cottonseed Price Support Program. The program will be carried out by ASCS under the general supervision and direction of the Executive Vice President, CCC.

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443.1822 Cooperative marketing associations.

AUTHORITY: §§ 443.1801 to 443.1822 issued under sec. 4, 62 Stat. 1070, as amended, sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054, as amended, sec. 601, 70 Stat. 212; 15 U.S.C. 714 b and c, 7 U.S.C. 1447, 1421, 1446d.

§ 443.1801 Administration.

In the field, the program will be administered through Agricultural Stabilization and Conservation (referred to in this subpart as "ASC") State and county committees (referred to in this subpart as "State" and "county" committees) and the ASCS Commodity Office located at Wirth Building, 120 Marais Street, New Orleans 16, Louisiana (referred to in this subpart as "the New Orleans office"). Forms will be distributed through the offices of the State and county committees. County committees will determine or cause to be determined the quantity and grade of cottonseed, the amount of the loan, and the value of the cottonseed delivered under the loan. Loan documents will be completed in the ASCS county office (referred to in this subpart as "county office"), and copies of such documents will be retained there. All documents will be approved by the ASCS county office manager (referred to in this subpart as "county office manager") or other employee of the county office designated by him to act in his behalf. Such designation shall be on file in the county office. Program availability and maturity dates will be those specified in this subpart, except that whenever the final date of availability or the maturity date falls on a nonworkday for county offices or the New Orleans office, the applicable final date shall be extended to include the next workday. County office managers, State and county committees, and the New Orleans office do not have authority to modify or waive any of the provisions of this subpart or any amendments thereto.

§ 443.1802 Availability of loans.

(a) *General.* Loans will be available only to eligible producers on eligible farm-stored cottonseed in accordance with the requirements of this subpart.

(b) *Area.* Loans will be available on cottonseed stored in approved farm storage in all cotton-producing areas, except that no loans will be made in any area where the appropriate State committee determines that the damage hazard to farm-stored cottonseed would not warrant the making of loans.

(c) *Time.* Loans will be available through January 31, 1963. Notes and chattel mortgages must be signed by the producer and delivered or mailed to the county office on or before that date.

(d) *Source.* Loans will be made available through the county offices. Disbursements on loans will be made to producers by county offices by means of sight drafts drawn on CCC in accordance with instructions issued by ASCS to the State and county committees. Disbursements on loans will be made not later than February 15, 1963, except where specifically approved by the New Orleans office in each instance. The producer shall not present the loan documents for disbursement unless the cottonseed are in existence and in good condition. If the cottonseed are not in existence and in good condition at the time of disbursement, the proceeds shall be promptly refunded by the producer.

§ 443.1803 Eligible producer.

(a) An eligible producer shall be any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof, or an agency of such State or political subdivision, producing cottonseed in 1962 in the capacity of landowner, landlord, tenant, or sharecropper.

(b) Eligible producers who are members of cooperative marketing associations may act collectively through their associations in obtaining loans on their eligible cottonseed in accordance with the provisions of § 443.1822.

§ 433.1804 Eligible cottonseed.

Eligible cottonseed shall be cottonseed that meet the following requirements:

(a) The cottonseed must have been produced in the United States in 1962 by an eligible producer.

(b) Such cottonseed must have been produced by the person tendering them for a loan, or by the person who delivered the cottonseed to the cooperative association tendering the cottonseed for a loan, and the beneficial interest in the cottonseed must be in such person and must always have been in him or in him and a former producer whom he succeeded before the cottonseed were harvested. Cottonseed tendered by a cooperative association for a loan must have been produced and delivered to the association by its producer-members. Any person tendering cottonseed for a loan must have the legal right to mortgage the cottonseed as security for the loan.

(c) Cottonseed must be sound and clean and must not contain more than 11 percent moisture.

(d) No warehouse receipts shall be outstanding on the cottonseed.

§ 443.1805 Approved storage.

Approved storage shall consist of storage structures located on or off the farm which, as determined by the county office manager, are of such construction as to afford safe storage of cottonseed and afford protection against weather damage, poultry, livestock, and rodents, and reasonable protection against fire and theft.

§ 443.1806 Approved forms.

(a) The documents named in this section, together with the provisions of this subpart and any supplements or amendments thereto, govern the rights and responsibilities of the producers under this program. Loan documents executed by an administrator, executor, or trustee will be acceptable only where valid in law. Documents must have State and documentary revenue stamps affixed when required by law.

(b) The following documents must be delivered by the producer in support of every loan: Producer's Note and Supplemental Loan Agreement (Form CL–A) and Commodity Chattel Mortgage (Form CL–AA) covering the cottonseed tendered as security for the loan, both executed and delivered within the period prescribed in § 443.1802(c), and such other forms as prescribed by CCC.

§ 443.1807 Determination of quantity.

The quantity of cottonseed at the time a loan is made shall be determined by actual weight or by an estimate based upon measurements. When the weight of cottonseed to be placed under loan is estimated by measurement, 90 cubic feet of cottonseed shall be considered the equivalent of one ton. The quantity delivered in liquidation of the loan shall be the net weight, which shall be the gross weight of the cottonseed less a deduction for any foreign matter in excess of one percent of the gross weight.

§ 443.1808 Liens.

The cottonseed must be free and clear of all liens and encumbrances including any claim the ginner may have against the cottonseed for his regular ginning charge. If liens, ginner's claims, or encumbrances exist on the the cottonseed, proper waivers must be obtained.

§ 443.1809 Service charges.

The producer shall pay a service charge of 35 cents per ton on the number of tons placed under a loan, or $3, whichever is greater. State committees are authorized to require prepayment of $3 of the service charges. No refund of any service charge will be made.

§ 443.1810 Setoffs.

(a) If any installment or installments on any loan made available by CCC on farm-storage facilities or mobile drying equipment are payable, under the provisions of the note evidencing such loan, out of any amount due the producer under the program provided for in this subpart, the producer must designate CCC or the lending agency holding such note as payee of such amount to the extent of such installments, but not to exceed that portion of the amount remaining after deduction of service charges and amounts due prior lienholders.

(b) If the producer is indebted to CCC, or if the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt record, amounts due the producer under the program provided for in this subpart after deduction of amounts payable on farm-storage facilities or mobile drying equipment, and other amounts provided in paragraph (a) of this section,

shall be applied, as provided in the Secretary's Setoff Regulations, 7 CFR Part 13 (23 F.R. 3757), to such indebtedness.

(c) Compliance with the provisions of this section shall not deprive the producer of any right he might otherwise have to contest the justness of the indebtedness involved in the setoff action either by administrative appeal or by legal action.

§ 443.1811 Interest rate.

Loans and charges on cottonseed shall bear interest at the rate of 3½ percent per annum from the date of disbursement, except that where there has been a willful misrepresentation in obtaining the loan, the principal amount of the loan and any costs incurred by the holder of the note shall bear interest from the date of disbursement at the rate of 6 percent per annum.

§ 443.1812 Transfer of producer's equity.

The producer shall not transfer either his remaining interest in or his right to redeem cottonseed under loan.

§ 443.1813 Safeguarding of the cottonseed.

The producer who places cottonseed under a loan is obligated to maintain the storage structure in good repair and to keep the cottonseed in storage and in good condition until the loan is liquidated.

§ 443.1814 Insurance.

CCC will not require the producer to insure the cottonseed placed under a loan. However, if the producer does insure such cottonseed and an indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest after first satisfying the producer's equity in the cottonseed involved in the loss.

§ 443.1815 Loss or damage to the cottonseed.

The producer shall be responsible for any loss in quantity or quality of the cottonseed placed under loan, except that, subject to the provisions of § 443.1814, any physical loss or damage other than shrinkage or natural deterioration occurring after disbursement of the loan funds to the producer, without fault, negligence, or conversion on the part of the producer or any other person having control of the storage structure and resulting solely from an external cause other than insect infestation or vermin will be assumed by CCC to the extent of the loan plus interest, provided the producer or other person having control of the storage structure has given the county office immediate written notice of such loss or damage, and provided there has been no fraudulent representation made by the producer in the loan documents or in obtaining the loan. No physical loss or damage occurring prior to disbursement of the loan funds to the producer will be assumed by CCC. The date of the draft shall constitute the date of disbursement of the funds.

§ 443.1816 Personal liability.

The making of any fradulent representations by the producer in the loan documents or in obtaining the loan, or the conversion or unlawful disposition by him of any portion of the cottonseed under loan, shall render the producer subject to criminal prosecution under Federal law and render him personally liable for the amount of the loan (including interest as provided in § 443.1811) and for any resulting expense incurred by CCC.

§ 443.1817 Maturity and liquidation of loans.

(a) Loans mature on March 1, 1963, or upon such earlier date as CCC may make written demand for payment. If the producer does not repay his loan on or before maturity, he shall deliver the mortgaged cottonseed in accordance with instructions issued on behalf of the county committee. The producer may, however, pay off his loan and redeem his cottonseed at any time prior to the delivery of the cottonseed to CCC or removal of the cottonseed by CCC. In the event the farm is sold, there is a change in tenancy, or the producer dies, the cottonseed securing a loan may be delivered before the maturity date of the loan, after obtaining delivery instructions issued on behalf of the county committee, and the cottonseed may be delivered before the maturity date of the loan for other reasons upon prior approval of the Executive Vice President, CCC.

(b) If the producer is directed to deliver cottonseed securing a loan to a point other than the normal delivery point, the producer shall be allowed compensation (as determined by CCC) for the additional cost of hauling the cottonseed any distance greater than the distance from the point where the cottonseed are stored by the producer to the normal delivery point at a rate not in excess of the commercial rate for such transportation service.

§ 443.1818 Settlement on cottonseed delivered to CCC.

If cottonseed securing a loan are delivered to CCC, a complete grade determination will be made by a cottonseed chemist licensed by the U.S. Department of Agriculture, and credit will be given for the settlement value of the cottonseed computed at the applicable settlement rate (see § 443.1821) according to the grade and/or quality so determined for the total quantity delivered. If the settlement value of the cottonseed exceeds the amount due on the loan (excluding interest) by more than $3, such excess will be paid to the producer. To avoid administrative costs of making small payments, amounts found due the producer of $3 or less will be paid only upon his request. Payments will be made by sight drafts drawn on CCC by the county office. If the settlement value of the cottonseed is less than the amount due on the loan (excluding interest), the amount of the deficiency, plus interest thereon, shall be paid to CCC by the producer, except as provided in § 443.1815, and may be set off against any payment which would otherwise be due to him under any agricultural programs administered by the Secretary of Agriculture or any other payments which are due or may become due to the producer from CCC or any other agency of the United States: *Provided,* That to avoid administrative costs of handling small accounts, a deficiency of $3 or less, including interest, may be disregarded unless demand therefor is made by CCC.

§ 443.1819 Foreclosure.

If a producer does not satisfy his loan upon maturity, the holder of the note is authorized to remove the cottonseed securing the loan from storage, and the holder is also authorized to sell the cottonseed in accordance with the provisions of the chattel mortgage (Form CL-AA). If CCC is the holder of the note, then at CCC's election, title to the cottonseed shall, without a sale thereof, immediately vest in CCC, and CCC shall have no obligation to pay for any market value which such cottonseed may have in excess of the amount of the loan indebtedness; i.e., the unpaid amount of the note plus interest and charges. Nothing herein shall preclude the making of the following payments to the producer or his personal representative only, without right of assignment to or substitution of any other party: (a) Any amount by which the settlement value of the cottonseed may exceed the principal amount of the loan, or (b) the amount by which the proceeds of sale may exceed the loan indebtedness if the loan collateral is sold to third parties rather than CCC's acquiring full title to such loan collateral. If the cottonseed removed by CCC from storage is sold at less than the amount due on the loan (excluding interest) and the quantity, grade, or quality of the cottonseed as removed is lower than that on which the loan was computed, the producer shall pay to CCC the difference between the amount due on the loan and the higher of the sales proceeds or the settlement value of the cottonseed removed by CCC, plus interest. The amount of the deficiency may be set off against any payment which would otherwise be due the producer under any agricultural program administered by the Secretary of Agriculture, or any other payments which are due or may become due the producer from CCC, or any other agency of the United States.

§ 443.1820 Release of the cottonseed under loan.

A producer may at any time obtain the release of cottonseed remaining under loan by paying to CCC the principal amount thereof, plus accrued interest, and any charges that may be due. After payment of the note has been effected, the county office manager shall, in the case of farm-storage loans, execute such release or otherwise make such arrangements as the law may require for the release of chattel mortgage. Partial release of the cottonseed securing loans prior to maturity of the loans may be arranged with the county committee by paying to CCC the amount of the loan,

plus charges and accrued interest, represented by the quantity of the cottonseed to be released: *Provided, however,* That no partial release of cottonseed shall include less than the total quantity of cottonseed stored in any single commingled mass unless the appropriate county committee determines that release of a portion of such commingled mass may be made.

§ 443.1821 Loan and settlement rates.

(a) *Loan rate.* Loans on cottonseed shall be made at the rate of $48 per ton of eligible cottonseed as defined in § 443.1804.

(b) *Basic settlement rate.* The basic settlement rate for basis grade (100) cottonseed shall be $48 per net ton, f.o.b. railroad cars or trucks at delivery points designated by CCC. The settlement rate for cottonseed grading above or below basis grade (100) shall be $48 per ton plus or minus a percentage of such price equal to the percentage by which the grade of such cottonseed is above or below 100. In the case of "off-quality" or "below grade" cottonseed, as defined in the United States Official Standards for Grades of Cottonseed, CCC will sell such cottonseed pursuant to the provisions of the chattel mortgage at the current market price, and the settlement rate shall be the market price per ton determined on the basis of such sale.

§ 443.1822 Cooperative marketing associations.

(a) Cooperative marketing associations shall be eligible for loans on 1962-crop cottonseed: *Provided,* That (1) the cottonseed placed under loan are delivered to the association by eligible producers who are members of the association; (2) the association has been granted by such producer-members the legal right to mortgage the cottonseed as security for a loan; (3) the association keeps any cottonseed covered by a chattel mortgage segregated from all cottonseed not covered by the mortgage; and (4) the association undertakes to pay CCC any amounts due it under the provisions of this program at the time of settlement.

(b) Cooperative associations desiring loans may obtain documents from the county office for the county in which the association is located. The loan and settlement rates to cooperative associations will be the same as those to individual producers, and loans with respect to such associations will otherwise be on substantially the same basis as loans with respect to individual producers.

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

Signed at Washington, D.C., on May 31, 1962.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 62-5433; Filed, June 4, 1962; 8:48 a.m.]

[1962 C.C.C. Cottonseed Bulletin 2]

PART 443—OILSEEDS

Subpart—1962 Cottonseed Purchase Program Regulations

Sec.
443.1838 General statement.
443.1839 Administration.
443.1840 Availability.
443.1841 Eligible producer.
443.1842 Eligible cottonseed.
443.1843 Purchase price.
443.1844 Approved forms.
443.1845 Determination of quantity.
443.1846 Liens.
443.1847 Setoffs.
443.1848 Grade reporting areas.

AUTHORITY: §§ 443.1838 to 443.1848 issued under sec. 4, 62 Stat. 1070, as amended, sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054, as amended, sec. 601, 70 Stat. 212; 15 U.S.C. 714 b and c, 7 U.S.C. 1447, 1421, 1446d.

§ 443.1838 General statement.

The purchase program provided for in this subpart is a part of the 1962 Cottonseed Price Support Program formulated by Commodity Credit Corporation (referred to in this subpart as "CCC") and the Agricultural Stabilization and Conservation Service (referred to in this subpart as "ASCS"). This subpart states the terms and conditions (a) under which ginners, who file Ginner's Notice of Intention to Participate (see § 443.1844(b)) and who otherwise comply with the applicable provisions of this subpart (referred to in this subpart as "participating ginners"), may sell eligible 1962-crop cottonseed, which they have purchased from eligible producers at not less than prescribed minimum prices, to CCC in cases where refusal by oil millers to purchase such seed from participating ginners at prices not less than the f.o.b. gin price to ginners which CCC agrees to pay as provided in § 443.1843(b) makes purchases by CCC from such participating ginners necessary, and (b) under which producers may sell directly to CCC 1962-crop cottonseed in cases where nonparticipation by ginners under this subpart makes such purchases necessary. The program will be carried out by ASCS under the general supervision and direction of the Executive Vice President, CCC. The requirements with respect to loans to producers are contained in the 1962 C.C.C. Cottonseed Bulletin 1 (§§ 443.1801 to 443.1822).

§ 443.1839 Administration.

(a) Operations under the program with respect to the purchase, transportation, handling, and storage of cottonseed prior to delivery of the cottonseed to an oil miller or to a storage facility approved by the New Orleans ASCS Commodity Office (such storage facility will be referred to in this subpart as "approved storage facility") will be administered through Agricultural Stabilization and Conservation (referred to in this subpart as "ASC") State and county committees (referred to in this subpart as "State" and "county" committees). All contracts in connection with such operations may be executed on behalf of CCC only by authorized CCC contracting officers.

(b) Contracts for the storage and handling of cottonseed subsequent to delivery of the cottonseed to an oil miller or an approved storage facility, for the sale, crushing, and processing of cottonseed, and for the transportation, storage, handling, and sale of the products derived therefrom will be executed by CCC contracting officers in the New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans 16, Louisiana (referred to in this subpart as "the New Orleans office").

(c) ASC county office managers (hereinafter referred to as "county office managers"), ASC State and county committees, and the New Orleans office do not have authority to modify or waive any of the provisions of this subpart or any amendments thereto.

§ 443.1840 Availability of program.

(a) *Area.* The purchase program will be available in all cotton-producing areas of the United States.

(b) *Time.* Purchases will be made from the date of the issuance of this subpart through February 28, 1963.

(c) *Source.* (1) Purchases of eligible cottonseed will be made by participating ginners from producers. Purchases of eligible cottonseed will also be made directly from producers by CCC through county committees in areas where ginners do not participate in the program and the appropriate State Committee determines that such direct purchases are necessary in order to make the program effective. Payments to producers for cottonseed purchased by CCC and for any authorized transportation performed by the producers, in accordance with § 443.1843(a), will be made by ASCS county offices (referred to in this subpart as "county offices") by means of sight drafts drawn on CCC.

(2) Purchases of eligible cottonseed will be made by oil mills from participating ginners and others. Purchases of eligible cottonseed will also be made from participating ginners by CCC through county offices in areas where oil millers refuse to pay such ginners at least the f.o.b. price to ginners for their cottonseed which CCC agrees to pay as provided in § 443.1843(b), and the appropriate State committee determines that such purchases are necessary to make the program effective. Payments to participating ginners for cottonseed purchased by CCC will be made by county offices by means of sight drafts drawn on CCC.

(3) Lists of participating ginners will be maintained in the State and county offices.

§ 443.1841 Eligible producer.

(a) An eligible producer shall be any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof or an agency of such State or political subdivision, producing cottonseed in 1962 in the capacity of landowner, landlord, tenant, or sharecropper.

(b) Eligible producers who are members of cooperative marketing associations may act collectively through their associations in selling their eligible cottonseed: *Provided,* (1) The cottonseed

to be sold are delivered to the association by such producers; and (2) the association has been granted by such producer-members the legal right to sell the cottonseed.

§ 443.1842 Eligible cottonseed.

Eligible cottonseed shall be cottonseed which meet the following requirements:

(a) Such cottonseed must have been produced in the United States in 1962 by an eligible producer.

(b) Such cottonseed must have been produced by the person tendering the cottonseed for purchase, and the beneficial interest in the cottonseed must be in such person at the time he makes such tender or delivery and must always have been in him or in him and a former producer whom he succeeded before the cottonseed were harvested. Cottonseed tendered by a cooperative association for purchase must have been produced and delivered to the association by its producer-members. Any person tendering cottonseed for purchase must have the legal right to sell the cottonseed.

§ 443.1843 Purchase price.

(a) *Price to producers.* (1) Any direct purchases by CCC from producers will be made at the gin or other designated point of delivery at the rate of $44 per gross ton for basis grade (100) cottonseed, with premiums and discounts for other grades equal to the same percentage of such price as the percentage by which the grade of cottonseed purchased exceeds or is less than basis grade (100). The price per ton thus computed may be rounded to the nearest multiple of ten cents. The grade of eligible cottonseed purchased by CCC directly from producers shall be considered to be the average grade of cottonseed for the area in which the purchase is made (see § 443.1848) as determined on the basis of the latest cottonseed grade report for the area published by ASCS or as determined by such other method as the Executive Vice President, CCC, may approve. In areas where both upland and American-Egyptian cotton are grown, the ASCS grade report for any such area shall specify the average grade for each such type of cottonseed, and the price to be paid producers in the area shall be determined on the basis of the average grade for the area for the type of cottonseed purchased. The average grade for Sea Island and Sealand cottonseed shall be considered to be that reported for cottonseed in the area in which such cottonseed are produced. Notwithstanding the requirements in this subparagraph, if at any time while direct purchases are being made by CCC, the State ASCS excutive director (referred to in this subpart as "State executive director") determines that the average grade for an area, as determined on the basis of the latest cottonseed grade report for the area published by ASCS, or such other method as the Executive Vice President may approve, is higher than the grade of cottonseed being produced in any county in such area where direct purchases are being made, the State executive director may reduce the price paid to producers in such county below the price established on the basis of the average grade for the area: *Provided,* That no producer shall be paid, during the period such reduced prices are effective, less than $44 per gross ton basis grade (100) cottonseed with price adjustments computed upon the difference between the average grade of cottonseed produced in the county during such period and basis grade (100). The average grade of cottonseed produced in the county during such period shall be determined on the basis of official chemical analysis covering cottonseed produced in such county or on such other reasonable basis as may be determined by the appropriate State executive director.

(2) The grade of any cottonseed purchased before there is sufficient information available to make a determination of the grade of cottonseed for an area shall be considered to be 90.

(3) If authorized by the county office manager, the producer may deliver the seed at an oil mill, approved storage facility, or designated concentration point rather than at the gin or designated point of delivery, and the producer will be paid for the additional transportation at a rate not in excess of the commercial rate for such transportation service.

(b) *Price to ginners.* (1) (i) Any purchases by CCC from participating ginners will be at the rate of $48 per net ton for basis grade (100) cottonseed, f.o.b. conveyance or carrier at the gin with premiums and discounts for other grades equal to the same percentage by which the grade of cottonseed purchased exceeds or is less than basis grade (100). Cottonseed which are "below grade" or "off-quality," as defined in the United States Official Standards for Grades of Cottonseed, will be purchased from participating ginners by CCC at the market value of such cottonseed as determined by CCC. The grades of cottonseed purchased by CCC from such ginners shall be determined in accordance with the United States Official Standards for Grades of Cottonseed by chemical analysis of samples drawn from the cottonseed by federally-licensed cottonseed samplers or such other persons as are approved by CCC, and forwarded to and analyzed by federally-licensed cottonseed chemists. A ginner tendering cottonseed for purchase by CCC must not have paid any producer for cottonseed purchased by the ginner on or after the date of filing notice of his intention to participate in the program less than $44 per gross ton, basis grade (100), plus or minus a percentage of such price equal to the percentage by which the average grade of cottonseed for the area in which the gin is located (see § 443.1848) exceeded or was less than basis grade (100). If the ginner is a cooperative gin, and if the marketing agreements between the ginner and its members provide for advances, the ginner may advance a part of the minimum purchase price, determined in accordance with the preceding sentence, at the time each lot of cottonseed is purchased and pay the balance after completion of ginning of 1962-crop cottonseed, but not later than July 31, 1963. Such payments may not be made, in whole or in part, by issuance of revolving-fund certificates or by any other method of retention of amounts for capital purposes. Such average grade shall be determined on the basis of the latest ASCS grade report for the area at the time of purchase from such producer or by such other method as the Executive Vice President, CCC, may approve. In areas where both upland and American-Egyptian cotton are grown, the ACSC grade report for any such area shall report the average grade for each such type of cottonseed, and the price to be paid producers in the area shall be determined on the basis of the average grade for the area for the type of cottonseed purchased. The average grade for Sea Island and Sealand cottonseed shall be considered to be that reported for cottonseed in the area in which such cottonseed are produced. If it is determined by the county office manager and the State executive director that any participating ginner paid any producer less than the prices he should have paid under the foregoing provisions of this section, such ginner shall not, without prejudice to any other rights which CCC may have, be eligible to make any further sales to CCC under the 1962 Cottonseed Price Support Program.

(ii) Notwithstanding the preceding requirements as to price, a participating ginner, after first notifying the county office manager for the county where the gin is located of his intention to do so, may reduce the price paid to producers below the price established on the basis of the average grade for the area: *Provided,* That the ginner shall not pay any producer during the period he is paying such reduced price less than $44 per gross ton, basis grade (100), with price adjustments computed upon the difference between the average grade of cottonseed produced at the gin during such period and basis grade (100). The average grade of cottonseed produced at the gin during such period shall be determined on the basis of official chemical analysis or oil mill grade reports covering such cottonseed or on such other reasonable basis as may be approved by the county office manager. The ginner shall furnish the county office with certified copies of such chemical analyses, grade reports, or other evidence satisfactory to the county office manager, showing the average grade of cottonseed produced at the gin during such period. If it is determined by the State executive director and county office manager that any participating ginner paid producers less than the prices he should have paid in accordance with the preceding three sentences, such ginner shall, without prejudice to any other rights which CCC may have, be ineligible to make any further sales to CCC under the 1962 Cottonseed Price Support Program unless he first pays all of such producers the difference between the price paid to the producers and the price they should have received.

(iii) A ginner may round per ton prices for cottonseed purchased from producers to the nearest multiple of ten cents.

(2) The grade of any cottonseed purchased from a producer before there is

sufficient information available to make a determination of the grade of cottonseed for an area shall be considered to be 90.

(3) If the ginner, upon authorization by the county office manager, transports cottonseed from the gin to oil miller, or approved storage facility, or designated concentration point, the ginner will be paid for such transportation at a rate not in excess of the commercial rate for such transportation service.

§ 443.1844 **Approved forms.**

The approved forms, together with the provisions of this subpart and any supplements and amendments thereto, shall govern the rights and responsibilities of producers and participating ginners. Approved forms may be obtained from county offices. Any fraudulent representation made by a producer or ginner in executing an approved form may render him subject to criminal prosecution under Federal law and liable for any damages resulting from the purchase of the cottonseed involved. Documents executed by an administrator, executor, or trustee will be acceptable only where valid in law. The approved forms consist of the following:

(a) *Producers.* Producer's Voucher (CCC Cottonseed Purchase Form 5) shall be executed by the producer when the cottonseed are purchased from the producer by CCC.

(b) *Cotton ginners.* (1) Each cotton ginner desiring to sell cottonseed to CCC pursuant to this subpart shall, prior to tender of any cottonseed for sale, file with the county office for the county in which each gin is located a Ginner's Notice of Intention to Participate (CCC Cottonseed Purchase Form 1). The filing of such notice does not obligate the ginner to sell any cottonseed to CCC, but all applicable provisions of this subpart must be complied with by the ginner if any cottonseed are offered by the ginner for sale to CCC under the 1962 Cottonseed Price Support Program. Only cottonseed purchased by a participating ginner from a producer after the filing of the Ginner's Notice of Intention to Participate shall be eligible for purchase by CCC under this subpart.

(2) After the Ginner's Notice of Intention to Participate has been filed, a Ginner's Certificate (CCC Cottonseed Purchase Form 2) shall be completed and executed by the participating ginner to cover all cottonseed purchased by him from producers, and the form shall be submitted by the ginner to the appropriate county office at such times and covering such periods of time as the State executive director determines are necessary to make the program effective.

(3) If cottonseed are sold to CCC, the ginner shall prepare and execute a Ginner's Voucher and Certificate (CCC Cottonseed Purchase Form 4) covering the cottonseed and deliver the form to the county office. Each Ginner's Voucher and Certificate submitted by a ginner to the county office shall be supported by weight certificates or warehouse receipts covering the cottonseed purchased which have been issued by an oil miller, or an approved storage facility, or a representative of the county committee at a designated concentration point, and in the absence of warehouse receipts guaranteeing grade, by official chemical analysis certificates covering the cottonseed and identifying such cottonseed by lot number and/or receipt numbers and weights.

§ 443.1845 **Determination of quantity.**

The quantity of cottonseed purchased from the producer by CCC shall be the gross weight actually delivered to CCC as determined by a representative of the county committee, or by an approved storage facility, or by an oil miller. The quantity of cottonseed purchased from a producer by a participating ginner shall be the gross weight of the cottonseed as customarily determined by the ginner in his purchases of cottonseed from producers. The quantity of cottonseed purchased from a ginner by CCC shall be the net weight of the cottonseed at first destination after deduction of the weight of any foreign matter in excess of one percent.

§ 443.1846 **Liens.**

If liens or encumbrances exist on the cottonseed, proper waivers must be obtained.

§ 443.1847 **Setoffs.**

Where CCC makes direct purchases of cottonseed from producers, setoffs will be made as follows:

(a) If any installment or installments on any loan made available by CCC on farm-storage facilities or mobile drying equipment are payable, under the provisions of the note evidencing such loan, out of any amount due the producer under the program provided for in this subpart, the producer must designate CCC or the lending agency holding such note as payee of such amount to the extent of such installments, but not to exceed that portion of the amount remaining after deduction of service charges and amounts due prior lienholders.

(b) If the producer is indebted to CCC, or if the producer is indebted to any other agency of the United States, and such indebtedness is listed on the county debt record, amounts due the producer under the program provided for in this subpart, after deduction of amounts payable on farm-storage facilities or mobile drying equipment and other amounts provided in paragraph (a) of this section, shall be applied, as provided in the Secretary's Setoff Regulations, 7 CFR Part 13 (23 F.R. 3757), to such indebtedness.

(c) Compliance with the provisions of this section shall not deprive the producer of any right he might otherwise have to contest the justness of the indebtedness involved in the setoff action either by administrative appeal or by legal action.

§ 443.1848 **Grade reporting areas.**

Areas for grade reporting purposes will be established by the Director, Cotton Division, ASCS, and a list of area delineation may be obtained from the applicable ASCS State office or the Director of the Cotton Division, ASCS, Washington 25, D.C.

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

Signed at Washington, D.C., on May 31, 1962.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 62-5434; Filed, June 4, 1962; 8:48 a.m.]

Title 7—AGRICULTURE

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

PART 51—FRESH FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

Subpart—United States Standards for Grades of Lettuce[1]

TOLERANCES

On March 28, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 2840) regarding proposed amendments to the United States Standards for Grades of Lettuce.

Statement of considerations leading to the amendments of the grade standards. The principal change involved in the amendments of these grade standards increases the tolerance in the U.S. No. 2 grade for heads affected by decay on any portion of the head exclusive of the wrapper leaves. The tolerance is increased from 1 percent to 3 percent at shipping point and from 3 percent to 5 percent at destination.

Lettuce producers and shippers experienced difficulty in complying with the U.S. No. 2 grade shipping point tolerance for decay in the compact portion of the head in effect since July 1, 1961. They had requested that an increase in the decay tolerance be considered. However, data from inspection certificates issued in a major producing area indicated that the 3 percent tolerance at shipping point proposed on March 28, 1962 was adequate.

No opposition was registered to increasing the tolerance, but producers and shippers requested more liberal tolerances than those proposed and asked that the May 1 limit for submitting comments on the proposal be extended to permit study of additional data. An extension of time until May 15, 1962 was granted. Data from certificates issued in 1959, 1960 and 1961 in areas where decay is a problem substantiated the published proposal. After reviewing the

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State Laws and regulations.

data, industry representatives concurred in the proposal.

The change in tolerance necessitates a change in the application of tolerances section to specify the maximum number of defective heads permitted in any package for a lot tolerance of 5 percent. A change is also made to indicate the number of defective heads permitted in a carton containing 20 heads.

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

Delete § 51.2512(a) and Table I in § 51.2514(a) and substitute therefor new § 51.2512(a) and Table I in § 51.2514(a) as set forth below:

§ 51.2512 U.S. No. 2.

* * * * *

(a) *Tolerances.* In order to allow for variations incident to proper grading and handling the following tolerances, by count, shall be permitted in any lot:

(1) *At shipping point.*[2] 8 percent for heads of lettuce which fail to meet the requirements of this grade: *Provided,* That included in this amount not more than 3 percent shall be allowed for heads which are affected by decay on any portion of the head exclusive of the wrapper leaves.

(2) *En route or at destination.* 12 percent for heads of lettuce which fail to meet the requirements of this grade: *Provided,* That included in this amount not more than the following percentages shall be allowed for defects listed:

(i) 8 percent for heads having permanent defects; or

(ii) 5 percent for heads which are affected by decay on any portion of the head exclusive of the wrapper leaves (see § 51.2514).

§ 51.2514 Application of tolerances.

(a) * * *

TABLE I

Lot tolerance, percent	Maximum number of defective heads permitted in any package			
	Total number of heads in package			
	24	18 or 20	30	Over 30
1	1	1	2	2
3	3	2	3	4
4	3	3	4	4
5	3	3	4	5
6	4	3	5	6
8	5	4	6	7
12	6	5	7	9

It is hereby found that good cause exists for not postponing the effective date of these amendments beyond the date of publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011), in that: (1) The 1962 packing season for lettuce in the areas where decay is most troublesome is well underway and it is in the interest of the public and the industry that these amendments be placed in effect at the earliest possible date; and, (2) no special preparation is required for compliance with these amendments on the part of members of the lettuce industry or of others.

Accordingly the amendments to the United States Standards for Grades of Lettuce set forth herein shall become effective upon publication in the FEDERAL REGISTER.

Dated: May 31, 1962.

G. R. GRANGE,
Deputy Administrator,
Marketing Services.

[F.R. Doc. 62-5426; Filed, June 4, 1962; 8:47 a.m.]

[2] Shipping point, as used in these standards, means the point of origin of the shipment in the producing area or at port of loading for ship stores or overseas shipment, or, in the case of shipments from outside the continental United States, the port of entry into the United States.

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

[Amdt. 3]

PART 722—COTTON

Subpart—Regulations Pertaining to Acreage Allotments for the 1962 Crop of Upland Cotton

TRANSFER OF FARM ALLOTMENTS IN DESIGNATED COUNTIES WHICH HAVE FLOODS OR EXCESSIVE RAINFALL

The purpose of this amendment is to implement Public Law 87–446, approved April 27, 1962 (76 Stat. 64) which amends section 344(n) of the act to provide for transfer of farm allotments in designated counties which have floods or excessive rainfall preventing the timely planting or replanting of a substantial portion of the 1962 farm allotments. The amendment contained herein is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.).

In order that county committees may transfer farm allotments prior to the end of the cotton planting season, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice and public procedure requirements and the 30-day effective date requirement of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is impracticable and contrary to the public interest and this amendment shall be effective upon filing of this document with the Director, Office of the Federal Register.

The regulations pertaining to acreage allotments for the 1962 crop of upland cotton, as amended (26 F.R. 9966, 11472, 11851, 11887), are hereby further amended by addition of a new paragraph (k) to § 722.517 which reads as follows:

(k) *Transfer of farm allotments in designated counties affected by a natural disaster in 1962*—(1) *States affected by a natural disaster which prevents timely planting or replanting of a substantial portion of 1962 farm allotments.* It is hereby found and determined that a natural disaster consisting of flood or excessive rainfall has occurred in 1962 which may have prevented timely planting or replanting of a substantial portion of 1962 farm allotments in one or more counties in each of the following States:

Arkansas.	Mississippi.
Illinois.	Missouri.
Kentucky.	Tennessee.
Louisiana.	

(2) *Counties affected by flood or excessive rainfall which prevents timely planting or replanting of a substantial portion of 1962 farm allotments.* The respective State committees of the States designated in subparagraph (1) of this paragraph have designated the following counties in which a natural disaster has occurred which may have prevented timely planting or replanting of a substantial portion of the 1962 farm allotments.

ARKANSAS

Arkansas.	Lawrence.
Chicot.	Lee.
Clay.	Mississippi.
Craighead.	Monroe.
Crittenden.	Phillips.
Cross.	Poinsett.
Desha.	Prairie.
Greene.	Randolph.
Independence.	St. Francis.
Jackson.	Woodruff.

ILLINOIS

Alexander.	Pulaski.

KENTUCKY

Ballard.	Graves.
Calloway.	Hickman.
Carlisle.	McCracken.
Fulton.	Marshall.

LOUISIANA

Avoyelles.	La Salle.
Catahoula.	Madison.
Concordia.	Tensas.
East Carroll.	

MISSISSIPPI

Bolivar.	Panola.
Calhoun.	Sharkey.
Coahoma.	Tate.
DeSoto.	Tunica.
Grenada.	Warren.
Issaquena.	Washington.
Lafayette.	Yalobusha.
Marshall.	

MISSOURI

Bollinger.	Oregon.
Butler.	Ozark.
Cape Girardeau.	Pemiscot.
Carter.	Ripley.
Dunklin.	Scott.
Howell.	Stoddard.
Jefferson.	Vernon.
Mississippi.	Wayne.
New Madrid.	

TENNESSEE

Dyer.	Obion.
Lake.	Shelby.
Lauderdale.	Tipton.

(3) *Transfer of farm allotments.* The owner or operator of a farm in a county designated under subparagraph (2) of this paragraph may file a written application with the county committee for transfer of all or part of the farm allotment from such farm to another farm if such allotment cannot be timely planted or replanted because of flood or excessive rainfall. The county committee of the county in which the farm from which allotment is to be transferred is located

shall approve such transfer of farm allotment if it finds the following conditions have been met:

(i) All or part of the farm allotment for the farm from which the allotment is to be transferred could not be timely planted or replanted because of flood or excessive rainfall and planting was not prohibited by the lease in case of lands owned by the Federal Government.

(ii) The farm to which the allotment is to be transferred is located in the same county or in an adjoining county in the same or another State as the farm from which the allotment is to be transferred.

(iii) One or more producers of cotton on the farm from which the allotment is to be transferred will be engaged in the production of cotton on the farm to which the allotment is to be transferred and will share in the proceeds thereof. The allotment to be transferred shall not exceed the smaller of the farm allotment less such acreage planted and not destroyed by flood or excessive rainfall or the allotment requested to be transferred. The closing date for approval of transfers by the county committee shall be July 1, 1962. If the requested transfer involves an adjoining county, the county committee for the county in which the farm from which allotment is to be transferred is located shall take all necessary action and approve transfers after consulting with the county committee for such adjoining county. The county committee shall issue revised notices of farm allotment upon approval of each transfer.

(4) *Acreage history credits.* Any farm allotment transferred under this paragraph shall be deemed to be released acreage for purposes of acreage history credits under sections 344(f)(8), 344(m)(2) and 377 of the act.

(Secs. 344(n), 375; 72 Stat. 186, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344(n), 1375)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on May 31, 1962.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-5432; Filed, June 4, 1962; 8:48 a.m.]

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

SUBCHAPTER B—SUGAR REQUIREMENTS AND QUOTAS

[Sugar Reg. 811, Amdt. 3]

PART 811—CONTINENTAL SUGAR REQUIREMENTS AND AREA QUOTAS

Determination and Proration of Area Deficits and Adjusted Quotas, for Six-Month Period Ending June 30, 1962

Basic and purpose. The purpose of this amendment to Sugar Regulation 811 is to determine and prorate a deficit in the quota for the Mainland Cane Sugar Area pursuant to the provisions of the Sugar Act of 1948, as amended (61 Stat. 922, as amended), and as further amended by Public Law 87-15, approved March 31, 1961 (hereafter called the "Act").

Section 204(a) of the Act provides that the Secretary shall from time to time determine whether any area will be unable to market its quota and prescribes the manner in which any deficit in a quota for a domestic area is to be prorated to such other areas able to supply the additional sugar. Such section provides that any deficit in any domestic producing area occurring by reason of inability to market that part of the quota for such area allotted under the provisions of section 202(a)(2) of the Act, shall be prorated to other domestic areas on the basis of the quotas then in effect. On the basis of the quotas established in § 811.2 for domestic areas and the expected supply of sugar available for marketing in the continental United States from these areas for the six-month period ending June 30, 1962, it is hereby found that the Mainland Cane Sugar Area will be unable to market 70,000 short tons, raw value, of its quota. Accordingly, the deficit of 70,000 short tons, raw value, in the quota for the Mainland Cane Sugar Area is herein prorated to the Domestic Beet Sugar Area, Puerto Rico and the Virgin Islands.

The Act also provides that the quota for any area as established under the provisions of section 202 shall not be reduced by reason of any determination of a deficit.

Quotas previously established in Sugar Regulation 811 (27 F.R. 3733, 4585) included the determination of a deficit of 62,492 short tons, raw value, in the quota for Hawaii which was prorated to the Domestic Beet Sugar Area, Puerto Rico and the Virgin Islands.

The quotas and prorations established herein differ from those previously established and include deficit prorations totaling 132,492 tons. To permit areas for which larger quotas or prorations are hereby established to plan to market and to market in an orderly manner the larger quantity of sugar, it is essential that this amendment be made effective immediately. Therefore, it is hereby determined and found that compliance with the notice, procedure and effective date requirements of the Administrative Procedure Act is unnecessary, impracticable and contrary to the public interest and the amendment herein shall become effective when published in the FEDERAL REGISTER.

By virtue of the authority vested in the Secretary of Agriculture by the Sugar Act of 1948, as amended (61 Stat. 922, as amended), Sugar Regulation 811 (26 F.R. 11963; 27 F.R. 3733, 4585) is hereby amended by amending § 811.4 to read as follows:

§ 811.4 Determination and proration of area deficits and adjusted quotas.

(a) *Deficit in quotas established in § 811.2.* It is hereby determined pursuant to section 204(a) of the Act, that for the six-month period ending June 30, 1962, Hawaii and the Mainland Cane Sugar Area will be unable by 62,492 and 70,000 short tons of sugar, raw value, respectively, to market the quotas established for such areas in § 811.2.

(b) *Proration of deficits and quotas in effect.* The deficits in the quotas determined in paragraph (a) of this section, amounting to a total of 132,492 short tons, raw value, are hereby prorated pursuant to section 204(a) of the Act to the other domestic areas as shown below. The quotas for the domestic areas shall be those established in § 811.2 plus the quantities prorated herein, as follows:

[Short tons, raw value]

Area	Prorated herein (1)	Quota including prorations herein (2)
Domestic beet sugar	83,249	1,138,562
Mainland cane sugar	0	324,730
Hawaii	0	588,968
Puerto Rico	48,581	664,422
Virgin Islands	662	9,060

STATEMENT OF BASES AND CONSIDERATIONS

Inventories of mainland cane sugar held by processors and refiners at the beginning of this year amounted to about 90,000 short tons, raw value. Production of sugar since the beginning of the year from 1961-1962 crop sugarcane, the processing of which was recently completed in Florida, totaled approximately 167,000 tons. Production of sugar from 1962-63 crop sugarcane does not begin until fall. Thus, a total of about 257,000 tons of mainland cane sugar is available for marketing within the quota of 324,730 tons established for the Mainland Cane Sugar Area for the first six months of 1962. In view of the limited sugar supply and the expectation that some mainland cane sugar will be held in inventory on June 30, a deficit of 70,000 tons is declared at this time in the quota for the Mainland Cane Sugar Area and reallocated to the Domestic Beet Sugar Area, Puerto Rico and the Virgin Islands.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interprets or applies sec. 204; 61 Stat. 924; U.S.C. 1112. Public Law 87-15)

Done at Washington, D.C., this 31st day of May 1962.

CHARLES S. MURPHY,
Under Secretary.

[F.R. Doc. 62-5429; Filed, June 4, 1962; 8:48 a.m.]

[Sugar Reg. 813.2 (Rescission)]

PART 813—ALLOTMENT OF SUGAR QUOTA

Domestic Beet Sugar Area; Six-Month Period Ending June 30, 1962

Basis and purpose. This revision is issued under Sec. 205(a) of the Sugar Act of 1948, as amended (hereinafter called the "Act"), for the purpose of rescinding Sugar Regulation 813.2, as amended (26 F.R. 12678, 27 F.R. 2448, 4147, 4958), which established allotments of the Domestic Beet Sugar Area quota for the six-month period ending June 30, 1962.

The full Domestic Beet Sugar Area quota for the six-month period ending June 30, 1962, was initially allotted to individual processors when the quota was 1,032,931 short tons, raw value. The quota was increased to 1,094,579 tons as the result of an increase in the determination of consumption requirements for the calendar year 1962 from 9.5 to 9.7 million tons and the proration of a deficit of 62,492 tons in the quota for Hawaii for the first six months of 1962. The proration of a 70,000-ton deficit in the quota for the Mainland Cane Sugar Area has now increased the quota for the Domestic Beet Sugar Area to 1,138,562 tons.

Even though sugar beet processors have sugar supplies in excess of the present quota balance for the six-month period ending June 30, 1962, all of such sugar stocks will not be available for marketing within the quota for the first six months of 1962. Processors must retain inventories past June 30 which are adequate to meet market demands during July, August and September. Substantial processings of new-crop sugar commence in October.

Marketings by beet sugar processors during the third quarter totaled 818,000 tons in 1961 and 741,000 tons in 1960. If marketings during the first six months of 1962 would be equivalent to the quota of 1,138,562 tons, there would remain less than 690,000 tons from January 1, 1962 effective inventories to meet third quarter needs. Accordingly, in order to maintain adequate supplies to meet third quarter demand for beet sugar, marketings during the first half of 1962 are not expected to amount to as much as the quota. Thus, it is found to be unnecessary to continue in effect the allotments of such quota and § 813.2 of this chapter is hereby rescinded.

Effective date. Because of the limited time remaining in the six months quota period to market sugar within the quota for the area, it is essential that processors be afforded as much time as possible to plan and to execute orderly marketings. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and, consequently, the rescinding of Part 813 of this chapter (Sugar Regulation 813.2) made herein shall become effective upon publication in the FEDERAL REGISTER.

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

Done at Washington, D.C., this 31st day of May 1962.

CHARLES S. MURPHY,
Under Secretary.

[F.R. Doc. 62-5430; Filed, June 4, 1962; 8:48 a.m.]

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

PART 916—NECTARINES GROWN IN CALIFORNIA

Determination Relative to Expenses and Fixing of Rate of Assessment for 1962–63 Fiscal Period and Carryover of Unexpended Funds

Notice was published in the May 12, 1962, issue of the FEDERAL REGISTER (27 F.R. 4557) that consideration was being given to proposals regarding the expenses and the fixing of the rate of assessment for the fiscal period ending February 28, 1963, under the marketing agreement and Order No. 916 (7 CFR Part 916) regulating the handling of nectarines grown in California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Nectarine Administrative Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 916.201 Expenses and rate of assessment for the 1962–63 fiscal period.

(a) *Expenses.* The expenses that are reasonable and likely to be incurred by the Nectarine Administrative Committee, established pursuant to the provisions of the aforesaid marketing agreement and order, to enable such committee to perform its functions, in accordance with the provisions thereof, during the fiscal period beginning March 1, 1962, and ending February 28, 1963, will amount to $137,495.

(b) *Rate of assessment.* The rate of assessment, which each handler who first handles nectarines shall pay as his pro rata share of the aforementioned expenses in accordance with the applicable provisions of said marketing agreement and order, is hereby fixed at two and one-half cents ($0.025) per standard lug box, or equivalent quantity of nectarines in other containers or in bulk so handled by such handler during such fiscal period.

(c) *Reserve.* Unexpended assessment funds, in excess of expenses incurred during the fiscal period ending February 28, 1963, shall be carried over as a reserve in accordance with the applicable provisions of § 916.42 of said marketing agreement and order.

It is hereby found that good cause exists for not postponing the effective time of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) the relevant provisions of said marketing agreement and this part require that the rate of assessment fixed for a particular fiscal period shall be applicable to all assessable nectarines from the beginning of such period; and (2) the current fiscal period began on March 1, 1962, and the rate of assessment herein fixed will automatically apply to all assessable nectarines beginning with such date.

Terms used in the marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order, and "standard lug box" shall mean the No. 26 standard lug box set forth in section 828.4 of the Agricultural Code of California.

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

Dated: May 31, 1962.

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

[F.R. Doc. 62-5427; Filed, June 4, 1962; 8:48 a.m.]

PART 917—FRESH BARTLETT PEARS, PLUMS, AND ELBERTA PEACHES GROWN IN CALIFORNIA

Findings and Determinations Relative to Expenses To Be Incurred and Fixing of Rates of Assessment for the 1962–63 Season

On May 15, 1962, notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 4596) regarding the expenses and the fixing of the rates of assessment for the 1962–63 season pursuant to the marketing agreement, as amended, and Order No. 917, as amended (7 CFR Part 917), regulating the handling of fresh Bartlett pears, plums, and Elberta peaches grown in the State of California. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order) and set forth in the aforesaid notice, it is hereby found and determined that:

§ 917.201 Expenses and rates of assessment for the 1962–63 season.

(a) Expenses: The expenses likely to be incurred by the Control Committee during the 1962–63 season beginning March 1, 1962, and ending February 28, 1963, both dates inclusive, for the maintenance and functioning of such committee and the respective commodity committees, established pursuant to the provisions of the aforesaid amended marketing agreement and order, are as follows:

(1) Bartlett pears, $20,662.67;

(2) Early varieties of plums, $18,818.86;

(3) Late varieties of plums, $20,740.36; and

(4) Elberta peaches, $14,048.11.

(b) Rates of assessment: The following rates of assessment, which each

handler shall pay in accordance with the applicable provisions of said amended marketing agreement and order, are hereby fixed as the respective handler's pro rata share of the aforesaid expenses:

(1) 8 and ½ mills ($0.0085) per standard western pear box of Bartlett pears, or its equivalent in other containers or in bulk;

(2) 8 and ½ mills ($0.0085) per standard four-basket crate of early varieties of plums, or its equivalent in other containers or in bulk;

(3) 8 and ½ mills ($0.0085) per standard four-basket crate of late varieties of plums, or its equivalent in other containers or in bulk; and

(4) 4 and ½ mills ($0.0045) per California peach box of Elberta peaches, or its equivalent in other containers or in bulk.

(c) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001–1011) in that (1) the relevant provisions of said amended marketing agreement and this part require that the rates of assessment fixed for a particular season be applicable to all fresh Bartlett pears, early varieties of plums, late varieties of plums and Elberta peaches from the beginning of such season; and (2) the current season began on March 1, 1962, and the rates of assessment herein fixed will automatically apply to all Bartlett pears, early varieties of plums, late varieties of plums, and Elberta peaches beginning with such date.

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

Dated: May 31, 1962.

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

[F.R. Doc. 62-5428; Filed, June 4, 1962; 8:48 a.m.]

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN A DESIGNATED AREA OF CALIFORNIA

Revision of Date Administrative Committee's Expenses and Rate of Assessment for 1961–62 Crop Year

The Date Administrative Committee has unanimously recommended an increase in the rate of assessment heretofore fixed for the 1961–62 crop year (26 F.R. 8374), and adopted an estimate that expenses for such year will be less than heretofore approved. The Committee is established under, and its recommendation is made pursuant to, the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987), regulating the handling of domestic dates produced or packed in a designated area of California. This marketing agreement and order program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

Expenses in the amount of $41,242 for the 1961–62 crop year which ends on July 31, 1962, were approved and a rate of assessment of 15 cents per hundredweight of assessable dates to defray such expenses was fixed in an order dated August 31, 1961 (26 F.R. 8374). The aggregate quantity of assessable dates (those handled or certified for handling or for further processing) for the 1961–62 crop year was estimated by the Committee at that time to be 27.495 million pounds.

The Committee has now concluded that: (1) The total assessable poundage will be less than that previously estimated; (2) the revenue to be collected at an assessment rate of 15 cents per hundredweight will be insufficient to meet expenses currently estimated at the smaller amount of $37,845; and (3) an assessment rate of 18 cents per hundredweight will provide the required revenue.

On the basis of the recommendation of the Date Administrative Committee, together with all data in support thereof submitted by the Committee, and other available information, it is hereby found and determined that § 987.306 (7 CFR 987.306) should be revised to read as hereinafter set forth; and it is hereby ordered that said section is revised to read:

§ 987.306 Expenses of the Date Administrative Committee and rate of assessment for the 1961–62 crop year.

(a) *Expenses.* Expenses in the amount of $37,845 are reasonable and likely to be incurred by the Date Administrative Committee during the crop year beginning August 1, 1961, for its maintenance and functioning and for such other purposes determined to be appropriate.

(b) *Rate of assessment.* Each handler shall pay to the Date Administrative Committee, in accordance with the provisions of Marketing Agreement No. 127, as amended, and this part, an assessment at the rate of 18 cents per hundredweight of dates which he handles or has certified for handling or for further processing during the crop year beginning August 1, 1961, which assessment rate is hereby fixed as each handler's pro rata share of the aforesaid expenses.

It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rule-making procedure, and that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that: (1) The assessment rate of 15 cents per hundredweight will not provide sufficient funds to meet the Committee's reduced expenses and it does not now have available adequate funds to defray authorized expenses during the remainder of the crop year; (2) an increased rate, as specified herein, must be fixed and applied promptly so sufficient revenue will be obtained to enable the Committee to continue to perform its duties during the remainder of the current crop year; (3) the increase in the assessment rate for the current crop year was recommended unanimously by the Committee, which represents date growers and handlers; (4) the relevant provisons of the said marketing agreement and order require that a rate of assessment fixed for a particular crop year and any increase thereof shall apply to all dates handled or certified for handling or for further processing from the beginning of such crop year, and the handling or certification of dates for the current crop year is practically completed; and (5) the current crop year began on August 1, 1961, and the increased rate of assessment herein fixed will automatically apply to such dates beginning with that date.

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

Dated: May 31, 1962.

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

[F.R. Doc. 62-5422; Filed, June 4, 1962; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61-LA-74]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Alteration

On February 16, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1461) stating that the Federal Aviation Agency was considering the alteration of VOR Federal airway No. 111 from the Salinas, Calif., VORTAC to the Oakland, Calif., VORTAC and VOR Federal airway No. 485 from the Priest, Calif., VOR to the Oakland VORTAC.

No comments were received regarding the proposed amendments.

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

The substance of the proposed amendments 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, the following actions are taken:

1. Section 600.6111 (14 CFR 600.6111) is amended to read:

§ 600.6111 VOR Federal airway No. 111 (Big Sur, Calif., to Los Banos, Calif.).

From the Big Sur, Calif., VOR via the Salinas, Calif., VORTAC; to the INT of the Salinas VORTAC; 026° radial with the Los Banos, Calif., VOR direct radial to the Oakland, Calif., VORTAC, excluding the airspace within R-2511.

§ 600.6485 [Amendment]

2. In the text of § 600.6485 (26 F.R. 2221) "Priest VOR 334°" is deleted and "Priest VOR 331°" is substituted therefor.

These amendments shall become effective 0001 e.s.t., July 26, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 28, 1962.

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

[F.R. Doc. 62-5402; Filed, June 4, 1962; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C-43]

PART 13—PROHIBITED TRADE PRACTICES

Westerman Manufacturing Co., Inc., et al.

Subpart—Concealing, obliterating or removing law required and informative marking: § 13.510 *Foreign source.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1900 *Source or origin:* § 13.1900-30 *Foreign in general.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C 45) [Cease and desist order, Westerman Manufacturing Company, Inc, et al., New York, N.Y., Docket C-43, Dec. 14, 1961]

In the Matter of Westerman Manufacturing Company, Inc., a Corporation, and David Westerman, and Joel Westerman, Individually and as Officers of Said Corporation

Consent order requiring New York City distributors of imported metal expansion watch bands sold under the trade name of "Pride", to cease selling the watch bands without revealing their foreign origin, by such practices as packaging them for display so that the word "Japan" or "Hong Kong" stamped on an inside link was not visible except by damaging the so-called "bubble pack".

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Westerman Manufacturing Company, Inc., a corporation, and its officers, and David Westerman and Joel Westerman, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of imported watch bands, or any other imported products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Offering for sale, selling, or distributing any such product which is packaged, or placed in a container, or mounted on or affixed to a card or other device, in such a manner as to conceal the country or place of origin, unless the country or place of origin is clearly and conspicuously disclosed on the package, container, card, or other device.

2. Offering for sale, selling or distributing any such product in such a manner that the country or place of origin of the product cannot be readily seen by prospective purchasers.

3. Disseminating or causing to be disseminated any display or point of sale material with respect to any such product which fails to clearly and conspicuously disclose the country or place of origin of the product.

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

Issued: December 14, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-5412; Filed, June 4, 1962; 8:46 a.m.]

[Docket No. 7815]

PART 13—PROHIBITED TRADE PRACTICES

Chemway Corp.

Subpart—Discriminating in price under section 2, Clayton Act—Price discrimination under 2(a): § 13.755 *Pooling orders of chain stores and buying groups.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1527; 15 U.S.C. 13) [Cease and desist order, Chemway Corporation, Wayne, N.J., Docket 7815, Dec. 15, 1961]

Order requiring a manufacturer of cosmetics, drugs, and related products with main office in Wayne, N.J., to cease discriminating in price in violation of section 2(a) of the Clayton Act by such practices as granting to certain direct buying retailer purchasers of its "Lady Esther" cosmetic products—including The Great Atlantic & Pacific Tea Company and the Reed Drug Company in Milwaukee—its wholesaler discounts of 33⅓ percent from the suggested minimum retail selling price in its price lists plus an additional 16⅔ percent of the remaining price, while at the same time granting only a straight discount of 40 percent to other competing direct buying retailer purchasers.

The order to cease and desist is as follows:

It is ordered, That respondent Chemway Corporation, a corporation, its officers, employees, agents and representatives, directly or through any corporate or other device, in or in connection with the sale of its cosmetic products in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from discriminating, directly or indirectly in the price of such products of like grade and quality, by selling to any purchaser at net prices higher than the net prices charged any competing purchaser.

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

It is further ordered, That the respondent, Chemway Corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist contained in the aforesaid initial decision.

Issued: December 15, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-5413; Filed, June 4, 1962; 8:46 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 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

CHEWING GUM BASE

The Commissioner of Food and Drugs, having evaluated the data submitted in petitions filed by Moore and Munger, Inc., 33 Rector Street, New York 6, New York, and Chemore Corporation, 100 East Forty-second Street, New York 17, New York, and other relevant material, has concluded that the following amendments to § 121.1059 of the food additive regulations should issue with respect to synthetic paraffin and polyvinyl acetate as ingredients in chewing gum base. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.1059 (21 CFR 121.1059; 27 F.R. 44419) of the food additive regulations is amended by changing the specifications for polyvinyl acetate and by adding a new substance, synthetic paraffin. As amended, the affected portions of this section read as follows:

§ 121.1059 Chewing gum base.

* * * * *

(a) * * *

* * * Synthetic	* * * Specifications
* * *	* * *
Paraffin (Fischer-Tropsch process).	Consisting of saturated aliphatic hydrocarbons; congealing point 200° F.-210° F., as determined by A.S.T.M. method D-938-49. Purity conforming with the specifications for paraffin wax as provided by regulation in this Subpart D or by any order extending the effective date of statute as it applies to paraffin wax.
* * *	* * *
Polyvinyl acetate	Molecular weight, minimum 2,000.

Any person who will be adversely affected by the foregoing order may at any time within 30 days 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)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4))

Dated: May 28, 1962.

JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 62-5419; Filed, June 4, 1962; 8:47 a.m.]

Title 27—INTOXICATING LIQUORS

Chapter I—Internal Revenue Service, Department of the Treasury

[T.D. 6601]

PART 5—LABELING AND ADVERTISING OF DISTILLED SPIRITS

Standards of Fill for Distilled Spirits

Notice of public hearing to be held in Washington, D.C., on July 27, 1960, with respect to certain proposals to amend 27 CFR Part 5 Relating to Labeling and Advertising of Distilled Spirits, was published in the FEDERAL REGISTER on July 2, 1960 (25 F.R. 6292). Upon the conclusion of the said hearing and after consideration of relevant material submitted by interested persons in connection therewith regarding the proposals, the following amendments to 27 CFR Part 5 are hereby adopted:

PARAGRAPH 1. In order to authorize the use of 4/5 pint containers for the packaging of all classes and types of distilled spirits:

(A) Section 5.73(a)(1) is amended by inserting "4/5 pint" immediately below "1 pint". As amended paragraph (a)(1) reads as follows:

(a) * * *

(1) For all distilled spirits, whether domestically manufactured, domestically bottled, or imported:

1 gallon	4/5 pint
1/2 gallon	1/2 pint
1 quart	1/8 pint
4/5 quart	1/10 pint
1 pint	

(B) Section 5.73(a) is amended by deleting subparagraph (3).

This Treasury decision shall become effective 30 days after the date of publication in the FEDERAL REGISTER.

(49 Stat. 981, as amended; 27 U.S.C. 205)

[SEAL] MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

Approved: May 29, 1962.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

[F.R. Doc. 62-5443; Filed, June 4, 1962; 8:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter V—Department of the Army

SUBCHAPTER G—PROCUREMENT

MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

Subchapter G is amended in detail as set forth below:

PART 590—GENERAL PROVISIONS

1. In § 590.201-54, revise list of principal purchasing offices under the heading "Quartermaster Corps," as follows:

§ 590.201-54 Principal purchasing offices.

* * * * *

QUARTERMASTER CORPS

Atlanta General Depot, United State Army, Forest Park, Ga.

Columbus General Depot, United States Army, Columbus, Ohio.

QM Research and Engineering Command, United States Army, Natick, Mass.

Schenectady General Depot, United States Army, Schenectady, N.Y.

Sharpe General Depot, United States Army, Lathrop, Calif.

United States Army Animal Procurement Office, Lackland AFB, Tex.

2. Sections 590.307 and 590.307-2 are added, and § 590.350(a) is revised, as follows:

§ 590.307 Priorities, allocations, and allotments (AR 715-5).

§ 590.307-2 Required use of priorities, allocations, and allotments clause.

Reference is made to Priorities and Allocations Manual 2-4.1 pertaining to requirements type contracts. A single rating will be assigned to requirements type contracts either C3 or C9.

§ 590.350 Advance procurement planning.

(a) Advance procurement planning will be accomplished on all procurements. The scope of such planning will vary with the complexity and dollar value of the item. Such planning will be coordinated and will consider the following procurement aspects, where applicable: development, production, future requirements, engineering, programming, fiscal, legal, and contracting. This planning must be accomplished in order that procurement actions comply with the policy set forth in § 1.300-1 of this title, which provides that procurements will be made on a competitive basis to the maximum practicable extent. Heads of procuring activities will publish such instructions consistent with Subchapter A, Chapter I of this title and this subchapter as deemed necessary to insure that procurements are made on a competitive basis to the maximum extent practicable.

3. New paragraph (i) is added to § 590.402-50; and §§ 590.1003-9 and 590.1004-1 are revised as follows:

§ 590.402-50 General responsibilities of contracting officers.

* * * * *

(i) Contracting officers have authority, when it is in the best interest of the Government to do so, to consider a contract completed even though an inconsequential quantity of items or services called for by the contract has not been delivered. This authority may be exercised only when:

(1) Payment is provided for on a unit price or other severable basis and no further performance is contemplated;

(2) Payment is made only for the performance actually rendered; and

(3) The undelivered portion is inconsequential and the cost of effecting a formal contract modification (including but not limited to taking termination action) is excessive in relation to the benefits to the Government from such action.

In order to exercise this authority the contracting officer shall make a statement in writing, setting forth data identifying the contract, describing the circumstances which show clearly that the criteria above are met, and stating that the contract is considered completed. This statement will be distributed to the contract files, the contractor, the appropriate finance officer, and to any other appropriate Government office (e.g., consignee, inspector, etc.). This statement is not necessary where quantities delivered fall within variations permitted by the contract terms.

§ 590.1003-9 Preparation and transmittal.

See § 1.1003-9 of this title.

§ 590.1004-1 Preparation and transmittal.

See § 1.1004-1 of this title.

PART 591—PROCUREMENT BY FORMAL ADVERTISING

4. Revise §§ 591.406-3, 591.406-4, and 591.406-50; and revoke §§ 591.406-51 and 591.406-52, as follows:

§ 591.406-3 Other mistakes.

(a) The authority referred to in § 2.406-3(b)(1) of this title has been delegated to the extent therein provided and, in addition, authority to make the determinations set forth in § 2.406-3(a)(1) if this title has been delegated to the head of each procuring activity with power to redelegate such authority to the chiefs of purchasing offices, as defined in § 590.201-53 of this chapter, having legal counsel available, without power of further redelegation.

(b) The action taken to verify bids, as required by § 2.406-3(e)(1) of this title must be sufficiently complete to either

reasonably assure the contracting officer that the bid, as confirmed, is without error, or elicit the anticipated allegation of a mistake by the bidder. To insure that the bidder concerned will be put on notice of a mistake suspected by the contracting officer, the bidder should be advised, as is appropriate to the particular circumstances of the case, of (1) the fact that his bid is out of line with the next low or with the other bids, (2) important or unusual characteristics of the specifications, (3) changes in requirements from previous purchases of a similar item, or (4) such other data as may be proper for such disclosure to the bidder as will give him notice of the mistake which the contracting officer suspects. Where the initial confirmation of a bid by a bidder does not dispel the suspicion of an error, the contracting officer should seek further verification or should employ other means deemed appropriate to resolve the question of a possible error in the bid.

(c) Where a mistake in bid alleged prior to award requires a determination by the Comptroller General, the matter shall be processed in accordance with § 591.451. The required file shall include, in addition to the data specified in § 2.406–3(e)(3) of this title, a statement "that an award has not been made."

§ 591.406–4 Disclosure of mistakes after award.

(a) *Correction of mistakes.* See § 2.406–4 of this title.

(b) *Rescission and reformation of contracts.* See § 2.406–4 of this title.

(c) *Designation of principal assistant.* See § 2.406–4 of this title. Each Head of a Procuring Activity may designate in writing the Deputy Head, Assistant Head, Chief of Staff or the Assistant Chief of Staff G–4, of the procuring activity as his principal assistant with authority to act for him in rescinding or reforming contracts as set forth in § 2.406–4 (a), (b), or (e) of this title. The Head of a Procuring Activity will forward a copy of the instrument designating his principal assistant for the purposes of this paragraph to the Deputy Chief of Staff for Logistics, Department of the Army, Washington 25, D.C., ATTN: Chief, Contracts Division.

(d) *Processing of cases.* See § 2.406–4 of this title.

(e) *Denial of relief.* See § 2.406–4 of this title.

(f) *Action by contracting officer.* See § 2.406–4 of this title.

(g) *Processing cases pursuant to Part 17 of this title.* See § 2.406–4 of this title. All cases not covered by § 2.406–4 (c), (b) or (e) of this title shall be processed in accordance with Part 17 of this title, subject to the limitations set forth therein. The authority of officers and officials listed in § 17.203(b) of this title, includes the authority to authorize and direct the rescission of a contract entered into on the basis of a mistake within the examples of mistakes contained in § 17.204–3 of this title; *Provided,* That the case otherwise is within the limitations of § 17.205 of this title and particularly § 17.205–2(c). Rescission can be accomplished by cancellation of the award if a formal agreement has not been executed, such cancellation to satisfy the requirements of § 17.206(a) through (c) of this title and be authorized by a Memorandum of Decision as required by § 17.208–2 of this title. Rescission may also be accomplished by an amendment to the contract in the form of a supplemental agreement which must satisfy the requirements of § 17.206 of this title and be authorized by a Memorandum of Decision as required by § 17.208–2 of this title. Where a contractor has specifically requested, in writing, that a decision be made by the Comptroller General or in a case where cognizance of the matter has been taken by that official, the matter will be processed in accordance with § 591.451. See § 17.205–2(a) of this title.

§ 591.406–50 Distribution of Administrative Determinations and Comptroller General Decisions.

(a) *To head of procuring activity.* Each head of a procuring activity will monitor and maintain records of administrative determinations made under the delegated authority referred to in §§ 591.406–3(a) and 591.406–4(c). Chiefs of purchasing offices, authorized to make administrative determinations set forth in § 2.406–3(a)(1) of this title, will forward to the Head of the Procuring Activity, by the 10th of each month, information specified in § 2.406–3(e)(3)(i) through (v) of this title together with a copy of the administrative determinations relative to each such determination made during the preceding month. Each record will contain the following information:

(1) The data listed in § 2.406–3(e)(3)(i) through (v) of this title together with a copy of the administrative determination referred to in § 2.406–3(a) of this title, where the action was taken under the authority stated in § 2.406–3 (a) and (b) of this title; and

(2) The data listed in § 2.406–4(d)(2) of this title together with a copy of the administrative determination where the action was taken under the authority stated in §2.406–4 (c) and (e) of this title.

(b) *To disbursing officer.* The contracting officer will furnish a copy of the administrative determination, or a copy of the decision of the Comptroller General, if any, respecting each mistake in bid case, to the disbursing officer to support any payment made or to be made by him.

(c) *To General Accounting Office with Standard Form 1036.* (§ 2.407–7 of this title.)

(d) *To contract files.* (§ 1.308 of this title).

§ 591.406–51 Records of actions taken. [Revoked]

§ 591.406–52 Distribution of administrative determinations and Comptroller decisions. [Revoked]

PART 592—PROCUREMENT BY NEGOTIATION

5. New paragraph (e) is added to § 592.102; §§ 592.204–50, 592.210–3 and 592.606 are revised; and new § 592.606–3 is added, as follows:

§ 592.102 General requirements for negotiation.

* * * * *

(e) The requirements of § 3.102(c) of this title have been satisfied.

§ 592.204–50 Approval of award.

(a) The requirements for approval of higher authority of contracts involving personal and professional services are set forth in § 606.204–1(a) of this chapter.

(b) The requirements for review by higher authority of contracts for employment of other than experts or consultants which may involve personal or professional services are set forth in § 606.204–1(c) of this chapter.

§ 592.210–3 Limitation.

See § 3.210–3 of this title.

§ 592.606 Blanket Purchase Agreement Method.

§ 592.606–3 Conditions for use.

Individual requests placed against blanket purchase agreements for perishable subsistence may be placed in amounts in excess of $2,500 provided the Examination of Records clause, § 7.104–15 of this title, is included in DD Form 1155.

6. Paragraphs (c) and (e)(2) of § 592.650–3 are revised; the introductory portion of § 592.650–6 is revised; and § 592.650–9 is revised, as follows:

§ 592.650–3 Use in conjunction with charge accounts.

* * * * *

(c) *Limitation.* There is no limit to the total dollar value of the requests which may be placed against a charge account during an agreed billing period. Individual calls or oral requests to be placed against charge accounts will be limited to $2,500 or less.

* * * * *

(e) *Requests placed against charge accounts.* The following procedures shall govern when placing purchase requests against charge accounts:

* * * * *

(2) Competition is required when placing individual, oral or informal, requests amounting to more than $250. No individual request shall exceed $2,500, except that purchase requests may be placed for perishable subsistence without dollar limitation, provided the Examination of Records clause, § 7.104–15 of this title, is included in DD Form 1155. Price quotations may be obtained from vendor's current pricing list, if available. Records will indicate the sources of the quotation and the prices quoted. If a lower quotation is obtained from other than a charge account vendor, a separate purchase order will be issued for the item or a new charge account will be established with the low offeror.

§ 592.650–6 Use of a voucher.

See § 16.303–2(e) of this title.

§ 592.650–9 Limitations.

(a) Where additional contract clauses or deviations are required for specific purposes, prior approval for their use shall be obtained from the Chief, Con-

tracts Division, Deputy Chief of Staff for Logistics, Department of the Army, Washington 25, D.C. The attaching of vendor's invoices which are required for payment, specifications, drawings, packaging, and marking instructions, and other similar data which are considered an adjunct or a part of the description of the supplies listed on the face of DD Form 1155 is authorized.

(b) DD Form 1155 shall not be utilized for the acceptance of bids after formal advertising.

PART 593—SPECIAL TYPES AND METHODS OF PROCUREMENT

7. Add new Subpart A to Part 593, as follows:

Subpart A—Procurement of Construction

Sec.
593.102 Formal advertising.
593.150 New construction.
593.151 Responsibility.
593.152 Authorization.

AUTHORITY: §§ 593.102 to 593.152 issued under sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314.

§ 593.102 Formal advertising.

Unless within the authorizations set forth in Part 3 of this title and Part 592 of this subchapter, or unless authorized by law, all construction contracts shall be entered into after formal advertising on a lump sum or unit price basis.

§ 593.150 New construction.

The term "new construction" as used in this subchapter includes the advance planning, preparation of plans, specifications and estimates, design, erection, budgeting and allocation of funds, issuance of directives and provisions of necessary labor, material, equipment, supplies and transportation necessary for initial erection or installation of any building structure, plant, ground facility, utility system, wharves, airfields, etc., or other real property for the Department of the Army built separately or apart from existing facilities.

§ 593.151 Responsibility.

The Chief of Engineers is charged with the direction of all work pertaining to new construction for the Department of the Army except as otherwise directed. In the execution of new construction he is charged with the application of Department of the Army construction policies including conformance with construction standards, suitability of the project and for technical and engineering accuracy.

§ 593.152 Authorization.

All work under the supervision of the Corps of Engineers, including new work and modifications to work previously authorized shall be accomplished by formal directive issued by the Chief of Engineers. The following, however, are authorized to accomplish emergency construction and necessary repair work for all activities under their jurisdiction:

(a) Major oversea commanders.

(b) Major commanders in United States, its Territories and possessions.

(c) Attachés.

(d) Chiefs of foreign missions (Army).

(e) Chiefs of Army sections of any joint military missions not operating under the jurisdiction of a major oversea command.

PART 595—FOREIGN PURCHASES

8. New § 595.602–1 is added to Subpart F, as follows:

§ 595.602–1 General.

Instructions regarding customs clearance of emergency purchases of war material made abroad are set forth in SR 715–55–10 (Administrative Army regulations for customs clearance of emergency purchases of war materials made abroad). Chiefs of technical services, prior to delegating authority to issue duty free entry certificates under paragraph 9, SR 715–55–10, will effect a mutual agreement concerning such action with appropriate ZI army commanders pursuant to paragraph 6, SR 715–55–10. In addition, chiefs of technical services will accomplish mutual agreement with appropriate ZI army commanders prior to issuing any implementing instructions concerning duty free entry certificates for the entry of emergency purchases, and will provide ZI army commanders copies of such implementing instructions when issued.

PART 596—CONTRACT CLAUSES

9. Section 596.104–1 is revised and § 596.104–2 is revoked, as follows:

§ 596.104–1 Clauses for contracts involving construction work.

In effecting procurement outside the United States and its possessions, the Davis-Bacon Act and Copeland Act clauses shall be deleted.

§ 596.104–2 Copeland Act. [Revoked]

10. A new Subpart D is added to Part 596, as follows:

Subpart D—Clauses for Cost-Reimbursement Type Research and Development Contracts

Sec.
596.400 Scope of subpart.
596.403–50 Care of Experimental Animals Clause.

AUTHORITY: §§ 596.400 and 596.403–50 issued under sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314.

§ 596.400 Scope of subpart.

See § 7.400 of this title.

§ 596.403–50 Care of Experimental Animals Clause.

In furtherance of the Department of the Army policy that all aspects of the use of experimental or laboratory animals in activities performed and sponsored by the Department of the Army agencies be in accordance with the Principles of Laboratory Animal Care as promulgated by the National Society for Medical Research, the following contract clause will be included in all contracts which may involve the use of experimental animals:

CARE OF EXPERIMENTAL ANIMALS (DEC. 1961)

(a) The contractor agrees to adhere to the following principles in the care of any experimental animals utilized in the performance of this contract:

(i) The acquisition and use of all animals for experimental purposes shall be in compliance with Federal, state, and local laws.

(ii) Research projects involving live animals must be performed by, or under the immediate supervision of, a qualified biological scientist.

(iii) The housing, care, and feeding of all experimental animals shall be supervised by a properly qualified veterinarian or other biological scientist competent in such matters.

(iv) All laboratory animals must receive every consideration for their comfort; they must be kindly treated, properly fed, and their surroundings kept in a sanitary condition.

(v) Rooms in which animals are to be housed shall be provided with a floor which can be kept clean, and the room shall be lighted and ventilated. The temperature shall be held within reasonable limits. Cages should be of sufficient size to permit the animals used to stand or lie in a normal position. It is generally conceded that animals maintained for long periods are in better physiological condition if they exercise regularly. Species housed out-of-doors should be given adequate protection from direct sunlight or inclement weather.

(vi) The food and water supplied to all experimental animals, subject to the nature of the research, must be palatable, and of sufficient quantity and proper quality to maintain the animals in good health.

(vii) In any operation likely to cause greater discomfort than that attending anesthetization, the animals shall first be rendered incapable of perceiving pain and be maintained in that condition until the operation is ended.

(A) Whenever anesthetization would defeat the purpose of the experiment then the experiment must be approved by the head of the contractor research department or directly supervised by the head of his laboratory.

(B) If an acute study does not require survival, the animal must be killed in a humane manner at the conclusion of the experiment.

(C) If the nature of the study is such as to require survival of the animal, then acceptable techniques must be followed throughout the operation.

(viii) The post-operative care of animals must be such as to minimize discomfort during convalescence in accordance with acceptable hospital practice.

(ix) The care and housing of individual species will be in accordance with the recommendations of the Institute of Laboratory Animal Resources, National Academy of Sciences, Washington 25, D.C., in effect on the date of this contract and in accordance with such supplements and amendments thereto as may be agreed upon by the contractor and the Government.

PART 598—PATENTS, COPYRIGHTS, AND TECHNICAL DATA

11. Revise §§ 598.107–1 and 598.110 to read as follows:

§ 598.107–1 General.

(a) *Appropriate contracts.* The policies stated in § 9.107–1 (a), (b), and (c) of this title shall apply to any contract or modification thereof having experimental, developmental or research work

as one of its purposes, irrespective of the contract designation or the source of funds involved. If a Government agency other than a Department of Defense agency provides all of the funds for such work and requests a special Patent Rights clause, the special clause shall be used.

(b) *Government acquisition of title.* (1) To reflect the determination required by § 9.107–1(d) of this title concerning Government acquisition of title, the file of each proposed contract or modification having experimental, developmental, or research work as one of its purposes shall include the following checklist completed and signed by the contracting officer:

(i) Does the proposed contract or modification relate to a new technological field in which there is no significant nongovernmental experience? (Yes, No.) If so, is it probable that inventions which may be made under the proposed contract or modification will dominate the field or be of critical significance in it? (Yes, No.)

(ii) Do the services of the contractor under the proposed contract or modification largely consist of coordinating and directing the work of others? (Yes, No.)

(iii) Does the proposed contract or modification require work in a field directly relating to the health and safety of the public? (Yes, No.) If so, is it probable that the availability for public use of inventions arising out of such work will not depend on patent incentives? (Yes, No.)

(iv) Does the proposed contract or modification involve circumstances similar to those of subdivisions (i), (ii), or (iii) of this subparagraph? (Yes, No.)

(2) Before including the Patent Rights (Title) clause of § 9.107–2(e) of this title in a request for proposal, approval shall be obtained from the Chief, Patents Division. Such approval shall be considered by the contracting officer as approved for deviation to the Patent Rights (License) clause of § 9.107–2(b) of this title.

(3) If, during negotiations, a contracting officer, in consultation with his technical and patent advisers, determines from facts supplied by a proposed contractor that the procurement should not entail the acquisition of title, the contracting officer has the unilateral right to delete the Patent Rights (Title) clause and insert the Patent Rights (License) clause. This decision does not require approval of higher authority but does require the contract file to be completely documented to support this new decision.

(c) *Patent rights not to be obtained.* Procuring activities are not prohibited by § 9.107–2 of this title from accepting, on behalf of the Government, any gratuitous and voluntary grant of patent license rights.

§ 598.110 Reporting of royalties.

(a) In formally advertised procurements in excess of $10,000 the contract clause set forth below shall be used. Where desired, the clause may be modified to provide for negative royalty reports.

REPORTING OF ROYALTIES

The provisions of this clause shall be applicable only if the amount of the contract is in excess of $10,000. The term "royalties" as used in this clause means any payment (whether called royalties, a rental fee, a license fee, a payment for engineering services, amortization of the cost of a paid-up license or of an assignment, or anything else) which has been or is to be paid for the use of, or rights under, either an invention (whether patented or unpatented) or technical information or know-how.

(a) The Contractor shall report in writing (in quadruplicate) to the Contracting Officer as soon as practicable after execution of this contract the payment of or the anticipated payment of royalties in excess of $250 directly to any person(s) or firm in connection with the performance of this contract. If royalties in excess of $250 have been paid, or are to be paid, to any person(s) or firm, the report shall include the following items of information with respect to such royalties (including the initial $250):

(1) The Contractor's name and address,

(2) The contract number, followed by the words "(Formally advertised)",

(3) The name and address of each licensor to whom royalties in excess of $250 have been paid or are to be paid,

(4) The patent numbers, patent application serial numbers (with filing dates), or other identification of the basis for such royalties,

(5) The manner of computing the royalties, consisting of (i) a brief identification of each royalty-bearing unit or process, (ii) the total amount of royalties, and (iii) the percentage rate or dollars and cents amount of royalties on each such unit or process; provided that if the royalties cannot be computed in terms of units or dollars and cents value, then other data showing the manner in which the Contractor computes the royalties.

(b) In lieu of furnishing a report under paragraph (a), the Contractor may furnish a single, consolidated report for each accounting period of the Contractor during which the Contractor has contracts with the Government, provided the Contractor has requested and obtained the prior written approval of the Chief, Patents Division, Office of The Judge Advocate General. Such consolidated report shall be furnished, when the furnishing thereof has been approved, in the number of copies as approved, as soon as practicable after the close of the accounting period covered by the report. Such consolidated report shall be made in accordance with Contractor's established accounting practice and shall include, for the accounting period, as to each royalty payment reported (i) the name and address of each such licensor, (ii) the patent numbers, patent application serial numbers (with filing dates), or other identification of the basis for such royalties, (iii) a brief description of the subject matter of the license under which royalties are charged, (iv) the percentage rate or unit amount, or if the royalties do not accrue by rate or unit amount, such other data showing the manner by which the royalties accrue to licensor, and (v) an estimate of approximation (without detailed accounting) of the portion of such royalties that may be attributable to the Government.

(c) In the event that the Contractor requests written approval to furnish consolidated reports under paragraph (b) above, the Chief, Patents Division, Office of The Judge Advocate General, shall promptly consider the request and furnish to the Contractor a letter stating whether or not the request is approved and, notwithstanding any such approval, the Contracting Officer shall have the right to question any such subsequently furnished report as to accuracy or completeness of data and to ask for additional information. The Contractor shall furnish a copy of such letter of approval to the Contracting Officer administering this contract.

(d) When, in accordance with § 9.110 (a)(2)(ii) of this title, the contracting officer forwards, prior to award of a contract, the "Royalty Information" received under § 9.110(a)(2)(i) of this title to personnel having cognizance of patent matters for the procuring activity concerned, for an opinion and advice as to the propriety of the royalty charge, the contracting officer shall include a statement about: First, the degree or urgency of placing the contract; second, whether the contract is to include a Price Redetermination clause or is to be of the cost-reimbursement type; and third, any information available indicating the contractor's view as to whether the royalty charge can be accurately determined prior to award of the contract. From the information presented, cognizant patent personnel will determine whether it is necessary to advise the contracting officer that the opinion cannot be given prior to award of contract.

(1) If the cognizant patent personnel decide that it is necessary to do so and the contract is neither of the cost-reimbursement type nor includes a Price Redetermination clause, the contracting officer, if the amount of the royalties is over $1,000, shall include in the contract a clause reserving, until after award of the contract, the right to determine the propriety of the royalty charge and may include such a clause if the amount of rayalties is less than $1,000. The following clause is suggested for use:

REDUCTION OF ROYALTIES

The Contractor agrees that if, in connection with this contract, either (1) the amount of royalties which the Contractor is legally obligated to pay, or (2) the amount of royalties actually paid by the Contractor, is less than the royalty charge included in the contract price, the Contractor shall reduce the contract price to the extent of the difference between such royalty charge and the smaller of the amounts in (1) or (2) above.

(2) In the case of any negotiated contract which includes the clause of § 9.110 (b)(1) of this title or a Price Redetermination clause or which is of the cost reimbursement type, the contracting officer shall advise the cognizant patent personnel when deliveries under the contract have been completed, shall obtain from the Contractor and shall furnish to such patent personnel an up-to-date report containing the information required by the clause in § 9.110(a)(2)(i) of this title together with any additional details necessary to show how the contractor determined the amount of the royalty charge (except

that if this information does not differ from that submitted prior to award, a statement to that effect will be satisfactory) and shall not finally allow the royalty charge until an opinion of the propriety of such charge has been received from such patent personnel. Upon receipt of the information from the contracting officer, such patent personnel shall determine the propriety of the royalty charge and shall furnish an opinion concerning such propriety to the contracting officer.

(3) If a contract contains a Price Redetermination clause and in connection with a price redetermination action it is considered necessary to use a reservation clause to postpone the determination of the propriety of the royalty charge, a clause substantially like the following shall be used, except under the special circumstances set forth in subparagraph (4) of this paragraph:

RESERVATION OF ROYALTY DETERMINATION (ROYALTY EXCLUDED)

The Contractor and the Government agree: (1) To exclude from the price redetermination covered by this modification, the determination of the amount of royalties which the Contractor is legally obligated to pay in connection with this contract; and (2) to continue negotiations for the purpose of determining such amount. The Government further agrees that, upon such determination, the Contractor shall be entitled to payment of such amount under this contract: *Provided, however,* That the amount to which the Contractor is entitled shall, in no event, exceed the smaller of the following two figures: (1) the amount of royalties actually paid by the Contractor in connection with this contract, whether before or after such determination, or (2) the amount which when added to the price exclusive of the royalty charge would equal the contract ceiling price.

(4) To the fullest extent possible, a clause substantially like that stated in subparagraph (3) of this paragraph shall be used. However, where the Contracting Officer determines that, under special circumstances, it would be in the best interest of the Government to do so, a clause substantially like the following may be used:

RESERVATION OF ROYALTY DETERMINATION (ROYALTY INCLUDED)

The Contractor agrees that if, in connection with this contract, either (1) the amount of royalties which the Contractor is legally obligated to pay, or (2) the amount of royalties actually paid by the Contractor, is less than the sum of (*) _____, the Contractor shall refund to the Government the difference between such sum and the smaller of the amounts in (1) or (2) above.

*Insert, in the blank, the amount of royalties which is stated in the cost breakdown submitted in connection with price redetermination.

(e) The following clause shall be included in all negotiated contracts under which subcontracts requiring approval of the Contracting Officer are anticipated:

ROYALTY INFORMATION (SUBCONTRACTS)

In connection with each subcontract estimated to exceed $10,000 for which approval of the Contracting Officer is required before the subcontract is awarded, Contractor agrees to: (1) determine from the proposed subcontractor, whether the subcontract price contains costs or charges for royalties totaling more than $250 and if so obtain from the proposed subcontractor the same information which was required by the "Royalty Information" provision of the solicitation which resulted in the contract, and (2) furnish any information thus obtained to the Contracting Officer.

(f)(1) When, in accordance with § 9.110(a)(2)(iii) of this title, the contracting officer forwards, prior to approval of a subcontract, the "Royalty Information" received under § 9.110(a)(2)(iii) of this title to personnel having cognizance of patent matters for the procuring activity concerned, for an opinion and advice as to the propriety of the royalty charge, the contracting officer shall include a statement about: First, the degree of urgency of placing the subcontract; second, whether the contract contains a provision permitting the contracting officer to determine the allowability of costs involved in the subcontract; and third, any information available indicating the view of either the contractor or the subcontractor as to whether the royalty charge can be accurately determined prior to the placing of the subcontract. On the basis of the information presented and of any other related matters, cognizant patent personel shall promptly advise the contracting officer as to appropriate action. The contracting officer shall then proceed as indicated in § 9.110(a)(2)(iii) of this title.

(2) In the case of any subcontract as to which the contract permits the contracting officer to determine the allowability of costs involved in the subcontract, the contracting officer shall advise the cognizant patent personnel when deliveries under the subcontract have been completed, shall obtain from the contractor and shall furnish to such patent personnel an up-to-date report containing the information required by § 9.110(a)(2)(iii) of this title together with any additional details necessary to show how the subcontractor determined the amount of the royalty charge (except that if this information does not differ from that submitted prior to approval of the subcontract, a statement to that effect will be satisfactory) and shall not finally allow the royalty charge until an opinion of the propriety of such charge has been received from such patent personnel. Upon receipt of the information from the contracting officer, such patent personnel shall determine the propriety of the royalty charge and shall furnish an opinion concerning such propriety to the contracting officer.

(3) If a contract contains a Price Redetermination clause and in connection with a price redetermination action it is considered necessary to use a reservation clause to postpone the determination of the propriety of the royalty charge included in the subcontract price, and the contract permits the contracting officer to determine the allowability of costs involved in the subcontract, a clause substantially like the following shall be used in the contract, except under the special circumstances set forth in subparagraph (4) of this paragraph:

RESERVATION OF ROYALTY DETERMINATION (SUBCONTRACTUAL ROYALTY EXCLUDED)

The Contractor and the Government agree (1) to exclude from the price redetermination covered by this modification, the determination of the amount of royalties which the subcontractor is legally obligated to pay in connection with the subcontract identified as (*)_____; and (2) to continue negotiations with the Contractor for the purpose of determining such amount. The Government further agrees that, upon such determination, the Contractor shall be entitled to payment of such amount under this contract: *Provided, however,* That the amount to which the Contractor is entitled shall, in no event, exceed the smaller of the following two figures: (1) The amount of royalties actually paid in connection with the identified subcontract, whether before or after such determination, or (2) the amount which, when added to the contract price exclusive of the royalty charge included in the subcontract price, would equal the contract ceiling price.

*Identify the subcontract in terms of the subcontractor's name and address and the subcontractor number and date.

(4) To the fullest extent possible, a clause substantially like that stated in subparagraph (3) of this paragraph shall be used. However, where the contracting officer determines that, under special circumstances, it would be in the best interest of the Government to do so, a clause substantially like the following may be used:

RESERVATION OF ROYALTY DETERMINATION (SUBCONTRACTUAL ROYALTY INCLUDED)

The Contractor agrees that if, in connection with the subcontract identified as (*)_____, either (1) the amount of royalties which the subcontractor is legally obligated to pay, or (2) the amount of royalties actually paid by the subcontractor, is less than the sum of (**)_____, the Contractor shall refund to the Government the difference between such sum and the smaller of the amounts in (1) or (2) above.

*Identify the subcontract in terms of the subcontractor's name and address, and the subcontract number and date.

**Insert, in this blank, the amount of royalties involved in the subcontract as stated in the cost breakdown submitted to the Contracting Officer for determination of the allowability of the subcontractual costs.

(g) The contracting officer shall furnish the head of his procuring activity for transmittal to the Chief, Patents Division, Office of The Judge Advocate General, a copy of each positive royalty report received in accordance with § 9.110(b) of this title and paragraph (a) of this section.

(h) The contracting officer is responsible for obtaining from the contractor a complete royalty report, wherever under Subchapter A, Chapter I, of this title or this subchapter such a report is required. However, the transmittal of such a report by the contracting officer does not constitute a decision that the royalty charge is proper, but merely means that the report is complete. In accordance with § 9.111 of this title, it is the responsibility of the cognizant patent personnel to determine the propriety of the royalty charge.

PART 600—FEDERAL, STATE AND LOCAL TAXES

12. In § 600.204, paragraphs (a)(3) and (b)(1) are revised to read as follows:

§ 600.204 Exemptions from other Federal taxes.

* * * * *

(a) *Supplies for exportation or shipment to a possession or to Puerto Rico.*

* * * * *

(3) The intention to export or ship the supplies to a possession or to Puerto Rico should be specified in the contract or by amendment thereto. If such specification is included initially in a fixed-price contract, the contract price must exclude the retailers' or manufacturers' excise tax; if such specification is included by an amendment to the contract, a downward adjustment of the contract price may be required, particularly if the contract contains a Federal, State, and local taxes clause set forth in § 11.401 of this title. In invitations for bids and contracts, the terms of which imply that the supplies will be either exported or shipped to a possession or to Puerto Rico (e.g., delivery to a port of embarkation or special packing requirements for oversea shipment) where the purchase is not substantial and it is therefore desired to purchase on a Federal excise tax-inclusive basis, the invitation for bids and the contract should clearly state that proof of export certificates will not be issued.

(b) *Supplies for vessels and airplanes.* (1) The exemption from manufacturers' excise taxes and from the retailers' excise tax on special motor fuels imposed by section 4041(b) of the 1954 Internal Revenue Code (§ 11.101–6 of this title), for sales of supplies for use in vessels of war or military aircraft, shall be used by purchasing on a tax-exclusive basis and furnishing the required exemption certificate, only if:

(i) The purchase is substantial; and

(ii) The administrative cost of insuring that such supplies are used for exempt purposes does not make the use of the exemption uneconomical. Administrative difficulties normally will not exist if the particular supply is suited exclusively for use in aircraft or vessels.

PART 602—GOVERNMENT PROPERTY

13. In § 602.502–50, regarding the second clause paragraph (f), revise explanatory note and subdivision (vii), as follows:

§ 602.502–50 Government-furnished property clause for fixed-price construction contracts.

* * * * *

GOVERNMENT-FURNISHED PROPERTY

* * * * *

The following provision (f) is for use in negotiated fix-price contracts except those contracts involving Government-furnished Property relating to labor surplus area or small business set-asides for which the provision (f) for advertised contracts shall be used:

(f) * * *

(vii) [Where applicable] If this contract is for the development, production, modification, maintenance or overhaul of aircraft, or otherwise involves the furnishing of aircraft by the Government, the "Ground and Flight Risk" clause of this contract shall control, to the extent it is applicable, in the case of loss or destruction of, or damage to, aircraft.

14. Section 602.504 is redesignated as § 602.504–50, and clause paragraphs (c) and (i) are revised, as follows:

§ 602.504–50 Special tooling clause for fixed-price construction contracts.

* * * * *

SPECIAL TOOLING

* * * * *

(c) Within 60 days after delivery of the first production end items under this contract, or such later date as may be prescribed by the Contracting Officer, the Contractor shall if the Contracting Officer so requests, furnish the Contracting Officer a list of all special tooling acquired or manufactured by the Contractor for use in the performance of this contract. The list shall specify the nomenclature, tool number and related product part number or service, and unit or group cost of the special tooling. Upon completion or termination of all or a substantial part of the work under this contract the Contractor shall furnish a final list in the same form covering all items not previously reported under this paragraph: *Provided, however,* That the Contracting Officer may by written notice waive this requirement or extend it until the completion of this contract and other contracts and subcontracts as to which approval has been obtained under paragraph (b) above. Special tooling which has become obsolete as a result of changes in design or specification need not be reported, except as provided for in paragraph (d).

* * * * *

(i) The Contractor agrees that between the date any usable items of special tooling are no longer needed by it, within the meaning of this clause, and the date of final disposition of such items under this clause, it will take all reasonable steps necessary to maintain the identity and existing conditions of such items, unless the Contracting Officer has directed that such items be disposed of as scrap or has given notice under (f)(iv). The Contractor shall not be required to keep any such items in place.

* * * * *

15. In § 602.1708–2, section heading and paragraphs (a) and (b)(2) are revised; and §§ 602.1712–2 (c) and (d) and 602.1714–1(b)(2) are revised to read as follows:

§ 602.1708–2 Exceptions.

(a) Property shipped out for repairs may be accounted for as a suspense item in the Military Property Account from which shipped, provided that (1) no parts or material is furnished and (2) no significant scrap will result from the repair. Accounting for property under § 30.2 of this title, is not required of contractors for property shipped out for repair under the provisions of § 596.-150–4. This exception is also applicable to repairs and utilities "off-post" work as prescribed in AR 735–28 (Administrative Army Regulations).

(b) * * *

(2) The contracting officer will establish such controls as he determines expedient, considering the value of such expended items, to insure the proper consumption of the articles furnished. Any residual quantities of Government-furnished parts and materials will be returned to stock. Any consequential scrap shall be handled under appropriate disposal procedures. The contracting officer shall maintain in the contract file such record of actions taken as is considered by him to be necessary to protect the interests of the Government. This exception is also applicable to repair and utilities "on-post" and "off-post" work as prescribed in AR 735–28.

§ 602.1712–2 Records of plant equipment.

* * * * *

(c) The duty of maintaining the purchasing office file of production equipment record form (DA Form 804, Production Equipment Record, or equivalent prior to 1 July 1961, with DD Form 1342 required for transactions after 1 July 1961) in compliance with AR 700–34 (Administrative Army Regulations), may be assigned to the property administrator or to the "Authorized Representative of the Contracting Officer for Property Matters," by the chief of the purchasing office or the contracting officer. These files are maintained for management purposes and for industrial mobilization planning, and not as "acknowledgement of receipt" as provided in paragraph 303.1(c), § 30.2 of this title.

(d) Information recorded on DA Form 804 prior to 1 July 1961 need not be transferred to DD Form 1342 retroactively. Copies of the DD Form 1342 delivered to the property administrator by the contractors will be distributed in accordance with AR 700–34. Copies of the DD Form 1342 will be retained by the property administrator in those cases where distribution of copies to PEQUA (Production Equipment Agency) is not specified in AR 700–34. [B–304.3 and C–207.5]

§ 602.1714–1 Identification marking of Government property.

* * * * *

(b) * * *

(2) If the item is not already identified, immediately affix securely to each item of such property or equipment an appropriate temporary tag identifying the property as Government property and indicating the number of the contract for which the property or equipment was procured.

Upon notification by the contractor of receipt of property, the contracting officer will notify the property administrator and will arrange for prompt final inspection and acceptance by responsible Government personnel. After completion of the final inspection and acceptance, evidenced by DD Form 250 (Material Inspection and Receiving Report) the property administrator will insure that the temporary tag is replaced by the contractor with a permanent identification tag containing the required information.

16. Sections 602.1715–1(a), 602.1715–2(b), and 602.1716(d)(4) are revised as follows:

§ 602.1715–1 **Contractor liability.**

(a) No separate file of letters of advice will be maintained for the property auditors although copies of such letters when questions are raised by auditors may be furnished upon request. Channels through which such letters are reviewed by audit personnel lie within the scope of audit instructions. If such letters, however, are submitted to the Chief, U.S. Army Audit Agency, for review and he concludes that further action is desirable, he will so state in writing to the Head of the Procuring Activity concerned. Upon review of the above communication, the Head of the Procuring Activity will initiate such further action as he considers is warranted by the facts. In all cases, he shall advise the regional auditor as to the decision reached.

§ 602.1715–2 **Shipment and receipt of government-furnished property.**

* * * * *

(b) It shall be considered adequate for property control purposes, and within the scope of § 30.2 of this title, for operating contractors to acknowledge receipt for new facilities constructed under separate construction contracts, direct with construction contractors, on DD Form 1354, if accompanied by supporting documents. These transactions may be considered as shipment and receipt of Government property.

§ 602.1716 **Selective examination of contractor records and property.**

* * * * *

(d) * * *

(4) The selective checks of real property records will include verification of the records including assurance that physical changes to buildings, utility plants and systems, roads, fences, etc., observed by the property administrator are properly reflected on maps, drawings, plans, specification or DD Form 1354, Transfer of Construction. At such intervals as the property administrator deems necessary, he will select records of a number of units of real property and by physical inspection of such units determine whether the records are complete and properly reflect any additions, extensions, or alterations.

PART 606—SUPPLEMENTAL PROVISIONS

17. Sections 606.203–3(e) and 606.-205(a)(4) are revised as follows:

§ 606.203–3 **Contracts required to be numbered.**

* * * * *

(e) The instructions contained in this section do not apply to DD Form 1155 used in connection with the Small Business Purchases Procedure (Subpart F, Part 3 of this title and Subpart F, Part 592 of this chapter).

§ 606.205 **Information to be furnished when requesting approval of contracts or awards of contracts.**

(a) * * *

(4) *Negotiation.* Statement of negotiation proceedings will:

(i) Set forth plans developed for negotiation following evaluation of proposals. This will include the objectives of the negotiations and plans to obtain these objectives.

(ii) List offerors with whom negotiations were conducted. If the proposal of any other offeror is lower than the proposals of the offerors with whom negotiations were conducted, justify rejection.

(iii) Provides a brief resume of negotiations conducted. This will include a summarization of changes, agreements, or offers made during negotiations.

(iv) If the award is made on the basis of the initial proposal without further negotiations, explain reasons clearly.

(v) Furnish cost and price analysis of amount recommended for award (DD Form 633, DD Form 784, or equivalent). Include statement of cost experience on any recent prior procurement of same or similar items and comments as to comparability thereof.

(vi) Give basis for contracing officer's determination of reasonableness of price (or total cost and fee), including pertinent detail concerning the main elements of price; cost of material, subcontracting, labor, manufacturing burden, G & A, and profit. The extent of price analysis, Audit Agency assistance, and effect of competition on price will be discussed in sufficient detail to support the contracting officer's determination that the price is fair and reasonable.

(vii) If the proposed award will be a cost-reimbursement type contract summarize the officer's history of cost management, the effectiveness of his cost controls, and the reliability of his cost estimates; include a summary comparison of estimated and actual costs under current or recently completed cost type contracts. Where the offeror has a history of performance under several contracts, the summary will reflect at least three which are considered representative of his experience in minimizing cost overruns.

(viii) If approval of contract is required under provisions of §§ 606.204–1, 606.204–2 and 606.204–5, furnish one copy of contract.

[C 35, APP, May 7, 1962] (Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012. Interpret or apply secs. 2301–2314, 70A Stat. 127–133; 10 U.S.C. 2301–2314)

J. C. LAMBERT,
Major General, U.S. Army,
The Adjutant General.

[F.R. Doc. 62–5401; Filed, June 4, 1962; 8:45 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 112—RATES AND CONDITIONS FOR SPECIFIC CLASSES

PART 151—CUSTOMS

International Mail Regulations

The regulations of the Post Office Department are amended as follows:

I. In Part 112—*Rates and conditions for specific classes,* make the following changes:

A. In § 112.1 *Letters and letter packages,* amend paragraph (e)(1) by inserting "Maldive Islands" in the alphabetical listing of countries therein which dutiable articles may not be forwarded in letter packages.

NOTE: The corresponding Postal Manual section is 222.151.

B. In § 112.9 *Combination packages and articles grouped together,* amend the introductory statement preceding the alphabetical listing of countries in paragraph (a)(3) to read as follows:

(a) *Combination packages.* * * *

(3) *Countries for which accepted.* The following countries accept combination packages as ordinary (unregistered) mail only, except as noted:

* * * * *

NOTE: The corresponding Postal Manual section is 222.913.

II. In § 151.5 *Treatment at delivery office,* make the following changes in paragraph (i) *Forwarding or returning dutiable mail:*

A. Subparagraph (1) is amended to show that when a dutiable package is forwarded for delivery at another office in the United States the name of the port where the Customs mail entry was prepared shall be shown on Form 3814. As so amended, subparagraph (1) reads as follows:

(1) *Forwarding within the United States.* Dispatch package as prescribed in § 114.3(a) of this chapter (for postal union articles) or § 122.4(a) of this chapter (for parcel post). Allow the Customs Forms 3419 to remain attached to the redirected package in its original envelope, which is also redirected to the new address. Prepare a single copy of Form 3814, "Record of COD Parcels Held for Delivery", showing name and address of addressee forwarding address, and name of port where the duty was assessed. In Bin No. block on Form 3814, enter the 6-digit serial number from related Customs Form 3419. Mail Form 3814 to the collector of customs who issued the entry.

B. Add a new subparagraph (4) to read as follows:

(4) *By stations and branches.* Postmasters may authorize stations and branches to forward or return packages directly for those units, without sending the packages to the main office.

NOTE: The corresponding Postal Manual sections are 261.591 and 261.594.

(R.S. 161, as amended, 5 U.S.C. 22, 39 U.S.C. 501, 505)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 62–5424; Filed, June 4, 1962; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2686]

IDAHO

Order Opening Reclamation Withdrawn Lands to Mineral Location, Entry, and Patent

By virtue of the authority contained in the act of April 23, 1932 (47 Stat. 136; 43 U.S.C. 154), it is ordered as follows:

1. Subject to valid existing rights and the provisions of existing withdrawals, the following described lands shall, at 10:00 a.m. on July 3, 1962, be open to location, entry and patent under the United States Mining laws:

BOISE MERIDIAN

a. (Idaho 012922)

T. 17 N., R. 5 W.,
Sec. 12, SW¼NE¼, S½NW¼, and N½SW¼.

b. (Idaho 012860)

T. 9 N., R. 6 E.,
Sec. 32, lots 7, 8, 10, E½NE¼, SE¼SW¼, and SW¼SE¼;
Sec. 33, lots 3 to 7, incl., N½, and SW¼SW¼.

c. (Idaho 012924)

T. 2 N., R. 10 E.,
Sec. 7, lots 6 and 11.

The areas described aggregate approximately 1,004 acres.

2. The opening made by this order with respect to the lands described in subparagraphs b. and c., above, shall be subject to the stipulation quoted below, and which is made a part of this order, to be executed and acknowledged in favor of the United States by the locators, for themselves, their heirs, successors, and assigns, and recorded in the county records, and in the United States Land Office at Boise, Idaho, before any rights attach by virtue of this order:

That no dredging or placer mining operations shall at any time be conducted on the premises, and no other type of prospecting or mining operation shall be carried on upon the premises, nor shall anything else be done thereon which would subject downstream irrigation facilities owned or controlled by the United States to siltation in the course of normal or extraordinary stream flow.

3. The following ways, rights, or easements in, over, through, and across the lands are reserved to the United States, and such reservation shall be specifically expressed in any patent for the lands:

a. An easement and right-of-way over and across the land for irrigation facilities, including but not limited to pipelines, ditches, canals, roads, and electrical transmission and distribution lines.

b. A flowage easement over the land for any reservoir, including the right to have full supervision and control of the area submerged, pursuant to such easement, and of a 300-foot strip parallel to and measured horizontally from the high water line of the reservoir.

c. The right to take and remove from the lands construction material for use in the construction, operation or maintenance of irrigation facilities.

d. The right to remove all buildings, structures, trees, plants, shrubs and other surface obstructions or materials interfering with or which would interfere with the construction, operation and maintenance of reservoirs or other irrigation facilities.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 28, 1962.

[F.R. Doc. 62-5414; Filed, June 4, 1962; 8:46 a.m.]

[Public Land Order 2687]

MONTANA

Partly Revoking Certain Reclamation and Stock Driveway Withdrawals

By virtue of the authority contained in section 10 of the act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300), as amended, and in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The order of the Bureau of Reclamation dated March 10, 1954, concurred in by the Bureau of Land Management on September 2, 1955, and the departmental orders of August 18, 1902, and September 14, 1932, which withdrew lands for reclamation purposes in connection with the Missouri River Basin Project, the Milk River Project, and Stock Driveway Withdrawal No. 233, Montana No. 16, respectively, and any other order or orders which withdrew lands for reclamation or stock driveway purposes, are hereby revoked so far as they affect the following described lands:

PRINCIPAL MERIDIAN

a. (Montana 044613)

Order of March 10, 1954:

T. 30 N., R. 1 W.,
Sec. 2, lot 4.

b. (Montana 050219)

Order of August 18, 1902:

T. 31 N., R. 35 E.,
Sec. 15, S½S½;
Sec. 22, N½N½.

c. (Montana 046062)

Order of September 14, 1932:

T. 23 N., R. 18 E.,
Sec. 24, lot 4, E½NW¼, and NW¼NE¼.

The areas described aggregate approximately 478 acres. With exception of Section 2, lot 4, T. 30 N., R. 1 W., the lands are patented, included in allowed homestead entries under the ordinary provisions of the homestead laws, or withdrawn for power and other purposes.

2. Subject to any valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals, the lands described in paragraph 1a, hereof, are hereby opened to filing of applications, selections, and locations in accordance with the following:

(a) Until 10:00 a.m. on November 27, 1962, the State of Montana shall have a preferred right of application to select the lands in accordance with and subject to the provisions of subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and the regulations in 43 CFR.

(b) All valid applications and selections under the nonmineral public land laws other than any from the State of Montana presented prior to 10:00 a.m. on November 27, 1962, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

(c) The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws at 10:00 a.m. on November 27, 1962. The provisions of the act of August 11, 1955 (69 Stat. 681; 30 U.S.C. 621) will continue to apply to the lands in T. 23 N., R. 18 E., which are withdrawn in Power Site Classification No. 301.

3. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims, must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Billings, Montana.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 29, 1962.

[F.R. Doc. 62-5415; Filed, June 4, 1962; 8:46 a.m.]

[Public Land Order 2688]

[Utah 024909]

[74973]

UTAH

Partly Revoking Reclamation Withdrawal

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The order of the Bureau of Reclamation dated March 14, 1957, concurred in by the Bureau of Land Management on July 18, 1957, which withdrew lands for reclamation purposes in connection with the Marble Canyon Project, Arizona and Utah, is hereby revoked so far as it affects the following described lands:

SALT LAKE MERIDIAN

T. 41 S., R. 1 W.,
Sec. 20, lot 1, E½, NE¼NW¼, S½NW¼, and E½SW¼;
Sec. 29, E½, E½NW¼, and NE¼SW¼;
Sec. 33, W½W½.

T. 42 S., R. 1 W.,
Sec. 5, lot 2, SW¼NE¼, and SE¼SE¼;
Sec. 8, E½NE¼, NE¼SW¼, and N½SE¼;
Sec. 9, lot 6;
Sec. 27, NW¼SW¼, and SW¼SE¼;
Sec. 29, SW¼NW¼, N½SW¼, SW¼SW¼, and NW¼SE¼;
Sec. 30, lots 2, 3, and 4, SW¼NE¼, SE¼NW¼, E½SW¼, and SE¼;

Sec. 31, lots 1, 2, 3, and 4, E½W½, W½SE¼, and SE¼SE¼;
Sec. 35, NW¼SE¼.
T. 43 S., R. 1 W.,
Sec. 1, lot 4, SW¼NE¼, S½NW¼, N½SW¼, SE¼SW¼, and W½SE¼;
Sec. 5, lots 3 and 4, S½NW¼, and NE¼SW¼;
Sec. 6, lots 1 and 2, S½NE¼;
Sec. 8, lot 2;
Sec. 9, NW¼SW¼;
Sec. 12, lots 2 and 3, SW¼NE¼, and SE¼NW¼;
Sec. 14, W½NE¼, W½SE¼, and SE¼SE¼;
Sec. 15, SE¼SW¼;
Sec. 22, NW¼NE¼;
Sec. 23, NE¼SW¼;
Sec. 33, N½NW¼.
T. 44 S., R. 1 W.,
Sec. 3, N½N½, NW¼SW¼, and NE¼SE¼.
T. 44 S., R. 1 E.,
Sec. 5;
Sec. 6, E½;
Sec. 7, E½;
Sec. 8.

The areas described aggregate 5,805.32 acres.

2. The public lands released from withdrawal by paragraph 1 of this order are hereby restored to the operation of the public land laws subject to any valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals provided that until 10:00 a.m. on November 27, 1962, the State of Utah shall have a preferred right of application to select the lands in accordance with subsection (c) of section 2 of the act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

3. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws beginning at 10:00 a.m. on November 27, 1962.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Salt Lake City, Utah.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MAY 29, 1962.

[F.R. Doc. 62-5416; Filed, June 4, 1962; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 20, 25]

ESTATE TAXES AND GIFT TAXES

Proposed Valuation of Shares in Open-End Investment Companies

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. Any person submitting written comments or suggestions who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit his request, in writing, to the Commissioner within the 30-day period. In such a case, a public hearing will be held and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER. The proposed regulations are to be issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

In order to provide in the Estate Tax Regulations (26 CFR Part 20) and in the Gift Tax Regulations (26 CFR Part 25) a rule for the valuation of shares in open-end investment companies, such regulations are amended as follows:

PARAGRAPH 1. Section 20.2031–2 is amended by adding new paragraph (j) to read as follows:

§ 20.2031–2 Valuation of stocks and bonds.

* * * * *

(j) *Shares in an open-end investment company.* The fair market value of a share in an open-end investment company (commonly known as a "mutual fund") is the replacement cost for a share on the applicable valuation date as quoted by the company for that date, or if the replacement cost is calculated more than once on that date, then the mean of the highest and the lowest such replacement costs. If there is no quoted replacement cost on the applicable valuation date (e.g. the valuation date is a Saturday, Sunday, or holiday), the fair market value of the mutual fund share may be determined by taking a weighted average of the replacement cost on the first day preceding the applicable valuation date for which there is a quotation and the replacement cost on the first day succeeding the applicable valuation date for which there is a quotation, or if replacement cost is calculated more than once a day by taking a weighted average of the means of the highest and lowest replacement costs quoted on the first day preceding the applicable valuation date for which there is a quotation and the highest and lowest replacement costs quoted on the first day succeeding the applicable valuation date for which there is a quotation. The weighting of the average is to be calculated in the manner described in paragraph (b) of this section in cases in which there are no sales on the applicable valuation date. For purposes of the rule stated in this paragraph, the term "open-end investment company" includes only a company which on the applicable valuation date was engaged in offering its shares to the public in the capacity of an open-end investment company.

PAR. 2. Section 25.2512–2 is amended by adding new paragraph (g) to read as follows:

§ 25.2512–2 Stocks and bonds.

* * * * *

(g) *Shares in an open-end investment company.* The fair market value of a share in an open-end investment company (commonly known as a "mutual fund") is the replacement cost for a share on the date of the gift as quoted by the company for that date, or if the replacement cost is calculated more than once on that date, then the mean of the highest and the lowest such replacement costs. If there is no quoted replacement cost on the date of the gift (e.g. the date of the gift is a Saturday, Sunday, or holiday), the fair market value of the mutual fund share may be determined by taking a weighted average of the replacement cost on the first day preceding the date of the gift for which there is a quotation and the replacement cost on the first day succeeding the date of the gift for which there is a quotation, or if replacement cost is calculated more than once a day by taking a weighted average of the means of the highest and lowest replacement costs quoted on the first day preceding the date of the gift for which there is a quotation and the highest and lowest replacement costs quoted on the first day succeeding the date of the gift for which there is a quotation. The weighting of the average is to be calculated in the manner described in paragraph (b) of this section in cases in which there are no sales on the date of the gift. For purposes of the rule stated in this paragraph, the term "open-end investment company" includes only a company which on the date of the gift was engaged in offering its shares to the public in the capacity of an open-end investment company.

[F.R. Doc. 62–5444; Filed, June 4, 1962; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 241]

[Economic Regs., Docket No. 13656]

UNIFORM SYSTEM OF ACCOUNTS AND REPORTS FOR CERTIFICATED ROUTE AIR CARRIERS

Reporting on Accounting Machine Punched Cards or Magnetic Tapes

MAY 31, 1962.

Notice is hereby given that the Civil Aeronautics Board has under consideration several proposed amendments to Part 241 of the Economic Regulations which would provide for reporting on machine punched cards or magnetic tapes.

The principal features of the proposed amendments are recited in the explanatory statement below and the proposed amendments to Part 241 are set forth below. This regulation is proposed under authority of sections 204(a), 407 and 1103 of the Federal Aviation Act of 1958 (72 Stat. 743, 766, 797; 49 U.S.C. 1324, 1377, and 1503).

Interested persons may participate in the proposed rule making through submission of ten (10) copies of written data, views or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington 25, D.C. All relevant matter in communications received on or before June 19, 1962, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 711, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. In the course of developing the Board's current program of mechanizing its collection and evaluation of financial and operating data, it has become apparent that it is necessary to amend Part 241 to require that the data presently required to be reported to the Board on typed Form 41's also be submitted in machine language. Accordingly, the attached Proposed Rule would amend Part 241 so as to require accounting machine punched cards to be filed by each air carrier for each of the CAB Form 41 schedules specified in this part. It is contemplated, however, that the Chief, Office of Carrier Accounts and

Statistics, would utilize his delegated authority to waive accounting and reporting requirements under § 385.18(a) of the Board's regulations by waiving this requirement for specified schedules or for those carriers not possessing the necessary facilities to prepare punched cards or to waive it on condition that magnetic tapes are submitted in lieu of the punched cards. Thus, all reporting air carriers will supply the same basic information but the form in which such data are submitted may be varied in order to suit the individual capabilities of these air carriers. Thus, the proposed amendment relates to the methods and mechanics of reporting and not to the substantive data presently required to be reported to the Board.

The proposed rule would further require that any air carrier which submits its Form 41 reports in the form of cards or tapes must also submit a machine listing thereof which in general would parallel the applicable individual columns of the present Form 41 schedules.

Furthermore, every reporting air carrier will be required to submit its Form 41 reports in their present typed form as well as in machine language form until the end of the calendar year 1962, or such longer period as may be necessary, in order to provide an appropriate opportunity for testing the mechanized reporting procedures during a transition period. Within that period it is proposed to explore the feasibility of developing a card and tape listing format which would set the minimum standards for convenience of public access to, and interpretation of, the listed data. If this problem can be resolved, such machine listings would be standardized as to format and serve as a substitute for the present typed Form 41 reports. It is also proposed to explore within this experimental period the feasibility of integrating such schedules as the present T-1, T-2 and T-3 to minimize the number of schedules to be reported and the processing burdens of both the carriers and the Board. Comments are solicited from the carriers concerning these matters. On the premise that with the submission of cards the Board can generate 12 months-to-date information on a timely basis which will meet public interest requirements, such information would no longer be required of carriers submitting cards.

It is intended to provide the maximum flexibility for administering the program and for adapting the mechanics to meet problems peculiar to individual carriers. For this reason, detailed instructions for preparing the punched cards or magnetic tapes and the tabular machine listings would not be physically included in Part 241. Instead, they would be issued as standard practice instructions under authority delegated to the Chief, Office of Carrier Accounts and Statistics.

Finally, it is proposed to make the above amendments effective with reports covering information applicable to operations on and after July 1, 1962.

By adding a new § 241.28 to read:

§ 241.28 Reporting on punched cards and magnetic tapes.

(a) A deck of 80-column accounting machine punched cards shall be filed by each air carrier for each of the CAB Form 41 schedules specified in this part. Pursuant to § 385.18(a) of this chapter, the Chief, Office of Carrier Accounts and Statistics, may waive this requirement for specified schedules or for those carriers not possessing the necessary facilities or modify it to substitute the filing of magnetic tapes in lieu of the punched cards. The filing dates for each deck of cards shall be as set forth in § 241.22(a) for the underlying schedules. The punched cards shall agree in detail with information submitted on the underlying Form 41 schedules. One copy of a tabular machine listing shall be submitted for each deck of machine punched cards or set of magnetic tapes required to be filed. Detailed instructions for the format of cards, magnetic tapes and tabular machine listing formats and the various codes used will be issued and revised from time to time by the Chief, Office of Carrier Accounts and Statistics under § 385.18(c) of this chapter. At such time as the Chief, Office of Carrier Accounts and Statistics, is satisfied that a listing format has been devised which will meet all of the substantive reporting requirements of the applicable Form 41 schedules as prescribed, he may waive the submission of manually typed reports under § 385.18(a) of this chapter. In such cases, the machine listings shall be submitted in the same number of copies as are prescribed for the applicable manually typed schedules. The submission of 12 months-to-date information otherwise prescribed will not be required for information applicable to periods after July 1, 1962, for those carriers submitting punched cards or tapes.

[F.R. Doc. 62-5447; Filed, June 4, 1962; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 600]

[Airspace Docket No. 62-NY-2]

FEDERAL AIRWAYS

Proposed Alteration; Supplemental Notice

In a notice of proposed rule making published as Airspace Docket 62-NY-2 in the FEDERAL REGISTER on February 22, 1962 (27 F.R. 1728), it was stated that the Federal Aviation Agency (FAA) proposed to designate a segment of Intermediate altitude VOR Federal airway No. 1683 from the Tappahannock, Va., Intersection as a 16-mile wide airway via the Hopewell, Va., VOR to the Rocky Mount, N.C., VOR.

A more recent airspace proposal being considered by the FAA and proposed herein for the alteration and extension of the segment of Intermediate altitude VOR Federal airway No. 1731 between Greensboro, N.C., and Richmond, Va., necessitates an alteration to the proposal contained in the notice.

Accordingly, notice is hereby given that the original proposal is amended to include the following airspace actions:

1. Designate a segment of Victor 1683 from the Tappahannock Intersection as a 12-mile wide airway to the Hopewell VOR; thence 16-mile wide airway to the Rocky Mount VOR.

2. Alter the segment of Victor 1731 from the Greensboro VOR as a 16-mile wide airway to the intersection of the Greensboro VOR 051° and the Richmond VOR 239° True radials; thence 20-mile wide airway to the intersection of the Richmond VOR 239° and the Raleigh-Durham, N.C., VOR 005° True radials; thence 16-mile wide airway to the intersection of the Richmond VOR 239° and the Rocky Mount, N.C., VOR 345° True radials; thence 12-mile wide airway to the Richmond VOR; thence 16-mile wide airway to the intersection of the Richmond VOR 009° and the Gordonsville, Va., VOR 074° True radials; thence 8-mile wide airway to the Washington, D.C., VOR.

The airway width reduction proposed for Victor 1683 between the Tappahannock Intersection and the Hopewell VOR would provide lateral separation from the segment of Victor 1731 proposed north of Richmond. The alteration and extension of Victor 1731 would provide a shorter route between Greensboro and Richmond and would provide a direct route for Intermediate altitude air traffic between the Richmond and Washington terminals. The proposed airway width expansion for Victor 1731 in the vicinity of South Boston, Va., would assure adequate lateral protection for aircraft operating at the maximum distance from widely separated navigational aids, where minute errors, either in ground or airborne equipment could result in more than 8 statute miles deviation from the airway centerline. The airway width reductions proposed for Victor 1731 would provide lateral separation from the Camp Pickett, Va., Restricted Area R-6602, and the Dahlgren Complex, Va., Restricted Area R-6611.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity to submit additional written data, views or arguments, the date for filing such material will be extended to June 30, 1962.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), I hereby give notice that the time within which comments will be received for consideration on Airspace Docket 62-NY-2 is extended to June 30, 1962. Communications should be submitted in triplicate to Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on May 29, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-5403; Filed, June 4, 1962; 8:45 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 62-SW-10]

Proposed Alteration

CONTROL ZONE

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to § 601.2320 of the regulations of the Administrator, the substance of which is stated below.

The Midland, Texas, control zone is designated within a 5-mile radius of the Midland Air Terminal; within 2 miles on the southeast side and 4 miles on the northwest side of the southwest course of the Midland ILS localizer extending from the localizer to a point 15 miles southwest, and within 2 miles either side of the 011.5° True radial of the Midland VOR extending from the VOR to a point 10 miles north.

The Federal Aviation Agency (FAA) has under consideration the following alterations to the Midland control zone:

1. Revoke the control zone extensions based on the Midland ILS localizer southwest course and the Midland VOR. Revised prescribed instrument approach procedures associated with these facilities have eliminated the requirement for extension of the control zone beyond the 5-mile radius for the protection of aircraft executing these approaches.

2. Designate a control zone extension within 2 miles either side of the 114° True bearing from the Midland radio beacon (latitude 31°59'18'' N., longitude 102°19'30'' W.) extending from the 5-mile radius zone to the radio beacon. This would provide protection for aircraft executing prescribed instrument approach procedures utilizing the radio beacon.

If this action is taken, the Midland, Texas, control zone would be redesignated within a 5-mile radius of the Midland Air Terminal (latitude 31°56'20'' N., longitude 102°12'10'' W.), and within 2 miles either side of the 114° True bearing from the Midland radio beacon extending from the 5-mile radius zone to the radio beacon.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on May 28, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-5404; Filed, June 4, 1962; 8:45 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 62-WE-64]

Proposed Alteration

TRANSITION AREA

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.10873 of the regulations of the Administrator, the substance of which is stated below.

The Milford, Utah, transition area is presently designated as that airspace extending upward from 1,200 feet above the surface within 10 miles northwest and 7 miles southeast of the Milford, Utah, VORTAC 023° and 203° True radials extending from 9 miles southwest to 20 miles northeast of the VORTAC.

The Federal Aviation Agency has under consideration the alteration of the Milford transition area to include that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Milford Municipal Airport and within 2 miles either side of the Milford VORTAC 196° True radial extending from the 5-mile radius area to 8 miles south of the VORTAC. This would provide protection for aircraft executing prescribed instrument approach and departure procedures at the Milford Airport.

If this action is taken, the Milford, Utah, transition area would be redesignated as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Milford Municipal Airport (latitude 38°25'35'' N., longitude 113°00'40'' W.) and within 2 miles either side of the Milford VORTAC 196° True radial extending from the 5-mile radius area to 8 miles south of the VORTAC; including the airspace extending upward from 1,200 feet above the surface within 10 miles northwest and 7 miles southeast of the Milford VORTAC 023° and 203° True radials extending from 9 miles southwest to 20 miles northeast of the VORTAC.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on May 29, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-5405; Filed, June 4, 1962; 8:45 a.m.]

[14 CFR Part 601]

[Airspace Docket No. 62-WE-40]

Proposed Alteration

TRANSITION AREA

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.10883 of the regulations of the Administrator, the substance of which is stated below.

The Ellensburg, Wash., transition area is presently designated to extend upward from 1,200 feet above the surface within 7 miles northwest and 10 miles southeast of the Ellensburg VORTAC 064° and 244° True radials extending from 9 miles southwest to 20 miles northeast of the VORTAC.

The Federal Aviation Agency has under consideration the alteration of the Ellensburg transition area to include the airspace extending upward from 700 feet above the surface within a 5-mile radius of the Ellensburg Municipal Airport; and that airspace extending upward from 1,200 feet above the surface within 8 miles northeast and 5 miles southwest of the Ellensburg VORTAC 131° True radial extending from the VORTAC to 12 miles southeast of the VORTAC. This would provide protection for aircraft executing prescribed instrument ap-

proach and departure procedures at the Ellensburg airport.

If this action is taken, the Ellensburg, Wash., transition area would be redesignated as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Ellensburg Municipal Airport (lat. 47°02'10'' N., long. 120°31'50'' W.); that airspace extending upward from 1,200 feet above the surface within 7 miles northwest and 10 miles southeast of the Ellensburg VORTAC 064° and 244° True radials extending from 9 miles southwest to 20 miles northeast of the VORTAC, and within 8 miles northeast and 5 miles southwest of the Ellensburg VORTAC 131° True radial extending from the VORTAC to 12 miles southeast of the VORTAC.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on May 29, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-5406; Filed, June 4, 1962; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 107]

SMALL BUSINESS INVESTMENT COMPANIES

Reports; Notice of Proposed Rule Making

Notice is hereby given that pursuant to authority contained in section 308 of the Small Business Investment Act of 1958, Pub. Law 85-699, 72 Stat. 694, as amended, it is proposed to amend, as set forth below, § 107.802 of Part 107 of Subchapter B, Chapter I of Title 13 of the Code of Federal Regulations, as revised in 26 F.R. 8232-8242 and amended (27 F.R. 167, 851, 1720 and 3844). Prior to the final adoption of such amendment, consideration will be given to any comments or suggestions pertaining thereto which are submitted in writing, in triplicate, to the Small Business Investment Division, Small Business Administration, Washington 25, D.C., within a period of thirty days of the date of this notice in the FEDERAL REGISTER.

Information. The amendment now under consideration provides that each Licensee shall maintain its books of account in accordance with the System of Account Classifications prescribed by SBA and further provides that any custodian for the portfolio securities of a Licensee shall be located in the same city as the principal office of the Licensee.

It is proposed to amend the Regulations Governing Small Business Investment Companies as follows:

1. By deleting the period at the end of the first sentence of § 107.802(a) and inserting a comma in lieu thereof and by adding thereafter the following: "including the maintenance of books of account in accordance with the System of Account Classifications prescribed by SBA as set forth in Part 111 of the Regulations.", and by inserting after the word "Licensee" as it appears in the proviso the following: ", located in the same city as the principal office of the Licensee,". As amended, § 107.802(a) will read as follows:

§ 107.802 Reports.

(a) Each Licensee shall keep current financial records in accordance with generally accepted accounting principles, including the maintenance of books of account in accordance with the System of Account Classifications prescribed by SBA as set forth in Part 111[1] of the Regulations. All such financial records and minutes of meetings of stockholders, directors, executive committees or other officials; and all files containing pertinent documents and supporting material employed by a Licensee with respect to any and all transactions of the Licensee shall be kept at its principal place of business: *Provided, however,* That there shall be excepted from the foregoing all portfolio items held by a custodian for Licensee, located in the same city as the principal office of the Licensee, pursuant to written custodian agreement. All financial reports furnished to SBA by Licensees shall make full and complete disclosure of all matters relevant to the Act and Regulations.

Dated: May 24, 1962.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 62-5380; Filed, June 1, 1962; 8:47 a.m.]

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[1] Published in FEDERAL REGISTER of June 2, 1962 as proposed regulation.

Notices

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

REQUIREMENTS RELATING TO BRINGING OR IMPORTING SUGAR INTO THE CONTINENTAL UNITED STATES

Importation for Refining and Storage

Pursuant to the provisions of paragraph (d) of § 817.8 (23 F.R. 671) and on the basis of information before me, I do hereby determine and give public notice that during June 1962, raw sugar may be brought or imported into the continental United States from Puerto Rico or the Republic of the Philippines without effect on the applicable quota at the time of importation for the sole purpose of refining and storage without interfering with the effective administration of the Sugar Act of 1948, as amended (60 Stat. 922, as amended).

Accordingly, notice is hereby given that during the month of June 1962, raw sugar may be authorized for release for importation by or delivery to a refiner for the sole purpose of refining and storage without effect on the applicable quota or allotment at the time of importation. Authorizations for release of sugar pursuant to this notice may be issued only to cover raw sugar to be imported by or delivered to a refiner who is the principal on a bond accepted pursuant to § 817.9 of this Part 817 under which the principal is obligated to hold at the refinery at which such sugar is received the raw value equivalent of the sugar authorized to be imported until release of such sugar within the applicable quota or allotment is authorized by the Secretary.

For the purpose of this notice, sugar held in inventory under the control of a refiner in warehouse facilities within two miles of the refinery where such sugar was received shall be deemed to be held at that refinery.

Issued at Washington, D.C., this 31st day of May 1962.

CHARLES S. MURPHY,
Under Secretary.

[F.R. Doc. 62-5431; Filed, June 4, 1962; 8:48 a.m.]

Commodity Credit Corporation

[Amdt. 2]

SALES OF CERTAIN COMMODITIES

May 1962 Monthly Sales List

Pursuant to the policy of the Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669) and subject to the conditions stated therein, the CCC Monthly Sales List for May 1962 is amended as set forth below:

The entire section relating to *Dry edible beans,* bagged, is deleted and replaced with the following:

Dry edible beans, bagged (as available).

Domestic: Domestic market price but not less than the following minimum price per hundredweight for U.S. No. 1 f.o.b. indicated points of production, amount of paid-in-freight to be added as applicable. For other grade, adjust by market differentials. In other areas, adjust by the 1961 price support differential.

Class	Price per hundredweight	Area of production
Pinto	$6.86	Eastern Colorado.
Pea	7.63	Michigan.
Great Northern	7.50	Nebraska.
Small Red	7.68	Washington.
Red Kidney	9.19	Michigan.
		New York.

Export: Under Announcement GR-409 the following minimum price per hundredweight for U.S. No. 1 f.o.b. indicated points of production, amount of paid-in-freight to be added as applicable.[1] In other areas, adjust by the 1961 price support differential.

Class	Price per hundredweight	Area of production
Pinto	$6.37	Eastern Colorado.
Pea	7.03	Michigan.
Great Northern	6.99	Nebraska.
Small Red	7.15	Washington.
Red Kidney	8.52	Michigan.
		New York.

Available: Pinto beans and Great Northern beans available at Kansas City and Portland ASCS Commodity Offices. Pea beans and Red Kidney beans available at Evanston ASCS Commodity Office. Small Red beans available at Portland ASCS Commodity Office.

[1] Except that small red beans will be available on a competitive bid basis but not less than the listed price.

(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 May 31, 1962.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 62-5436; Filed, June 4, 1962; 8:49 a.m.]

CONTRACTING OFFICERS

Delegation of Authority

Pursuant to authority vested in the Executive Vice President, Commodity Credit Corporation, by the bylaws of the Corporation, the respective chairmen or, in their absence, the acting chairmen of the Agricultural Stabilization and Conservation county committees in the cotton-producing States, or if so designated by such Agricultural Stabilization and Conservation county committees the Agricultural Stabilization and Conservation Service county office managers, are hereby appointed contracting officers of Commodity Credit Corporation with authority to execute, in the name of the Corporation, contracts, agreements, or other documents relating to the purchase, transportation, handling, and storage of cottonseed prior to the delivery of such cottonseed to an oil miller or an approved storage facility under the 1962-Crop Cottonseed Purchase Program formulated by Commodity Credit Corporation and the Agricultural Stabilization and Conservation Service.

The foregoing authority as contracting officers shall be exercised in accordance with instructions issued by the appropriate Vice President of Commodity Credit Corporation, which shall be available for public inspection in the files of the Agricultural Stabilization and Conservation Service county offices in the respective cotton-producing States.

This notice shall become effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 31, 1962.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 62-5437; Filed, June 4, 1962; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Small Tract Classification No. 59; Cancellation

MAY 29, 1962.

1. Pursuant to the authority redelegated to me from Bureau Order No. 684, dated August 28, 1961 (26 F.R. 6215) as amended, by the Alaska State Director in section 2(c) of a memorandum dated December 1, 1961, and effective immediately, Federal Register Document

52-7271 is hereby canceled in its entirety as it concerns the following described lands:

SEWARD MERIDIAN

T. 16 N., R. 2 E.,
Sec. 1: Lots 1 and 2.

Containing 44.27 acres.

2. These lands are under application for withdrawal by the Bureau of Land Management for use for public recreation purposes, Anchorage 049689.

ROBERT J. COFFMAN,
Chief, Division of Lands and Minerals Management.

[F.R. Doc. 62-5417; Filed, June 4, 1962; 8:47 a.m.]

ALASKA

Small Tract Classification No. 49; Cancellation

MAY 29, 1962.

1. Pursuant to the authority redelegated to me from Bureau Order No. 684, dated August 28, 1961 (26 F.R. 6215) as amended, by the Alaska State Director in section 2(c) of a memorandum dated December 1, 1961, and effective immediately, Federal Register Document 52-602 is hereby canceled in its entirety as it concerns the following described lands:

SEWARD MERIDIAN

T. 16 N., R. 2 E.,
Sec. 1: Lot 3.

Containing 33.90 acres.

2. These lands are under application for withdrawal by the Bureau of Land Management for use for public recreation purposes, Anchorage 049689.

ROBERT J. COFFMAN,
Chief, Division of Lands and Minerals Management.

[F.R. Doc. 62-5418; Filed, June 4, 1962; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-170]

ARMED FORCES RADIOBIOLOGY RESEARCH INSTITUTE

Notice of Issuance of Construction Permit Amendment

Please take notice that no request for a formal hearing having been filed following the publication of notice of the proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued Amendment No. 1 to Construction Permit No. CPRR-61 authorizing the transfer of Construction Permit No. CPRR-61 from the National Naval Medical Center to the Armed Forces Radiobiology Research Institute. The TRIGA Mark F tank-type nuclear reactor is located on the grounds of the National Naval Medical Center in Bethesda, Maryland.

The amendment as issued was set forth in the Notice of Proposed Transfer of Construction Permit and Issuance of Construction Permit Amendment published in the FEDERAL REGISTER May 8, 1962, 27 F.R. 4396.

Dated at Germantown, Md., this 25th day of May 1962.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 62-5420; Filed, June 4, 1962; 8:47 a.m.]

[Docket No. 50-133]

PACIFIC GAS AND ELECTRIC CO.

Notice of Hearing on Provisional Operating License for Nuclear Facility

Pursuant to the Atomic Energy Act of 1954, as amended, and the regulations in Part 2, 10 CFR "Rules of Practice", notice is hereby given that a hearing will be held at 10:00 a.m., e.d.t. on July 5, 1961, in the Auditorium of the Atomic Energy Commission Headquarters in Germantown, Maryland, to consider the issuance of a provisional facility operating license for a period not to exceed eighteen (18) months to the above named applicant under § 104 b. of the Atomic Energy Act of 1954, as amended. The facility is a single-cycle, internal natural circulation, boiling water reactor located at the applicant's site at Buhne Point, near Eureka, California. The application and the record of prior proceedings in this matter are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

The issues to be considered at the hearing will be the following:

1. Whether the technical information omitted from and required to complete the application filed by the applicant has been submitted;

2. Whether the construction of the facility has proceeded, and there is reasonable assurance that the facility will be completed, in conformity with the construction permit and the application, as amended, the provisions of the Atomic Energy Act of 1954, as amended, and the rules and regulations of the Commission;

3. Whether there is reasonable assurance that the activities authorized by the provisional operating license can be conducted without endangering the health and safety of the public, and that such activities will be conducted in compliance with the Atomic Energy Act of 1954, as amended, and the rules and regulations of the Commission;

4. Whether the applicant is technically and financially qualified to engage in the activities authorized by the provisional operating license in accordance with the rules and regulations of the Commission;

5. Whether the applicant has furnished to the Commission proof of financial protection in accordance with 10 CFR, Part 140 "Financial Protection Requirements and Indemnity Agreements";

6. Whether there is reasonable assurance that the facility will be ready for initial loading with nuclear fuel within ninety (90) days from the date of issuance of a provisional license; and

7. Whether issuance of a provisional license to operate the facility under the terms and conditions proposed will be inimical to the common defense and security or to the health and safety of the public.

Notice is hereby given that the report of the AEC's Advisory Committee on Reactor Safeguards in this matter is available for public inspection at the Commission's Public Document Room. Copies of this report may be obtained by request to the Director, Division of Licensing and Regulation, United States Atomic Energy Commission, Washington 25, D.C.

Petitions for leave to intervene must be received in the Office of the Secretary, Atomic Energy Commission, Germantown, Maryland, or in Commission's Public Document Room, 1717 H Street NW., Washington, D.C., not later than June 26, 1962, or in the event of a postponement of the hearing date specified above at such time as the Presiding Officer may provide.

Answers to this notice pursuant to § 2.705 of the Commission's rules of practice shall be filed on or before June 21, 1962 by the applicant.

Papers required to be filed with the Commission in this proceeding shall be filed by mailing to the Secretary, Atomic Energy Commission, Washington 25, D.C., or may be filed in person at the Office of the Secretary, Atomic Energy Commission, Germantown, Maryland, or at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Pending further order of the Presiding Officer, parties shall file twenty (20) copies of each such paper with the Commission and where service of papers is required on other parties shall file five (5) copies of each.

The hearing will be conducted by a presiding officer to be designated by the Chief Hearing Examiner.

Dated at Germantown, Md., this 1st day of June 1962.

For the Atomic Energy Commission.

WOODFORD B. MCCOOL,
Secretary.

[F.R. Doc. 62-5474; Filed, June 4, 1962; 8:50 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 6093 etc.]

REOPENED INTRA-ALASKA CASE (SELECTION OF CARRIER FOR ANCHORAGE-BETHEL ROUTE)

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 is assigned to be held on July 6, 1962, at 10:00 a.m., Alaska standard time, in the City Council Chamber of the Loussac Library at Fifth and F Streets, Anchorage, Alaska, before Examiner Merritt Ruhlen.

Without limiting the scope of the issues to be considered, particular attention will be directed to the following matters:

1. Whether the public convenience and necessity require the certification of a single carrier, either PNA or NCA, to carry persons, property, and mail on a year-round or seasonal basis on a route between Anchorage and Bethel, via the intermediate points Tenalion Point, Iliamna, Big Mountain, Kulik Lake, King Salmon, and Dillingham, and if PNA is selected for such a route, whether its authority should be subject to a restriction which would prevent PNA from operating nonstop service between Anchorage and Bethel;

2. Whether the public convenience and necessity require the elimination of NCA, either completely or on a seasonal basis, if it is not selected pursuant to issue (1) above, from its Anchorage-Dillingham-Bethel and Anchorage-Tenalion Point-Iliamna-King Salmon-Dillingham routes;

3. Whether the public convenience and necessity require the elimination of PNA, if it is not selected pursuant to issue (1) above, from Iliamna and King Salmon on segment 2 of its Route 142, either on a seasonal or year-round basis;

4. If PNA is not selected pursuant to issue (1), whether the public convenience and necessity require the imposition of a restriction on PNA requiring that carrier to originate or terminate all flights to King Salmon at Seattle, Washington; and

5. Whether NCA's temporary authority for its Anchorage-Dillingham-Bethel route which expired on March 13, 1962, should be renewed.

For further details of the issues involved in this proceeding, interested persons are referred to the applications and any amendments thereto, petitions, motions, and orders entered in the docket of this proceeding, all of which are on file with the Civil Aeronautics Board.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding should file with the Board, on or before June 29, 1962, a statement setting forth the issues of fact or law to be presented.

Dated at Washington, D.C., May 29, 1962.

[SEAL] MERRITT RUHLEN,
Hearing Examiner.

[F.R. Doc. 62-5445; Filed, June 4, 1962; 8:49 a.m.]

[Docket 9767]

SERVICE TO SHEBOYGAN AND MANITOWOC, WIS., AREA

Notice of Postponement of Hearing

Reference is hereby made to a Notice of Hearing dated May 8, 1962 (27 F.R. 4532) which assigned the above-entitled matter for public hearings beginning July 17, 1962.

Notice is hereby given, pursuant to the Federal Aviation Act of 1958, as amended, that public hearings in the above-entitled proceedings are hereby postponed until July 25, 1962, at 10:00 a.m. (local time) in Room 498, United States Post Office and Courthouse Building, 517 East Wisconsin Avenue, Milwaukee, Wisconsin, before the undersigned Examiner.

Dated at Washington, D.C., May 29, 1962.

[SEAL] EDWARD T. STODOLA,
Hearing Examiner.

[F.R. Doc. 62-5446; Filed, June 4, 1962; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14651; FCC 62M-768]

KFNF BROADCASTING CORP.

Order Scheduling Hearing

In re application of KFNF Broadcasting Corporation (KFNF), Shenandoah, Iowa, Docket No. 14651, File No. BP-14026; for construction permit.

It is ordered, This 29th day of May 1962, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 30, 1962, in Washington, D.C.: *And, it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Monday, July 2, 1962.

Released: May 29, 1962.

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

[F.R. Doc. 62-5439; Filed, June 4, 1962; 8:49 a.m.]

[Docket No. 14652; FCC 62M-769]

RADIO LONGVIEW, INC. (KLUE)

Order Scheduling Hearing

In re application of Radio Longview, Inc. (KLUE), Longview, Texas, Docket No. 14652, File No. BP-14272; for construction permit.

It is ordered, This 29th day of May 1962, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 23, 1962, in Washington, D.C.: *And, it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Tuesday, July 3, 1962.

Released: May 29, 1962.

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

[F.R. Doc. 62-5440; Filed, June 4, 1962; 8:49 a.m.]

[Docket Nos. 14632-14634; FCC 62M-767]

TUSCARAWAS BROADCASTING CO. ET AL.

Order Rescheduling Hearing

In re applications of The Tuscarawas Broadcasting Company, Uhrichsville, Ohio, Docket No. 14632, File No. BP-13896; The Niles Broadcasting Company, Niles, Ohio, Docket No. 14633, File No. BP-13993; Punxsutawney Broadcasting Company (WPME), Punxsutawney, Pennsylvania, Docket No. 14634, File No. BP-14022; for construction permits.

Due to a conflict in the calendar of the Hearing Examiner, the prehearing conference in the above-entitled proceeding presently scheduled to be held on Friday, June 15, 1962, is rescheduled and will be held on Wednesday, June 13, 1962, beginning at 10:00 A.M. in the offices of the Commission, Washington, D.C.

It is so ordered, This the 29th day of May 1962.

Released: May 29, 1962.

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

[F.R. Doc. 62-5441; Filed, June 4, 1962; 8:49 a.m.]

[FCC 62-592]

BROADCASTERS WARNED AGAINST "TEASER" OR "COME-ON" SPOTS WHERE NEITHER SPONSOR NOR SPONSOR'S PRODUCT IS ANNOUNCED

JUNE 1, 1962.

The Commission has recently received complaints that broadcast stations in various sections of the country are participating in "teaser" advertising campaigns despite previous admonitions as to their illegality. A "teaser" is in essence a short and succinct announcement utilizing catch words, slogans, symbols, etc., designed to arouse the curiosity of the public as to the identity of the advertiser or product, which is to be revealed in subsequent announcements.

The attention of all stations is called to the provisions of section 317 of the Communications Act of 1934, as amended, and §§ 3.119, 3.259, and 3.654 of the Commission's rules and regulations. The pertinent part of section 317 of the Act is quoted below:

SECTION 317. (a)(1) All matter broadcast by any radio station for which any money, service or other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by, the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person * * *.

Therefore, stations which broadcast paid announcements which do not adequately reveal the identity of the sponsor are in direct violation of this section of the Act and the rules. In addition, there may be a falsification in the maintenance of the program log to indicate thereon that such sponsorship announcement was made as required by §§ 3.111(a)(3), 3.281(a)(3), and 3.663(a)(3) of the rules.

The Commission considers such violations to be a serious matter, subject to liability for forfeiture, and takes this

opportunity to warn all stations accordingly.

Adopted: May 29, 1962.

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

[F.R. Doc. 62-5442; Filed, June 4, 1962; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-20110]

GRARIDGE CORP. ET AL.[1]

Order Granting Motion To Substitute Party, Accepting Agreement and Undertaking and Discharging Agreement and Undertaking

MAY 28, 1962.

On November 13, 1961, Graridge Corporation filed a motion that it be substituted as respondent in the above-designated proceeding, and simultaneously tendered a substitute agreement and undertaking, assuming all obligations to make refunds arising on or after the proposed increased rates became effective, subject to refund, in the above-designated proceeding.[2] Said increased rates became effective subject to refund on January 13, 1960.

In support of its motion Graridge Corporation states that effective as of October 2, 1961, Graridge Corporation (a Delaware corporation) was merged into The Ibex Company, Inc. (a Texas corporation) and the name of the surviving corporation was changed to Graridge Corporation, and such surviving Texas corporation is the movant herein. Graridge Corporation also request that the agreement and undertaking of Graridge Corporation (a Delaware corporation) heretofore accepted by the Commission in order issued October 6, 1961, in the above proceeding, be discharged and terminated.

The Commission finds:

(1) Graridge Corporation (a Texas corporation) should be substituted for Graridge Corporation (a Delaware corporation) in the proceeding in Docket No. G-20110.

(2) The agreement and undertaking filed by Graridge Corporation (a Texas corporation) on November 13, 1961, appears to be satisfactory and should be accepted for filing.

(3) Graridge Corporation (a Delaware corporation) should be released from obligation to make refunds in Docket No. G-20110 and its agreement and undertaking filed in said proceeding should be discharged.

The Commission orders:

(A) Graridge Corporation (a Texas corporation) is hereby substituted for Graridge Corporation (a Delaware corporation) as respondent in the proceeding in Docket No. G-20110.

(B) The agreement and undertaking filed by Graridge Corporation (a Texas corporation) on November 13, 1961, is hereby accepted for filing.

(C) Graridge Corporation (a Delaware corporation) is hereby released from obligation to make refunds in Docket No. G-20110 and its agreement and undertaking filed in said proceeding is terminated and discharged.

By the Commission.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-5407; Filed, June 4, 1962; 8:45 a.m.]

[Docket No. RI61-499, CI62-796]

J. C. TRAHAN, DRILLING CONTRACTOR, INC., ET AL.

Order Designating Partial Successor in Interest as Co-Respondent, Redesignating Proceeding, Requiring Undertaking To Assure Refund, Granting Temporary Authorization, and Accepting Rate Schedules for Filing Subject To Refund

MAY 28, 1962.

J. C. Trahan, Drilling Contractor, Inc. (Operator), et al., Marshall R. Young Drilling Company (Operator), et al., Docket No. RI61-499, J. C. Trahan, Drilling Contractor, Inc. (Operator), et al., Docket No. CI62-796.

On January 16, 1962, J. C. Trahan, Drilling Contractor, Inc. (Operator), et al. (Trahan) filed in Docket No. CI62-796 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale of natural gas produced from certain acreage in the Ansley Field, Hancock County, Texas, to United Gas Pipe Line Company (United) pursuant to the terms of a gas purchase contract between Marshall R. Young Drilling Company (Young), seller, and United, buyer, dated March 6, 1957.

It appears that Trahan (and Pioneer Oil and Gas Co., minority interest owner) acquired the subject acreage (a part of the acreage covered by the basic contract between Young and United) by two partial assignments from Young to Trahan dated and effective December 8, 1960, and Trahan has been entitled to its share of the rates collected by Young since that date, including the increased rate of 20.5 cents which was suspended by order issued May 17, 1961, in Docket No. RI61-499 (Docket Nos. RI61-492, et al.) but which has been collected by Young, subject to refund, since November 14, 1961.

In view of the factual situation here existing, it appears that an order may appropriately be issued enlarging the proceeding in Docket No. RI61-499 to include Trahan as co-respondent and making Trahan responsible for refunding to United any monies collected as its share from the subject acreage at a rate above that finally determined in Docket No. RI61-499 on and after November 14, 1961.

The Commission finds: It is necessary and appropriate in carrying out the provisions of the Natural Gas Act that J. C. Trahan, Drilling Contractor, Inc. (Operator), et al. be joined with Marshall R. Young Drilling Company (Operator), et al. as co-respondent in the proceeding in Docket No. RI61-499; that that proceeding be redesignated accordingly; that Trahan file an agreement and undertaking as hereinafter ordered in compliance with the Commission's rules and regulations; that temporary authorization to make the subject sale to United be granted to Trahan as hereinafter ordered and conditioned; and that Trahan's proposed related rate schedule and supplements thereto be accepted for filing subject to the refund provisions of this order, effective December 8, 1960, the date of assignment of the subject acreage from Young to Trahan.

The Commission orders:

(A) Subject to the terms and conditions of this order and the applicable provisions of the Commission's suspension order heretofore issued in Docket No. RI61-499, J. C. Trahan, Drilling Contractor, Inc. (Operator), et al. is hereby joined with Marshall R. Young Drilling Company (Operator), et al. as co-respondent in that proceeding, and said proceeding is accordingly redesignated.

(B) Upon execution by Trahan of the agreement and undertaking described in paragraph (D) below and the acceptance thereof evidenced by a letter addressed to Trahan by the Secretary of the Commission, the rates and charges provided for in J. C. Trahan, Drilling Contractor, Inc. (Operator), et al. FPC Gas Rate Schedule No. 22, as supplemented, shall become effective in accordance with and as provided by paragraph (G) hereof.

(C) Trahan shall refund at such times and in such manner as may be required by final order of the Commission, the portion of the rate found by the Commission in Docket No. RI61-499 not justified, together with interest thereon at the rate of 7 percent per annum from the date of payment to Trahan until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the rate or charge effective as of December 8, 1960, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one copy) in writing and under oath to the Commission monthly, for each billing period, the billing determinants and the revenues resulting therefrom as computed under the rates in effect immediately prior to November 14, 1961 (the effective date of Young's increase to 20.5 cents, subject to refund) and under the rate allowed by this order to become effective, together with the differences in the revenues so computed.

(D) As a condition of this order, within 15 days from the date of issuance hereof, Trahan shall execute and file with the Secretary of this Commission

[1] A Texas corporation.

[2] The rate schedule filings subject to this proceeding were originally designated as Supplement Nos. 1 to Honaker-Davis Drilling Company (Operator), et al., FPC Gas Rate Schedule Nos. 1 through 5. These filings are now designated as Supplement Nos. 1 to Graridge Corporation (Operator), et al., FPC Gas Rate Schedule Nos. 7 through 11 (see orders issued August 18 and October 6, 1961, in this docket).

its written agreement and undertaking to comply with the terms of paragraph (C) hereof, evidenced by proper authority and accompanied by a certificate showing service of copies thereof upon all purchases under the rate schedule involved, as follows:

Agreement and Understanding of J. C. Trahan, Drilling Contractor, Inc. (Operator), et al. to Comply with the Terms and Conditions of Paragraph (C) of Federal Power Commission's Order Accepting Rate Schedules For Filing.

In conformity with the requirements of the order issued , 1962, in Docket No. RI61-499, J. C. Trahan, Drilling Contractor, Inc. (Operator), et al. hereby agrees to comply with the terms and conditions of paragraph (C) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereto duly authorized in accordance with the terms of the resolution of its Board of Directors, a certified copy of which is appended hereto this day of , 1962.

J. C. Trahan, Drilling Contractor, Inc. (Operator), et al.

By ----------

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

(F) Trahan is hereby granted temporary authorization for the sale of natural gas to United Gas Pipe Line Company as proposed in Docket No. CI62-796, at the rate of 20.5 cents per Mcf at 15.025 psia, subject to the terms and conditions of this order and the refund provisions of this order relating thereto.

(G) FPC Gas Rate Schedule No. 22 of J. C. Trahan, Drilling Contractor, Inc. (Operator), et al., and Supplements Nos. 1 and 2 thereto are hereby accepted for filing effective as of December 8, 1960; and the rate and charge contained in Supplement No. 1 to Marshall R. Young (Operator), et al. FPC Gas Rate Schedule No. 1 shall be charged and collected commencing November 14, 1961, subject to refund as provided herein, and subject to future orders of the Commission entered in this proceeding.

By the Commission.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-5408; Filed, June 4, 1962; 8:45 a.m.]

[Docket No. RP62-7]

MIDWESTERN GAS TRANSMISSION CO.

Order Instituting Investigation and Providing for Hearing

MAY 28, 1962.

Midwestern Gas Transmission Company (Midwestern) was authorized to construct and operate the facilities which currently constitute its Northern System, subject to the terms and conditions set out in Opinion No. 331, and accompanying order issued October 31, 1959, Midwestern Gas Transmission Company, Docket Nos. G-18313, et al.[1] Among other things, paragraph (D) (iv) of that order required that Midwestern, at the end of one year's operating experience, file with the Commission "revised rate schedules based on the company's operating experience and supporting data" whereby the Commission could determine the propriety of the rate differential reflecting lateral line charge under Midwestern's Rate Schedule CD-1 and the propriety of the relative levels of the demand and commodity components of Midwestern's rate schedules.

On December 29, 1961, Midwestern, by letter, informed the Commission that it proposed to retain in effect the present rate schedules for sales on its Northern System and therewith filed certain cost data purporting to support the presently effective rates.

The Commission finds:

(1) Midwestern's tender of December 29, 1961 does not appear to meet the requirements imposed by Opinion 331, issued October 31, 1959 in Docket No. G-18313, et al.

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

The Commission orders:

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

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

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before June 22, 1962.

By the Commission.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-5409; Filed, June 4, 1962; 8:46 a.m.]

[Docket No. RI60-116 [1]]

VEM OIL, INC., AND B.W.P., INC.

Order Making Successor in Interest Co-Respondent, Accepting Successor's Corporate Surety Bond, and Redesignating Proceeding

MAY 28, 1962.

On April 3, 1962, B.W.P., Inc. (B.W.P.) and VEM Oil, Inc. (VEM) filed a joint motion requesting (1) that B.W.P. be substituted, effective as of February 1, 1962, for VEM in Docket No. RI60-116 because B.W.P. has acquired all of VEM's rights and obligations covered by VEM's FPC Gas Rate Schedule No. 1, to which Docket No. RI60-116 relates; (2) that B.W.P.'s corporate surety bond, filed concurrently with the joint motion, be accepted to assure refund of any excess charges which might be determined by a final order in Docket No. RI60-116 to have accrued subsequent to 7:00 a.m., February 1, 1962; and (3) that VEM's obligations under its previously accepted corporate surety bond be limited to assuring refund of any excess charges which might be determined by a final order in Docket No. RI60-116 to have accrued prior to 7:00 a.m., February 1, 1962.

Concurrently with the filing of the joint motion to substitute, B.W.P. filed its Certificate of Adoption of Rate Schedule (notice of succession) covering VEM's FPC Gas Rate Schedule No. 1 and Supplements Nos. 1 and 2, thereto. By letter of May 4, 1962, the adoption was accepted for filing, and VEM's FPC Gas Rate Schedule No. 1, as supplemented, was redesignated as B.W.P.'s FPC Gas Rate Schedule No. 1, as supplemented.

In view of the fact that the joint motion requests that B.W.P. be substituted as respondent for VEM without effecting a disposition of the funds collected

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[1] Opinion No. 331 (22 FPC 775), was modified by orders issued December 29, 1959 (22 FPC 1157) and January 20, 1960 (23 FPC 111), but such modifications are not material to this order.

[1] The proceeding in Docket No. RI60-116 was consolidated with the area rate proceeding in Docket No. AR61-1 by order of the Commission issued December 23, 1960.

subject to refund by VEM prior to 7:00 a.m., February 1, 1962, B.W.P. should not be substituted as respondent for VEM, but should be made co-respondent with VEM in Docket No. RI60–116.

The Commission finds: It is necessary and proper in carrying out the provisions of the Natural Gas Act that B.W.P. be made co-respondent with VEM in Docket No. RI60–116, that B.W.P.'s corporate surety bond be accepted for filing and made effective as hereinafter ordered, and that the proceedings in Docket No. RI60–116 be redesignated as VEM Oil, Inc., and B.W.P., Inc.

The Commission orders:

(A) B.W.P., Inc. is hereby joined as co-respondent with VEM Oil, Inc. in the proceeding in Docket No. RI60–116, and said proceeding is hereby redesignated as VEM Oil, Inc., and B.W.P., Inc.

(B) The corporate surety bond submitted by B.W.P., Inc. on April 3, 1962, in Docket No. RI60–116, is hereby accepted for filing, effective as of 7:00 a.m., February 1, 1962, and such bond shall assure refund of any excess charges which might be determined by a final order in Docket No. RI60–116 to have accrued subsequent to 7:00 a.m., February 1, 1962. The bond shall remain in full force and effect until discharged by the Commission.

(C) The corporate surety bond of VEM Oil, Inc., which was previously filed and accepted in Docket No. RI60–116, shall remain in full force and effect until discharged by the Commission, and shall assure refund of any excess charges which might be determined by a final order in Docket No. RI60–116 to have accrued prior to 7:00 a.m., February 1, 1962.

(D) B.W.P., Inc. shall comply with the refunding and reporting procedures required by the Natural Gas Act and § 154.102 of the regulations thereunder.

By the Commission.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62–5410; Filed, June 4, 1962; 8:46 a.m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

CERTAIN OFFICIALS

Designation of Acting Community Facilities Commissioner

The designation of Acting Community Facilities Commissioner effective May 19, 1962 (27 F.R. 4792, 5/19/62), is revised to read as follows:

The officers appointed to the following listed positions in the Community Facilities Administration, Housing and Home Finance Agency, are hereby designated to serve as Acting Community Facilities Commissioner during the absence of the Community Facilities Commissioner, with all the powers, functions, and duties delegated or assigned to the Commissioner, provided that no officer is authorized to serve as Acting Community Facilities Commissioner unless all other officers whose titles precede his in this designation are unable to act by reason of absence:

1. Deputy Community Facilities Commissioner.
2. Assistant Commissioner (Operations and Standards).
3. Assistant Commissioner (Program Planning).
4. Chief Counsel, CFA.
5. Director, Administrative Management Division.

(62 Stat. 1283 (1948), as amended by 64 Stat. 80 (1950), 12 U.S.C. 1701c)

Effective as of the 5th day of June 1962.

[SEAL] ROBERT C. WEAVER,
Housing and Home Finance Administrator.

[F.R. Doc. 62–5423; Filed, June 4, 1962; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 31, 1962.

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. 37768: *Petroleum and Petroleum products to Colorado, Wyoming and Utah.* Filed by Southwestern Freight Bureau, Agent (No. B–8221), for interested rail carriers. Rates on petroleum and petroleum products, in packages, in carloads, from Baton Rouge, New Orleans and Reserve, La., to points in Colorado, Utah and Wyoming.

Grounds for relief: Market competition, modified short-line distance formula and grouping.

Tariff: Supplement 178 to Southwestern Freight Bureau tariff I.C.C. 4066.

FSA No. 37769: *Class and commodity rates from and to Deere, Ill.* Filed by Illinois Freight Association, Agent (No. 175), for interested rail carriers. Rates on various commodities (except coal and coke), in carloads and less-than-carloads, between Deere, Ill., on the one hand, and points in the United States and Canada, on the other.

Grounds for relief: New station and grouping.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62–5411; Filed, June 4, 1962; 8:46 a.m.]

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PART II

FEDERAL REGISTER

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934

LITTERA SCRIPTA MANET

VOLUME 27 NUMBER 108

Washington, Tuesday, June 5, 1962

Amendments to Dangerous Cargo Regulations, Including Military Explosives and Hazardous Munitions

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER N—EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

[CGFR 62-11]

PART 146—TRANSPORTATION OR STORAGE OF EXPLOSIVES OR OTHER DANGEROUS ARTICLES OR SUBSTANCES, AND COMBUSTIBLE LIQUIDS ON BOARD VESSELS

PART 147—REGULATIONS GOVERNING USE OF DANGEROUS ARTICLES AS SHIPS' STORES AND SUPPLIES ON BOARD VESSELS

Miscellaneous Amendments

Pursuant to the notice of proposed rule making published in the FEDERAL REGISTER on January 23, 1962 (27 F.R. 657-665), and the Merchant Marine Council Public Hearing Agenda, dated March 12, 1962 (CG-249), the Merchant Marine Council held a Public Hearing on March 12, 1962, for the purpose of receiving comments, views and data. The proposals considered were identified as Items I to IX, inclusive. Item I contained the revision of the rules and regulations for military explosives and hazardous munitions and Item II contained miscellaneous changes regarding dangerous cargoes, including ships' stores and supplies. This document is the fourth of a series covering the regulations and actions considered at this public hearing and annual session of the Merchant Marine Council.

In this document are the actions taken with respect to military explosives and hazardous munitions. A number of the comments were received and changes have been made from the proposals in 46 CFR 146.29-25 (fire and fire protection), 146.29-29 (smoking), 146.29-41 (weight per draft), 146.29-89 (portable magazine stowage), and 146.29-100 (classification, handling and stowage chart). The comments requesting that informational material entitled "List of military explosives and hazardous munitions" and "Diagrams showing typical construction requirements" be included in material published in the Code of Federal Regulations were rejected. The reason for this rejection is that material published in the Code of Federal Regulations is subject to special requirements, which provide for the codification of requirements having future force and effect. Publication of informational material in this Code would defeat the purpose for which the Code was established. One comment was received regarding Item II containing miscellaneous dangerous cargo amendments and the provisions in 46 CFR 146.22-30(c)(2) were revised. The proposal to add 46 CFR 146.26-5(b) (CG-249, II, p. 105), regarding application of requirements governing transportation of combustible liquids in portable tanks, is being included in the study of other proposals regarding "portable containers for combustible liquid cargoes." Therefore, this proposal will be studied further by a special committee before taking final action. The proposals in Items I and II as revised are accepted. These proposals were also described in the notice published in the FEDERAL REGISTER on January 23, 1962 (27 F.R. 657-658).

The provisions of R.S. 4472, as amended (46 U.S.C. 170), require that the land and water regulations governing the transportation of dangerous articles or substances shall be as nearly parallel as practical. The provisions in 46 CFR 146.02-18 and 146.02-19 make the Dangerous Cargo Regulations applicable to all shipments of dangerous cargoes by vessels. The Interstate Commerce Commission in Order Nos. 52, 53, and 54 has made changes in the ICC regulations with respect to definitions, descriptive names, classifications, specifications of containers, packing, marking, labeling, and certification for certain dangerous cargoes, which are now in effect for land transportation. Various amendments to the Dangerous Cargo Regulations in 46 CFR Part 146 have been included in this document in order that these regulations governing water transportation of certain dangerous cargoes will be as nearly parallel as practicable with the regulations of the Interstate Commerce Commission which govern the land transportation of the same commodities. For those changes in 46 CFR Part 146, which involved changes other than shippers' requirements, the proposed amendments were considered at the Merchant Marine Council Public Hearing held on March 12, 1962.

The amendments to 46 CFR Part 146, which were not described in the FEDERAL REGISTER of January 23, 1962 (27 F.R. 657-658), are considered to be interpretations of law, or revised requirements to agree with existing ICC regulations, or relaxations of previous requirements, or editorial in nature, and it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule-making procedure thereon, and effective date requirements thereof) is unnecessary with respect to such changes.

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), 167-14, dated November 26, 1954 (19 F.R. 8026), and CGFR 56-28, dated July 24, 1956 (21 F.R. 5659), to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendments are prescribed and shall become effective July 1, 1962:

Part 146 is amended as follows:

Subpart—General Regulations

1. Section 146.02-22 is amended by changing paragraph (b) to read as follows:

§ 146.02-22 Preservation of records.

* * * * *

(b) Any records required to be so preserved shall be produced to the Commandant of the Coast Guard or his authorized representative upon his request therefor.

Subpart—Definitions of Words and Terms Contained Within the Regulations in This Subchapter

2. Section 146.03-1 is added to read as follows:

§ 146.03-1 MIN.

The letters "MIN" refer to "Marine Inspection and Navigation", a former Bureau in the Department of Commerce whose functions are now carried out by the Coast Guard.

3. Section 146.03-19 is amended by designating the present text as paragraph (a) and adding a new paragraph (b) to read as follows:

§ 146.03-19 Inside containers.

* * * * *

(b) The inside containers and packing, if required, shall comply with the requirements of the Interstate Commerce Commission Regulations in effect at the time of shipment.

Subpart—List of Explosives or Other Dangerous Articles Containing the Shipping Name or Description of Articles Subject to the Regulations in This Subchapter

4a. Section 146.04–5 is amended by adding certain items as follows:

§ 146.04–5 List of explosives and other dangerous articles and combustible liquids.

Article	Classed as—	Label required [1]
* * *	* * *	* * *
*Aqua ammonia solutions containing anhydrous ammonia	Noninf. G	Green.
* * *	* * *	* * *
Cyclohexanone peroxide not over 50 percent concentration	Oxy. M	Yellow.
Cyclohexanone peroxide over 50 percent concentration but not exceeding 85 percent concentration, dry.	Oxy. M	Yellow.
Cyclohexanone peroxide over 50 percent concentration but not exceeding 85 percent concentration, wet.	Oxy. M	Yellow.
* * *	* * *	* * *
Methyl magnesium bromide in ethyl ether in concentrations not over 40 percent (see: Aluminum triethyl).	Infla. L	Red.
* * *	* * *	* * *
Ortho-nitroaniline (see: nitro-chlorbenzene, meta or para, solid)	Pois. B	Poison.
* * *	* * *	* * *
Phosphorous oxybromide (see: phosphorous oxychloride)	Cor. L	White.
* * *	* * *	* * *
Uranium, normal or depleted, in solid metal form (*not borings, chips or pieces*) (see: § 146.25–25(f)).	Pois. D	Radioactive materials (red special).
* * *	* * *	* * *

[1] Unless otherwise exempt by the provisions of the detailed regulations.

4b. Section 146.04–5 is further amended by changing certain items, as follows:

Article	Classed as—	Label required [1]
* * *	* * *	* * *
Dicumyl peroxide, solid (see: oxidizing materials, N.O.S.)	Oxy. M	Yellow.
* * *	* * *	* * *
*Magnesium, metallic, powdered, pellets, turnings or ribbon	Inf. S	Yellow.
* * *	* * *	* * *
Pyroforic fuel (see: aluminum triethyl)	Inf. L	Red.
Pyroforic solutions (see: aluminum triethyl)	Inf. L	Red.
* * *	* * *	* * *
Zinc ethyl (see: aluminum triethyl)	Inf. L	Red.
* * *	* * *	* * *

[1] Unless otherwise exempt by the provisions of the detailed regulations.

Subpart—Shippers' Requirements Re: Packing, Marking, Labeling and Shipping Papers

5. Section 146.05–5 is amended by adding a new paragraph (j) to read as follows:

§ 146.05–5 I.C.C. specification containers.

* * * * *

(j) Where the regulations require specification ICC–21C fiber drums, specification 21A or 21B fiber drums manufactured prior to June 27, 1962, may be used for commodities and weights for which they were previously authorized until further order of the Interstate Commerce Commission.

6. Section 146.05–17 is amended by changing paragraph (w), and the label by inserting after "Thorium 232" the phrase "or uranium," to read as follows:

§ 146.05–17 Labels.

* * * * *

(w) Radioactive materials, such as magnesium-thorium alloys in formed shapes or uranium, normal or depleted, in solid form.

(Reduced size)
(Red printing and red-line border on white)

Subpart—Vessel's Requirements, Re: Acceptance, Handling, Stowage, Etc.

7. Section 146.06–8 is amended to read as follows:

§ 146.06–8 Handling on board vessels.

Explosives or other dangerous articles or substances shall be handled on board vessels in conformity with the provisions of the detailed regulations preceding each table of the various classifications and provisions set forth for the particular substances as shown in the tables: *Provided, however,* That railroad vehicles, highway vehicles, vans, or portable containers loaded with any permitted explosives or other dangerous articles or substances shall be handled on board the vessel in accordance with the provisions of §§ 146.07–1 to 146.07–40. Highway or railroad vehicles loaded with permitted explosives or other dangerous articles or substances shall be handled on ferry vessels in accordance with the provisions of §§ 146.08–1 to 146.08–55.

Subpart—Railroad or Highway Vehicles Loaded With Dangerous Substances and Transported on Board Vessels

8. Section 146.08–10 is amended by changing the text to read as follows:

§ 146.08–10 Tank containers.

A railroad or highway vehicle to which is attached a tank containing any explosives or other dangerous articles or substances as defined in this subchapter shall not be offered, transported, carried or conveyed on board any passenger ferry vessel unless such explosives or other dangerous articles or substances are specifically permitted by the regulations in this part to be transported, carried or conveyed on board such vessel in this manner and provided there is compliance with the provisions of this part.

Subpart—Barges

§ 146.10–50 [Amendment]

9. Section 146.10–50 *Stowage of explosives or other dangerous articles or substances on board barges* is amended as follows:

1. In column 1, "Substances" under "Poisonous Articles Class 'C' " insert:

Class "D".

2. In column 2, "Label" after "Tear Gas," insert:

"Radioactive Materials".

Subpart—Detailed Regulations Governing Explosives

10. Section 146.20–3 is amended by changing paragraph (q) to read as follows:

§ 146.20–3 Prohibited or not permitted explosives.

* * * * *

(q) New explosives except samples for laboratory examination and military explosives approved by the Chief of Ordnance, Department of the Army; Chief, Bureau of Naval Weapons, Department of the Navy; or Commander, Air Force Systems Command and Commander, Air Force Logistics Command, Department of the Air Force. All other new explosives must be approved for transportation by the Interstate Commerce Commission.

11. Section 146.20–7 is amended by changing paragraphs (k) and (p) to read as follows:

§ 146.20–7 Class A explosives.

* * * * *

(k) *Explosive projectiles.* Explosive projectiles are shells, projectiles, warheads, or rocket heads, loaded with explosives or bursting charges, with or without other materials, for use in can-

nons, guns, tubes, mortars or other firing or launching devices.

* * * * *

(p) *Rocket ammunition.* Rocket ammunition (including guided missiles) consists of a completely assembled unit for launching from a tube, launcher, rails, trough or other launching device, in which the propellant material is a solid propellant explosive. Such unit consists of an igniter, a rocket motor or jet thrust unit, and a warhead, either fuzed or unfuzed, containing high explosives or chemicals.

12. Section 146.20–11 is amended by changing paragraphs (a)(2) and (h) to read as follows:

§ 146.20–11 Class C explosives.

* * * * *

(a) * * *

(2) Ammunition of caliber less than .75 inch (19.05 millimeters) designed to be fired from machine guns.

* * * * *

(h) Delay electric igniters consist of small metal, fiberboard, pasteboard tubes containing a wire bridge in contact with a small quantity of ignition compound. The ignition compound is in contact with or in close proximity to a short piece of safety fuse.

13. Section 146.20–17 is amended by changing the text to read as follows:

§ 146.20–17 Stowage of explosives in holds containing coal.

Unless specifically authorized by the Commandant of the Coast Guard, explosives shall not be stowed in a hold containing coal, nor shall explosives be stowed in a hold above or adjacent to a hold containing coal.

§ 146.20–100 [Amendment]

14. Section 146.20–100 *Table A—Classification: Class A; dangerous explosives* is amended as follows:

A. Amend *"Ammunition for cannon, nonexplosives"* as follows:

(1) In column 1, delete the present wording and insert:

"Ammunition, nonexplosive."

(2) In column 2, delete the present wording and insert:

Nonexplosive ammunition is defined as a device which contains no explosives or other dangerous articles, such as cartridge cases, dummy or drill cartridges; empty, sand loaded or solid projectiles with or without tracers (containing not in excess of one ounce of tracer composition), empty mines, empty bombs, solid projectiles, empty torpedoes, or practice bombs. It also includes devices containing no explosives, or other dangerous articles, except installed electric squibs, primers, propellants or thermal batteries required for the activation of the device, provided that it has been proven by test that when initiated the full energy release is contained within the outside shipping container. Rotating bands should be protected against deformation by method of packing or loading.

B. After "High explosives (*when containing not more than 75% liquid explosive ingredient*), etc.", insert the following:

(1) In column 1, insert:

High explosives (dynamite) (*when containing not more than 30% liquid explosives ingredient*).

(2) In column 2, insert:

Each outside box must be plainly marked on top and on one side or end: "High Explosives—Dangerous" except ICC–23G which must be so marked on the side or end.

The top of boxes (except ICC–23G) must be marked "This Side Up."

Observe "This Side Up" stowage.

(3) In column 3, insert:

No label required.

(4) In column 4, insert:

Stowage: Magazine.

Outside containers: Wooden boxes (ICC–14, 15A, 16A) WIC, not over 75 lb. gr. wt.

Fiberboard boxes:

(ICC–23G) containing not over one cartridge, gr. wt. not over 65 lb.

(ICC–12H, 23F, 23H) WIC, not over 65 lb. gr. wt.

(ICC–23F, 23H) WIMC, surrounded by nitro-carbo-nitrate, not over 65 lb. gr. wt.

(5) In columns 5, 6, and 7, insert:

Not permitted.

C. Amend "High explosives (*containing no liquid explosive ingredient nor any chlorate*)" as follows:

(1) In column 4, amend the last paragraph to read:

Amatol may also be shipped in: Fiber drums (ICC–21C) net weight not to exceed 200 lb.

D. Amend "High explosives (*wet with not less than 10 pounds of water to each 90 pounds of dry material*)" as follows:

(1) In column 4, under "Authorized only for 'Cyclotrimethylenetrinitramine, wet with 10% water'", change "Fiber drums (ICC–21A, 21B), etc." to read:

Fiber drum (ICC–21C) WIC, not over 225 lb. net dry wt.

§ 146.20–200 [Amendment]

15. Section 146.20–200 *Table B—Classification: Class B; less dangerous explosives* is amended as follows:

A. Amend "Propellant explosives (solid) Class B" as follows:

(1) In column 2, delete paragraph 1 and insert the following:

Propellant explosives (solid) Class B include propellant explosives (solid) for cannon, small arms, rockets, guided missiles, or other devices.

(2) In column 4, amend "Fiberboard boxes", etc. to read as follows:

Fiberboard boxes (ICC–12B, 12H, 23F, 23H) with ICC approved inside containers, not over 65 lb. gr. wt.

(3) In column 4, after "Fiberboard boxes", etc., insert:

Fiber drum (ICC–21C) WIL, not over 225 lb. net wt.

§ 146.20–300 [Amendment]

16. Section 146.20–300 *Table C—Classification: Class C; relatively safe explosives* is amended as follows:

A. Amend "Small-arms ammunition" as follows:

(1) In column 2 first paragraph after ".75", insert:

"(19.05 mm)".

Subpart—Detailed Regulations Governing Inflammable Liquids

17. Section 146.21–65 is amended by changing paragraph (c) (4), (5), and (28) and adding paragraph (c) (36), (37), (38), (39), (40), (41), and (42) as follows:

§ 146.21–65 Limited quantity shipments.

* * * * *

(c) * * *

(4) Aluminum triethyl and mixtures or solutions thereof.

(5) Aluminum trimethyl and mixtures or solutions thereof.

* * * * *

(28) Pyroforic fuel and mixtures or solutions thereof.

* * * * *

(36) Methyl magnesium bromide in ethyl ether in concentrations not over 40 percent.

(37) Triisobutyl aluminum and mixtures and solutions thereof.

(38) Ethyl aluminum sesquichloride and mixtures and solutions thereof.

(39) Diethyl aluminum chloride and mixtures and solutions thereof.

(40) Ethyl aluminum dichloride and mixtures and solutions thereof.

(41) Methyl aluminum sesquichloride and mixtures and solutions thereof.

(42) Methyl aluminum sesquibromide and mixtures or solutions thereof.

18. Section 146.21–100 *Table D—Classification: Inflammable liquids* is amended as follows:

A. Amend the following items as indicated:

1. Acetaldehyde.
2. Acetone, etc.
3. Benzene (benzol), etc.
4. Collodion.
5. Cyclohexane, etc.
6. Diethylamine, etc.
7. Ether, etc.
8. Ethyl formate.
9. Ethyl nitrate (nitric ether).
10. Ethyl nitrite (nitrous ether).
11. Gas drips, hydrocarbon, etc.
12. Hexane.
13. Isooctane, etc.
14. Isopentane, etc.
15. Methyl acetate, etc.
16. Methyl formate.
17. Motor fuel, n.o.s.
18. Neohexane.
19. Pentane, etc.
20. Propylene oxide.
21. Vinylidene chloride, inhibited.

(1) In column 4 under "Outside containers", delete the entry:

Fiber drum (ICC–21B) WIC ICC–2S, etc.

(2) In column 4, amend the entry "Fiber or plywood drums, WIC (ICC–21A, 21B, 22A, 22B) not over 1 gal. cap." to read:

Fiber or plywood drums (ICC–21C, 22A, 22B) WIC not over 1 gal. cap.

B. Amend the following items as indicated:

1. Alcohol, n.o.s., etc.
2. Allyl bromide, etc.
3. Amyl nitrite.
4. Anti-freeze compounds, liquid, etc.
5. Box toe gum.
6. Butyl acetate.
7. Butyraldehyde.
8. Cement, leather, etc.
9. Cigar and cigarette lighter fluid.
10. Coal tar distillate, etc.
11. Compounds cleaning, liquid, etc.

12. Compounds, lacquer, paint or varnish, etc. removing, etc.
13. Compounds, tree or weed killing, liquid.
14. Crotonaldehyde.
15. Crude oil, petroleum.
16. Dimethylamine, aqueous solution, etc.
17. Drugs, chemicals, medicines or cosmetics, n.o.s.
18. Ethyl acetate.
19. Ethylene dichloride.
20. Ethyl methyl ketone, etc.
21. Heptane.
22. Inflammable liquids, n.o.s.
23. Ink.
24. Insecticide, liquid (vermin exterminator).
25. Isopropyl acetate.
26. Methyl iso-propenyl ketone, inhibited.
27. Methyl methacrylate, monomer.
28. Oil, etc.
29. Paints, enamel, lacquer, stain, shellac, etc.
30. Polishes, metal, stove, furniture and wood, liquid.
31. Pyridine.
32. Resin solution (*resin compound, liquid*).
33. Road asphalt or tar, liquid.
34. Sodium methylate, alcohol mixture.
35. Solvents, n.o.s.
36. Toluol (toluene).
37. Turpentine substitutes, etc.
38. Xylol (*xylene*).

(1) In columns 4, 5, 6, and 7, if permitted, amend the entry "Fiber or plywood drums, WIC (ICC–21A, 21B, 22A, 22B) not over 1 gal. cap.", to read:

Fiber or plywood drums (ICC–21C, 22A, 22B) WIC not over 1 gal. cap.

(2) In columns 4, 5, 6, and 7, if permitted, amend the entry "Fiber drum (ICC–21B) WIC ICC–2S, etc.", to read:

Fiber drum (ICC–21C) WIC ICC–2S, ICC–2SL, not over 55 gal. cap.

C. Amend the following items as indicated:

1. Methyl dichlorosilane.
2. Trichlorosilane.

(1) In column 4, under "Steel barrels or drums" amend "ICC–5A, etc.", to read:

(ICC–5A, 5B, 5C) not over 55 gal. cap.

D. Amend "Aluminum triethyl" as follows:

(1) In column 1, add the following after methyl aluminum sesquichloride:

Methyl magnesium bromide in ethyl ether in concentrations not over 40%.
Pyroforic fuel.
Pyroforic solutions.

(2) In column 1, add the following after "Triisobutyl aluminum":

Zinc ethyl.

(3) In column 2, add the following:

Takes fire on contact with air.
Reacts violently on contact with water.

(4) In column 4, delete "containers, etc." and insert:

Outside containers:
Steel barrels or drums:
(ICC–17C) STC, WIMC not over 1 gal. cap. each, not over 35 gal. net contents.
(ICC–37A) STC, WIMC not over 1 gal. cap. each, not over 5 gal. total cap.
Above containers authorized only for pyroforic fuel mixed with solvent.
Cylinders as prescribed for any compressed gas except acetylene.
Tank cars complying with ICC regulations.
Portable tanks (ICC–51) with minimum design pressure of 100 psi. not over 8,000 lb. gr. wt.

(5) In column 4 after "Portable tanks (ICC–51), etc.", insert the following:

Methyl magnesium bromide in ethyl ether in concentrations not over 40% may be shipped as follows:
Metal drums (ICC–17C) STC not over 55 gal. cap.
Fiberboard boxes (ICC–12B) WIC not over 1 qt. cap. ea., over 65 lb. gr. wt.

E. Amend "Lacquer base or lacquer chips, plastic (wet with alcohol or solvent), etc." as follows:

(1) In columns 4, 5, 6, and 7 after "Outside containers," delete the present wording and insert:

Steel barrels or drums:
(ICC–5, 5A, 5B, 5C, 5M) not over 490 lb. gr. wt.
(ICC–6A, 6B, 6C, 6J, 6K) not over 490 lb. gr. wt.
(ICC–17C, 17E, 17H) STC not over 490 lb. gr. wt.
(ICC–37A, 37B) STC not over 480 lb. gr. wt. for 37A; 490 lb. gr. wt. for 37B.
(ICC–37P) NRC, not over 5 gal. cap.
Aluminum barrels or drums: (ICC–42B, 42C) not over 490 lb. gr. wt.
Wooden barrels or kegs:
(ICC–10A, 10B) not over 490 lb. gr. wt.
(ICC–11A, 11B) WIC, not over 490 lb. gr. wt.
Wooden boxes: (ICC–15A, 15B, 15C, 16A, 19A, 19B) WIC, not over 10 gal. total cap.
Fiberboard boxes: (ICC–12A, 12B, 12E) WIC, not over 65 lb. gr. wt.
Fiber or plywood drums: (ICC–21C, 22A, 22B) WIC not over 1 gal. cap.
Cylinders as prescribed for any compressed gas except acetylene.

F. Amend the following items as indicated:

1. Pyroforic fuel.
2. Pyroforic solutions.
3. Zinc ethyl.

(1) In column 1, delete the entry and all wording appearing in columns 2, 3, 4, 5, 6, and 7 pertaining thereto.

G. Amend "Wet nitrocellulose colloided, granular or flake (must contain at least 20% by weight of alcohol or a solvent with flashpoint not lower than 30° F.), etc." as follows:

(1) In column 4 under "Outside containers," delete the present wording and insert:

Steel barrels or drums:
(ICC–5, 5A, 5B, 5C, 5M) not over 490 lb. gr. wt.
(ICC–6A, 6B, 6C, 6J, 6K) not over 490 lb. gr. wt.
(ICC–17C, 17E, 17H) STC not over 490 lb. gr. wt.
(ICC–37A, 37B) STC not over 480 lb. gr. wt. for 37A; 490 lb. gr. wt. for 37B.
(ICC–37P) NRC, not over 5 gal. cap.
Aluminum barrels or drums: (ICC–42B, 42C) not over 490 lb. gr. wt.
Wooden barrels or kegs:
(ICC–10A, 10B) not over 490 lb. gr. wt.
(ICC–11A, 11B) WIC, not over 490 lb. gr. wt.
Wooden boxes: (ICC–15A, 15B, 15C, 16A, 19A, 19B) WIC, not over 10 gal. total cap.
Fiberboard boxes: (ICC–12A, 12B, 12E) WIC, not over 65 lb. gr. wt.
Fiber or plywood drums: (ICC–21C, 22A, 22B) WIC not over 1 gal. cap.
Cylinders as prescribed for any compressed gas except acetylene.
Authorized only for nitrocellulose or collodion cotton, fibrous wet, or colloided nitrocellulose, granular or flake wet:
Aluminum barrels or drums (ICC–42F) not over 490 lb. gr. wt.

Subpart—Detailed Regulations Governing Inflammable Solids and Oxidizing Materials

19. Section 146.22–25 is amended by adding an item to paragraph (d) as follows:

§ 146.22–25 Exemptions for inflammable solids and oxidizing materials.

* * * * *

(d) * * *

Cyclohexanone peroxide over 50% concentration but not exceeding 85% concentration.

* * * * *

20. Section 146.22–30 is amended by changing paragraph (c)(2) to read as follows:

§ 146.22–30 Authorization to load or discharge ammonium nitrate and ammonium nitrate fertilizers.

* * * * *

(c) * * *

(2) Ammonium nitrate and ammonium nitrate products (prills, crystals, grains or flakes) containing 90 percent or more ammonium nitrate by weight with no organic coating, including fertilizer grade, dynamite grade, nitrous oxide grade and technical grade, and ammonium nitrate phosphate (60 percent or more ammonium nitrate by weight) with no organic coating, packaged in ICC or nonspecification metal barrels or drums may be loaded or discharged at any waterfront facility which conforms to port security and local regulations. No permit is required for this transaction. The ICC or nonspecification metal barrels or drums may contain the ammonium nitrate products packaged in ICC approved plastic bags or the metal barrels or drums may contain an ICC approved plastic liner.

* * * * *

§ 146.22–100 [Amendment]

21. Section 146.22–100 *Table E—Classification: Inflammable solids and oxidizing materials* is amended as follows:

A. Amend the following items as indicated:

1. Barium peroxide.
2. Calcium, metallic.
3. Calcium peroxide.
4. Compounds, tree or weed killing, solid.
5. Drugs, chemicals, medicines, or cosmetics, n.o.s.
6. Inflammable solids, n.o.s., etc.
7. Lacquer base, or lacquer chips (nitrocellulose base).
8. Lithium peroxide.
9. Magnesium peroxide, solid.
10. Motion-picture film, old and worn out (nitrocellulose base).
11. Oxidizing materials, n.o.s.
12. *Perchlorates*, etc.
13. *Permanganates*, etc.
14. Potassium bromate.
15. Potassium nitrite.
16. Potassium peroxide.
17. Pyroxylin plastics, in sheets, rolls, rods, or tubes, etc.
18. Pyroxylin plastic scrap.
19. Rubber buffings, etc.
20. Sodium bromate.

21. Sodium methylate, dry.
22. Strontium peroxide.
23. Zinc peroxide.

(1) In columns 4, 5, 6, and 7, where applicable, delete "Fiber drums (ICC–21A, 21B) not over 220 lb. gr. wt." and insert in lieu thereof:

Fiber drum (ICC–21C) not over 225 lb. net wt.

B. Amend "Ammonium bichromate" as follows:

(1) In columns, 4, 5, 6, and 7, change "Fiber drums (ICC–21A, 21B) not over 220 lb. gr. wt." to read:

Fiber drum (ICC–21C) not over 400 lb. net wt.

C. Amend "Calcium hypochlorite compounds, dry, etc." as follows:

(1) In columns 4, 5, 6, and 7, change "Fiber drums (ICC–21B) WIL, etc." to read:

Fiber drum (ICC–21C) WIL not over 400 lb. net wt.

D. Amend "*Chlorates*, etc." as follows:

(1) In column 4, change "Fiber drums (ICC–21A, 21B), etc." to read:

Fiber drum (ICC–21C) WIMC ICC–2F not over 225 lb. net wt.

(2) In column 4, change "Plywood drums (ICC–22A, 22B) etc." to read:

Plywood drums (ICC–22A, 22B) WIMC ICC–2F not over 225 lb. net wt.

E. After "Cumene hydroperoxide (*strength not exceeding 90% in a nonvolatile solvent*), insert the following:

(1) In column 1, insert:

Cyclohexanone peroxide, not over 50% concentration.

(2) In column 2, insert:

Thick grayish white paste.
Organic peroxide compounded with nonvolatile solvent.
Keep cool.
Do not stow with explosives, acids or combustible materials.

(3) In column 3, insert:

Yellow.

(4) In column 4, insert:

Stowage:
"On deck protected."
"On deck under cover."
"Tween decks readily accessible."
Outside containers:
Steel barrels or drums:
(ICC–6A) not over 55 gal. cap. and not exceeding 880 lb. gr. wt.
(ICC–6B, 6C) not over 110 gal. cap. and not exceeding 1,760 lb. gr. wt.
(ICC–17C, 17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Wooden barrels or kegs:
(ICC–10A, 10B, 10C) not over 50 gal. cap. and not exceeding 600 lb. net wt.
(ICC–11A, 11B), WIC, not over 600 lb. net wt.
Wooden boxes (ICC–15A, 15B, 15C, 16A, 19A) WIC, not over 250 lb. gr. wt.
Fiberboard boxes (ICC–12A, 12B) WIC, not over 65 lb. gr. wt.
Fiber drum (ICC–21C) not over 225 lb. net wt.
Plywood drums:
(ICC–22A) not over 225 lb. gr. wt.
(ICC–22B) WIMC, not over 225 lb. gr. wt.

(5) In column 5, insert:

Stowage:
"On deck protected."
"On deck under cover."
"Tween decks readily accessible."
Outside containers.
Steel barrels or drums: (ICC–6A) not over 55 gal. cap. and not exceeding 880 lb. gr. wt.
Wooden barrels or kegs: (ICC–11A, 11B) WIC, not over 600 lb. net. wt.
Wooden boxes (ICC–15A, 15B, 15C, 16A, 19A) WIC, not over 250 lb. gr. wt.
Fiberboard boxes (ICC–12A, 12B) WIC, not over 65 lb. gr. wt.

(6) In column 6, insert:

Ferry stowage (AA).
Outside containers:
Steel barrels or drums:
(ICC–6A) not over 55 gal. cap. and not exceeding 880 lb. gr. wt.
(ICC–6B, 6C) not over 110 gal. cap. and not exceeding 1,760 lb. gr. wt.
(ICC–17C, 17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Wooden barrels or kegs:
(ICC–10A, 10B, 10C) not over 50 gal. cap. and not exceeding 600 lb. net wt.
(ICC–11A, 11B) WIC, not over 600 lb. net wt.
Wooden boxes (ICC–15A, 15B, 15C, 16A, 19A) WIC, not over 250 lb. gr. wt.
Fiberboard boxes (ICC–12A, 12B) WIC, not over 65 lb. gr. wt.
Fiber drum (ICC–21C) not over 225 lb. net wt.
Plywood drums:
(ICC–22A) not over 225 lb. gr. wt.
(ICC–22B) WIMC, not over 225 lb. gr. wt.

(7) In column 7, insert:

Ferry stowage (BB).
Outside containers:
Steel barrels or drums:
(ICC–6A) not over 55 gal. cap. and not exceeding 880 lb. gr. wt.
(ICC–6B, 6C) not over 110 gal. cap. and not exceeding 1760 lb. gr. wt.
(ICC–17C, 17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Wooden barrels or kegs:
(ICC–10A, 10B, 10C) not over 50 gal. cap. and not exceeding 600 lb. net wt.
(ICC–11A, 11B) WIC, not over 600 lb. net wt.
Wooden boxes (ICC–15A, 15B, 15C, 16A, 19A) WIC, not over 250 lb. gr. wt.
Fiberboard boxes (ICC–12A, 12B) WIC, not over 65 lb. gr. wt.
Fiber drum (ICC–21C) not over 225 pounds net wt.
Plywood drums:
(ICC–22A) not over 225 lb. gr. wt.
(ICC–22B) WIMC, not over 225 lb. gr. wt.

F. After "Cyclohexanone peroxide not over 50% concentration", insert the following:

(1) In column 1, insert:

Cyclohexanone peroxide over 50% concentration but not exceeding 85% concentration, dry.

(2) In column 2, insert:

White granules.
Organic peroxide compounded with a nonvolatile solvent.
Flammable, burns rapidly when ignited.
Keep cool.
Do not stow with combustible materials, explosives or acids.

(3) In column 3, insert:

Yellow.

(4) In column 4, insert:

Stowage:
"On deck protected."
"On deck under cover."
Outside containers:
Wooden boxes (ICC–15A, 15B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.
Fiberboard box (ICC–12B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.

(5) In column 5, insert:

Stowage: "On deck under cover."
Outside containers:
Wooden boxes (ICC–15A, 15B) WIC not over 1 lb. cap, each, not over 50 lb. net wt.
Fiberboard box (ICC–12B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.

(6) In column 6, insert:

Ferry stowage (AA).
Outside containers:
Wooden boxes (ICC–15A, 15B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.
Fiberboard box (ICC–12B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.

(7) In column 7, insert:

Ferry stowage (BB).
Outside containers:
Wooden boxes (ICC–15A, 15B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.
Fiberboard box (ICC–12B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.

G. After "Cyclohexanone peroxide over 50% concentration but not exceeding 85% concentration, dry", insert the following:

(1) In column 1, insert:

Cyclohexanone peroxide over 50% concentration but not exceeding 85% concentration, wet.

(2) In column 2, insert:

Organic peroxide wet with water.
Keep cool.
Do not stow with combustible materials, explosives or acids.

(3) In column 3, insert:

Yellow.

(4) In column 4, insert:

Stowage:
"On deck protected."
"On deck under cover."
Outside containers:
Wooden boxes (ICC–15A, 15B, 15C) WIMC not over 1 lb. cap. each, not over 200 lb. gr.wt.
Fiberboard box (ICC–12B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.
Fiber drum (ICC–21C) WIC of plastic, not over 50 lb. net wt.

(5) In column 5, insert:

Stowage:
"On deck protected."
"On deck under cover."
Outside containers:
Wooden boxes (ICC–15A, 15B, 15C) WIMC not over 1 lb. cap. each, not over 200 lb. gr. wt.
Fiberboard box (ICC–12B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.
Fiber drum (ICC–21C) WIC of plastic, not over 50 lb. net wt.

(6) In column 6, insert:

Ferry stowage (AA).
Outside containers:
Wooden boxes (ICC–15A, 15B, 15C) WIMC not over 1 lb. cap. each, not over 200 lb. gr. wt.
Fiberboard box (ICC–12B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.
Fiber drum (ICC–21C) WIC of plastic, not over 50 lb. net wt.

(7) In column 7, insert:

Ferry stowage (BB).
Outside containers:

Wooden boxes (ICC–15A, 15B, 15C) WIMC not over 1 lb. cap. each, not over 200 lb. gr. wt.
Fiberboard box (ICC–12B) WIC not over 1 lb. cap. each, not over 50 lb. net wt.
Fiber drum (ICC–21C) WIC of plastic, not over 50 lb. net wt.

H. The item "Dimethylhexane dihydroperoxide, dry" is amended as follows:
(1) In columns 4, 5, 6, and 7, insert:

Fiber drum (ICC–21C) WIC of plastic, not over 100 lb. net wt.

I. The item "Dimethylhexane dihydroperoxide, wet (*wet with at least 30% of water by weight*)" is amended as follows:
(1) In columns 4, 5, 6 and 7, insert:

Fiberboard box (ICC–12B) WIC, not over 1 lb. cap. each, not over 50 lb. net wt.
Fiber drum (ICC–21C) WIC of plastic, not over 100 lb. net wt.

J. Amend "Lauroyl peroxide, dry" as follows:
(1) In columns 4, 5, 6 and 7, change "Fiber drums (ICC–21A, 21B), etc." to read:

Fiber drum (ICC–21C) not over 100 lb. net wt.

K. Amend "Lithium amide, powered" as follows:
(1) In columns 4, 6 and 7, change "Fiber drums (ICC–21A, 21B), etc." to read:

Fiber drum (ICC–21C) WIMC ICC–2F not over 225 lb. net wt.

L. Amend "Magnesium metallic, powder" as follows:
(1) In column 1, delete "Magnesium metallic, powder" and insert:

Magnesium, metallic (other than scrap), powdered, pellets, turnings, or ribbon.

(2) In column 2, delete "*A white metal, in the form of powder*" and insert in lieu thereof:

A white metal (other than scrap) which may be in the form of powder, pellets, turnings, or ribbons.

(3) In column 2, delete "*It is highly inflammable, burning with intense heat and light*" and insert in lieu thereof:

In finely divided form is easily ignited and burns with intense heat and light.

(4) In column 4, delete all after "Outside containers" and insert:

Steel barrels or drums:
(ICC–6A) not over 55 gal. cap.
(ICC–6B) not over 110 gal. cap.
(ICC–17C, 17E, 17H, 37A, 37B) STC, not over 55 gal. cap.
Wooden barrels or kegs:
(ICC–10A, 10B, 10C) not over 50 gal. cap.
(ICC–11A, 11B) WIC or WIML ICC–2F not over 600 lb. net wt.
Wooden boxes:
(ICC–15A, 15B) WIL (ICC–2F or 2M) not over 250 lb. gr. wt.
(ICC–15A, 15B, 15C, 16A, 19A) WIC, not over 250 lb. gr. wt.
Fiberboard boxes:
(ICC–12A) WIC glass not over 5 lb. cap. ea. not over 20 lb. net wt.
(ICC–12B) WIC not over 65 lb. gr. wt.
(ICC–12B) WIC plastic not over 25 lb. net wt.
Fiber drum: (ICC–21C) not over 225 lb. net wt.
Plywood drums:
(ICC–22A) not over 220 lb. gr. wt.
(ICC–22B) WIMC, not over 220 lb. gr. wt.

M. Amend the item "Matches, book, etc." as follows:
(1) In columns 4, 5, 6 and 7, change last paragraph to read:

Book matches or strike-on-box matches in a quantity not exceeding 25 books or boxes of not over 35 matches each, packaged as required by the Postal Regulations, are also exempt from the marking requirements.

N. Amend "Phosphorus, white or yellow, in water" as follows:
(1) In column 4, after "Wooden boxes, etc.", insert the following:

Mailing tube (ICC–29) WIC not over 100 gm. net wt. of phosphorus.

O. Amend "Potassium sulphide (fused or concentrated, when ground), etc." as follows:
(1) In columns 4, 5, 6 and 7, under "Outside containers" add:

Fiber drum (ICC–21C) not over 250 lb. net wt.

P. Amend "Sodium hydrosulphite" as follows:
(1) In columns 4, 5, 6 and 7, change "Fiber drums (ICC–21A, 21B), etc." to read:

Fiber drum (ICC–21C) WIMC not over 225 lb. net wt.

Q. Amend "Sodium nitrite" as follows:
(1) In columns 4, 5, 6 and 7, change "Fiber drums (ICC–21A, 21B) not over 425 lb. gr. wt." to read:

Fiber drum (ICC–21C) not over 400 lb. net wt.

R. Amend "Urea peroxide" as follows:
(1) In column 4, change "Fiber drums coated, etc." to read:

Fiber drum (ICC–21C) coated on inside with a suitable wax not over 225 lb. net wt.

Subpart—Detailed Regulations Governing Corrosive Liquids

22. Section 146.23–30 is amended by adding an entry to the list in paragraph (c) to read as follows:

§ 146.23–30 Exemptions for corrosive liquids.

* * * * *

(c) * * *

Phosphorus oxybromide.

23. Section 146.23–100 *Table F—Classification: Corrosive liquids* is amended as follows:
A. Amend the following items as indicated:

1. Acids, liquids, n.o.s.
2. Alkaline battery fluid, etc.
3. Antimony pentachloride solution.
4. Boiler compound, liquid.
5. Caustic potash, liquid, etc.
6. Chromic acid solution.
7. Compounds, cleaning, liquid, etc.
8. Corrosive liquid, n.o.s.
9. Cupriethylene-diamine solution.
10. Drugs, chemicals, medicines or cosmetics, n.o.s., etc.
11. Formic acid, etc.
12. Hexamethylene diamine solution.
13. Hydriodic acid.
14. Sodium aluminate, liquid.
15. Water treatment compound, liquid.

(1) In columns 4, 5, 6, and 7, where applicable, under "Wooden barrels or kegs" delete "(ICC–10A) asphalt lined, not over 50 gal. cap." and insert in lieu thereof:

(ICC–10A) asphalt, paraffin, or wax lined not over 50 gal. cap.

(2) In columns 4, 5, 6 and 7, where applicable, delete "Fiber drum (ICC–21B), etc." and insert in lieu thereof:

Fiber drum (ICC–21C) WIC (ICC–2S, 2SL, 2U) not over 30 gal. cap.

B. Amend "Compounds, cleaning liquid (containing hydrofluoric acid), etc." as follows:
(1) In column 4, under "Outside containers", add the following:

Fiber drum (ICC–21C) WIC (ICC–2U) not over 30 gal. cap.

C. Amend "Fire extinguisher charges, etc." as follows:
(1) In columns 4, 5, 6 and 7, change "Fiber drums, etc." to read:

Fiber drum (ICC–21C) WIC, not over 35 lb. gr. wt.

D. Amend "Hydrobromic acid" as follows:
(1) In columns 4 and 7 after "For hydrobromic acid greater than 49% strength but not over 63% strength," add the following:

Steel drum (ICC–6J) WIC (ICC–2S polyethylene) not over 55 gal. cap.

E. Amend the following items as indicated:

1. Hydrochloric (muriatic) acid, etc.
2. Sodium chlorite solution, etc.

(1) In columns 4, 5, 6, and 7, change "Fiber drums, etc." to read:

Fiber drum (ICC–21C) WIC (ICC–2T, 2S, 2SL, 2U) not over 225 lb. gr. wt.

F. Amend "Hydrofluoric acid" as follows.
(1) In column 4 after "Hydrofluoric acid, not over 55% strength, etc.", add the following:

Hydrofluoric acid, not over 70% strength: Fiberboard boxes (ICC–12A, 12B) WIC polyethylene not over 1 gal. cap. ea.; ICC–12A, not over 80 lb. gr. wt.; ICC–12B, not over 65 lb. gr. wt.

G. Amend "Hydrofluosilicic acid, etc." as follows:
(1) In column 4, change "Fiber drum (ICC–21B) etc." to read:

Fiber drum (ICC–21C) WIC (ICC–2S, 2SL, 2U) not over 225 lb. gr. wt.

H. Amend "Hydrogen peroxide, etc." as follows:
(1) In column 4 after "Solution not over 52% strength by weight," insert the following:

Steel barrels or drums: (ICC–6J, 37A) STC, WIC (ICC–2S, 2SL) not over 55 gal. cap.

(2) In column 4, delete "Metal drums (ICC-6J) WIC (ICC–2S polyethylene) not over 55 gal. cap."
(I) Amend "Phosphorus oxychloride" as follows:
(1) In column 1 after "Phosphorus oxychloride," insert the following:

Phosphorus oxybromide.

(J) Amend "Phosphorus trichloride" as follows:

(1) In column 4 under "Steel barrels or drums", add the following:

(ICC-17C) STC, WIL, not over 55 gal. cap.

(K) Amend "Sulfuric acid (oil of vitriol) etc." as follows:

(1) In columns 4, 6, and 7 under "For sulfuric acid of concentration not to exceed 95%, etc.", change "Fiber drums (ICC-21B) etc." to read:

Fiber drum (ICC-21C) WIC (ICC-2T polyethylene) not over 150 lb. gr. wt.

Subpart—Detailed Regulations Governing Compressed Gases

24. Section 146.24-100 *Table G—Classification: Compressed gases* is amended as follows:

A. After "Anhydrous ammonia, etc.", insert the following:

(1) In column 1, insert:

Aqua ammonia solution containing anhydrous ammonia.

(2) In column 2, insert:

Nonflammable gas.
Toxic and suffocating even in small quantities.
Lighter than air.

(3) In column 3, insert:

Green gas.

(4) In column 4, insert:

Stowage:
"On deck protected."
"On deck under cover."
"Tween decks readily accessible."
"Under deck away from heat."
Containers: Cylinders complying with ICC Regulations (with valve protection cap) (with dished heads) (boxed).
Tank cars complying with ICC Regulations.

(5) In column 5, insert:

Stowage:
"On deck protected."
"On deck under cover."
"Tween decks readily accessible."
Containers: Cylinders complying with ICC Regulations (with valve protection cap) (with dished heads) (boxed).

(6) In column 6, insert:

Ferry stowage (AA).
Containers: Cylinders complying with ICC Regulations (with valve protection cap) (with dished heads) (boxed).
Tank motor vehicles complying with ICC Regulations.

(7) In column 7, insert:

Ferry stowage (BB).
Containers:
Cylinders complying with ICC Regulations.
Tank cars complying with ICC Regulations.

B. Delete the eight entries for "Liquefied petroleum gas" and all wording in columns 2, 3, 4, 5, 6 and 7 pertaining thereto. Insert the following in lieu thereof:

(1) In column 1, insert:

Liquefied petroleum gas.

(2) In column 2, insert:

Inflammable gas.
Heavier than air.
Mixtures in air in certain proportions will be inflammable and explosive.
Predominant components are generally butanes (normal butane or isobutane), propane, propylene, butylenes and butadiene.

(3) In column 3, insert:

Red gas.

(4) In column 4, insert:

Stowage:
"On deck protected."
"On deck under cover."
Containers:
ICC specification cylinders complying with ICC requirements for the vapor pressure of the gas and filled according to ICC regulations. Cylinders shall have valve protection caps, dished heads or be boxed.
Portable tanks, ICC-51 not over 20,000 lb. gr. wt. or Coast Guard approved. The vapor pressure of the lading at 115° F. shall not exceed the design pressure of the portable containers.
Tank cars complying with ICC regulations for vapor pressure of the gas.
Tank motor vehicle complying with ICC regulations for vapor pressure of the gas.

(5) In column 5, insert:

Stowage:
"On deck protected."
"On deck under cover."
Containers: ICC specification cylinders complying with ICC requirements for the vapor pressure of the gas and filled according to ICC regulations. Cylinders shall have valve protection caps, dished heads or be boxed.

(6) In column 6, insert:

Ferry stowage (AA).
Containers: ICC specification cylinders complying with ICC requirements for the vapor pressure of the gas and filled according to ICC regulations. Cylinders shall have valve protection caps, dished heads or be boxed.

(7) In column 7, insert:

Ferry stowage (BB).
Containers:
ICC specification cylinders complying with ICC requirements for the vapor pressure of the gas and filled according to ICC regulations. Cylinders shall have valve protection caps, dished heads or be boxed.
Tank cars complying with ICC regulations.

Subpart—Detailed Regulations Governing Poisonous Articles

25. Section 146.25-25 is amended by changing the text of paragraph (c) and by adding a new paragraph (f) to read as follows:

§ 146.25-25 Exemptions for radioactive materials.

* * * * *

(c) Radioactive materials such as ores, residues, salts of natural uranium and thorium, etc. of low activity, packed in strong tight containers, are exempt from specification packaging, marking other than name of contents, and labeling requirements for transportation on board vessels only if the gamma radiation or equivalent in any area of habitual occupancy is such that a person continually present in such an area would not be likely to receive a whole body dose of more than 500 milliroentgens a year. The consignor or consignee shall advise the person in charge of loading or discharging of the hazards of the cargo and the regulations pertaining thereto.

* * * * *

(f) Uranium, normal or depleted, in solid form (not borings, chips, or pieces) must be packed in strong, tight, wooden or plywood boxes and as such are exempt from specification packaging. Boxes weighing more than 500 lb. must be mounted on skids. Each box shall bear the radioactive materials label as prescribed in § 146.05-17(w) unless exempted under paragraph (a) or (b) of this section.

26. Section 146.25-35 is amended by changing paragraphs (a) and (b) to read as follows:

§ 146.25-35 Stowage and handling of radioactive materials on board vessels.

(a) All containers of radioactive materials stowed on board a vessel must be efficiently lashed, chocked, or braced to prevent sifting or leakage by movement of the containers in any direction. Radioactive materials shall be stowed aboard ship in areas as remote as possible from regularly occupied working spaces such as the wheelhouse, crew or passenger quarters, enginerooms, passageways, etc. In no case shall radioactive materials be stowed closer than the minimum distances provided in the following table 146.25-35:

TABLE 146.25-35—CARRIAGE BY SEA OF PACKAGES CONTAINING RADIOACTIVE MATERIALS

Total number of radiation units shown on the packages	Minimum distance [1] in feet (meters in parentheses) which must separate radioactive materials from living accommodation or regularly occupied working space			
	A	B [2]	C [2]	D [2]
Up to 1	10 (3)	10 (3)	10 (3)	15 (4.5)
2 to 5	25 (7.5)	10 (3)	10 (3)	15 (4.5)
6 to 10	35 (10.5)	15 (4.5)	10 (3)	15 (4.5)
11 to 25	60 (18)	20 (6)	10 (3)	15 (4.5)
26 to 50	90 (27)	30 (9)	10 (3)	15 (4.5)
51 to 100	135 (40.5)	40 (12)	10 (3)	15 (4.5)
101 to 200	195 (58.5)	55 (16.5)	10 (3)	15 (4.5)
201 to 300	235 (70.5)	70 (21)	10 (3)	15 (4.5)
301 to 400	265 (79.5)	80 (24)	15 (4.5)	15 (4.5)

Column A: No intervening cargo or bulkheads screening the radioactive materials from the living accommodation or regularly occupied working space.

Column B: The radioactive materials to be surrounded by at least 2 feet (0.6 m) of cargo of unit density [3] and at least one steel bulkhead between the radioactive materials and the living accommodation or regularly occupied working space.

Column C: The radioactive materials to be surrounded by at least 6 feet (2 m) of cargo of unit density [3] and at least two steel bulkheads between the radioactive materials and the living accommodation or regularly occupied working space.

Column D: The radioactive materials to be surrounded by at least 14 feet (4.2 m) of cargo of unit density and at least two steel bulkheads between the radioactive materials and the living accommodation or regularly occupied working space.

[1] Minimum distance means the minimum permissible in any direction, whether vertical or horizontal.

[2] NOTE.—In column B, C, or D, shielding thicknesses of surrounding cargo are included in the separation distances.

[3] Cargo of unit density means cargo stowed at a density of 62.5 lbs./cu. ft. Where the density is less than this, the depth of cargo specified in the notes on columns B, C, and D, i.e. 2 ft., 6 ft., and 14 ft. must be increased in proportion.

(b) No person shall remain unnecessarily in a hold or compartment or close to a hold, compartment, or deck cargo space containing radioactive materials and the shipper must furnish the carrier with such information and equipment as is necessary for the protection of the carrier's employees, stevedores, or other persons engaged in the handling of

such cargo. In no instance shall any person who must necessarily remain in a hold, compartment, or deck cargo space containing radioactive material be exposed to a total of more than 100 milliroentgens of gamma radiation or equivalent in any 7-day period, provided further that a maximum whole body dose of 500 milliroentgens per year is not exceeded.

* * * * *

27. Section 146.25–200 *Table H—Classification: Class B; less dangerous poisons* is amended by revising various items as follows:

A. Amend the following items as indicated:

1. Acetone cyanhydrin.
2. Alcohol allyl, etc.
3. Arsenic acid, liquid.
4. Arsenic chloride (arsenous), liquid, etc.
5. Arsenical compounds or mixtures, n.o.s. liquid, etc.
6. Carbolic acid (phenol) liquid, etc.
7. Compounds, tree or weed killing, liquid.
8. Dinitrobenzol, liquid.
9. Dinitrophenol solutions.
10. Drugs, chemicals, medicines or cosmetics, n.o.s. liquid.
11. Insecticide, liquid.
12. Mercuric iodide solution.
13. Nicotine hydrochloride, etc.
14. Nitrobenzol, liquid (oil of mirbane) etc.
15. Nitroxylol.
16. Poisonous liquids, n.o.s., etc.
17. Parathion, liquid, etc.
18. Sodium arsenite (solution liquid).
19. Tetraethyl pyrophosphate, liquid, etc.

(1) In columns 4, 5, 6 and 7, where applicable, delete "Fiber drums (ICC–21B) WIC, etc." and insert:

Fiber drum (ICC–21C) WIC, glass, not over 1 gal. cap. each, total gr. wt. not over 225 lb.

B. Amend the following items as indicated:

1. Aldrin mixtures, dry, with more than 65% aldrin, etc.
2. Ammonium arsenate, solid.
3. Arsenic acid, solid, etc.
4. Arsenic bromide, solid, etc.
5. Arsenic sulfide (powder) solid.
6. Arsenical compounds or mixtures, n.o.s. solid.
7. Bordeau arsenites, solid, etc.
8. Cocculus, solid (*fishberry*), etc.
9. Cyanides or cyanide mixtures, dry, etc.
10. Dinitrobenzol, solid, etc.
11. Drugs, chemicals, medicines or cosmetics, n.o.s. solid.
12. Ferric arsenate, solid, etc.
13. Insecticide, dry, etc.
14. Lead arsenate, solid, etc.
15. *Mercury compounds, solid*, etc.
16. *Mercury compounds, solid*—continued.
17. Nicotine salicylate, etc.
18. Poisonous solids, n.o.s.
19. Potassium arsenate, solid, etc.
20. Thallium salts, solid, etc.
21. Zinc arsenate, etc.

(1) In columns 4, 5, 6, and 7, where applicable, under "Fiber drums" delete "ICC–21A, etc." and "ICC–21B, etc." and insert in lieu:

Fiber drum (ICC–21C) not over 225 lb. net wt.

(2) In columns 4, 5, 6 and 7, where applicable, change "Fiberboard boxes (ICC–12A, 12B, 12C) etc." to read:

Fiberboard boxes (ICC–12B, 12C) WIC, not over 50 lb. net wt.

(3) In columns 4, 5, 6 and 7, where permitted, insert:

Fiberboard box (ICC–12A) WIC, glass, not over 5 lb. cap. each; not over 20 lb. net cap. total.

C. Amend "Aldrin mixtures, liquid, with more than 60% aldrin" as follows:

(1) In columns 4, 5, 6, and 7, after "Fiberboard boxes: etc." insert:

Fiber drum (ICC–21C) WIC, glass, not over 1 gal. cap. each; total gr. wt. not over 225 lb.

D. Amend "Beryllium metal powder" as follows:

(1) In columns 4, 5, 6, and 7, under "Fiber drums" change "(ICC–21A), etc." and "(ICC–21B), etc." to read:

(ICC–21C) WIC, glass or metal not over 25 lb. cap. each, not over 225 lb. net wt.

E. Amend "Motor fuel antiknock compound" as follows:

(1) In column 2, delete paragraph 1 and insert the following in lieu thereof:

A mixture of one or more organic lead compounds such as tetraethyl lead, triethylmethyl lead, diethyldimethyl lead, ethyltrimethyl lead, and tetramethyl lead, with one or more halogen compounds such as ethylene dibromide and ethylene dichloride, or hydrocarbon solvents.

F. Amend "Nitrochlorbenzene, meta or para, solid, etc." as follows:

(1) In column 1, delete "Paranitraniline, etc." and insert the following:

Nitroaniline, ortho and para, solid.

(2) In column 2, delete "Yellow crystalline powder" and insert:

Ortho-nitroaniline is in the form of orange-red needles.
Para-nitroaniline is in the form of yellow needles.

(3) In column 4, under "Fiber drums" delete "(ICC–21A), etc." and "(ICC–21B), etc." and insert:

Authorized for nitroaniline, ortho and para, and nitrochlorbenzene, para, flaked: (ICC–21C) not over 400 lb. net wt.

G. Amend the following items as indicated:

1. Parathion mixtures, liquid (*containing not more than 50% parathion by weight*), etc.
2. Tetraethyl pyrophosphate mixtures, liquid (*containing not more than 50% tetraethyl pyrophosphate* by weight), etc.

(1) In columns 4, 5, 6, and 7, after "Fiberboard boxes (ICC–12B), etc." insert:

Fiberboard box (ICC–12A) WIC metal not over 1 gal. cap. each, not over 65 lb. gr. wt.

(2) In columns 4, 5, 6, and 7, delete "Fiber drums (ICC–21B) WIC, etc." and insert:

Fiber drum (ICC–21C) WIC glass, not over 1 gal. cap. each; total gr. wt. not over 225 lb.

H. Amend the following items as indicated:

1. Parathion mixtures, dry, etc.
2. Tetraethyl pyrophosphate mixture, dry, etc.

(1) In columns 4, 5, 6, and 7, under "Authorized for dry mixtures not exceeding 50% by weight, etc." change "(ICC–21A, 21B), etc." to read:

(ICC–21C) not over 225 lb. net wt.

(2) In columns 4, 5, 6, and 7, under "Authorized for dry mixtures not exceeding 15% by weight" insert:

Fiberboard box (ICC–12B) WIC, not over 50 lb. net wt.

28. Section 146.25–400 *Table H—Classification: Class D; radioactive materials* is amended as follows:

A. Amend the following items as indicated:

1. Radioactive materials, groups I and II, etc.
2. Radioactive materials, group III, etc.

(1) In columns 4, 5, 6, and 7, under "Fiber drums" change "(ICC–21A, 21B) WIC" to read:

(ICC–21C) not over 225 lb. net wt.

Subpart—Detailed Regulations Governing Hazardous Articles

29. Section 146.27–100 *Table K—Classification: Hazardous articles* is amended as follows:

A. Amend the item "Cylinders, empty, etc." by changing the wording in column 1 as follows:

Cylinders, empty (including ton tanks). Cylinders previously used for a compressed gas, inflammable or corrosive liquid or poison. The originating bill of lading or other shipping paper shall bear the shipper's certifying statement that the cylinders have most recently contained (name of contents) and that the contents of the cylinders have been emptied within the meaning implied by trade practices.

(R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198, E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

Subpart—Detailed Regulations Governing the Transportation of Military Explosives and Hazardous Munitions on Board Vessels

30. Sections 146.29–1 to 146.29–100, inclusive, are amended in their entirety to read as follows:

Sec.	
146.29–1	Effective date.
146.29–3	Scope.
146.29–5	Regulations not applicable.
146.29–7	Port security regulations.
146.29–9	Import shipments.
146.29–11	Definitions and abbreviations.
146.29–13	Permit for handling military explosives.
146.29–15	Authority to load, handle or discharge; facilities and use.
146.29–17	Prohibited explosives.
146.29–19	Explosives loading supervisory detail.
146.29–21	Personnel identification.
146.29–23	Ship's officer present.
146.29–25	Fires and fire protection.
146.29–27	Fire hose.
146.29–29	Smoking.
146.29–31	Liquor or drugs.
146.29–33	Cargo working gear and equipment.
146.29–35	Lights, tools, and portable equipment.
146.29–37	Handling drafts of lumber.

Sec.
146.29–39 Handling and slinging of explosives.
146.29–41 Weight per draft.
146.29–43 Requirement for the opening of hatches.
146.29–45 Loading or unloading military explosives and other cargo.
146.29–47 Packing and marking.
146.29–49 Stowage on board barges.
146.29–51 Stowage on board vessels.
146.29–53 Stowage of military explosives in holds containing coal.
146.29–55 Stowage of military explosives in holds containing household or personal effects and/or mail as cargo.
146.29–57 "On deck" stowage.
146.29–59 Stowage adjacent to other dangerous articles.
146.29–61 Stowage with nondangerous cargo in the same hold.
146.29–63 Stowage and dunnaging of ammunition and containers of explosives in bulk.
146.29–65 Damaged or leaking containers of explosives.
146.29–67 Defective ammunition.
146.29–69 Recoopering damaged packages.
146.29–71 Constructing magazines.
146.29–73 Preparation of magazines, decks, hatches and holds for handling military explosives.
146.29–75 Location of magazines and ammunition stowage.
146.29–77 Allocation of stowage.
146.29–79 Types of stowage.
146.29–81 Magazine Stowage A.
146.29–83 Ammunition stowage.
146.29–85 Chemical ammunition stowage.
146.29–87 Special stowage.
146.29–89 Portable magazine stowage.
146.29–91 Pyrotechnic stowage.
146.29–93 Stowage of blasting caps, detonators, primer detonators, etc.
146.29–95 Ventilation of magazine.
146.29–97 Statements of characteristic properties and hazards.
146.29–99 Explosives admixture charts.
146.29–100 Classification, handling and stowage chart.

AUTHORITY: §§ 146.29–1 to 146.29–100 issued under R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198, E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.

§ 146.29–1 Effective date.

The regulations in this subpart will become effective on and after July 1, 1962.

§ 146.29–3 Scope.

(a) The provisions of the regulations contained in this subpart apply to the transportation of military explosives and hazardous munitions, as cargo, on board all vessels that are subject to the regulations in this part. (See § 146.02–2.)

(b) Commercial shipments of explosives and other dangerous or hazardous articles shall be tendered and transported in compliance with the applicable provisions of the regulations contained in the other subparts of this part.

(c) Where reference is made to other dangerous articles in this subpart, the regulations contained in §§ 146.02–1 to 146.27–100, inclusive, are applicable except as noted in § 146.29–5.

§ 146.29–5 Regulations not applicable.

Sections 146.02–11, 146.02–21, 146.03–3, 146.06–9, 146.06–19, 146.09–1 to 146.09–6, inclusive, 146.10–6(b), 146.20–15 to 146.20–51, inclusive, 146.20–85, 146.20–87, 146.20–90, 146.20–100 to 146.20–300, inclusive, 146.23–25 (a), (b), 146.24–55, the entries "Chemical ammunition containing Class 'A' poisons, liquids or gases," "chemical ammunition containing Class 'B' poisons, liquids or gases," and "chemical ammunition containing Class 'C' liquids, gases or solids" appearing in §§ 146.25–100, 146.25–200, and 146.25–300; 146.27–5 to 146.27–20, 146.27–30, inclusive, and 146.27–100 are hereby declared inapplicable to the transportation of military explosives.

§ 146.29–7 Port security regulations.

The applicable provisions of 33 CFR Parts 6, and 121 to 126, inclusive, shall, unless specifically authorized to the contrary by any provision of this subpart, be complied with by vessels, masters, agents, or charterers thereof and by all persons engaged in handling, loading, stowing or unloading explosives.

§ 146.29–9 Import shipments.

Import shipments of military explosives shall be made in accordance with the provisions of the regulations in this subpart.

§ 146.29–11 Definitions and abbreviations.

For the purpose of the regulations in this subpart, certain words, phrases, and abbreviations are defined as follows:

(a) *Military explosives.* Military explosives for the purpose of this subpart consist of all Interstate Commerce Commission's Classes A, B, and C explosives as defined below shipped by, for, or to the Departments of the Army, Navy, or Air Force of the United States or similar types of explosives shipped by, for, or to the government of any country whose defense is deemed vital to the defense of the United States. However, this definition shall not include those explosives shipped by, for, or to the Corps of Engineers, Department of the Army, for use in river and harbor works or other works under permits issued by that Agency, in which case the regulations in this part pertaining to commercial explosives shall apply. Military explosives are divided into two classes, as follows:

(1) *Ammunition.* Ammunition consists of all types of projectiles, cartridges, grenades, bombs, mines, torpedoes, torpedo warheads, propellant powder charges, pyrotechnics, rockets, missiles, special weapons, chemical, smoke or incendiary ammunition, or other "made up" explosive devices that are utilized by the armed forces in the prosecution of a war.

(2) *Explosives in bulk.* Explosives in bulk consist of any high explosives, black powder, and low explosives or propellant explosives in accordance with the definitions in §§ 146.20–1, 146.20–7, and 146.20–9, when such substances are shipped in containers other than containers such as bombs, grenades, mines, torpedoes, powder bags in individual containers, cartridges, projectiles, fuzes, detonators, caps, primers, and similar "made up" ammunition devices.

(b) *Hazardous munitions.* Hazardous munitions for the purpose of these regulations are those dangerous articles used as oxidizers or fuels for missile propulsive systems. Such fuels and oxidizers are listed in Tables XI–C and XI–D and will be stowed and handled in accordance with these tables when shipped with military explosives. When shipment is made on a vessel not carrying military explosives, the hazardous munitions may be shipped under the regulations contained in 46 CFR 146.20 through 146.27.

(c) *Related terms*—(1) *Adjacent hold; hold adjacent.* Any hold which has as one of its boundaries a permanent steel bulkhead that is common, either partially or in its entirety, to another hold shall be termed "adjacent hold" or "hold adjacent" to the focal hold. This shall not be construed as meaning a hold above or a hold below said hold nor shall it include a hold that is situated diagonally from said hold and has only a corner as a common boundary.

(2) *Any hold above.* "Any hold above" shall mean any hold that is partially or entirely in the same vertical plane over another hold even though there may be a hold or holds intervening.

(3) *Any hold below.* "Any hold below" shall mean any hold that is partially or entirely in the same vertical plane under another hold even though there may be a hold or holds intervening.

(4) *Ammunition for cannon.* Ammunition for cannon is fixed, semi-fixed or separate loading ammunition which is fired from a cannon, mortar, gun, howitzer or recoilless rifle.

(5) *Ammunition for cannon with empty projectiles, inert-loaded projectiles, solid projectiles or without projectiles, and catapult charges exceeding 2 inches in diameter.* Ammunition for cannon with empty projectiles, inert-loaded projectiles, solid projectiles or without projectiles, and catapult charges exceeding 2 inches in diameter, is fixed ammunition assembled in a unit consisting of the cartridge case containing the propelling charge and primer with empty, inert-loaded, or solid projectiles, or without projectiles, which is fired from a cannon, mortar, gun, howitzer, or recoilless rifle.

(6) *Ammunition for cannon with projectiles.* Ammunition for cannon with explosive projectiles, gas projectiles, smoke projectiles, incendiary projectiles or illuminating projectiles is fixed ammunition assembled in a unit consisting of the cartridge case containing the propelling charge and primer, and the projectiles, fuzed or unfuzed.

(7) *Ammunition for small arms with explosive bullets or explosive projectiles.* Ammunition for small arms with explosive bullets or ammunition for small arms with explosive projectiles is fixed ammunition to be used in machine guns or similar fire arms and consists of a metallic cartridge case, the primer and the propelling charge, with explosive bullet or explosive projectile with or without detonating fuze, the component parts necessary for one firing being all in one assembly.

(8) *Boosters, bursters and supplementary charges.* Boosters and supplementary charges consist of a casing containing a high explosive and are used to increase the intensity of explosion of the detonator of a detonating fuze. Bursters consist of a casing containing a high explosive and are used to rupture a projectile or bomb to permit release of its contents.

(9) *Cargo hold.* A cargo hold is a space allotted entirely to the carriage of cargo and is bounded by permanent steel bulkheads, decks and the shell of the vessel; the deck openings being provided with means of effectively closing the hold against the weather, and in the case of superimposed holds, effectively closing off each hold.

(10) *Cargo net.* A cargo net is a net made of fiber or wire rope and used as a means of handling loose or package cargo to and from the hold of a vessel.

(11) *Chemical ammunition.* Chemical ammunition used in warfare is all kinds of explosive chemical projectiles, bombs, grenades, mines, etc., loaded with toxic, tear, or other gas, smoke or incendiary agent, also such miscellaneous apparatus as cloud-gas cylinders, smoke generators, etc., that may be utilized to project chemicals.

(12) *Compartment.* A compartment is any space formed by permanent steel bulkheads and the ship's side and decks. The limits of a compartment are determined by the integrity of the bulkheads, shell or decks forming its boundaries. Access openings fitted with doors, hatch covers (steel or wood) or bolted plates are accepted as preserving the integrity of deck, bulkhead or shell.

(13) *Complete round.* A complete round of "cannon ammunition," "artillery ammunition" or "gun ammunition" includes ammunition used in cannon or gun of caliber .75 in. and above. It includes complete round with components. The complete round comprises all of the components necessary to fire the cannon or gun once. These components are, in general, the projectile, fuze, propelling charge and primer. Depending upon both the type of propelling charge and method of loading the required components into the weapon, complete rounds of "cannon ammunition," "artillery ammunition" or "gun ammunition" are described as fixed, semifixed, separated or separate loading ammunition.

(14) *Definitions of other dangerous articles.* For definitions of:

(i) Inflammable liquids, see § 146.21–1.

(ii) Inflammable solids and oxidizing materials, see § 146.22–1.

(iii) Corrosive liquids, see § 146.23–1.

(iv) Compressed gases, see § 146.24–1.

(v) Poisons, Class A, see § 146.25–5; Class B, see § 146.25–10; Class C, see § 146.25–15; Class D, see § 146.25–20.

(vi) Combustible liquids, see § 146.26–1.

(vii) Hazardous articles, see § 146.27–1.

(15) *Detonating fuzes.* (i) Detonating fuzes, Class A are used in the military service to detonate the high explosive bursting charges of projectiles, mines, bombs, torpedoes, and grenades. In addition to a powerful detonator, they may contain several ounces of a high explosive, such as tetryl or dry nitrocellulose, all assembled in a heavy steel envelope. They may also contain a small amount of radioactive component.

(ii) Detonating fuzes, Class C are those that are so made and packed that they will not cause functioning of other fuzes, explosives, or explosive devices in the same or adjacent containers.

(16) *Division bulkhead.* (i) When part of a compartment or hold is utilized for the stowage of military explosives, the remaining portion of such compartment or hold may be utilized for the stowage of general cargo provided a temporary wooden bulkhead is constructed in the compartment or hold to completely divide and protect the stowage of military explosives from the general cargo. The scantlings and construction of such bulkheads shall be as follows: For tween deck compartments or holds construction shall be of commercial 2-inch boarding, secured on 4" x 6" uprights spaced not to exceed 30 inches center to center. For lower holds construction shall be of commercial 2-inch boarding secured on 6" x 6" uprights, spaced not more than 24 inches center to center. Random widths of boarding may be used. The boarding shall be close fitted edge to edge and butt to butt to form a smooth surface facing the explosive stowage. Nails shall not protrude beyond the surface of the boarding.

(17) *Dunnage.* Lumber of not less than 1-inch commercial thickness laid over tank tops, decks or against bulkheads, frames, plating, ladders, etc., or used for filling up voids, or fitted around the cargo for the purpose of preventing damage during transportation.

(18) *Explosive bombs.* Explosive bombs are metal or other containers filled with explosives. They are used in warfare and include aeroplane bombs and depth bombs.

(19) *Explosive mines.* Explosive mines are metal or other containers filled with a high explosive.

(20) *Explosive projectiles.* Explosive projectiles are projectiles, guided missiles with warheads, warheads, or rocket heads, loaded with explosives or bursting charges, with or without other materials, for use in cannons, guns, tubes, mortars, or other firing or launching devices.

(21) *Explosive torpedoes.* Explosive torpedoes, such as are used in warfare, are metal devices containing a means of propulsion and a quantity of high explosives.

(22) *Fixed ammunition.* Fixed ammunition describes "cannon ammunition," "artillery ammunition" or "gun ammunition" of the type comprising a cartridge case with primer, a propellant charge and a projectile (fuzed or unfuzed) all of these components being assembled as a unit for one firing.

(23) *Grenades.* Grenades, hand or rifle, are small metal or other containers designed to be thrown by hand or projected from a rifle. They are filled with an explosive or a liquid, gas or solid material such as a toxic or tear gas or an incendiary or smoke producing material and a bursting charge.

(24) *Hatch.* An opening in the weather deck and all decks below in the same vertical plane through which cargo, etc., is passed. This term is also used in the regulations in this subpart to designate the entire series of holds served through one weather deck hatch.

(25) *Igniters.* Igniters consist of fiberboard, plastic, paper or metal tubes containing a small quantity of igniting compound which is ignited by the action of a primer, pull wire or scratch composition.

(26) *Jet thrust units (jato), explosive (Class A), or igniters jet thrust (jato), explosive (Class A).* Jet thrust units (jato), explosive (Class A), are metal cylinders containing a mixture of chemicals capable of burning rapidly and producing considerable pressure. Under certain conditions the chemical fuel with which the unit is loaded may explode. Jet thrust units are designed to be ignited by an electric igniter. They are used to assist aeroplanes to take off, to propel large missiles and to drive moving targets for practice firing. Igniters jet thrust (jato), explosive (Class A), are devices consisting of an electrically operated or remotely controlled igniting element and a fast-burning composition assembled in a unit for use in igniting the propelling charge of jet thrust units. Under certain conditions the burning composition may explode.

(27) *Jet thrust units (jato), Class B.* Jet thrust units (jato), Class B are metal cylinders containing a mixture of chemicals capable of burning rapidly and producing considerable pressure. Jet thrust units are designed to be ignited by an electric igniter. They are used to assist aeroplanes to take off, to propel large missiles, and to drive moving targets for practice firing.

(i) Igniters, jet thrust (jato), Class B, are devices consisting of an electrically operated or remotely controlled igniting element and a fast-burning composition assembled in a unit for use in igniting the propelling charge of jet thrust units.

(ii) Starter cartridges, jet engine, consist of plastic and/or rubber cases, each containing a propellant explosive and having in the top of the case a small plastic compartment that encloses an electric squib and small amounts of black powder, which constitute an igniter. The starter cartridge is used to activate a mechanical starter for jet engines.

(28) *On deck.* "On deck" means that that article may be stowed on the open weather deck of the vessel.

(29) *Overstow.* The term "overstow" as used in these regulations shall mean to stow directly over.

(30) *Pallet.* A pallet is a tray so designed as to be picked up by a fork truck or similar cargo handling equipment. Pallets are not usually equipped with sideboards.

(31) *Palletized unit.* Individual packages or unpackaged items stowed in a compact mass upon a pallet or skids and

banded together and to the pallet or skids by metal straps to form a unit consisting of pallet and packages.

(32) *Partition bulkhead.* A partition bulkhead is a temporary bulkhead constructed of commercial 1-inch lumber of widths not less than 4 inches, secured alternately on both sides of the uprights and spaced not more than 6 inches apart. The uprights are at least 2'' x 4'' size, spaced not more than 30 inches apart.

(33) *Percussion fuzes, combination fuzes, and time fuzes.* Percussion fuzes, combination fuzes, and time fuzes are devices designed to ignite powder charges of ammunition or to initiate an intermediate charge (booster) in projectiles, bombs, etc. When such fuzes are assembled with booster charges they are properly described as "detonating fuzes."

(34) *Permitted explosives.* Permitted expolsives as used in § 146.29–100 shall mean explosives that have compatibility in accordance with the admixture charts in § 146.29–99.

(35) *Pieplate.* A pieplate is the term generally applied to a round, oval or hexagonal tray without sideboards.

(36) *Primers.* Primers are devices used to ignite the powder charges of ammunition. For small-arms ammunition, the primers are "small-arms primers" or "percussion caps."

(37) *Propellant explosives, solid, Class A.* Propellant explosives, Class A, are solid chemicals or solid chemical mixtures which are designed to function by rapid combustion of successive layers, generally with little or no smoke. The combustion is controlled by composition, size, and form of grain. Propellant explosives, Class A, include some types of smokeless powder for small arms and some types of solid propellant explosives for jet thrust units, rockets, or other devices. Any propellant explosive is Class A which detonates in any one out of five trials when tested in the packages in which it is offered for transportation. In conducting the test, one propellant container shall be surrounded by inert loaded containers of the same weight, including one inert container placed on top of the propellant container. The propellant shall be ignited by means of a commercial electric squib placed within 4 inches of the bottom of the container. The presence of a crater and absence of flame shall be considered as evidences of detonation.

(38) *Propellant explosives, solid, Class B.* Propellant explosives, Class B, are solid chemicals or solid chemical mixtures which function by rapid combustion of successive layers, generally with little or no smoke. The combustion is controlled by composition, size, and form of grain. Any propellant explosive is Class B which fails to detonate in five trials when tested in the packages in which it is offered for shipment. (See (37) for test.) Propellant explosives, Class B, include smokeless powder for cannon, smokeless powder or solid propellant explosives for rockets, jet thrust units, or other devices. Black powder is not include in this classification.

(39) *Rocket ammunition.* Rocket ammunition is fixed ammunition which is fired from a tube, launcher, rails, trough, or other device as distinguished from cannon ammunition which is fired from a cannon, gun, or mortar.

(40) *Semifixed ammunition (Army).* Complete rounds composed of a projectile (fuzed) and a cartridge case with a primer and propellant charge which is in a cloth bag or bags of small size. The base of the projectile fits free in the neck of the cartridge case and may be readily detached from the cartridge case. The round is loaded into the cannon with the projectile assembled to the cartridge case and is handled similarly to fixed ammunition in loading. It may be packed with the projectile disassembled from the cartridge case containing the propellant. The projectile is usually assembled loosely in the cartridge case and is packed in the same individual container.

(41) *Semifixed ammunition (Navy).* Semifixed ammunition is ammunition in which the primer and the propellant charge are firmly secured in the cartridge case with the projectile separate from the cartridge case. The propellant charge is loaded loosely in the cartridge case, differing in this respect from that of the Army which is loaded in a bag. The end of the cartridge case is sealed with a prepared plug or disc which is fired with the powder and is usually shipped stowed in a metal tank. The projectile is shipped separate. The U.S. Army may refer to this ammunition as separate loading ammunition.

(42) *Separate loading ammunition.* Complete rounds in which the separate components—projectile, propellant charge and primer—are loaded into the cannon or gun separately are known as "separate loading ammunition." Although the propellant charge may be in one section, it is usually divided into parts with each part assembled in a bag packed in outside shipping containers which may be of wood, fiber, or metal.

(43) *Separated ammunition.* In this type of ammunition, the propellant is sealed in a metal cartridge case into which a primer is fitted and this assembly is called a propelling charge. It is separate from the projectile with which it is used but the projectile and the propelling charge are loaded into the weapon in one operation. Separated ammunition is generally used in medium caliber antiaircraft and antitank guns.

(44) *Shelter deck space.* A shelter deck space is a space available for cargo situated above the uppermost complete continuous deck (main deck) and the deck next above. Normally this space contains no permanent watertight transverse bulkheads except at its forward and aft extremities.

(45) *Shoring.* Shoring is a method of securing cargo against movement sidewise or downward. In this subpart it describes the use of timbers fitted vertically or at an angle to the side of the stowage. It may also describe the use of timber to support a stowage from moving downward.

(46) *Skipboard.* A skipboard is the term generally applied to a rectangular or square tray without sideboards.

(47) *Small-arms ammunition.* Small-arms ammunition is fixed ammunition consisting of a metallic, plastic composition or paper cartridge case, a primer, and a propelling charge, with or without bullet, shot, tear gas material, tracer components, or incendiary compositions or mixtures, but not including bullets loaded with high explosives, and is further limited to the following:

(i) Ammunition designed to be fired from a pistol, revolver, rifle, or shotgun held by the hand or to the shoulder.

(ii) Ammunition of caliber less than .75 (inch) or 19.05 mm, designed to be fired from machine guns.

(iii) Blank cartridges including canopy remover cartridges, starter cartridges, and seat ejector cartridges, containing not more than 500 grains of propellant powder.

(48) *Special fireworks.* Special fireworks are manufactured articles designed primarily for the purpose of producing visible or audible pyrotechnic effects by combustion or explosion. Examples are toy torpedoes, railway torpedoes, some firecrackers and salutes, exhibition display pieces, aeroplane flares, illuminating projectiles, incendiary projectiles or incendiary bombs and smoke projectiles or smoke bombs fuzed or unfuzed and containing expelling charges but without bursting charges, hand or rifle grenades with ignition elements but not containing bursting charges, flash powders in inner units not exceeding 2 ounces each, flash sheets in interior packages, flash powder or spreader cartridges containing not over 72 grains of flash powder each and flash cartridges consisting of a paper cartridge shell, small-arms primer, and flash composition, not exceeding 180 grains all assembled in one piece. Fireworks must be in a finished state, exclusive of mere ornamentation, as supplied to the retail trade and must be so constructed and packed that loose pyrotecnic composition will not be present in packages in transportation.

(49) *The hold above.* "The hold above" shall be a hold immediately above another hold having its deck, either partially or in its entirety, common to the overhead of the hold below.

(50) *The hold below.* "The hold below" shall be a hold immediately below another hold having its overhead, either partially or in its entirety, common to the deck of the hold above.

(51) *Tomming.* Tomming is a method of securing cargo against displacement of movement upwardly.

(52) *Tray.* A tray is any flat group of boards securely fastened to bearers in order to provide a level surface for the loading of cargo. Trays are given various names, those applied in some ports differing from those in other ports, according to (i) shape, (ii) method of securing to cargo handling gear, or (iii) use or lack of sideboards in conjunction with the tray.

(53) *Tracer fuzes and tracers.* Tracer fuzes and tracers are devices which are attached to projectiles and contain a

slow-burning composition to show the flight of projectiles at night.

(54) *Tween deck height.* (i) For the purpose of load calculations the height of a tween deck is ascertained by measuring the distance from the heel of the overhead deck beam to the heel of the underdeck beam. (The thickness of the plating forming the deck is not deducted from the height.)

(ii) For height of a tween-deck affected by the sheer of a deck measure as above at both the forward and after ends of the hold and divide the sum of these heights by two.

(55) *Tween deck hold.* A tween deck hold is a space located between the weather deck and the lower hold.

(56) *Type "A" dunnage floor.* A type "A" dunnage floor shall be constructed of two layers of commercial 1-inch dunnage of widths not less than 4 inches fitted as close as possible, edge to edge, and butt to butt, the top course being laid crosswise to the lower course, or of a single layer of 2-inch lumber of widths not less than 6 inches fitted as close as possible edge to edge, and butt to butt.

(57) *Type "B" dunnage floor.* A type "B" dunnage floor shall be constructed of one layer of commercial 1-inch thick dunnage of widths not less than 4 inches fitted as close as possible, edge to edge, and butt to butt.

(58) *Van.* A van is a cargo carrying body other than a tank container which may be designed and constructed to be removed from a chassis or wheels for water transportation. Containers such as "conex" or "dravo" boxes are considered as being a part of this category. They are loaded and discharged by either a "lift-on lift-off" or "roll-on roll-off" method. Military explosives, permitted to be transported in vans, are limited to permitted explosives of Coast Guard Classes I and II, with the exception of Class II–J.

(d) *Abbreviations.*

AA	Antiaircraft.
AAC	Antiaircraft common.
AA Com	Antiaircraft common.
AC	Aircraft cannon.
AC	Hydrocyanic acid.
A.C.E.I.S	Aircraft emergency identification signals.
A.D.F	Auxiliary detonating fuze.
AIC	Ammunition identification code (Army).
ALN	Ammunition lot number.
Amm	Ammunition.
Ammo	Ammunition.
AP	Armor-piercing.
APC	Armor-piercing capped.
APT	Armor-piercing tracer.
ASSEM	Assembled.
AT	Anti-tank.
Aux	Auxiliary.
Aux Det	Auxiliary detonating fuze.
BBC	Brombenzylcyanide (tear gas).
BC	Bursting charge.
BD	Base detonating.
BDF	Base detonating fuze.
BL and P	Blind loaded and plugged.
BL and T	Blind loaded and tracer.
BP	Black powder.
BUWEPS	Bureau of Weapons.
BUR CHG	Bursting charge.
CAL	Caliber.
CCIP	Case combination ignition primer.
CHG	Charge.
CG	Phosgene.
CK	Cyanogen chloride.
CL	Chlorine.
Cml–C	Chemical Corps.
CNS	Chloracetophenone solution (tear gas).
COM	Common.
Comp A	RDX-War explosive.
Comp B	RDX–TNT explosive.
Comp C	Plastic type RDX explosive.
Cor. L	Corrosive Liquid.
CPI	Case percussion igniter.
CPP	Case percussion primer.
CT–TNT	Case TNT.
D	Explosive "D" (ammonium picrate).
DA	Diphenylchlor arsine.
DC	Depth charge.
DDR	Dummy drill.
DEMO	Demolition.
DM	Adamsite (sneeze gas).
DP	Diphosgene.
EX	Experimental.
EXP	Expellant or explosive.
EXP "D"	Explosive "D".
F	Fuze.
FC	Full charge.
FFAR	Folding fin aircraft rocket.
FFFG	Fine fine fine grain (black powder).
FFG	Fine fine grain (black powder).
FG	Fine grain (black powder).
F.G	Flammable compressed gas.
F.L	Flammable liquid.
FM	FM smoke mix (titanium tetrachloride).
FNH	Flashless, nonhygroscopic.
FP	Flashless pellets.
FRAG	Fragmentation.
FS	FS smoke mix (sulfur trioxide).
F.S	Flammable solid.
GB	Isopropyl methylphosphonofluoridate (nerve gas).
GP	General purpose.
H	Mustard gas.
HBX, H6	RDX–TNT–AL type explosive.
HC	Hexachlorethane mixture (smoke).
HC	High capacity.
HD	Distilled mustard.
HE	High explosive.
HEAT	High explosive antitank.
HEI	High explosive incendiary.
HEIT	High explosive incendiary tracer.
HET	High explosive tracer.
HMX	Cyclotetramethylenetrinitramine.
HN	Nitrogen mustard gas.
HPAG	High performance air to ground (rocket).
HVAR	High velocity aircraft rocket.
ICC	Interstate Commerce Commission.
ILLUM	Illuminating.
IM	Thickened gasoline.
IN	Inert.
INCEND	Incendiary.
L	Lewisite.
LC	Light case.
LE	Low explosive.
L and F	Loaded and fuzed.
L and P	Loaded and plugged.
M	Model (Army).
Maj Cal	Major caliber.
MCBD	Major caliber base detonating.
MG	Magnesium.
MIN CAL	Minor caliber.
MK	Mark.
MM	Millimeter.
Mod	Modification.
MTF	Mechanical time fuze.
NC	Nitrocellulose.
NF	Nose fuze.
NH	Non-hygroscopic.
Nonf. G	Nonflammable compressed gas.
NP	Thickened gasoline.
O/H	Overhauled.
ORD	Ordnance.
Oxy M	Oxidizing material.
PD	Point detonating.
PDF	Point detonating fuze.
PENT	Pentolite.
PERC	Percussion.
Pois. A	Poison gas or liquid, Class A.
Pois. B	Poison liquid or solid, Class B.
Pois. C	Tear gas, Class C.
Pois. D	Radioactive material, Class D.
PRAC	Practice.
PRI	Primer.
PROJ	Projectile.
PS	Chlorpicrin.
PT	Thickened fuel.
PWP	Plasticized white phosphorus.
RD	Round.
RDX	Cyclotrimethylenetrinitramine (cyclonite).
SA	Small arms.
SAP	Semi-armor piercing.
SCAR	Sub-caliber aircraft rocket.
SEIS	Ship's emergency identification signals.
SF	Semi-fixed.
SQ	Super quick.
T	Tentative model designation.
TET	Tetryl (trinitrophenylmethylnitramine).
TF	Time fuze.
TH	Thermate or Thermite.
TNT	Trinitrotoluene.
TPX	Torpex.
VT	Variable time (Proximity) (VT).
w	with.
w/o	without.
WP	White phosphorous.

§ 146.29–13 Permit for handling military explosives.

(a) Shipments of military explosives and military lethal chemicals except material covered in § 146.29–100 as Coast Guard Class I shall not be laden on nor discharged from any vessel at any port or place in the United States, its territories or possessions (not including the Panama Canal Zone) until authorization has been obtained by the owner, agent, charterer, master, or person in charge of the vessel from the District Commander of the U.S. Coast Guard, Captain of the Port, or other officer designated by the District Commander.

(b) Before a permit is issued authorizing the loading or discharging of military explosives or military lethal chemicals in accordance with paragraph (a) of this section, the permittee shall file a written application for a permit authorizing the loading or discharging. When filed, the application for loading shall be accompanied by a preliminary manifest of all explosives or other dangerous articles comprising the cargo of the vessel together with a preliminary cargo stowage plan showing the proposed stowage of all such cargo. Changes in final stowage from that shown in the preliminary cargo stowage plan may be made upon approval of the issuing officer.

§ 146.29–15 Authority to load, handle or discharge; facilities and use.

(a) Military explosives, except material covered in § 146.29–100 as Coast Guard Class I, shall not be handled,

stowed, stored, loaded on, or discharged from a vessel except at one of the following:

(1) Explosives anchorages; areas upon the navigable waters that are designated explosives anchorages under the applicable provisions of 33 CFR Part 202 (Anchorage Regulations) within which a vessel may anchor or moor to handle, stow, store, load, or discharge explosives as cargo.

(2) Waterfront facilities approved by the Captain of the Port or District Commander as explosives loading piers, which should be located in isolated areas, to which a vessel may moor to handle, stow, store, load, or discharge military explosives as cargo.

(3) Waterfront facilities approved by the Captain of the Port or District Commander as ammunition loading piers to which a vessel may moor to handle, stow, store, load, or discharge ammunition as cargo except the following classes: II–A, IX–A, IX–B, IX–C, X–A, X–B, X–C, X–D, XI–A, XI–B, XI–C, and XI–D.

(4) The Captain of the Port or District Commander may designate a temporary location for a specific loading of Classes XI–A, XI–B, XI–C and XI–D ammunition.

(b) A vessel, subject to the regulations in this part, may load or discharge military explosives at any Army or Navy depot, arsenal, navy yard, port of embarkation or other facility under the direct control and operation of the Navy, or Army, provided a permit authorizing such loading has been granted to the vessel owner, agent, charterer, master, or person in charge of the vessel by the Captain of the Port. (See §§ 146.29–19 and 146.29–21.)

(c) In an emergency arising by reason of military necessity or casualty, a vessel may upon authorization by a Captain of the Port, load or discharge military explosives in any location authorized by said Captain of the Port.

§ 146.29–17 Prohibited explosives.

(a) Explosives prohibited by subsection 3 of R.S. 4472, as amended (46 U.S.C. 170) (fulminates or other detonating compounds in bulk in dry condition, or explosive compositions that ignite spontaneously or undergo marked decomposition when subjected for 48 consecutive hours to a temperature of 167 degrees Fahrenheit, or compositions containing an ammonium salt and a chlorate, or other like explosives) shall not be accepted by any vessel.

(b) A passenger vessel shall not accept any Class A or Class B military explosives for transportation as cargo.

§ 146.29–19 Explosives loading supervisory detail.

(a) There may be assigned to every vessel, subject to the regulations in this part, loading, handling, or discharging military explosives at an explosives anchorage or waterfront facility as may be approved by the Captain of the Port or the District Commander for the loading or unloading of military explosives, a Coast Guard detail to supervise such loading, handling or discharging. The owners, agents, charterers, masters or persons in charge of the vessel and all persons engaged in the handling, loading and stowage of the military explosives shall obey all orders, oral or written, that are given by the person in charge of such assigned detail.

(b) A vessel, subject to the regulations in this part, loading, handling, or discharging military explosives except material covered in § 146.29–100 as Coast Guard Class I at a Navy or Army depot, arsenal, navy yard, port of embarkation or other facility under the direct control and operation of the Navy or Army shall apply to the Captain of the Port for a permit for such loading, handling or discharging. A Coast Guard detail may be assigned to such a vessel unless the Commanding Officer of such Navy or Army facility declines the detail.

§ 146.29–21 Personnel identification.

The provisions of this section shall apply to vessels loading, handling or discharging military explosives in accordance with the provisions of § 146.29–19 (a).

(a) No person shall enter upon a vessel loading, handling, or discharging military explosives unless such person first identifies himself to the satisfaction of the Coast Guard detail.

(b) Every person who is permitted to enter into a magazine or a hold or compartment of a vessel wherein military explosives are being handled or stowed shall provide the Coast Guard representative with his name and address and the name and address of the firm employing him, furnishing satisfactory identification to substantiate such information.

(c) A person who, for any reason, is requested to leave a vessel loading, handling or discharging military explosives by the person in charge of the Coast Guard detail shall immediately obey the request and not return until permission is granted.

§ 146.29–23 Ship's officer present.

(a) During the entire operation involving the building of a magazine, the preparation of holds, and the actual handling and stowage of military explosives, it shall be the responsibility of the master of the vessel to assign a deck officer of the vessel who shall be in constant attendance. It shall be these officers' responsibility to see that the provisions of the regulations in this part insofar as such provisions apply to the vessel, are complied with.

(b) It shall be these officers' further responsibility at the end of the work shift to see that all means of access to the partially loaded holds are closed off in such a manner as to provide the maximum safety and protection for the explosives stowed within the hold.

§ 146.29–25 Fires and fire protection.

(a) No unnecessary fire shall be permitted on a dock, lighter, or vessel while loading, handling, or discharging military explosives.

(b) Every fire deemed necessary must be properly safeguarded and for the entire period of cargo transfer shall be in constant charge of a competent person assigned for that purpose by the master or by the person in charge of the vessel or by the person in charge of the dock.

(c) (1) Every vessel engaged in the handling and transfer of military explosives and equipped with means for power, heating, cooking, or lighting involving use of smoke pipes or stacks shall have such smoke pipes and/or stacks protected by spark screens. For the purpose of screening smoke pipes, vessels shall be divided into two categories. Large or ocean vessels shall have their main smoke pipes protected by corrosion resistant screens of not larger than ½-inch mesh and small or inland vessels and small or auxiliary smoke pipes on large vessels by screens not larger than ¼-inch mesh.

(2) Insofar as practicable, unless the barge, lighter, etc. is loading or discharging military explosives to or from the vessel, barges, lighters, towboats, and other types of vessels shall not come alongside a vessel handling, stowing, storing, loading, discharging or transporting military explosives opposite the area where hatches serving a hold containing explosives are open. (See § 146.29–73(f).)

(3) This paragraph is not applicable to vessels transiting main channels contiguous to explosives loading facilities or anchorages.

(4) Vessels loading or unloading Class I ammunition at waterfront facilities not designated by the Captain of the Port as explosives loading piers do not require screening of smoke pipes and/or stacks.

(d) Welding or cutting operations involving the use of open flames or arc shall not be undertaken on a vessel having military explosives on board as cargo, except in case of an emergency affecting the security of a vessel, or for the purpose of welding pad eyes, angle bars or other devices to the deck for securing deck cargo. Such welding or cutting shall be done only on special permission of the Captain of the Port, and then only in the presence of an officer of the Coast Guard detail and in conformity with said officer's instructions.

(e) The cleaning of fireside of boilers shall not be undertaken on a vessel while at an explosives or ammunition loading facility or anchorage except upon express permission of the Captain of the Port.

(f) All tubes and uptakes of the vessel must be thoroughly swept or blown and reasonably free of soot prior to the arrival of the vessel at an explosives or ammunition loading facility or anchorage. A vessel at an explosives ammunition loading facility or anchorage shall not blow tubes or uptakes except upon permission of the Captain of the Port and then the operation shall be under the supervision of the master or person in charge of the vessel with a licensed engineer in attendance.

(g) Bunkering of a vessel shall not be done while the vessel is at an explosives loading or ammunition loading water-

front facility. When at an anchorage, an explosives laden vessel may engage in bunkering operations provided explosives are not being loaded, handled, or discharged, and all holds in which explosives are stowed are secured.

(h) A vessel at an explosives or ammunition loading facility or anchorage shall not transfer fuel oil between its own fuel oil storage tanks or from its storage tanks to the settling tank, except under the close supervision of a licensed engineer who shall be in constant attendance until the operation is completed.

(j) The transfer of lubricating oils and cleaning oils, either from containers on board the vessel or by pipeline or hose shall be prohibited at an explosives or ammunition loading facility. However, the transfer on board the vessel of galley fuel oil may be authorized by the Captain of the Port when the galley stove is cold, or when the vessel is equipped with an overflow system which returns surplus fuel oil from the galley tanks back into the main storage tanks provided such transfer is under the supervision of the master or person in charge of the vessel with a licensed engineer in attendance.

(k) The fueling of powered lifeboats or units of the vessel's machinery shall not be done while the vessel is at an explosives or ammunition loading facility.

(l) Boiler room and engine room bilges must be clean and free of oil or unnecessary residue before the vessel proceeds to an explosives or ammunition loading facility or anchorage, and it is further required that the bilges be maintained in this condition during the entire time the vessel is moored at the explosives or ammunition loading facility or anchorage. Attention is invited to the provisions of the Oil Pollution Acts of 1924 and 1961, and the Refuse Act, 1899, which prohibit the discharge of oil into the navigable waters of the United States. The term "oil" means oil of any kind or in any form, including fuel oil, oil sludge, and oil refuse.

(m) On every vessel located at explosives loading facility or anchorage or ammunition loading facility no work shall be undertaken on the main propulsion machinery, auxiliaries or boilers that will render inoperative fire pumps, electric power or propulsion of the vessel without express authority of the Captain of the Port. When the repairs authorized make inoperative the main propulsion unit an auxiliary tug shall stand by.

(n) (1) Every self-propelled vessel having on board military explosives shall at all times maintain means of propulsion. When not under way, such a vessel shall have available on deck, fore and aft, hawsers capable of being used for emergency towing. The eye of such hawser shall be clear of the chock with messenger attached and ready to run and the ship's end shall be stopped off on the bitts to permit reasonable scope of hawser for towing. A heaving line made up and secured to the rail by rope yarn shall be bent to the messenger. Fire axes shall be kept conveniently at hand, fore and aft, to be used on the ship or passed to the dock for cutting mooring lines in case of an emergency.

(2) Nonself-propelled vessels having on board military explosives when moored or anchored shall have at least one tug for each facility or area at which they are moored or anchored.

(o) Every vessel loading or unloading military explosives shall display at its masthead by day a red flag at least 16 square feet in area or at least 10 feet above the upper deck if the vessel has no mast, and at night, while fast to a dock, a red light in the position specified for the flag.

(p) Any device, such as a radio, radar, etc. capable of radiating electromagnetic energy shall be de-energized by opening the main switches thereto, and these switches shall be tagged to warn personnel against reenergizing the circuits whenever the vessel is at an explosives or ammunition handling facility, at an explosive anchorage with a barge or other type of vessel containing explosives alongside, or when a hatch containing explosives is uncovered.

§ 146.29–27 Fire hose.

(a) During the handling, loading, or unloading of military explosives the vessel shall "run out" or otherwise make ready for quick use a minimum of two lines of hose on the weather deck, one fore and one aft. These hoses shall be of sufficient length so that one or the other can reach all areas of the weather deck. The fire hose valves controlling these lines shall remain "cracked open" (except in freezing weather) so casual observation may indicate that water is available.

(b) Additional fire lines shall be "run out" or otherwise made ready at each hold or compartment working or containing military explosives when the hatch serving the hold is open. These lines shall be of sufficient length to reach all portions of the hold or compartment.

§ 146.29–29 Smoking.

(a) Smoking is prohibited on or near any vessel handling, loading or unloading military explosives at an explosives or ammunition loading pier. Smoking areas may be designated upon approval by the Captain of the Port provided such areas are located at a safe distance from the vessel. "No Smoking" warning signs shall be posted during operations of handling, loading or unloading such cargo. At least one such "No Smoking" sign shall be located on the pier at a reasonable distance from the vessel when such handling, loading, or unloading is taking place at a pier.

(b) Smoking is prohibited on or near any vessel handling, loading, or unloading explosives at an explosives anchorage, except the Captain of the Port may, with the concurrence of the master or person in charge of the vessel, designate a compartment as a smoking area. This compartment will be provided with electric lighting devices without open flame. "No Smoking" warning signs shall be posted conspicuously in other parts of the vessel during operations of handling, loading, or unloading.

(c) The Captain of the Port may approve a room aboard ship to be a designated "Smoking room for the ship's personnel only," while at a pier or anchorage; provided the necessary approved firefighting equipment is at hand and portholes, vents, and doors are effectively screened with approved copper or brass screening and electric cigarette lighting devices without open flame are provided.

§ 146.29–31 Liquor or drugs.

No person who, in the judgment of the master, person in charge of the vessel, or the officer in charge of the Coast Guard detail, is considered as being under the influence of intoxicating liquor or of drugs shall be permitted on board a vessel while operations involving the handling, loading, unloading, or transportation of explosives are being carried on, except if the person under the influence of intoxicating liquor or drugs is a bona fide member of the crew of the vessel involved, he may at the discretion of the Officer-in-Charge of the Coast Guard detail board the vessel: *Provided*, That the master or person in charge of the vessel will accept custody and full responsibility for said person: *And provided further*, That this person shall not be permitted to perform any work on the vessel while under the influence of intoxicating liquor or drugs.

§ 146.29–33 Cargo working gear and equipment.

(a) Before military explosives are loaded or unloaded on or from a vessel the master or other person in charge of the vessel is required to ascertain by examination the adequacy, the condition and working order of all working equipment including slings, crates, baskets, boxes, chutes, mattresses, and tackle.

(b) Any and all equipment, which in the judgment of the master or other person in charge of the vessel is not adequate or in safe working condition shall be rejected by him and he shall prohibit its use and shall take such precautions as he may deem necessary to be certain such rejected equipment is not used for the purpose of loading or unloading explosives. The master or other person in charge of the vessel shall keep watch of all equipment used during the transfer of explosives and if any part of the equipment shows any defect or is damaged in use, work shall be stopped and the damaged or defective equipment repaired or replaced before permitting the loading or unloading to continue.

(c) This inspection of cargo working equipment shall apply to the vessel's equipment and to stevedore's or other contractor's equipment.

(d) The Captain of the Port or his representative may prohibit the use of any cargo working gear or equipment, including stevedore equipment, which he deems unsafe.

§ 146.29–35 Lights, tools, and portable equipment.

(a) No artificial lights except electric lights, electric lamps, or electric floodlights shall be used while loading or un-

loading military explosives. Such light fixtures shall not be used unless protected against accidental breakage by metal guards. Portable electric lights shall be fitted with stout guards protecting the bulb. Wires of such lights shall be sound and show no evidence of liability to short circuit. When deemed necessary by the military service concerned with the shipment of the explosives due to the possible presence of explosive dust or vapors in the hold of the ship being worked, all electrical equipment and light fixtures used therein shall be of a type approved for the hazardous location as defined in the National Electric Code. This equipment shall be grounded and continuity of the grounding system assured by the applicable methods prescribed in the National Electric Code.

(b) Portable lights shall be so installed as to prevent any part of the light or its cable from coming in contact with the deck or the cargo. A hanging portable light shall not be suspended from its cord but shall be fitted with a gantline so installed that no strain is carried by the light cable. No portable light shall be taken into a hold or compartment in which the stowage of ammunition or explosives has been completed without prior approval by the Captain of the Port or his representative. A portable light that is permitted in a hold under these circumstances shall be so guarded and protected that neither the light nor the light cord shall be in bearing with any metal part of the vessel or with any of the ammunition or explosives, or the containers thereof.

(c) Flashlights of a non-spark type shall be provided by the vessel owner, agent or its master or other person in charge of the vessel, for personnel required to enter holds in which explosives are stowed.

(d) Members of the crew of the vessel and other persons permitted on board the vessel to aid and assist in loading, unloading or handling military explosives shall not be permitted to carry on their persons firearms, matches, flame producing devices, knives, bale hooks, metallic tools except as provided in paragraph (e) of this section or personal packages of any description, except the prohibition against knives shall not apply to the seaman's knife in possession of a member of the crew of the vessel, provided such crew member is not actually working the explosives or ammunition. Lunch boxes, pails, thermos bottles, other food containers or personal packages of any description shall not be brought on board a vessel unless such items have been examined and passed by the Coast Guard detail. Food containers that are passed on board the vessel shall not be stored in the hold in which explosives are being worked nor shall their contents be eaten in such hold. Persons engaged in handling and stowage of military explosives shall not wear shoes or boots shod or strengthened with iron nail or other spark producing metal unless such footwear is covered with rubber, leather, or other nonsparking material.

(e) The Captain of the Port may authorize the use of pinch bars of metal or wood, in "breaking out" or stowing unfuzed bombs, large caliber separate loading projectiles, and packages of ammunition shipped in heavy unit weight containers. He may also permit the use of saws and hammers that are actually powered by the hand or hand and arm, in the hold of a vessel when necessary in fitting dunnage or constructing a partition or a division bulkhead or installing protection required for the stowage of military explosives. The Captain of the Port may authorize spark proof electrically powered or pneumatic saws or hammers, but they shall not be used in any compartment containing military explosives.

(f) All electric wiring in holds in which explosives are to be stowed shall be inspected prior to the loading of explosives into the hold. The electrical circuits which terminate in holds in which explosives are to be stowed shall be deenergized by removing their fuses or inactivating their circuit breakers at the main panel prior to loading and these circuits shall remain deenergized while explosives are within the hold. The main panel shall be tagged to warn personnel against reenergizing these circuits.

§ 146.29–37 Handling drafts of lumber.

All lumber in excess of 3 feet in length shall be handled into or out of the holds of vessels loading, unloading or containing military explosives or ammunition by use of a double sling. Small pieces of lumber used in chocking and dunnaging shall be handled in trays with sideboards. Cargo nets may also be used provided they are lined with canvas or similar fabric. Dunnage shall not be lowered directly onto stowages of ammunition or explosives. Landing mats or timbers shall be laid to receive such drafts.

§ 146.29–39 Handling and slinging of explosives.

(a) All military explosives or chemical warfare agents in bulk shall be handled carefully. Packages and other containers shall not be dropped, dragged, tumbled, walked, slid over each other or over the deck or otherwise subjected to shock except that heavy containers of military explosives equipped with pulling bar assemblies and skids may be positioned in the holds of vessels by using the pulling bar assemblies to maneuver the containers for short distances at slow speed. Packages and other containers shall not be rolled unless rolling is specifically permitted by the provisions governing handling as set forth in § 146.29–100.

(b) In transferring military explosives between pier facilities and vessels or from vessel to vessel, or within the hold of a vessel the items may be handled by hand, power operated mechanical hoist or power operated conveyor approved by the Captain of the Port, power operated cargo lift truck, hand truck or nonpowered (gravity) roller conveyor (hand controlled); or unless specifically prohibited by the regulations in this subpart, a specification chute and mattress may be used. (Refer to §§ 146.09–11 and 146.09–12 for specifications of chute and mattress.)

(c) Military explosives shall be hoisted and lowered carefully onto a mattress or other shock absorbing material. The Captain of the Port may authorize omission of a mattress when its use is unnecessary due to use of pallets or other special gear except when Classes III, VI, VIII and IX–C are being handled, loaded or unloaded.

(d) The Captain of the Port may permit the use of cargo-handling vehicles or equipment powered by internal combustion engines on docks, wharves or piers for the handling of military explosives under such conditions as he may prescribe. Such type vehicles or equipment shall not be used within a hatch of a vessel having military explosives in any hold within said hatch. Electric or battery powered vehicles or equipment of explosion-proof or spark-proof type may be used to handle military explosives on docks, wharves, piers or in the holds of vessels under such conditions as the Captain of the Port may prescribe. All power-operated cargo-handling vehicles or equipment shall at all times be maintained in safe mechanical, electrical and operating condition. The use of cargo-handling vehicles or equipment may be suspended or prohibited by the Captain of the Port or his representative when he considers such use inimical to safety.

(e) When handling, loading or unloading by mechanical means, all military explosives shall be handled in the type equipment specified for the various classes of explosives in § 146.29–100. Military explosives shall be arranged on trays so that no portion of the military explosives or containers overhangs the tray. For trays provided with sideboards, military explosives or containers shall not extend above the sideboards to a height exceeding one-third of the vertical dimension of the item as stowed on the tray. Rope net slings with pieplates, pallet, skipboard or similar base shall be so loaded that when lifted a minimum displacement of items shall occur and the cargo net shall completely encompass the entire load except on its topside.

(f) The mesh of a cargo net shall be of such size as will prevent any item or container of military explosives in the draft from passing through the mesh under any possible circumstances.

(g) Drafts shall not be raised or stopped in lowering by sudden application of power or brake. Drafts shall not be unloaded by tripping or freeing one side of the net, tray, or pallet and tumbling the ammunition or explosives out of the gear. All drafts, beams, shackles, bridles, slings, hooks, etc. shall be hand freed before the winch takes control. Slings shall not be disengaged by hand unhooking and then dragged from under draft by means of winch. Handles or

beckets on ammunition packages shall not be used for slinging purposes.

(h) Blasting caps, detonators, primer-detonators, fulminate of mercury and initating or priming explosives as defined in the regulations in this part shall be considered as constituting a distinct class of dangerous explosives, and because of the hazard involved they shall be handled with extreme care.

(j) "Cant" or barrel hooks shall not be used for raising or lowering a barrel, drum, depth bomb, depth charge or other container of military explosives. Metal bale hooks shall not be used in handling packages of explosives.

(k) Combination woven rope and wire slings are not permitted for use in handling explosives. A sling that is formed by use of an open hook shall not be used in hoisting or lowering a draft of military explosives.

(l) Wire rope or wire rope assemblies including splices or fittings thereof, used in handling military explosives shall be kept bare to permit ready inspection of its safe working condition. Mechanical type endings may be used in lieu of hand splices provided such endings have a minimum breaking strength equal to the catalog strength of wire rope from which it is made.

(m) Bombs shall not be handled by attaching ship's cargo gear to the lifting lug or suspension lugs.

§ 146.29–41 Weight per draft.

To eliminate excessive drift, slings will be as short as practicable when handling military ammunition or explosives. The maximum permitted weight per draft of all classes of military explosives shall be as follows for a 5-ton boom. The weights per draft may be increased proportionately for booms of greater capacity. In all instances the allowance shall remain as 10 percent. For example, in paragraph (d)(2) of this section, the maximum weight of drafts consisting of one or more palletized units of Class V or VII military explosives shall not exceed 4,400 pounds when using a five ton boom; however, if a ten ton boom is used the weight of the draft may be increased to 8,800 pounds (8,000 pounds plus 10 percent of same).

(a) *Class I.* (1) When handled by pallet, skipboard, or tray fitted with cargo net or sideboards shall not exceed 3,000 pounds plus 10 percent.

(2) Drafts consisting of one or more palletized units shall not exceed 4,000 pounds plus 10 percent.

(b) *Classes II–A, II–B, II–C, II–D, II–E, II–F, II–G, II–H, II–J, IV, IX–A, IX–B.* (1) When handled by pallet, skipboard, tray, or pieplate fitted with cargo net or sideboards shall not exceed 2,400 pounds plus 10 percent.

(2) Drafts consisting of one or more palletized units shall not exceed 4,000 pounds plus 10 percent.

(c) *Classes III, VI.* (1) When handled by tray fitted with sideboards shall not exceed 2,400 pounds plus 10 percent.

(2) Drafts consisting of one or more palletized units shall not exceed 4,000 pounds plus 10 percent.

(d) *Classes V, VII.* (1) When handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 pounds plus 10 percent.

(2) Drafts consisting of one or more palletized units shall not exceed 4,000 pounds plus 10 percent.

(3) Single shells weighing in excess of 2,200 pounds must be loaded or unloaded one at a time.

(e) *Class VIII.* (1) When handled by tray fitted with sideboards shall not exceed 1,000 pounds plus 10 percent.

(2) Drafts consisting of one or more palletized units shall not exceed 2,400 pounds plus 10 percent.

(3) The maximum permitted weight for lift of a portable magazine containing Class VIII ammunition shall not exceed 2,400 pounds plus 10 percent.

(f) *Class IX–C.* (1) When handled by tray fitted with sideboards shall not exceed 1,000 pounds plus 10 percent.

(2) The maximum permitted weight for purpose of lift of a portable magazine containing IX–C explosives shall not exceed 2,400 pounds plus 10 percent.

(g) *Classes X–A, X–B, X–C, X–D.* (1) When handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 pounds plus 10 percent.

(2) When handling bombs, more than one to a draft, by sling method or in palletized units, the draft shall not exceed 4,000 pounds plus 10 percent.

(3) Table of limiting loads applicable when handling bombs by sling method:

Weight of individual bomb or cluster:	*Maximum limits in units per 1 draft*
1 pound to 250 pounds plus 10 percent per unit	8
276 to 500 pounds plus 10 percent per unit	6
551 to 1,000 pounds plus 10 percent per unit	4
1,101 to 2,000 pounds plus 10 percent per unit	2
Over 2,200 pounds	1

(4) Single items or assembled units (other than palletized), designed to be handled as a unit, may be loaded regardless of weight provided the cargo handling gear is of a design capable of handling a working load at least 50 percent additional to the actual weight of the item or unit comprising the draft, and provided further the integrity of the cargo handling gear is unimpaired.

(h) Classes *XI–A, XI–B, XI–C, XI–D.* (1) When handled by trays, skipboards, pallets or pieplates fitted with cargo nets or sideboards shall not exceed 2,400 pounds plus 10 percent.

(2) Drafts consisting of one or more palletized units shall not exceed 4,000 pounds plus 10 percent.

(3) Single bombs or other unit containers weighing in excess of 2,200 pounds must be loaded or unloaded one at a time.

(j) A tray with a top and so constructed that it may be considered equivalent to a palletized unit may, subject to the approval of the Captain of the Port, be permitted a maximum weight per draft of 4,000 pounds plus 10 percent. This top may be constructed of other material than the tray, provided it serves to make the tray an integral unit.

(k) Vans and portable magazines containing permitted explosives of Coast Guard Classes I and II, designed to be loaded and discharged in a loaded condition by "lift-on lift-off" method may be handled regardless of weight provided the rated working capacity of the cargo handling gear is not exceeded and provided further that the integrity of the handling gear is unimpaired.

§ 146.29–43 Requirement for the opening of hatches.

(a) *Vessels at explosives loading piers or at ammunition loading piers.* (1) A weather deck hatch through which ammunition or explosives are being worked shall have sufficient hatch covers and hatch beams removed across the entire width of the hatch so that the resulting opening, measured parallel to the side of the vessel, is at least equal to twice the longest axis of the largest draft being loaded.

(2) Strongbacks or hatch beams left in place shall be firmly secured by hatch batten or other approved means.

(b) *Vessels at explosives anchorages.* A weather deck hatch through which ammunition or explosives are being worked shall have all hatch covers and all hatch beams removed unless otherwise authorized by the Captain of the Port.

(c) *Vessels at explosives anchorages having a magazine constructed in the square of a weather deck hatch.* Sufficient hatch covers and hatch beams shall be removed from the weather deck hatch to expose the entire magazine.

(d) *General requirements.* (1) During the working of ammunition and explosives to or from the deep holds, the 'tween-deck hatch openings shall at all times be equal to, if not greater than, the weather deck hatch openings.

(2) The use of open hooks in removing or replacing hatch beams or hatch strongbacks is prohibited. Closed hooks, shackles or T bars shall be used in this operation.

§ 146.29–45 Loading or unloading military explosives and other cargo.

(a) Military explosives shall not be loaded or unloaded in a hatch at the same time that other cargo is being worked in any of the holds serviced through said hatch.

(b) Military explosives shall not be loaded or unloaded from the same hatch from both sides of the ship simultaneously, unless the hatch is fitted with cargo handling gear located at both the forward and after ends of the hatch. A vessel so equipped may also use both sets of cargo handling gear simultaneously from the same side of the vessel.

(c) When military explosives are stowed in a hold below one in which any cargo is being worked the 'tween-deck hatch dividing the two holds will have all of its covers securely in place.

(d) Military explosives may be loaded in a hold before or after other cargo,

provided that all precautions are taken to assure full protection to the explosives against the hazard of articles being dropped from the cargo sling. When possible hatches should be partially covered to assure such protection.

(e) Cargo drafts being loaded or unloaded shall not be handled over explosives or other dangerous articles that are stowed "On deck".

(f) Any deck loads over which military explosives must be passed shall be limited in height to that of the hatch coaming, bulwark, or three feet, whichever is greater.

§ 146.29–47 Packing and marking.

Military explosives shall not be offered to vessels or accepted by vessels subject to the regulations in this part unless they are in proper condition for transportation and are packed, marked, labeled, described, certified and otherwise acceptable in accordance with the applicable provisions of the regulations in this part.

§ 146.29–49 Stowage on board barges.

(a) Barges subject to the regulations in this part, engaged in the transfer of explosives between receiving points and delivery points within the harbors, bays, sounds, lakes, and rivers, including the explosives anchorages on the navigable waters, shall conform to the applicable provisions of §§ 146.10–1 to 146.10–50, inclusive. Ammunition or explosives in bulk, in combustible outside packages, stowed "On deck in open" shall after loading and during transportation be covered by fire resistant and/or flame proof tarpaulins securely lashed in place.

(b) Notwithstanding the requirements of this subpart relative to the stowage of detonators, blasting caps and fuzes, Class VIII, such articles may be stowed "On deck" on Class AA and Class AB barges with other ammunition or explosives in bulk stowed thereon, provided a sandbag barrier of at least 2 feet in thickness intervenes between the ammunition or explosives in bulk and the detonators, blasting caps or fuzes. When both are stowed "On deck" the height of this barrier shall be at least equal to the height of the stowage of the detonators, blasting caps or fuzes, or the ammunition or explosives in bulk, whichever is highest. The barrier shall either completely surround the detonators, blasting caps or fuzes or extend across the width of the barge. With this type of barrier no additional separation is required. For Class AC barges, the stowage of detonators, blasting caps or fuzes, Class VIII, shall, when no permanent steel bulkhead intervenes, be separated from the stowage of ammunition or explosives in bulk by a distance of 40 feet; with a permanent steel bulkhead intervening, detonators, blasting caps or fuzes shall be separated from the stowage of explosives in bulk by a distance of 25 feet and from the stowage of ammunition by a distance of 10 feet. If, under deck, a 2-foot sandbag barrier is utilized to intervene between the stowage of ammunition or explosives in bulk, it shall be considered as though a permanent steel bulkhead or deck intervenes. Nothwithstanding the provisions of § 146.10–50, Class CA and Class CB barges may transport ammunition on deck.

§ 146.29–51 Stowage on board vessels.

(a) All articles of cargo classified as military explosives by the regulations in this subpart shall be stowed on board a vessel in conformity with the provisions of the regulations in this subpart.

(b) Mixed stowage of ammunition or explosives in bulk with other ammunition or explosives, or other dangerous articles or substances, or combustible liquids or hazardous articles shall be in conformity with the provisions of the explosives and hazardous munitions admixture charts, § 146.29–99, the classification, handling and stowage chart § 146.29–100 and other applicable specific provisions of this subpart.

(c) Specifications governing construction and location of magazines and lockers and the preparation of cargo compartments to be used in the stowage of military ammunition are detailed in §§ 146.29–71 to 146.29–95, inclusive.

§ 146.29–53 Stowage of military explosives in holds containing coal.

Unless expressly authorized by the Commandant of the Coast Guard military explosives shall not be stowed in a hold containing coal as cargo nor in any hold above, below or adjacent to one containing coal.

§ 146.29–55 Stowage of military explosives in holds containing household or personal effects and/or mail as cargo.

Unless expressly authorized by the Commandant of the Coast Guard, military explosives shall not be stowed in a hold containing household or personal effects and/or mail as cargo, nor in the hold above or below the hold containing any of these items. However, this requirement shall not apply to vessels having on board military explosives of the Class I category only.

§ 146.29–57 "On deck" stowage.

(a) Articles classified as military explosives, the stowage of which is permitted "On deck" by the regulations in this subpart shall be properly secured. Such security may be obtained by using existing vessel's structures such as bulwarks, hatch coamings, shelter deck and poop bulkheads, as part boundaries and effectively closing in the cargo by fitting angle bar closing means, secured by bolting to clips or other parts of the ship's structure. Lashing of deck stowage permitted provided eye pads are fitted to carry such lashings. Guard rails shall not be used to secure such lashings.

(b) Bulky articles may be secured by lashing with individual wire rope lashing or other equally efficient means.

(c) Shoring of such bulky articles of cargo shall be in addition to the foregoing means of securing.

(d) Military explosives stowed "On deck" shall not be stowed within a distance of 20 feet of an incinerator, the topside terminus of an ash hoist or a coal or oil fire galley or bake shop. For vessels fitted with electrically operated galleys and bake shops, the military explosives stowed on deck may be stowed not closer than 10 feet of such galleys and bake shop provided no incinerator or topside terminus ash hoist is within a distance of 20 feet of such stowage.

(e) Deck boxes, portable magazines or vans containing military explosives shall meet the requirements of this section when stowed "On deck." Compatibility of the explosives within the deck box, portable magazine or van shall be in accordance with § 146.29–99 and § 146.29–100. A deck box, portable magazine or van containing permitted military explosives shall be separated from other deck boxes, portable magazines or vans containing permitted explosives of incompatible classes by the bridge structure or if the height of the container does not exceed that of the hatch coaming, by the weather deck hatch. Fire plugs and sounding pipes and access ways shall be maintained free and clear.

§ 146.29–59 Stowage adjacent to other dangerous articles.

As noted in § 146.29–11, missile and rocket fuels or oxidizers listed in Classes XI–C and XI–D of § 146.29–100 are excluded from the provisions of this section when shipped with military explosives, and compatibility will be in accordance with the chart in § 146.29–99.

(a) *Flammable liquids.* (1) Military explosives shall not be stowed in the same hold, nor in any hold below, any hold above or a hold adjacent to one in which flammable liquids are stowed. Military vehicles including ducks, buffaloes, alligators and similar amphibious types of craft, referred to in this subpart as "vehicles" or "military vehicles", using a flammable liquid as fuel may be stowed in holds adjacent to a hold in which military explosives are stowed provided the fuel is confined to the vehicle's tank and is not in excess of approximately 75 percent of the capacity of the fuel tank.

(2) Military vehicles, landing craft and small boats using flammable liquid as fuel and having the fuel confined to the vehicle's or boat's tank and not in excess of approximately 75 percent of the capacity of said tank may be stowed "On deck" over a hold in which military explosives are stowed: *Provided,* That the weather deck is tight and the cargo hatch is fitted with a tight raised coaming and that such stowage is not made over the square of the hatch, except that amphibious type vehicles, landing craft or boats having fuel tanks installed within a tight hull may be stowed over the square of a hatch.

(3) Flammable liquids as cargo shall not be stowed "On deck" immediately above a hold in which military explosives are stowed. The applicable provisions of §§ 146.21–1 to 146.21–100, inclusive, shall be observed in the stowage of flammable liquids "On deck".

(b) *Flammable solids or oxidizing materials.* (1) Military explosives shall not be stowed in the same hold nor in any

hold above or below or a hold adjacent to one in which flammable solids or oxidizing materials are stowed except as specifically authorized by the provisions of § 146.29–100.

(2) Flammable solids or oxidizing materials may be stowed "On deck" over a hold in which military explosives are stowed: *Provided*, That the weather deck is tight and the cargo hatch is fitted with a tight raised coaming and such stowage is accomplished by means of a crib and platform so constructed as to provide a free space of at least 6 inches in height between the deck and the floor of the crib in such a manner as to allow flushing of any leakage that may occur: *And provided further*, That such stowage is not made over the square of the hatch.

(c) *Corrosive liquids.* (1) Military explosives shall not be stowed in the same hold nor in the hold below one in which corrosive liquids are stowed except as specifically authorized by the provisions of § 146.29–100. Corrosive liquids may be stowed "On deck" over a hold in which military explosives are stowed: *Provided*, That the weather deck is tight and the cargo hatch is fitted with a tight raised coaming and such stowage is accomplished by means of a crib and a platform so constructed as to provide a free space of at least 6 inches in height between the deck and the floor of the crib in such a manner as to allow flushing of any leakage that may occur: *And further provided*, That such stowage is not made over the square of the hatch.

(2) The substances listed below shall not be transported on board a vessel which is carrying in excess of 100 tons of ammunition or explosives:

Acid sludge.
Bromine.
Chloracetyl chloride.
Dimethyl sulfate.
Hydrofluoric acid, anhydrous.
Nitrating (mixed) acid.
Nitric acid.
Phosphorus oxychloride.
Phosphorus tribromide.
Phosphorus trichloride.
Spent acid (sulfuric or mixed).
Sulfur chloride.

(d) *Military vehicles with electrolyte.* Notwithstanding the provisions of §§ 146.23–1 to 146.23–100, electrolyte of not over 47 percent strength (39° Baumé) may be accepted for transportation and be stowed on board vessels carrying military explosives under the following conditions of packing:

(1) In glass or earthenware containers, not exceeding 160 ounces capacity (one imperial gallon) in fiberboard cartons of a size to permit cushioning with an incombustible, absorbent material of a sufficient amount to absorb the contents of the container in event of breakage. The outside container shall consist of a wooden box (ICC 15A, 16B or Army Specification) in which 1, 2, 3, or 4 fiberboard cartons may be packed. The outside containers shall carry the white (acid) label. No military ammunition shall be included within this package.

(2) Electrolyte packed in accordance with provisions set forth in subparagraph (1) of this paragraph may be stowed:

(i) "On deck in open" including deck areas over holds containing military explosives.

(ii) "Tween-deck" or "Under deck" in holds adjacent to or in any hold below a hold containing military explosives.

(3) Electrolyte, when packed in accordance with the provisions of subparagraph (1) of this paragraph, may be accepted for transportation when securely fastened within or on a military vehicle or other military equipment whether such vehicle or equipment is shipped crated, boxed, or without crating or boxing. Such military vehicles or military equipment, when shipped crated or boxed, may be accepted for transportation when the container of electrolyte is securely fastened on the inside of the shipping crate or box containing the vehicle or military equipment. When so shipped, the overall crate or box shall carry the white (acid) label and shall be marked "This side up" and "Inside packages comply with prescribed specifications."

(4) Electrolyte packed in accordance with the provisions of subparagraph (1) of this paragraph when offered for transportation under the conditions set forth in subparagraph (3) of this paragraph, may be stowed as follows:

(i) "On deck in open", including deck areas over holds containing military explosives;

(ii) "Tween-deck" or "Under deck" in holds adjacent, any hold below or any hold above holds containing military explosives; or,

(iii) In the same hold containing Class I, IV, V, VII, X–A, X–B, X–C, or X–D, provided the stowage of military vehicles and the stowage of ammunition are separated by a division bulkhead or a 2-inch dunnage floor.

(5) Military vehicles (crated or uncrated) containing an electrolyte storage battery shall not be stowed in the same hold over military explosives stowed therein. Such vehicles may be stowed in the same hold under or alongside of military explosives stowed therein: *Provided*, That all the applicable provisions of this section are observed: *And provided further*, That the vehicles are processed, the fuel tank drained dry, the battery terminal leads disconnected, taped and protected against short circuit.

(6) Military vehicles or military equipment as used in this section includes naval vehicles or naval equipment.

(e) *Flammable compressed gases.* (1) Military explosives shall not be stowed in the same hold nor in any hold below, any hold above or a hold adjacent to one in which flammable compressed gases are stowed.

(2) Flammable compressed gases shall not be stowed "On deck" over a hold in which any Class II–A, II–C, II–D, II–E, II–G, V, VI, VII, VIII, IX–A, IX–B, IX–C, X–A, X–B, X–C, X–D, XI–A, XI–B, or XI–C is stowed.

(3) Flammable compressed gases may be stowed "On deck" over a hold in which Class I, II–B, II–F, II–J, III, or IV is stowed: *Provided*, That, the weather deck is tight and the cargo hatch is fitted with a tight raised coaming, and such stowage is accomplished by means of skids at least 6 inches in height off the deck or a crib and platform so constructed as to provide a free space of at least 6 inches in height between the deck and the floor of the crib. Other applicable provisions of §§ 146.24–1 to 146.24–100, inclusive, shall be observed. Stowage may be over the square of the hatch.

(f) *Non-flammable compressed gases.* Ammunition of the following Classes I, II–B, II–G, IV, V, and VII may be stowed in the same hold or compartment with non-flammable compressed gases provided the two stowages are separated by a type "A" dunnage floor or a division bulkhead. This mixed stowage is not permitted for the following non-flammable gases: Boron trifluoride, chlorine, oxygen and sulphur dioxide.

(g) *Poisons*—(1) *Class "A"*. Classes I and II–F ammunition may be stowed in the same hold or compartment with Class "A" poisons provided the two stowages are separated by a type "A" dunnage floor or a division bulkhead.

(2) *Class "B"*. Ammunition of the following classes, I, II–B, II–F, IV, V, VII, XI–A, and XI–B may be stowed in the same hold or compartment with class "B" poisons: *Provided*, That the two stowages are separated by a type "A" dunnage floor or a division bulkhead.

(3) *Class "C" (tear gas)*. Ammunition of the following classes I, II–B, II–F, II–G, IV, V, VII, XI–A, and XI–B may be stowed in the same hold or compartment with Class "C" poisons: *Provided*, That the two stowages are separated by a type "A" dunnage floor or a division bulkhead. Class II–A, propellant charges, may also be stowed in the same hold with Class "C" poisons: *Provided*, That the two stowages are separated by a type "A" dunnage floor or a division bulkhead: *And provided further*, That the Class II–A, propellant charges, ammunition is given top stowage.

(4) *Radioactive materials.* Military explosives shall not be stowed in the same hold in which radioactive materials are stowed.

(h) *Hazardous articles.* Military explosives shall not be stowed in the same hold or in the hold below, the hold above or a hold adjacent to one in which hazardous articles are stowed.

(j) *Combustible liquids.* (1) Military explosives shall not be stowed in the same hold nor in the hold below one in which combustible liquids are stowed.

(2) Combustible liquids may be stowed "On deck" over a hold in which military explosives are stowed: *Provided*, That the weather deck is tight and the cargo hatch is fitted with a tight raised coaming and such stowage is accomplished by means of a crib and a platform so constructed as to provide a free space of at least 6 inches in height between the deck and the floor of the crib in such a manner as to allow flushing of any leakage that may occur. *And provided further*, That

such stowage is not made over the square of a hatch.

(k) *"On deck" stowage.* When containers of flammable liquids, flammable solids or oxidizing materials, corrosive liquids, compressed gases, poisons, combustible liquids or hazardous articles are stowed "On deck", such containers shall not be stowed within 12 inches of any steam pipe fitted on deck.

§ 146.29–61 Stowage with nondangerous cargo in the same hold.

(a) Military explosives that are stowed in the same hold with nondangerous cargo shall be protected from damage likely to be caused by heavy nondangerous cargo. Shafting, steel bar, steel shapes, pipe, heavy machinery, military vehicles (uncrated), and similar types of cargo shall, when stowed in the same hold with military explosives be so isolated or dunnaged or secured as to prevent damage to military explosives or magazines containing said substances, or temporary bulkheads protecting explosive stowages, under any conditions likely to be encountered during the voyage.

(b) When nondangerous cargo is to be stowed adjacent to the exterior of a magazine, wooden cargo battens of not less than commercial 2″ x 4″ size spaced not more than 12 inches, center to center, shall be fitted horizontally to the uprights forming the frame of the magazine.

§ 146.29–63 Stowage and dunnaging of ammunition and containers of explosives in bulk.

(a) Military explosives shall be so stowed and dunnaged as to prevent damage to the cargo or the vessel from shifting cargo caused by forces incident to the voyage of the vessel. Nothing within this paragraph shall be construed as requiring the entire interior of the cargo compartment to be covered with dunnage.

(b) Containers of military explosives marked, "This side up" or otherwise marked directing their stowage shall be so stowed.

(c) Kegs of black powder shall be stowed in an upright position, the bungs or other filling openings "up". Each tier shall be floored off.

(d) Metal containers or metal tanks or other containers of propellant charges having closure means which protrude beyond the chime or the surface of the container shall be so dunnaged as to prevent damage occuring to such closures.

(e) The uppermost tier of military explosives shall be so secured to the mutual satisfaction of the Captain of the Port and the Master of the vessel by tomming, bracing, strapping, top stowing with permissible cargo of sufficient unit weight and quantity or other effective means that no displacement can occur either upwardly or laterally.

(f) Military explosives shall be so stowed that they or the containers are not liable to be pierced by the dunnaging or crushed by superimposed weight.

(g) Containers of military explosives shall not be "cant" stowed. They shall be stowed in full bearing on dunnage or both end and center bearing on dunnage. Broken stowage may at the turn of the bilge, be dunnaged out with cordwood or otherwise so cribbed as to provide maximum bearing attainable for the container to be stowed in the tier above. Broken stowage in other locations in the hold may be compensated for by cribbing out or by the insertion of sufficient dunnage to provide proper bearing for packages in the tier above.

(h) Fixed or semifixed ammunition in fiber containers, crated or uncrated, may be stowed on its base or on its side. Dunnaging shall be accomplished in such manner as to bear only upon the metal part of the container. No dunnage or weight shall bear directly upon the fiber portion of the container.

(j) Separate-loading projectiles, boxed, crated, unboxed, or uncrated may be stowed on their bases or on their sides except as otherwise provided for Army WP filled ammunition in the stowage requirements for Class II–D ammunition, § 146.29–100.

(k) When tween-deck holds of cargo vessels are utilized for the stowage of military explosives, the maximum permissible deck load for such tween decks shall not be in excess of 45 pounds per square foot of tween-deck space for each foot of tween-deck height, except where the deck and hatch structure of ships have been specially designed or reinforced for the carriage of heavy loads the Captain of the Port may permit loading in accordance with these schedules of increased intensity of loading when they are furnished by the master or operator.

§ 146.29–65 Damaged or leaking containers of explosives.

(a) Any container of explosives or chemical warfare agents showing evidence of failure, leaking of a liquid ingredient or inability to retain its contents shall not be accepted for transportation, storage, or stowage on board any vessel.

(b) Any container of an explosive when offered for transportation, storage, or stowage, showing excessive dampness or which is moldy or shows outward signs of any oil stain or other indications that absorption of the liquid part of the explosive is not perfect, or that the amount of the liquid part of the explosive is greater than the absorbent can carry, shall not be accepted for transportation. The shipper must substantiate any claim that a stain is due to accidental contact with grease, oil, or similar substances. In case of doubt the container shall be refused.

§ 146.29–67 Defective ammunition.

Ammunition found to be defective while being unloaded from a barge, freight car, or other vehicle, shall not be placed on board a vessel. If found to be defective while on board the vessel, it shall, if at all possible, be removed from the vessel to an isolated location as quickly as possible.

§ 146.29–69 Recoopering damaged packages.

Defective packages shall not be recoopered in the hold of a vessel. Such packages shall not be recoopered elsewhere on board the vessel except upon conditions authorized by the Captain of the Port. Replacing bomb shipping bands, loose covers, nose plugs or strapping containers is not classed as recoopering.

§ 146.29–71 Constructing magazines.

(a) All work in connection with the construction of a magazine, or other conditioning of holds, decks, or hatches shall be completed before the actual loading of military explosives is undertaken except as provided in §§ 146.29–35 (e) and 146.29–81(b). Magazine construction or other conditioning of a hold in which military explosives are not actually being loaded or which do not contain any military explosives is permitted.

(b) Sizes of material used for the construction of a magazine or other conditioning of holds, decks, or hatches, as set forth in the regulations in this subpart, are minimum. Increased sizes may be used, if desired. Nails shall not protrude beyond the surface of the lumber or other material authorized.

§ 146.29–73 Preparation of magazines, decks, hatches and holds for handling military explosives.

(a) All magazines and holds shall be cleared of all rubbish and discarded dunnage and be swept, hosed down or cleaned by such other efficient method that will insure the compartment to be broom clean and free of any residue from cargo before commencing to load any military explosives. Bilges, overhead deckbeams and strongbacks shall be examined and any residue of previous cargo removed therefrom.

(b) All decks, gangways, and hatches over or through which military explosives must be passed or handled in loading or unloading shall be freed of all loose material and shall be swept broom clean both before and after loading or unloading.

(c) The hatches or cargo ports opening into a compartment in which military explosives are stowed shall be kept closed at all times except during the operation of loading or unloading of the compartments or during periods of short stoppages such as lunch breaks or while shifting of barges or railway vehicles. During the period of such stoppages the hold shall be protected as prescribed by the Captain of the Port. When a hatch is closed wooden hatch covers shall be covered with tarpaulins.

(d) No debris of any description which creates a fire hazard or a hazardous condition for persons engaged in the explosives handling operation shall be permitted to stand on the weather deck of a vessel while military explosives are being worked.

(e)(1) Hatch beams and hatch covers shall, where possible, be stowed on

the opposite side of the hatch from that over which the military explosives are being worked. If this is impossible, they may be stowed on the working side of the hatch.

(2) Hatch beams shall be stowed or secured in a manner that will prevent them from rolling, rocking, turning or sliding.

(3) Hatch covers shall be so stowed as to form as level a platform as possible.

(f) During the time a hatch is open and military explosives are being worked or stowed, the vessel's officer on duty supervising the handling of explosives shall warn the masters of other vessels coming alongside and the operator of any dock equipment (capable of producing sparks) to stay clear of the area adjacent to open hatches as far as practicable.

§ 146.29–75 Location of magazines and ammunition stowage.

(a) A cool location being an important factor, magazines shall be built and military explosives stowed in an authorized location in accordance with the following factors in the order listed. The Captain of the Port may authorize in his discretion a modification of the below established location priorities when circumstances so justify:

(1) A tween-deck hold, preferably a lower tween-deck.

(2) A lower hold.

(3) In the square of a hatch.

(4) A shelter deck in a location as far removed from uptakes or engine casing as possible.

(5) A forecastle, poop or permanent deck house provided the space is ventilated and does not contain any "In use" crew accommodations, nor vessel stores, and can be closed off from traffic while at sea.

(6) "On deck" stowage.

(7) Insulated spaces normally comprising refrigerator spaces may be used for the stowage of all classes of military explosives, except Class II–J chemical ammunition: *Provided*, That all regulations relative to stowage of explosives with other dangerous articles of cargo are observed and the spaces may be ventilated sufficiently to provide a temperature consistent with the temperature of other holds of the vessel. When such spaces are fully ceiled, the entire compartment will be considered as a magazine, however, any pipes within the compartment shall be protected by horizontal cargo battens of a size not less than commerical 2″ x 4″, spaced not more than 12 inches apart, center to center and secured to 4″ x 6″ uprights spaced not more than 36 inches apart. Refrigerator spaces, the floors of which are lined with lead, shall not be used as a stowage for picric acid in bulk or ammonium picrate.

(b) When it is necessary to construct a magazine or to stow ammunition adjacent to the engine room, boiler room or coal bunker bulkheads, or the engine or boiler room uptakes or casings, the following provisions shall be complied with:

(1) A tight wooden temporary bulkhead shall be constructed at least one foot off the permanent bulkheads, uptakes or casings with the smooth side facing the stowage of the explosives or ammunition.

(2) When the permanent bulkhead is smooth on the cargo side, construction shall be of commercial 2-inch boarding secured to uprights of 4″ x 6″ size spaced not more than 30 inches apart in the 'tween or shelter deck, or 6″ x 6″ size spaced not more than 24 inches apart in the lower hold. Uprights shall not be stepped directly onto a metal deck or overhead. A 2″ x 6″ bearer to carry the upright shall be laid on the metal deck, and a 2″ x 6″ header shall be fitted against the underside of the overhead deck to receive the top of uprights. Top of uprights fitted against overhead deck beams may be wedged direct to the beam with 2″ x 4″ spacers fitted between. Suitable horizonal stringers shall be fitted between temporary and permanent bulkhead at the top and bottom, as well as intermediate stringers spaced a maximum of 5 feet. Uprights shall be securely fastened to horizontal stringers or horizontally braced at the top, bottom and center.

(3) When the permanent bulkhead stiffeners are on the cargo side, suitable uprights of not less than 2″ x 4″ may be installed against the permanent vertical stiffeners to give the required 12 inches off the bulkhead. If the permanent stiffeners are over 30 inches apart, center to center, 2½-inch boarding shall be used. Uprights shall be stepped and braced as required by the provisions of subparagraph (2) of this paragraph. Bulkhead stiffeners that do not extend the full depth of the cargo space shall not be used for this purpose.

(4) Other methods of construction using steel or wooden uprights, bolted to plates or lugs welded to deck beams, decks, or tank tops may be used provided the strength is equivalent to that obtained by the foregoing methods of construction.

(c) Stowage provided for military explosives shall be dry and except for deep tanks well ventilated.

(d) Ammunition as cargo shall not be stowed within a distance of 10 feet of a vessel's radio shack, receiving or transmitting apparatus, radio antenna or antenna lead-in. The same restriction applies to radar equipment.

§ 146.29–77 Allocation of stowage.

Military explosives that are tendered to a vessel for transportation as cargo shall be stowed on board the vessel utilizing the type of stowage authorized for the particular ammunition or explosives in bulk by the provisions of § 146.29–100.

§ 146.29–79 Types of stowage.

The types of stowage prescribed for military explosives are described as follows:

(a) Magazine stowage A.
(b) Ammunition stowage.
(c) Chemical ammunition stowage.
(d) Special stowage.
(e) Portable magazine stowage.
(f) Pyrotechnic stowage.
(g) Stowage of blasting caps, detonators, primer detonators, etc.
(h) Deck box and van.

§ 146.29–81 Magazine Stowage A.

The following shall be observed in the construction of a magazine required by the table in § 146.29–100 for "Magazine A" type of stowage:

(a) Magazines may be constructed of steel or wood.

(b) Magazines constructed of steel shall have the whole of the interior thoroughly protected by wood dunnage of a minimum thickness of ¾ inch. This lining may be installed during the progress of the stowage. Metal stanchions within the magazine shall be boxed with wood of a thickness of not less than ¾ inch. Bulkhead stiffeners or other structural members extending into the stowage spaces shall not be protected by dunnaging but shall be completely boarded over. When bare steel decks or tank tops are utilized to form the floor of a magazine, a wooden floor consisting of at least two layers of commercial 1-inch thick dunnaging shall be laid, the top course being laid crosswise to the lower course. When steel decks or tank tops are originally fitted with a wood flooring or are ceiled, it shall be necessary to fit one course of dunnage. All flooring formed by these methods shall be laid with commercial 1-inch lumber of widths not less than 4 inches, fitted as close as possible, edge to edge and butt to butt.

(c) Magazines constructed of wood shall have the bulkheads forming the sides and ends constructed of commercial 1-inch lumber, of ¾-inch tongue and groove sheathing, or of ¾-inch plywood, secured to uprights of at least a 3″ x 4″ size, spaced not more than 18 inches apart and secured at top, bottom and center with horizontal bracing. When ¾-inch plywood is used, the uprights may be spaced on 24-inch centers. Uprights shall not be stepped directly onto a metal deck. A 2″ x 4″ bearer to carry the uprights shall be laid upon the metal deck. A 2″ x 4″ header shall be fitted against the underside of an overhead deck to receive the top of uprights. Top of uprights fitted against channel beams may be wedged directly to the beam with 2″ by 4″ spacers fitted between. Care shall be taken in securing upright framing that no nails penetrate to the interior of the magazine. When a magazine is constructed as a permanent compartment in the vessel, increased size and finish of lumber and other methods of fastening may be used provided such fastenings are recessed below the surface of the boarding to avoid projections within the interior of the magazine. All boardings shall be fitted and finished so as to form a smooth surface within the interior of the magazine. Construction shall be such as to separate all containers of explosives from contact with metal surfaces of the structure of the vessel. When a metal stanchion, post or other obstruction is located within the interior area of the magazine, such obstruction must be completely covered with wood of a thickness of at least ¾ inch secured in place with

nails or screws. When screws are used for fastening, the screwheads shall be countersunk below the surface of the wood. The floor of the magazine shall conform to the provisions of paragraph (b) of this section. The door of the magazine shall be of substantial construction, fitted reasonably tight into its jamb. The door may be secured in place by the use of extension battens and wedges.

(d) A magazine constructed in accordance with the provisions of paragraphs (b) and (c) of this section, in which it is proposed to stow containers of explosives within 12 inches of the overdeck beams, or hatch coaming, shall have such deck beams and coaming sheathed with wood similar to that required for metal stanchions, posts or other obstructions by the provisions of paragraph (c) of this section.

(e) When a Class A magazine measures more than 40 feet in any direction, a partition bulkhead shall be fitted within the magazine as near half length as practicable, extending from the deck to at least the top of the stowage. Such partition bulkhead shall be constructed to the same scantlings as the sides of the magazine, except the boardings may be spaced not more than 6 inches apart alternately on both sides of the uprights. This bulkhead shall be constructed before loading commences and care shall be exercised that nail points do not protrude beyond the surface of the boarding.

(f) A magazine constructed in accordance with the provisions of paragraphs (b) and (c) of this section shall comply with the provisions of § 146.29–75(c).

§ 146.29–83 Ammunition stowage.

Military explosives that are authorized to be given ammunition stowage by the provisions of § 146.29–100 shall be stowed in a location selected in accordance with the provisions of § 146.29–75. Dunnage shall be laid over metal decks or tank tops, except that dunnage is not required when decks or tank tops are coated with mastic, magnesite, or other equivalent material, and when palletized units are used and the pallets are constructed of wood. Dunnaging shall be fitted to protect packages or articles or military explosives from damage. Nothing within this paragraph shall be construed as requiring the entire interior of the cargo compartment to be covered with dunnage.

§ 146.29–85 Chemical ammunition stowage.

Chemical ammunition or chemical agents in bulk that are authorized to be given chemical ammunition stowage by the provisions of § 146.29–100 shall be stowed under the following conditions:

(a) Shall be afforded the same protection as required for ammunition stowage.

(b) Stowage shall preferably be in a deep tank or a lower hold.

(c) When stowed in a deep tank, pump suctions shall be effectively sealed off to prevent the escape of any leakage which may take place. Sealing off shall be accomplished by inserting a blank flange in way of the suction side of the bilge pump manifold.

(d) When stowed in a lower hold or other compartment, the hatch covers, ventilators and pump's suction shall be effectively sealed off to prevent the escape of any leakage which may take place. Sealing off the pump's suction shall be accomplished by inserting a blank flange in way of the suction side of the bilge pump manifold.

(e) When the quantity of chemical ammunition or chemical agents in bulk exceeds the capacity of deep tanks and lower holds, other holds may be used, preference being given to other lower holds or to a tween-deck hold directly over a lower hold in which such substances are stowed.

(f) Chemical ammunition or containers of chemical agents in bulk stowed in a tween-deck shall not be stowed within 8 feet of the side of the vessel.

(g) When the quantity of chemical ammunition to be stowed on board the vessel does not justify the use of a deep tank or lower hold, a suitable tween-deck space may be selected and the ammunition stowed in a portable magazine especially constructed to prevent any leakage from the ammunition escaping outside of the magazine. Such portable magazine shall be located at least 8 feet from the ship's side.

(h) Before entering a deep tank, lower hold or other compartment containing chemical ammunition the air inside the compartment must be tested by competent personnel to ascertain if leakage has taken place. If leakage has occurred, the operation of removing the ammunition or chemical agent shall be conducted by skilled personnel, preferably representatives of the appropriate Army Technical Service (Chemical Corps or Ordnance Corps) or Navy Department.

§ 146.29–87 Special stowage.

Special stowage may be on deck protected from the elements, in a deck house, mast house, mast locker or in a vacant stateroom: *Provided*, That such a location conforms to the distance separation rule applicable to the item so stowed and adjacent military ammunition: *And provided further*, That the space is ventilated and does not contain any vessel stores or machinery or equipment used during the navigation of the vessel and can be closed off from traffic while at sea. Dunnage shall be fitted to protect packages from damage by contacting any metal parts of the ship.

§ 146.29–89 Portable magazine stowage.

Military explosives authorized to be given portable magazine stowage by the provisions of § 146.29–100 shall be stowed under the following conditions:

(a) Shall be located in a hold or on deck in accordance with the provisions of § 146.29–99 and § 146.29–100 for the particular class of military explosive stowed therein. "On deck" stowage shall also meet the requirements of § 146.29–57.

(b) Portable magazines shall be constructed of wood, or of metal lined with wood ¾-inch minimum thickness, and not more than 100 cubic feet plus 10 percent (gross) of explosives shall be stowed therein.

(c) All inner surfaces of the magazine shall be smooth and free of nails, screws, or other projections.

(d) When constructed of wood the scantlings shall not be less than those required for a type "A" magazine in § 146.29–79, and a strong, close fitting hinged cover or door with an effective means of securing shall be provided.

(e) When constructed of metal, the minimum thickness of the metal shall be not less than ⅛-inch sheet, or formed material.

(f) Ammunition or containers of ammunition or explosives in bulk when stowed in a portable magazine shall be so stowed and secured that no displacement can occur either upwardly or laterally.

(g) When stowed on deck the magazine shall be protected from the direct rays of the sun and elements. Runners, bearers, skids, or other suitable means shall be provided to elevate it a minimum of 4 inches from the deck. Pad eyes, ring bolts, or other suitable means shall be provided for lashing the magazines and they shall be so lashed, chocked or braced as to prevent movement in any direction.

(h) Portable magazines shall carry the legend "Inflammable—Keep Lights and Fire Away," or "Flammable—Keep Lights and Fire Away." When used in lieu of ammunition stowage, the legend shall indicate the Coast Guard class or classes of military explosives stowed therein.

§ 146.29–91 Pyrotechnic stowage.

(a) Pyrotechnic ammunition shall be afforded ammunition stowage or special stowage in a location away from heat and so protected as to insure no moisture contacting the packages. This class of ammunition shall not be stowed in a hold or compartment with any other military explosives, except as permitted by the admixture charts (§ 146.29–99). Pyrotechnics shall not be overstowed with other cargo.

(b) For limited quantities of pyrotechnic ammunition an alternate stowage may be utilized consisting of stowing in metal lockers or portable magazines so located as to conform with the provisions of paragraph (a) of this section as regards other explosives, over-stowage, heat, and moisture.

§ 146.29–93 Stowage of blasting caps, detonators, primer detonators, etc.

Stowage of Classes III, VI and VIII type ammunition shall conform to the provisions of §§ 146.29–99 and 146.29–100, and to the following requirements:

(a) Class VIII ammunition, when stowed on board the same vessel with Classes II, IV, V, or VII military explosives, shall be separated as follows:

(1) With a permanent steel deck or bulkhead intervening, the separation shall not be less than 10 feet in any direction.

(2) Without a permanent steel deck or bulkhead intervening, the separation shall not be less than 25 feet in any direction.

(b) Class VIII ammunition, when stowed on board the same vessel with Classes IX, X, or XI military explosives, shall be separated as follows:

(1) With a permanent steel deck or bulkhead intervening, the separation shall not be less than 25 feet in any direction.

(2) Without a permanent steel deck or bulkhead intervening, the separation shall be not less than 40 feet in any direction.

(c) Class VIII ammunition shall not be stowed within 8 feet of the vessel's side, except blasting caps stowed in a portable magazine "On deck" need not meet this requirement.

(d) When Class VIII ammunition is stowed over tween-deck hatch covers, and military explosives are stowed in a hold below, a single layer of commercial 2-inch lumber is required over the tween-deck hatch cover to form the floor of the magazine. Under these conditions, wooden hatch covers may be considered an integral part of the permanent steel deck and the separation requirements of paragraphs (a)(1) and (b)(1) of this section shall apply.

(e) When Class III or VI ammunition is stowed with Class VIII ammunition the provisions governing the stowage and separations of Class VIII shall apply.

(f) When a portable magazine is used for detonator stowage, such magazine may be stowed in the square of a weather deck hatch.

(g) Upon approval by the Captain of the Port, a portable magazine containing Class VIII ammunition may be stowed in an isolated cabin or steel deck house secure from aircraft machine-gun fire and not subject to casual contact by persons on board the vessel.

§ 146.29–95 Ventilation of magazine.

A magazine that is not fitted with ventilating ducts to the atmosphere shall be ventilated by omitting the top course of boarding on the sides of the magazine to provide a clear space at least 1 inch and not more than 6 inches below the lower flange or toe of the deck beam within the compartment or hold in which the magazine is constructed. Ventilators of systems feeding directly into a magazine or a hold in which military explosives are stowed shall be covered with a double layer of wire screen of not less than ⅛-inch mesh at the weather end of the cowl. This screen shall be attached securely in place in such a manner as to insure a positive closure.

§ 146.29–97 Statements of characteristic properties and hazards.

(a) In § 146.29–100 there are statements in italics setting forth certain characteristics and hazards of the substances or articles listed therein. It is not intended, nor shall it be assumed, that these statements set forth all of the characteristic properties or hazards of the particular substance or article and such statements as are shown are informative only.

(b) For the purpose of the regulations in this subpart Army Class XII explosives are treated as follows:

(1) Ammonium nitrate is classified as an oxidizing material.

(2) Dinitrotoluene (DNT) is classified as a high explosive Class IX.

(3) Wet nitrocellulose wet with 20 percent of water is classified as a flammable solid.

(4) Wet nitrocellulose wet with 30 percent of alcohol or flammable solvent is classified as a flammable liquid.

§ 146.29–99 Explosives admixture charts.

(a) Chart A of this section indicates the compatibility of the various classes of ammunition described in § 146.29–100. Chart B of this section indicates the compatibility within the class of items of Classes XI–C and XI–D.

(b) A shaded block at an intersection of horizontal and vertical columns in Chart A indicates that the particular class of military explosives shown by the heading of the horizontal column to the left must NOT be stowed in the same hold or compartment with the particular class of military explosives indicated by the heading of the vertical column at the top of the chart. A shaded block at the intersection of horizontal and vertical columns in Chart B indicates that that particular item shown by the heading of the horizontal column to the left must NOT be stowed "On deck" together unless separated by the superstructure, or in the same hold or compartment with the item indicated by the heading of the vertical column at the top of the chart. For specific provisions of stowage, and items included in each class, refer to § 146.29–100.

(c) In the charts the letters refer to the following notes:

NOTE A: Class II–F may be stowed in the same lower hold or tween-deck hold with Classes II–C, II–E, II–G, and III provided the Class II–F ammunition is bottom stowed and provided further that no other class of explosive or ammunition is stowed in the hold or tank below.

NOTE B: Class II–F may be stowed in the same deep tank, lower hold or tween-deck hold with Classes II–B, IV, V, VII: *Provided,* That the Class II–F ammunition is bottom stowed: *And provided further,* That no other class of explosives or ammunition is stowed in the hold or tank below.

NOTE C: Propellant charges Class II–A for separate loading artillery projectile filled with Class XI–A or XI–B chemical may be stowed together in the same hold or compartment: *Provided,* That the propellant charges are "top stowed," the two items being separated by a type "A" dunnage floor. When so stowed the propellant charges shall not be overstowed with any other cargo.

NOTE D: Class II–J TH incendiary filled ammunition shall be stowed only in a deep tank or lower hold, and in all cases, bottom stowed, except that a limited quantity shipment not in excess of 500 lbs. net TH content may be stowed on deck in a special magazine constructed of material as set forth in § 146.29–81(c) and provided such magazine has an insulation of sand at least 1 foot thick on the bottom. This magazine shall be so mounted that there is at least 1 foot void between its bottom and the deck on which it is mounted, and its preferred location is aft. There shall be one charged fire hose in the immediate vicinity of this magazine when this class ammunition is stowed therein. There shall be only one such stowage per vessel and that stowage shall not be over living quarters or hatches in which military explosives, other dangerous articles, or ship's stores are stowed below.

NOTE E: Class V (unfuzed and no fuzes packed in container) and Class VII (unfuzed and no fuzes packed in container) may be stowed with Class X–A.

NOTE F: See Chart B for compatibility of items within this class.

NOTE G: May be stowed together if separate stowage is not available.

CHART A—COMPATIBILITY CHART FOR VARIOUS CLASSES OF MILITARY EXPLOSIVES AND HAZARDOUS MUNITIONS

Legend: *Refers to different ICC classes: F.L., F.G., Cor. L., Oxy. M., etc. ● Shall NOT be stowed together. □ May be stowed together. A, B, C, D, E, F, and G—Check notes in § 146.29–99 for proper stowage.

I.C.C. class		Class	I	II-A	II-B	II-C	II-D	II-E	II-F	II-G	II-H	II-J	III	IV	V	VI	VII	VIII	IX-A	IX-B	IX-C	X-A	X-B	X-C	X-D	XI-A	XI-B	XI-C	XI-D	Class
C	Small-arms ammunition w/o explosive bullets, mechanical time fuze and like items	I	□	□	□	□	□	□	□	□	●	D	□	□	□	□	□	□	□	□	□	□	●	●	●	□	□	●	●	I
B	Bulk propellants, such as ballistite, cordite, FNH, NH, and NC powder, "Made-up bag charges" in outside shipping containers	II-A	□	□	□	●	●	●	●	●	●	●	□	□	●	□	●	□	●	●	●	●	●	●	●	C	C	●	●	II-A
B	Fixed ammunition w/o explosive projectiles and like items	II-B	□	□	□	●	□	B	●	●	D	□	□	□	□	□	●	□	●	●	●	●	●	□	●	●	□	●	●	II-B
B or C	Pyrotechnics (fireworks)	II-C	□	●	□	□	●	□	A	●	●	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	II-C
*Var.	Chemical ammunition—WP or PWP filled (solid)	II-D	□	●	●	●	□	□	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	II-D
*Var.	Chemical ammunition—HC filled (solid)	II-E	□	●	□	□	□	□	A	□	●	●	□	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	II-E
*Var.	Chemical ammunition—FS or FM filled smoke (liquid)	II-F	□	●	B	A	●	A	□	A	●	●	A	B	B	●	B	●	●	●	●	●	●	●	●	□	□	●	●	II-F
*Var.	Chemical ammunition—IM, NP, or PT filled, incendiary composition (oil gel)	II-G	□	●	●	●	●	□	A	□	●	D	●	●	●	●	●	●	●	●	●	●	●	●	●	□	□	●	●	II-G
None	Chemical ammunition—water activated	II-H	●	●	●	●	●	●	●	□	●	□	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	II-H
*Var.	Chemical ammunition—TH filled incendiary composition (solid)	II-J	D	●	D	D	●	●	●	●	●	□	●	D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	II-J
B or C	Fuzes, PD w/o booster; fuzes AT mine (nonchemical) w/o booster; fuzes, bomb tail w/o booster; fuzes, tracer; primers; primer detonators, etc	III	□	●	□	●	●	□	A	●	●	●	□	□	□	□	●	□	●	●	●	●	●	●	●	●	●	●	●	III
A	Fixed and semifixed ammunition with explosive loaded projectile	IV	□	□	□	●	●	●	B	●	●	D	□	□	□	□	●	□	●	●	●	●	●	□	●	●	●	●	●	IV
A	Separate loading projectiles filled with explosive "D"	V	□	□	□	●	●	●	B	●	●	●	□	□	□	□	●	□	●	●	●	E	●	●	●	●	□	●	●	V
A	BD fuzes; PD fuzes with booster; bomb fuzes with booster; rocket fuzes with booster; and like items	VI	□	●	□	●	●	●	●	●	●	●	□	□	□	□	●	□	●	●	●	●	●	●	●	●	●	●	●	VI
A	Separate loading proj. filled with HE other than explosive "D"	VII	□	□	□	●	●	●	B	●	●	●	□	□	□	□	●	□	●	●	●	E	●	□	●	●	□	●	●	VII
A or C	Blasting caps; detonators; AT mine fuzes (chemical); etc	VIII	□	●	●	●	●	●	●	●	●	●	□	●	●	□	●	□	●	●	●	●	●	●	●	●	●	●	●	VIII
A or B	Explosives in bulk, such as black powder, propellant explosives for small arms, etc	IX-A	□	□	□	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	IX-A
A	High explosives, such as dynamite, TNT, demolition blocks, etc	IX-B	□	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	□	●	□	●	●	●	●	●	●	●	IX-B
A	Initiating and priming explosives in bulk	IX-C	□	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	□	●	●	●	●	●	●	●	●	●	IX-C
A	Explosive bombs, mines, torpedoes, etc	X-A	□	●	●	●	●	●	●	●	●	●	●	●	E	●	E	●	●	□	●	□	□	●	●	●	●	●	●	X-A
A	Explosive bombs, mines, etc. packed with fuze in integral package	X-B	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	□	□	●	●	●	●	●	●	X-B
A	Guided missiles with solid propellant motors, w, w/o HE warhead	X-C	●	●	□	●	●	●	●	●	●	●	□	●	●	□	●	●	●	●	●	●	●	□	●	●	●	●	●	X-C
A	Guided missiles with liquid petroleum fueled propellant motors, HE warhead	X-D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	□	●	●	●	●	X-D
A or Pois. A	Chemical ammunition—lethal	XI-A	□	C	●	●	●	●	□	□	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	□	□	●	●	XI-A
A or Pois. C	Chemical ammunition—nonlethal	XI-B	□	C	□	●	●	●	□	□	●	●	●	□	□	●	□	●	●	●	●	●	●	●	●	□	□	●	●	XI-B
*Var.	Fuels in containers for missile and rocket engines	XI-C	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	F	●	XI-C
*Var.	Oxidizers in containers for missile and rocket engines	XI-D	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	F	XI-D

CHART B—COMPATIBILITY CHART FOR VARIOUS ITEMS WITHIN CLASS XI-C AND CLASS XI-D

Legend: ●● Shall NOT be stowed together □□ May be stowed together G Check note for proper stowage

	Nomenclature	a	b	c	d	e	f	g	h	i	j	k	l	m	n	o	p	q	r	s	t	u	v	w	x	y	z	aa	
a	Acids; i. e., nitric sulfuric; fuming red nitric; fuming white nitric; etc	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	a
b	Liquid hydrogen	●●	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	b
c	Liquid fluorine	●●	●●	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	c
d	Liquid oxygen	●●	●●	●●	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	d
e	Liquid nitrogen tetroxide	●●	●●	●●	●●	□□	●●	●●	●●	●●	●●	●●	□□	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	e
f	Anhydrous ammonia	●●	●●	●●	●●	●●	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	f
g	Diborane; pentaborane	●●	●●	●●	●●	●●	●●	□□	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	g
h	Aluminum borohydrides	●●	●●	●●	●●	●●	●●	□□	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	h
i	Diethylene glycol dinitrate, liquid	●●	●●	●●	●●	●●	●●	●●	●●	□□	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	i
j	Nitroglycerine, liquid	●●	●●	●●	●●	●●	●●	●●	●●	□□	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	j
k	Hydrogen peroxide	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	k
l	Hydrazine; hydrazine hydrate	●●	●●	●●	●●	●●	●●	□□	●●	●●	●●	●●	□□	□□	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	l
m	Dimethyl hydrazine, unsymmetrical	●●	●●	●●	●●	●●	●●	□□	□□	●●	●●	●●	□□	□□	●●	G	G	G	●●	●●	●●	●●	G	G	●●	●●	●●	●●	m
n	Alcohol-ethyl, methyl, furfuryl	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	□□	G	□□	G	G	G	●●	●●	G	G	●●	●●	●●	●●	n
o	Gasoline (AVGAS)	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	G	G	□□	□□	G	G	G	●●	●●	G	G	●●	●●	●●	●●	o
p	Heptane; kerosene; octane	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	G	□□	G	G	□□	□□	□□	●●	●●	□□	□□	●●	●●	●●	●●	p
q	Pentane	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	G	G	G	□□	□□	□□	●●	●●	□□	□□	●●	●●	●●	●●	q
r	Aniline	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	G	G	G	□□	□□	□□	●●	●●	□□	□□	●●	●●	●●	●●	r
s	Monoethylaniline	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	□□	●●	●●	●●	●●	●●	●●	●●	s
t	Nitromethane, tetranitromethane	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	G	G	G	□□	□□	□□	●●	●●	□□	□□	●●	●●	●●	●●	t
u	Diethylene triamine	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	G	G	G	□□	□□	□□	●●	●●	□□	□□	●●	●●	●●	●●	u
v	Acetonitrile (methyl cyanide)	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	G	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	v
w	Potassium cuprocyanide	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	□□	□□	●●	●●	w
x	Sodium permanganate, solid	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	□□	□□	●●	●●	x
y	Calcium permanganate, solid	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	□□	●●	y
z	Lithium, metallic	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	□□	z
aa	Metals, powdered	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	●●	□□	aa

§ 146.29–100 Classification, handling and stowage chart.

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
I Small-arms ammunition w/o explosive bullets, detonating fuzes, ICC Class C, mechanical time fuze and like items.	Small-arms ammunition is a variety of fixed ammunition and includes blank ammunition and shotgun shells designed to be fired from a pistol, revolver, rifle, shotgun, or similar weapon held by the hand, or by the hand and shoulder, or machine guns of caliber less than 0.75 in. (19.05mm), or blank remover cartridges for pilot seat ejectors and canopy removing catapults, and consists of a metallic, plastic composition or paper cartridge case, a primer and a propelling charge, with or without bullet, shot, tear-gas material, tracer components or incendiary compositions or mixtures, but not including bullets loaded with high explosives. (For small arms ammunition with explosive bullets or projectiles see Class IV.) Other items of ammunition or component parts of ammunition having similar hazard characteristics to small-arms ammunition are also included in this class. Includes but is not limited to: Cartridges (small-arms type, less than 0.75 inch or 19.05mm): Aircraft engine starter. Armor piercing. Armor piercing incendiary. Armor piercing incendiary tracer. Ball. Blank. Carbine. Catapult, aircraft ejection seat. Exactor. High pressure test. Ignition. Impulse charges, ICC Class C. Incendiary. Initiator. Powder actuated tool, shipped separately. Remover, aircraft canopy. Rifle grenade. Slick marker (MK1). Tear gas. Thruster. Tracer. Catapult w/cartridge: Aircraft ejection seat. Chemical delay pencil. Detonating cord. Detonating fuzes, ICC Class C. Empty cartridge case, primed. Firing device w/o detonator. Fuse, blasting cap. Grenade projection adapter and similar inert devices when packed with blank small-arms cartridge. Grenades, empty primed. Igniter, torpedo. Mechanical time fuze. Miniature practice bomb signal. Powder actuated tool w/cartridge packed in the same outside box. Primer, lock combination. Primer, lock electric. Primer, small-arms. Primers, percussion cap (such as used in small-arms ammunition). Remover w/cartridge, aircraft canopy, M1. Shell, shotgun. Small-arms ammunition w/o explosive bullets. T cutter (MK2). NOTE: The U. S. Army and Navy definitions of small-arms is based on tactical considerations. The Coast Guard definition shall take precedence in all cases involving transportation, handling, and stowage as cargo on board merchant vessels which are subject to the regulations in this part. This Coast Guard class does not require a permit. See § 146.29–13 and § 146.29–15.	"Cannon primers" "Combination primers." "Cordeau detonant." "Empty cartridge case, primed." "Explosive cable cutters." "Explosive rivets" "Fuse lighters" "Grenades, empty, primed." "Igniter." "Percussion caps." "Percussion fuze." "Safety fuse." "Small-arms ammunition." "Small-arms ammunition, tear gas cartridge." "Small-arms primers." "Time fuze (mechanical w/o booster)."	C C C C C C C C C C C C C C C C	The principal hazard in connection with the stowage of this class of ammunition is its involvement in fire from outside source. Under such conditions the presence of this type of ammunition will not contribute excessively to the fire. Fire may be controlled and extinguished by flooding or spraying with large amounts of water. Missiles from burning ammunition will not be projected with any considerable velocity. Fire fighting personnel should take normal precautions and not expose themselves unnecessarily.	Any compartment or hold. May be stowed in any hold above, any hold below, or a hold adjacent to one in which flammable liquids, flammable solids or oxidizing materials, flammable compressed gases, hazardous articles or combustible liquids are stowed. Provisions of § 146.29–59 (Stowage adjacent to other dangerous articles) shall be complied with unless specifically exempted by the above paragraph. May be overstowed. May be transported in vans stowed on deck.	1. Observe marking on package to be certain that no small-arms ammunition with explosive bullets is included. 2. Do not subject packages to rough handling. 3. Maximum weight per draft shall not exceed 3,000 lbs. plus 10%. 4. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 5. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 6. The limiting weights noted above are for a 5-ton boom. See § 146.29–41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
II-A						
Bulk propellants such as: Ballistite, Cordite, FNH, NH, and NC powders; propellant charges, "Madeup bag charges" in outside shipping containers.	Propellant explosives for cannon in bulk. Rocket propellants in bulk. Propellant charges (made-up charges) in cloth powder bags with igniter attached and with or without its primer and packed in outside metal or fiber-pack containers. Includes but is not limited to: Ballistite (bulk) for any purpose in large grains, sheets, or masses. Cartridge starter, jet engine. Charge, propelling for rod, earth blast driven. Cordite. FNH powder. NC powder (SPD). NH powder (SPDN). Propellant charges for separate loading ammunition such as: 6", 8", 12", 14", 16", 155mm, 240mm, 280mm. SPCA powder. SPCG powder.	"Propellant explosives, solid, Class A." "Propellant explosives, solid, Class B." "Starter cartridge, jet engine."	A B B	Loose powder may be ignited by spark, friction, or intense heat. Powder dust is especially hazardous. Burns rapidly with excessive heat. Burning powder in ships hold may explode, producing structural damage and missiles. If involved in a fire, immediately apply water freely and in quantity.	*AMMUNITION STOWAGE OR PORTABLE MAGAZINE* Shall not be overstowed with any other kind of cargo except bomb fin assemblies, empty water fillable practice bombs and empty auxiliary gas tanks. When Class I ammunition is stowed in the same hold or magazine with this class, the two stowages must be separated by a partition bulkhead or type "A" dunnage floor. Propellant charges of this class, for separate loading artillery projectile, filled with Class XI-A or XI-B chemical may be stowed together in the same hold or compartment provided the propellant charges are "top-stowed," the two items being separated by a type "A" dunnage floor. When so stowed, the propellant charges shall not be overstowed with any other cargo. For stowage adjacent to other dangerous articles see § 146.29-59. Bulk propellants shall not be loaded at an ammunition loading pier. May be transported in vans stowed on deck.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Packages shall be handled in such a manner as to insure that no spark or friction will occur. 4. Observe packages or containers for evidence of sifting or inability to retain contents and reject any showing such signs. 5. In event a package is damaged and powder is spilled, immediately stop operations and sweep up any loose powder. 6. Remove damaged container and residue of powder to a safe location. 7. Gravity roller conveyor shall not be used unless authorized by the Captain of the Port in ports or facilities under his jurisdiction. At other ports or facilities authority for such use may be granted by the Officer in Charge. 8. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 9. Cargo nets w/o trays, skipboards, pallets, or pieplates are not permitted. 10. The maximum permitted weight per draft when handled by pallet, skipboard, tray, or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 11. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 12. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 13. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.
II-B						
Fixed ammunition without explosive projectile and like items.	Fixed ammunition with solid projectile, blind loaded projectile, empty projectile or without projectile—(the explosive components consisting of the primer and powder charges in a cartridge case); cartridge cases primed and containing powder charges; practice grenades; practice and target rockets. Includes but is not limited to: Ammunition for cannon: Blank. Blind loaded and plugged (BL & P). Blind loaded with tracer (BL & T). Empty projectile. Solid projectile. Without projectile. Ammunition, armor piercing, shot (w/o HE). Cartridges, blank, saluting. Cartridges, impulse. Cartridges, semi-fixed for Navy type guns: 5"/38, 5"/51, 5"/54, 6"/47. Cartridges, semi-fixed 120mm (Army w/o projectile). Charges: Catapult (other than aircraft personnel). Grenade, hand, practice. Jato (ICC Class B). Rocket—target. Rocket motors (w/o rocket heads). Rocket, packed with but not assembled to inert rocket heads. Rocket, practice, assembled with inert head.	"Ammunition for cannon with empty projectile." "Ammunition for cannon with inert-loaded projectile." "Ammunition for cannon with solid projectile." "Ammunition for cannon w/o projectile." "Jet thrust units (JATO) Class B." "Special fireworks"--	B B B B B B	The principal hazard associated with this class of ammunition is its involvement in a fire. Pressures which would cause serious structural damage are not usually generated. If involved in a fire, it is possible the fire may be controlled or extinguished by flooding or spraying with large amounts of water. Fire-fighting personnel should take appropriate precautions and not expose themselves.	*AMMUNITION STOWAGE OR PORTABLE MAGAZINE* Boxed and crated ammunition may be overstowed with nondangerous cargo and permitted explosives. Tanked ammunition may be overstowed with bomb fin assemblies, empty water fillable practice bombs and empty auxilary gas tanks. May be stowed in the same deep tank, lower hold or tweendeck hold with Class II-F ammunition provided the Class II-F is bottom stowed and provided further that no other class of military explosives is stowed in the hold or the tank below. May be stowed in the same deep tank or lower hold with Class II-J ammunition provided the Class II-J is bottom stowed. For stowage adjacent to other dangerous articles see § 146.29-59.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 4. Cargo nets without trays, skipboards, pallets or pieplates are not authorized. 5. The maximum permitted weight per draft when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 6. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 7. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 8. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
II-C Pyrotechnics (fireworks).	Fireworks are all manufactured articles designed primarily for the purpose of producing visible or audible pyrotechnic effects by combustion or explosion. Includes but is not limited to: Blue sump. Bomb, target identification. Cartridge igniter, turbo jet engine. Delay electric igniters. Depth charge markers, day. Destroyer, document, No. 3. Firecrackers, except M80. Fire starter. Fireworks—bombs. Fireworks—projectile. Flares of all types, such as: Aircraft. Airport. Bombardment. Float. High altitude parachute. Parachute. Parachute trip. Tow target. Trip. Flash cartridge 72 grains or under. Flash reducer (non black powder). Flash sheets (ltd. packing, ICC). Float lights. Fuse igniters. Fuse lighters. Fusee, warning, railroad. Igniters, M1 and M2. Illuminating grenades and projectiles. Metal powders (ltd. packing ICC). Photoflash bomb M122. Photographic flash powder (ltd. packing ICC). Pull wire fuse lighter. Pyrotechnic mixture, 72 grains or under. Quick match. Roman candles. Salutes. Signals: Aircraft float light. Day distress aircraft. Distress hand smoke. Double star. Drift day (bronze powder, inert). Drift night (red phosphorous). Emergency identification: smoke, star submarine. Ground cluster. Ground high burst ranging. Ground parachute smoke. Ground parachute star. Highway. Pistol rocket: Comet shower. smoke star. Single star. Submarine float. Simulator: Boobytrap, flash, illuminating, whistling, 72 grains or under. Hand grenade, M116. Smoke pots w/o oil. Squibs of all kinds. Tear gas pot fuse. Torpedo signalling, railway. Tracers. Very signal lights.	"Common fireworks." "Electric squibs" "Fuse igniters" "Fuse lighters" "Igniter" "Railway fusee" "Railway torpedoes" "Safety squibs" "Special fireworks"	C C C C C C B C B	The principal hazard is involvement in a fire. Some pyrotechnics may ignite spontaneously if exposed to moisture or high temperatures, but under these conditions most types tend to become less sensitive and more difficult to ignite. Aircraft flares and high burst ranging ground signals involved in a fire may explode. Most other types burn with intense heat and without serious explosion. If involved in a fire immediately apply water freely and in quantity. Steam or fog is also effective but less so than water. Fire fighting personnel should work from behind barriers and not expose themselves unnecessarily.	*AMMUNITION STOWAGE, DEEP TANK STOWAGE, PORTABLE MAGAZINE OR PYROTECHNIC LOCKER* Shall be stowed away from heat and in a dry location, protected against moisture contacting the stowage. Shall not be overstowed with any other kind of cargo May be stowed in the same deep tank, lower hold or tween-deck hold with II-F provided the Class II-F ammunition is bottom stowed and provided that no other class of explosives or ammunition is stowed in the hold below such stowage. May be stowed in the same deep tank or lower hold as Class II-J provided the II-J ammunition is bottom stowed. For stowage adjacent to other dangerous articles see § 146.29-59. May be transported in vans stowed on deck.	1. Handle by hand or mechanical means. 2. Do not drag, drop, tumble, walk or otherwise subject packages to shock. 3. Do not load during excessive rainy weather, unless complete protection against moisture coming in contact with the package is provided. 4. Do not use chute in loading or unloading. 5. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 6. Cargo nets without trays, skipboards, pallets, or pieplates are not permitted. 7. Packages or containers shall be stowed in the position indicated by their marking. 8. The maximum permitted weight per draft when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 9. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 10. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 11. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
II-D **Chemical ammunition. WP or PWP filled (solid).**	All chemical ammunition, including fixed, semi-fixed and separate loading, filled with WP or PWP (white phosphorus) when assembled or packed with or w/o their ignition elements, bursting charges, fuzes or propellants. WP or PWP shipped in bulk in drums, barrels, or other authorized shipping containers shall be classified as a flammable solid. WP or PWP when shipped in authorized ICC specification containers or Chemical Corps specification containers of integrity equal to ICC containers (including projectiles, bombs, and rocket heads, w/o ignition elements, bursting charges or fuzes), may be handled and stowed either as a flammable solid or as chemical ammunition Class II-D. Includes but is not limited to: Bombs, aircraft, WP or PWP filled. British Calling Cards. Fire leaves. Grenades, hand, WP or PWP filled. Grenades, rifle, WP or PWP filled. Igniters, phosphorus filled. Projectiles, WP or PWP filled packed w/ or w/o propellants. Rockets Heads, WP or PWP filled. Rockets, assembled w/motors, WP or PWP filled. NOTE: The U. S. Army and Navy, when shipping ammunition filled with white phosphorus, mark such ammunition and the containers thereof with the word "smoke" and the symbol WP or PWP. The ammunition is also marked with one yellow band.	"Ammunition for cannon with explosive projectile." "Ammunition for cannon with smoke projectile." "Explosive bomb" "Explosive projectile." "Igniter" "Special fireworks" Shipping name of item when shipped as flammable solid.	A A A A C B F. S.	The principal characteristic of white phosphorus is that of spontaneously igniting upon exposure to air, burning with an intensely hot flame, and giving off large volumes of white smoke. The fumes are highly discomforting. Burning phosphorus gives off phosphorus oxide which is toxic upon sustained exposure thereto. Phosphorus is intensely poisonous when taken internally. It becomes liquid at 111° F. Leakage which sometimes occurs, usually gives warning by smoke. Ammunition fitted with fuzes and boosters, if involved in a fire will usually explode with moderate violence thus tending to spread the fire rapidly. Apply water freely and in quantity to control spread of fire. Steam or fog is also effective but less so than water. It is necessary to keep the loose WP or PWP completely covered with water to prevent reignition. Organic material contaminated with WP or PWP such as dunnage in the holds of vessels, must be removed and disposed of by burning. Otherwise after drying out, these substances are likely to reignite. Rockets, WP filled, assembled with motor and involved in a fire will present an additional hazard due to the propulsive nature of the rocket. Loose phosphorus in contact with skin tissue will adhere causing painful burns and continue to consume skin tissue until removed. A solution of copper sulphate is effective in counteracting this action. Use rubber protective gloves, boots, aprons, and gas masks to provide effective protection.	*AMMUNITION STOWAGE, CHEMICAL AMMUNITION STOWAGE, PORTABLE MAGAZINE, OR DEEP TANK STOWAGE* It is important to stow in locations not subject to temperatures above 100° F. When shipments of Army ammunition cannot be so stowed the following shall be complied with: WP or PWP filled items of ammunition shall be stowed in a nose up position unless other requirements are specified by the Army. The position of the nose end of the item of ammunition is marked on the outside package or container. Drums or other authorized ICC or Chemical Corps specification containers filled with WP or PWP may be stowed in the same hold or compartment with chemical ammunition Class II-D. For stowage adjacent to other dangerous articles see § 146.29-59. When given chemical ammunition stowage, see § 146.29-85 for additional requirements. May be transported in vans stowed on deck.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Do not use chute in loading or unloading. 4. Observe packages or projectiles for leakage and reject any showing such signs. 5. Packages or containers shall be stowed in the position indicated by their marking. 6. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 7. Cargo nets w/o trays, skipboards, pallets, or pieplates are not permitted. 8. The maximum permitted weight per draft when handled by pallet, skipboard, tray, or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 9. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 10. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 11. Wire rope slings are permitted when handling unboxed bombs or containers filled with WP or PWP. (See table Limiting Loads, Class X-A.) 12. Drums of WP or PWP shall not be handled by attaching hooks to the chime of the drums. 13. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
II-E						
Chemical ammunition. HC filled (solid).	All chemical ammunition including fixed, semi-fixed and separate loading, filled with HC (Hexachlorethane, a smoke mixture) when assembled or packed w/ or w/o their ignition elements, bursting charges, ejection charges, fuzes or propellants. HC mixture shipped in bulk in drums, barrels or other authorized shipping containers shall be classified as an oxidizing material. HC mixture when shipped in authorized ICC specification containers or Chemical Corps specification containers of integrity equal to ICC containers (including projectiles and bombs w/o ignition elements, bursting charges or fuzes) may be handled and stowed either as an oxidizing material or as chemical ammunition Class II-E. Includes but is not limited to: Bombs, aircraft, smoke, HC filled. Bombs, floating, smoke, HC filled. Bombs, smoke identification, HC filled. Float, smoke, HC filled. Grenades, hand, HC filled. Grenades, signal, HC filled. Grenades, colored smoke, HC filled. Pots, smoke, HC filled. Projectiles, artillery, smoke, HC filled. Projectiles, mortar, smoke, HC filled. NOTE: The U. S. Army and Navy, when shipping ammunition filled with HC smoke or colored smoke, mark such ammunition HC smoke or colored smoke and mark the ammunition with one yellow band.	"Ammunition for cannon with smoke projectile." "Explosive bomb" "Explosive projectile." "Special fireworks" Shipping name of item when shipped as oxidizing material.	A A A B Oxy. M.	HC (hexachlorethane mixture) is subject to spontaneous ignition through the action of moisture on the HC mixture. Once started, the temperature rises quickly and may be sufficient to cause adjacent containers of HC to ignite. The reaction once started is self-supporting and requires no oxygen. Water can be applied freely to prevent spread of fire. The use of Foamite, CO_2 or fog is less effective. Personnel fighting fire involving HC articles of ammunition especially when stowed in the hold of a vessel, should avoid working in dense smoke if not wearing rescue breathing apparatus or gas masks. As there will probably be an oxygen deficiency in dense smoke, self-contained breathing apparatus should always be used in preference to gas masks.	*AMMUNITION STOWAGE, CHEMICAL AMMUNITION STOWAGE, PORTABLE MAGAZINE, OR DEEP TANK STOWAGE* It is important to stow in locations not subject to temperatures above 100° F. and protected from moisture. Stowage shall be accessible from cargo hatch or other access means to the hold or compartment. Drums or other authorized ICC or Chemical Corps specification containers filled with HC may be stowed in the same hold or compartment with chemical ammunition Class II-E. May be stowed in the same deep tank, lower hold or tween-deck hold with Class II-F provided the Class II-F ammunition is bottom stowed and provided further that no other class of military explosives is stowed in the hold or tank below. For stowage adjacent to other dangerous articles see § 146.29-59. When given chemical ammunition stowage, see § 146.29-85 for additional requirements. May be transported in vans stowed on deck.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Do not use chute in loading or unloading. 4. Observe packages or projectiles for leakage and reject any showing such signs. 5. Packages or containers shall be stowed in the position indicated by their markings. 6. Cargo handling stevedore gear may be trays, skipboards, pallets or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 7. Cargo nets w/o trays, skipboards, pallets, or pieplates are not permitted. 8. The maximum permitted weight per draft when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 9. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 10. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 11. Wire rope slings are permitted when handling unboxed bombs or containers filled with HC mixture. (See table of Limiting Loads, Class X-A.) 12. Drums of HC mixture shall not be handled by attaching hooks to the chime of the drums. 13. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
II-F Chemical ammunition. FS or FM smoke filled (liquid).	All chemical ammunition including fixed, semi-fixed and separate loading filled with smoke, FS (sulfur trioxide in chlorsulfonic acid) or FM (titanium tetrachloride) when assembled or packed with or w/o their bursting charges, fuzes, or propellants. FS or FM shipped in drums, barrels, cylinders or other authorized containers shall be classified as a corrosive liquid. FS or FM when shipped in authorized ICC specification containers or Chemical Corps specification containers of integrity equal to ICC containers (including rocket heads, w/o bursting charges or fuzes) may be handled and stowed either as corrosive liquid or as a chemical ammunition Class II-F. Includes but is not limited to: Grenades, frangible, smoke FS or FM filled. Grenades, smoke, FS or FM filled. Rockets, FS or FM filled. Projectile, artillery, FS or FM filled. Projectile, mortar, FS or FM filled. Spotting charges, FS filled. NOTE: The U. S. Army and Navy, when shipping ammunition filled with FS or FM smoke, mark such ammunition and the containers thereof with the word "Smoke" and the symbol FS or FM. The ammunition is also marked with one yellow band.	"Ammunition for cannon with smoke projectile." "Explosive projectile." "Rocket ammunition with smoke projectile." Shipping name of item when shipped as corrosive liquid.	A A A Cor. L.	FS (sulfur trioxide in chlorsulfonic acid) and FM (titanium tetrachloride) are liquids which fume badly when hot. They react violently with small amounts of water and form a dense white smoke upon release to the atmosphere. FS is highly corrosive both as a liquid and as a smoke. FM is corrosive in liquid only, but its smoke is very irritating. Leakage of FS or FM should be washed off immediately with large volumes of water. Personnel working in a confined space where high concentrations of FS or FM smoke exists should use rubber protective gloves, boots, aprons and gas masks for effective protection.	*AMMUNITION STOWAGE, CHEMICAL AMMUNITION STOWAGE, PORTABLE MAGAZINE, OR DEEP TANK STOWAGE* It is important to stow away from heat and to protect from moisture. May be stowed in the same deep tank, lower hold or tween-deck hold with Classes II-C, II-E, II-G, and III provided the Class II-F ammunition is bottom stowed and provided further that no other class of explosives or ammunition is stowed in the hold or tank below. May be stowed in the same deep tank, lower hold or tween-deck hold with Classes II-B, IV, V, and VII provided the Class II-F ammunition is bottom stowed and provided further that no other class of explosives or ammunition is stowed in the hold or tank below. Drums or other authorized ICC or Chemical Corps specification containers filled with FS or FM may be stowed in the same hold or compartment with chemical ammunition Class II-F. Shall not be stowed over other types of ammunition. For stowage adjacent to other dangerous articles see § 146.29-59. When given chemical ammunition stowage, see § 146.29-85 for additional requirements. May be transported in vans stowed on deck.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Observe packages or projectiles for leakage and reject any showing such signs. 4. Containers or projectiles shall be stowed in the position indicated by their marking. 5. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 6. Cargo nets w/o trays, skipboards, pallets, or pieplates are not permitted. 7. The maximum permitted weight per draft when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 8. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 9. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 10. Drums of FS or FM shall not be handled by hooks attached to the chime of the drums. 11. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
II-G Chemical ammunition. Incendiary composition, IM, PT or NP filled (oil gel).	Chemical ammunition filled with IM, PT or NP (thickened fuels) when assembled or packed with or w/o ignition elements, bursting charges or fuzes. IM, PT or NP shipped in drums, barrels or other authorized shipping containers shall be classified as a flammable solid. IM, PT or NP when shipped in authorized ICC specification containers or Chemical Corps specification containers of integrity equal to ICC containers (including bombs w/o ignition elements, bursting charges or fuzes) may be handled and stowed either as a flammable solid or as chemical ammunition Class II-G. Includes but is not limited to: Bombs. Bombs, cluster incendiary. Frangible grenades. NOTE: The U. S. Army and Navy, when shipping ammunition filled with these incendiary compositions, mark such ammunition or containers thereof with the Chemical Corps symbol of the filler and one purple band.	"Explosive bomb".. "Grenade, hand".... "Special fireworks".. Shipping name of item when shipped as flammable solid.	A A B F. S.	The principal hazard of IM, PT or NP filled items is involvement in a fire. They burn rapidly with intense heat. Extinguishment of fires is best accomplished by means of water fog. Fog foam or a foam steam (mechanical or chemical) is likewise effective. CO_2 should not be used unless the fire is small and in its incipient stage. In holds of a vessel large volumes of water are recommended as a cooling agent provided such may be employed without "floating off" burning gel. The vapors from heated napalm are toxic and rescue breathing apparatus should be worn while working in noticeable concentrations. Clusters of incendiary bombs in this category may contain a certain percentage of bombs having a high explosive charge capable of causing fragments which could be dangerous to fire-fighting personnel. Incendiaries of this type may contain ignition components of WP adding an additional hazard.	*AMMUNITION STOWAGE, CHEMICAL AMMUNITION STOWAGE, PORTABLE MAGAZINE, OR DEEP TANK STOWAGE* Shall not be stowed within 10 feet of a heat bulkhead. May be stowed in the same deep tank, lower hold or tween deck hold with Class II-F provided the Class II-F ammunition is bottom stowed and provided further that no other class of explosives or ammunition is stowed in the hold or tank below. May be stowed in a deep tank or lower hold with Class II-J incendiary ammunition provided the Class II-J is bottom stowed. For stowage adjacent to other dangerous articles, see § 146.29-59. When given chemical ammunition stowage, see § 146.29-85 for additional requirements. May be transported in vans stowed on deck.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages, containers or bombs to shock. 3. Do not use chute in loading or unloading. 4. Observe packages, containers or bombs for failure or inability to retain contents and reject any showing such signs. 5. Packages, or containers shall be stowed in the position indicated by their marking. 6. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 7. Cargo nets w/o trays, skipboards, pallets or pieplates are not permitted. 8. The maximum permitted weight per draft when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 9. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 10. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 11. Wire rope slings are permitted when handling unboxed bombs or containers filled with IM, PT or NP. (See table of Limiting Loads, Class X-A.). 12. Drums of IM, PT, or NP shall not be handled by attaching hooks to the chime of the drums. 13. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.
II-H Chemical ammunition. Water activated.	Chemical ammunition filled with sodium, calcium carbide, calcium phosphide, lithium hydride, with or w/o explosive components. Includes but is not limited to: Beacons, NEA. Can, false target. Depth charge markers, night Grenades, sodium filled. Igniters, sodium filled. Pots, torpedo torch. Projectile, false target.	There are no provisions in the current ICC regulations for the marking of this class of ammunition.	----------	On contact with moisture, metallic sodium or lithium hydride will liberate large quantities of hydrogen gas thus producing an explosive hazard. The reaction of metallic sodium with water is sufficiently violent to cause ignition of the liberated hydrogen. Fumes from burning sodium are caustic. On contact with moisture, calcium carbide or calcium phosphide will liberate phosphine and acetylene gases. The phosphine is toxic but extremely unstable, ignites spontaneously and at the same time ignites the acetylene gas. Fires involving these items cannot be extinguished by water, carbon dioxide or foam. Smothering with an inert substance such as dry sand or dry soda ash offers effective control. Jettisoning should not be accomplished in a port or roadstead as the floats will continue to burn until filler is consumed jeopardizing other vessels and piers.	*SPECIAL STOWAGE* On deck in a portable magazine, in a deck house or other location readily accessible for jettisoning. Stowage shall be waterproof. Shall not be stowed with any other class of military explosives or any other dangerous articles. May be transported in vans stowed on deck.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Do not use chute in loading or unloading. 4. Do not load during excessive rainy weather unless complete protection against moisture coming in contact with the package is provided. 5. Observe packages or containers for evidence of sifting or inability to retain contents and reject any showing such signs. 6. In event a package is damaged and powder is spilled, immediately stop operations and sweep up any loose powder. 7. Remove damaged container and residue of powder to a safe location. 8. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 9. Cargo nets w/o trays, skipboards, pallets or pieplates are not permitted. 10. The maximum permitted weight per draft when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 11. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 12. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 13. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
II-J						
Chemical ammunition. TH incendiary composition filled (solid).	All chemical ammunition filled with incendiary composition TH (thermite, thermate or thermate magnesium) with or w/o fuze or explosive element. Includes but is not limited to: Bombs, incendiary cluster. Grenades, thermate. Incendiary safe destroyers. Thermite burning charges. Thermite charges under water. Thermite igniters. Thermite units 10 lbs. NOTE: The U. S. Army and Navy, when shipping ammunition filled with these incendiary compositions, mark such ammunition or containers thereof with the Chemical Corps symbol of the filler and with one purple band.	"Explosive bomb" "Grenade, hand" "Igniter" "Special fireworks"	A A C B	The principal hazard of TH filled items is involvement in a fire. They burn rapidly with intense heat and usually form large quantities of molten iron. The presence of a small explosive charge in some TH items forms an additional hazard in case of a fire. Carbon dioxide and carbon tetrachloride extinguishers should not be used to combat fires involving TH because the reaction of carbon tetrachloride with molten metal produces toxic gases and that of carbon dioxide on magnesium may produce an explosion. In the hold of a vessel large volumes of water are recommended as an extinguishing agent. Fire fighters should work from behind barriers when possible.	*DEEP TANK STOWAGE, AMMUNITION STOWAGE OR PORTABLE MAGAZINE* Shall be stowed only in a deep tank or lower hold, and in all cases bottom stowed. For stowage adjacent to other dangerous articles see section 146.29-59. For limited quantity shipments not in excess of 500 lbs. net TH content, see § 146.29-99 (b), NOTE D.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Do not use chute in loading or unloading. 4. Observe packages or containers for evidence of failure or inability to retain contents and reject any showing such signs. 5. Cargo handling stevedore gear may be trays, skipboards, pallets or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 6. Cargo nets w/o trays, skipboards, pallets or pieplates are not permitted. 7. The maximum permitted weight per draft when handled by pallet, skipboard, tray or pieplate, fitted with cargo net or sideboards shall not exceed 4,000 lbs. plus 10%. 8. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 9. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 10. Wire rope slings are permitted when handling unboxed bombs or containers filled with TH. (See table of Limiting Loads, Class X-A.) 11. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.
III						
Fuzes, PD w/o boosters; fuzes, AT mine, non-chemical, w/o boosters; fuzes, bomb tail, w/o boosters; fuzes, tracer; primer detonators; primers, etc.	Point fuzes w/o boosters for projectiles and rockets; anti-tank mine fuzes (non-chemical) w/o booster; bomb tail fuzes w/o boosters; primer detonators, cannon primers, other than lock primers, when packed in separate shipping containers. Includes but is not limited to: Case combination primer. Case electric primer. Case percussion ignition primer. Case percussion primer. Combination electric and percussion primer. Fuze, anti-tank, mine (non-chemical) w/o booster. Fuze, base percussion. Fuze, bomb tail, w/o booster. Fuze, PD w/o booster. Fuze, percussion. Fuze, MTSQ w/o booster. Fuze, tracer. Fuze, TSQ w/o booster. Igniter, Jato, such as M151. Igniter for rockets, i. e. M12, M18, M20. Magazine, extension primers. Mines practice with spotting charge and/or fuze. Percussion primers other than lock. Primer, detonators, fuze, bomb, various delays.	"Cannon primers" "Combination fuzes." "Combination primers." "Igniter, jet thrust" "Percussion caps" "Percussion fuzes" "Time fuzes" "Tracer fuzes"	C C C B C C C C	The amount of explosives in single items of this class varies from 30 to 500 grains. It is likely they will explode progressively. Structural damage caused by the pressures generated would probably be limited to the immediate vicinity. Missiles are light and usually fall within 300 feet. These types of ammunition are loaded with explosives that are sensitive to shock and friction. Shock and fire are the principal hazards to this type of ammunition. If involved in a fire, fire fighting personnel should take normal precautions and not expose themselves unnecessarily. Fire may be controlled and extinguished by flooding or spraying with large amounts of water.	*AMMUNITION STOWAGE, SPECIAL STOWAGE, OR PORTABLE MAGAZINE WHICH MAY BE STOWED IN A HOLD OR ON DECK.* This class of ammunition shall not be overstowed with any other cargo or ammunition except Classes VI and VIII. May be stowed in the same lower hold or tween-deck hold with Class II-F provided the Class II-F is bottom stowed and provided further that no other class of military explosives is stowed in the hold below or the deep tank directly below. For stowage adjacent to other dangerous articles see § 146.29-59.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Gravity roller conveyors not authorized. 4. Do not use chute in loading or unloading. 5. Trays with sideboards shall be used when loading by mechanical means. 6. Packages shall not be stacked on a tray to a height above its sideboards. 7. Trays shall not be swung unnecessarily over open hatches or holds containing military explosives or other dangerous cargo. 8. Trays shall be hoisted and lowered carefully and deposited without undue shock on a mattress or other shock absorbing material. 9. Packages shall be stowed in the position indicated by their markings. 10. The maximum permitted weight per draft when handled by tray with sideboards shall not exceed 2,400 lbs. plus 10%. 11. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 12. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tiers from shifting or falling from the draft. 13. A portable magazine in which this class of ammunition is stowed and hoisted on board a vessel as a unit load shall not exceed 4,000 lbs. plus 10%. 14. The limiting weights noted above are for a 5-ton boom. See § 146.29-41

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
IV Fixed and semifixed ammunition with explosive loaded projectile.	Fixed and semifixed ammunition, packed as complete rounds (including artillery, mortar and gun ammunition) grenades and rockets, when assembled with explosive projectiles or bursting charge. Small-arms ammunition with explosive bullets or projectiles. Includes but is not limited to: Anti-personnel mine, M2 and M3. Artillery ammunition of calibers 0.75″ to 5″ inclusive, with explosive, illuminating or incendiary projectiles. Grenades, hand, defensive. Grenades, hand, defensive, TNT filled, fuzed or unfuzed. Grenades, hand, fragmentation. Grenades, rifle, AT. Grenades, rifle, HE filled. Gun ammunition of calibers 0.75″ to 5″ inclusive, with explosive, illuminating or incendiary projectiles. Mortar ammunition (explosive or illuminating). Rockets, with explosive heads packed in the same container with, but not assembled to motors. Rockets, 2.75″ FFAR, assembled or unassembled. Rockets, 3.5″ HEAT. Small-arms ammunition with explosive bullets.	"Ammunition for cannon with explosive projectile." "Ammunition for cannon with incendiary projectile." "Ammunition for small arms with explosive bullets." "Ammunition for small arms with explosive projectile." "Hand grenades" "Rifle grenades" "Rocket ammunition with explosive projectile." "Rocket ammunition with illuminating projectile."	A A A A A A A A	Articles in this class present a severe fire hazard and usually explode progressively, only a few boxes at a time, many explosions of individual rounds being of a very low order. Pressure which would cause serious structural damage is not usually generated. Most missiles would fall within 600 feet. If involved in a fire it is possible the fire may be controlled or extinguished by flooding or spraying with large amounts of water. Fire fighting personnel should take appropriate precautions and not expose themselves unnecessarily.	*AMMUNITION STOWAGE OR PORTABLE MAGAZINE* Boxed and crated ammunition may be overstowed with nondangerous cargo and permitted explosives. Tanked ammunition may be overstowed with bomb fin assemblies, empty water fillable practice bombs and empty auxiliary gas tanks. May be stowed in the same deep tank, lower hold or tween-deck hold with Class II-F ammunition provided the Class II-F is bottom stowed and provided further that no other class of military explosives is stowed in the hold or tank below. May be stowed in the same deep tank or lower hold with Class II-J ammunition provided the Class II-J is bottom stowed. For stowage adjacent to other dangerous articles see § 146.29-59.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Cargo handling stevedore gear may be trays, skipboards, pallets or pieplates, provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 4. Cargo nets without trays, skipboards, pallets or pieplates are not authorized. 5. The maximum permitted weight per draft when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 6. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 7. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 8. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.
V Separate loading projectiles filled with explosive "D".	Separate loading projectiles of all calibers filled with explosive "D", fuzed or unfuzed; and projectiles filled with explosives "D", fuzed or unfuzed, not assembled to or packed with cartridge cases. Explosive "D" is used as a bursting charge for all projectiles which must withstand severe stresses and shocks before detonating; such as armor-piercing projectiles. Includes but is not limited to: Armor piercing projectiles. Deck piercing projectiles. NOTE: In general, Classes V and VII types of projectiles will be shipped in accordance with the following basic rules: Point fuzed projectiles with false ogives will be crated. Point fuzed projectiles without false ogives will have grommets and eyebolt lifting plugs. Base fuzed projectiles with relatively fragile parts such as false ogives, steel caps and windshields will be crated. Base fuzed projectiles without false ogives will not be crated but will have grommets. All Navy 6″ through 16″ separate loading projectiles are explosive "D" loaded.	"Explosive projectile".	A	If involved in a fire will very likely detonate as a result of exposure to heat. These projectiles usually explode one at a time and in practically all cases with low order explosion. There is no certainty that en masse explosion will not occur. Most missiles will fall within 1,200 feet.	*AMMUNITION STOWAGE OR PORTABLE MAGAZINE* This ammunition, boxed, unboxed, or palletized units thereof, may be overstowed. Care must be taken not to damage rotating bands of projectiles that are not in containers. May be stowed in the same deep tank, lower hold or tween deck hold with Class II-F ammunition provided the Class II-F is bottom stowed and provided further that no other class of military explosives is stowed in the same hold below or in the tank below. Class V when unfuzed and no fuzes packed in container may be stowed with Class X-A. For stowage adjacent to other dangerous articles see section 146.29-59.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Do not use chute in loading or unloading. 4. Bare projectiles shall not be rolled except under hand control and on a level surface without appreciable incline. 5. Protect rotating bands from damage. Avoid injury to or removal of paint or grease from bourrelet. 6. When handling items packed in outside containers, cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates, provided they are fitted with cargo nets or sideboards. Boxes or trays with removable sides are authorized. 7. Projectile tongs or lifting stud and eye are authorized. Wire slings of a design approved by the Captain of the Port may be used. 8. Cargo nets without trays, skipboards, pallets, or pieplates are not permitted. 9. The maximum permitted weight per draft when handled by tray, skipboard, pallet, or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 10. Single projectiles weighing in excess of 2,201 lbs. must be loaded or unloaded one at a time. 11. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 12. Lifts of palletized units shall not be tiered except when using a sling so designed so as to prevent the upper tier or tiers from shifting or falling from the draft. 13. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
VI						
BD fuzes Bomb fuzes with boosters. PD fuzes with boosters. Rocket fuzes with boosters.	Base detonating fuzes (for all calibers) and PD fuzes with boosters; bomb and rocket fuzes with boosters; auxiliary booster assembled to or packed with the fuze; depth charge pistol with detonator and with or without booster assembled to or packed with pistol. (For boosters, auxiliary boosters, bursters, etc., having no initiating or priming elements and packed independently, see Class X-A). Includes but is not limited to: Adapter booster, with detonator. Auxiliary booster, with detonator. Boosters. Burster, with detonator. Depth charge pistol, with detonator and with or without booster. Detonating fuzes, Class A. Fuze: Auxiliary detonating. Base detonating (for all calibers). Bomb nose. Bomb tail with booster. Hydrostatic bomb. Hydrostatic bomb tail. Point detonating with booster. Rocket. Fuzes with boosters assembled thereto. Mine, anti-personnel, non-metallic, M14. Mine firing mechanism, C-1.	"Detonating fuzes, Class A".	A	The amount of explosives in single items does not usually exceed one-half pound. It is likely they would explode progressively. Structural damage caused by the pressure generated would probably be limited to the immediate vicinity. Missiles are light and usually fall within 600 feet. These types of ammunition are loaded with explosives that are sensitive to shock and heat. If involved in a fire, it is possible the fire may be controlled or extinguished by flooding or spraying with large amounts of water. Fire-fighting personnel shall take appropriate precautions and not expose themselves unnecessarily.	*AMMUNITION STOWAGE, SPECIAL STOWAGE, OR PORTABLE MAGAZINE, WHICH MAY BE STOWED IN A HOLD OR ON DECK* This class of ammunition shall not be overstowed with any other cargo or military explosives except Classes III and VIII. For stowage adjacent to other dangerous articles see § 146.29-59.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Gravity roller conveyors not authorized. 4. Do not use chute in loading or unloading. 5. Trays with sideboards shall be used when loading by mechanical means. 6. Packages shall not be stacked on a tray to a height above its sideboards. 7. Trays shall not be swung unnecessarily over open hatches or holds containing military explosives or other dangerous cargo. 8. Trays shall be hoisted and lowered carefully and deposited without undue shock on a mattress or other shock-absorbing material. 9. Packages shall be stowed in the position indicated by their markings. 10. The maximum permitted weight per draft when handled by tray with sideboards shall not exceed 2,400 lbs. plus 10%. 11. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10 %. 12. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 13. A portable magazine in which this class of ammunition is stowed and hoisted on board a vessel as a unit load shall not exceed 4,000 lbs. plus 10%. 14. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.
VII						
Separate loading HE projectiles, mass, detonating, with other than explosive "D".	Separate loading projectiles of all calibers, fuzed or unfuzed, except those loaded with explosive "D"; and loaded projectiles except those loaded with explosive "D", fuzed or unfuzed, not assembled to or packed with cartridge cases; fuzed cluster fragmentation bombs, rocket heads fuzed or unfuzed and less than 200 lbs. gross weight, anti-tank mines, packed with fuzes in same container or box. Includes but is not limited to: Anti-tank mines, packed with fuzes in same container or box. Cluster, fragmentation bomb (with individual bombs fuzed but without cluster fuzed). High explosive anti-tank projectile. High explosive projectile. Rocket heads fuzed or unfuzed and under 200 lbs. not assembled to or shipped with rocket motors. Wafers of fragmentation bombs (with individual bombs fuzed). NOTE: In general, Classes V and VII types of projectiles will be shipped in accordance with the following basic rules: Point fuzed projectile with false ogives will be crated. Point fuzed projectile without false ogives will have grommets and eyebolt lifting plugs. Base fuzed projectile with relatively fragile parts such as false ogives, steel caps, and windshields will be crated. Base fuzed projectiles without false ogives will not be crated but will have grommets to protect rotating bands.	"Explosive bomb" "Explosive mine" "Explosive projectile".	A A A	The principal hazard in transportation will be involvement in fire from sources other than the ammunition itself. Projectiles or bombs in this class may explode progressively but very likely en masse. Most missiles will fall within 1,800 feet and detonation will result in severe structural damage increasing in severity and range in relation to the amount of high explosives involved.	*AMMUNITION STOWAGE OR PORTABLE MAGAZINE* This ammunition boxed, unboxed, or palletized units thereof, may be overstowed. Care must be taken not to damage rotating bands of unboxed projectiles. This class of ammunition when unfuzed and no fuzes packed in container may be stowed with Class X-A. For stowage adjacent to other dangerous articles see § 146.29-59.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Do not use chute in loading or unloading. 4. Bare projectiles shall not be rolled except under hand control and on a level surface without appreciable incline. 5. Protect rotating bands from damage. Avoid injury to or removal of paint or grease from bourrelet. 6. When handling items packed in outside containers, cargo handling stevedore gear may be trays, skipboards, pallets or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with removable sides are authorized. 7. Projectile tongs or lifting stud and eye are authorized. Wire slings of a design approved by the Captain of the Port may be used. 8. Cargo nets without trays, skipboards, pallets, or pieplates are not permitted. 9. The maximum permitted weight per draft when handled by tray, skipboard, pallet, or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 10. Single projectiles weighing in excess of 2,201 lbs. must be loaded or unloaded one at a time. 11. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 12. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 13. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
VIII AT mine fuzes (chemical), etc. Blasting caps. Detonators.	Blasting caps of all types; detonators; grenade fuzes, detonating type; fuzes, anti-tank mine (chemical). Includes but is not limited to: Blasting caps. Blasting caps with safety fuze. Destructor, explosive, M10 and MK2 Mod O. Detonating grenade fuzes. Detonators, all types. Detonators, torpedo. Electric blasting caps. Fuzes, AT mine (chemical). Percussion elements (Army). Primers, electric. Priming assembly for demolition outfit MK104.	"Blasting caps" "Blasting caps with safety fuze." "Boosters (explosive)". "Detonating fuzes, Class A". "Electric blasting caps". "Precussion caps" "Percussion fuzes" "Time fuzes"	(*) (*) A A (*) C C C *Class A (more than 1000). Class C (1000 or less).	The two primary hazards in the transportation of these devices are shock and involvement in fire. A collateral hazard is the effect of the detonating of these articles upon other explosives or ammunition stowed in proximity to such articles. All of this class ammunition in a unit stowage may explode at one time, but as the total amount of explosives involved is limited structural damage would not tend to be great. Light missiles having limited range would be formed.	*MAGAZINE STOWAGE "A", SPECIAL STOWAGE, OR PORTABLE MAGAZINE, WHICH MAY BE STOWED IN A HOLD OR ON DECK* The location of magazines is restricted to a hold or compartment in which no other explosives or ammunition (except Classes I, III, and VI) are stowed. Shall not be stowed within 8 feet of the vessel's side except blasting caps stowed in a portable magazine "On deck" need not meet this requirement. This class of ammunition shall not be overstowed with any other cargo. For detail of stowage see § 146.29-93. For stowage with other dangerous articles see § 146.29-59.	Ammunition of Class VIII constitutes a distinct class of ammunition when not assembled in projectiles, bombs, or other ammunition. These types of ammunition are loaded with explosives that are sensitive to shock. The handling and stowage provisions of these regulations give consideration to the probable effect accidental detonation of these devices may have upon other ammunition or explosives stowed within the vessel. 1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Gravity roller conveyors are not authorized. 4. Do not use chute in loading or unloading. 5. Trays with sideboards shall be used when loading by mechanical means. 6. Packages shall not be stacked on a tray to a height above its sideboards. 7. Trays shall not be swung unnecessarily over open hatches or holds containing military explosives or other dangerous articles. 8. Trays shall be hoisted and lowered carefully and deposited without undue shock on a mattress or other shock absorbing material. 9. Packages shall be stowed in the position indicated by their markings. 10. The maximum permitted weight per draft when handled by tray with sideboards shall not exceed 1,000 lbs. plus 10%. 11. Drafts consisting of one or more palletized units shall not exceed 2,400 lbs. plus 10%. 12. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 13. A portable magazine in which this class of ammunition is stowed and hoisted on board a vessel as a unit load shall not exceed 2,400 lbs. plus 10%. 14. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
IX-A						
Explosives in bulk such as: Black powder. Propellant explosives for small-arms, etc.	Black powder in bulk, ballistite for small-arms, propellant explosives for small-arms, black blasting powder, flash powder and powder having similar hazard characteristics to those named: Includes but is not limited to: Ballistite for small-arms. Black blasting powder. Black fuze powder. Black pellet powder. Black powder. Black powder and magnesium mixtures. Black powder, unglazed. Black rifle pwoder. Black shell powder. Bull's eye powder #2. Cannon powder. Charges. Lyle gun. Charges, spotting, black powder, M1A1, M3, M4. E. C. blank fire powder. FF black powder. Firecracker, M80. FFFG black powder. Flash cartridges over 72 grains. Flash powder sheets inner unit over 2 ounces. Flash reducer (black powder with potassium sulfate). Flash sheets in bulk. Flashlight powder in bulk. High vel #65. Igniter pads. IMR #1185. IMR #4166. IMR #4676. Low blasting explosives. Pistol powder #5. Propellant explosives (for small arms). Pyrotechnic mixture, in excess of 72 grains. Rifle powder. Simulator: Boobytrap, flash, illuminating, whistling, in excess of 72 grains. Boobytrap, whistling, M114. Gunflash, M110. Projectile, air burst. Projectile, ground burst M115. Smoke puff charge. Sodium nitrate black powder. Spherehexagonal black powder. Sporting powder. Sulfurless black powder.	"Black powder" "High explosives" "Low explosives" "Propellant explosives, solid, Class A." "Propellant explosives, solid, Class B."	A A A A B	Group IX-A explosives constitute a group having relatively similar hazard characteristics which principally consists of being very susceptible to ignition by spark or friction. They burn with explosive violence and under even slight confinement are likely to explode en masse. They are adversely affected by high temperature. Powder dust is especially hazardous.	*MAGAZINE STOWAGE "A"* When Class I ammunition is stowed in the same hold or magazine with this Class the two stowages must be separated by a partition bulkhead or type "A" dunnage floor. Shall not be overstowed with any other kind of cargo. For stowage with other dangerous articles see § 146.29-59. Shall not be loaded at an ammunition loading pier.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Packages shall be handled in such a manner as to insure that no spark or friction will occur. 4. Observe packages or containers for evidence of sifting or inability to retain contents and reject any showing such signs. 5. In event a package is damaged and powder is spilled, immediately stop operations and sweep up any loose powder. 6. Remove damaged container and residue of powder to a safe location. 7. Gravity roller conveyor not authorized. 8. Drums and kegs shall be stowed on end with bungs up. Metal cans shall be stowed with filling openings up. Packages or containers shall be stowed in the position indicated by their markings. 9. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 10. Cargo nets without trays, skipboards, pallets, or pieplates are not permitted. 11. The maximum permitted weight per draft when handled by tray, skipboard, pallet, or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 12. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 13. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 14. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
IX-B						
High explosives such as: Demolition blocks, etc. Dynamite. TNT.	High explosives in bulk, items of high explosive such as shaped charges for demolition or other purposes, and powder in bulk, possessing the characteristics of being likely to detonate en masse. Includes but is not limited to: Amatex. Amatol. Ammonite. Ammonium picrate. Ammonol. Anchor charges. Aqueous snakes. A. S. A. pellets. Atlas amodyn. Balls of cellulose nitrate. Baranol. Beehive charges. Blasting gelatin. British beehive. C. E. pellet. Charge, demolition, block. Charge, demolition, chain. Chlorate explosives, dry. Chlorate propellants. Clams, M3. Composition "A," etc. Composition "B," "B2," etc. Composition "C," "C2," etc. Cratering charges. Cyclonite, RDX. Cyclotol. Demolition blocks. Depth bomb explosives. Dynamite. Ednatol. Explosive "D." (Ammonium picrate.) Explosive gelatin. 808 plastic. Gelatin dynamite. Gelignite. General wade. Grenite. Guncotton. HBX. H6. Haleite. Hayrick charges. Hercomite. Heogen. HMX. Limpet. Minol. Negative cotton. Nitrocellulose, dry. Nitroguanidine, dry. Nitrostarch, dry. Nitrourea. Nobel's ammonal (704B). Nobel's explosives (808). PEP 1, 2, and 3. Pentolite. Picrates, dry. Picric acid, dry or wet. Plastic explosives. PTX, 1 and 2. RDX. Reddy Fox. Seachest demolition blocks. Shaped charges. Shellite. Snake demolition explosive charges. Supplementary charges. Tetryl. Tetrytol. TNT. TNX. Torpex.	"High explosives"---	A	High explosives in bulk, and demolition blocks have relatively similar hazard characteristics. They may be considered stable in stowage. Can be ignited by spark or friction and detonated by shock. When ignited will burn vigorously. Bulk shipments in amounts likely to be found on board vessels would, if ignited be very likely to detonate.	*AMMUNITION STOWAGE OR PORTABLE MAGAZINE* Shall not be stowed in the same hold or compartment with other permitted ammunition, or explosives, unless the two are separated by a partition bulkhead or a Type "A" dunnage floor. Shall not be overstowed with any other kind of cargo. For stowage adjacent to other dangerous articles see § 146.29-59. Shall not be loaded at an ammunition loading pier. Military dynamite when transported on a commercial vessel simultaneously with commercial dynamite, and no other military explosives are on board, shall be shipped under those requirements set forth for the shipment of commercial dynamite.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble or walk or otherwise subject packages to shock. 3. Do not use chute in loading or unloading. 4. Packages shall be handled in such a manner as to insure that no spark or friction will occur. 5. Observe packages or containers for evidence of sifting or inability to retain contents and reject any showing such signs. 6. In event a package is damaged and powder is spilled, immediately stop operations and sweep up loose powder. 7. Remove damaged containers and residue of powder to a safe location. 8. Gravity roller conveyors not authorized. 9. Packages or containers shall be stowed in the position indicated by their markings. 10. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 11. Cargo nets without trays, skipboards, pallets, or pieplates are not permitted. 12. The maximum permitted weight per draft when handled by pallet, skipboard, tray, or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 13. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 14. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent the upper tier or tiers from shifting or falling from the draft. 15. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
IX-B—Con.						
High explosives such as: Demolition blocks, etc. Dynamite. TNT. Continued.	High explosives in bulk, etc.—Continued Includes but is not limited to: Tridite. Trilite. Trimonite. Trinitroaniline. Trinitrobenzene. Trinitrocresol. Trinitrophenylmethylnitramine. Trinitroresorcinol. Trinitronal. Trinitrotoluene. Trinitroxylene. Trinitroxylol. Triton blocks. Trojan powder. Urea nitrate, dry or wet.					
IX-C						
Initiating and priming explosives in bulk.	Initiating and priming explosives when shipped in bulk. Includes but is not limited to: Giazodnitrophenol (DDNP, DINOL). Guanyl-nitrosamino-guanilidene-hydrazine. Guanyl-nitrosamino-guanyl-tetrazene. Lead azide. Lead styphnate. Lead trinitroresorcinate. Mercury fulminate. Nitro mannite. Nitrosoguanidine. Pentaerythrite tetranitrate. PETN. Tetrazene. NOTE: Bulk priming or initiating explosives in dry condition are not permitted to be transported on board vessels.	"Initiating explosive"	A	Bulk initiating and priming explosives constitute a distinct class of explosives. They are extremely sensitive to shock. The only permitted packing for transportation in bulk consists of a sift proof cotton duck, rubber or rubberized cloth bag in a metal barrel or drum or wooden barrel or keg and wet with 20 to 40% of water or water alcohol mixture. Mercury fulminate and lead azide also have 3" of saw dust saturated with water between the bag and the outer container.	*MAGAZINE STOWAGE "A", SPFCIAL STOWAGE OR PORTABLE MAGAZINE STOWAGE* Shall not be stowed in the same magazine with other ammunition or explosives. When tiering containers of explosives of this class in a magazine, have each tier floored off with a type "A" dunnage floor. The location of a magazine is restricted to a hold or compartment in which no other military ammunition (except Class I) is stowed. Shall not be stowed within 8 feet of vessel's side. This class of ammunition shall not be overstowed with any other cargo. For stowage adjacent to other dangerous articles see §146.29-59. Shall not be loaded at an ammunition loading pier.	1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Do not use chute in loading or unloading. 4. Do not roll barrels on their bilges. 5. Gravity roller conveyer not authorized. 6. Barrels or drums contain 20 to 40% water or water alcohol mixture. 7. Observe barrels, drums or containers for evidence of leakage or inability to retain contents and reject any showing such signs. 8. In event a container is damaged immediately stop operations and carefully remove damaged container to a safe location. 9. Drums and kegs shall be stowed on end with bungs up. Containers shall be stowed in the position indicated by their markings. 10. Trays with sideboards shall be used when handling by mechanical means. 11. Containers shall not be stacked on a tray to a height above its sideboards. 12. The maximum permitted weight per draft when handled by tray fitted with sideboards shall not exceed 1,000 lbs. plus 10%. 13. Trays shall be hoisted and lowered carefully and deposited without undue shock on a mattress or other shock absorbing material. 14. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
X-A						
Explosive bombs, mines, torpedoes, etc.	Bombs, bomb clusters, mines, depth charges, warheads (all unfuzed), rocket heads (fuzed or unfuzed and without motors 200 lbs. or more gross weight); torpedo bangalore (unfuzed); and other unfuzed ammunition filled with relatively large amounts of HE; all possessing a similar hazard characteristic of en masse detonation. Includes but is not limited to: Activator—without detonator. Bombs: Armor-piercing. Demolition. Depth. Depth charge. Fragmentation. G. P. Photoflash. S. A. P. Shallow water depth. Boosters—without detonators. Boosters, adapter—without detonators. Burster—without detonator. Mines: Aerial. Aircraft. Anti-personnel (unfuzed). Anti-personnel fragmentation (unfuzed). Anti-tank (unfuzed). Anti-tank non-metallic (unfuzed). Grenade. High explosive. Land. Rocket heads (fuzed or unfuzed and without motors 200 lbs. or more gross weight). Signal, underwater sound, w/o fuze. Torpedo bangalore. Torpedo warheads.	"Booster (explosive)." "Burster (explosive)." "Explosive bombs" "Explosive mines" "Explosive projectiles." "Explosive torpedoes."	A A A A A A	Fire and shock are the primary hazards to this class of ammunition. They are particularly dangerous because of their tendency to detonate en masse if involved in a fire or subjected to shock. Detonation will result in severe structural damage, increasing in severity and range in relation to the amount of high explosives involved. All high explosive loaded items in this class having thin container walls are relatively easily ruptured or dented. Denting of the container walls by impacts, though not sufficiently severe to rupture them has occasionally resulted in partial or complete detonation, and such kind of ammunition is said to possess "container-dent sensitivity." A certain degree of confinement combined with local heating of the contained explosive by a particular kind of impact apparently causes instantaneous explosive action. But whatever may be the actual mechanics of this phenomenon, the kinds of impacts known to have caused explosion of these items include such impacts as dropping on or striking against a rounded corner, similar to a hatch coaming, impact of one bomb against another, or being struck by handling and transportation equipment. In placing or removing dunnage, an accidental or misdirected blow from a sledge hammer, pinch bar or other hand tool may cause such explosions. The impact need not be violent. A short drop of only 2 feet caused a low order detonation of a depth bomb. Warheads, depth bombs, depth charges, Naval mines, and like items are in the "Container-dent sensitivity" category. All of the foregoing also apply in substantial effect to containers of this class of ammunition that are not thin walled.	*AMMUNITION STOWAGE OR PORTABLE MAGAZINE* Items in this class having thin container walls and said to possess "container-dent sensitivity" shall not be tiered one layer on top of another unless they are boxed crated or dunnaged in such a manner that they are properly protected to withstand the superimposed weight. Items having thin walls and possessing "container-dent sensitivity" may be overstowed only with very light cargo such as bomb fin assemblies, empty water fillable practice bombs and empty auxiliary gas tanks. Items of this class having thick walled containers may be tiered one layer on top of another provided they are so stowed, dunnaged, blocked and/or braced as to prevent movement that is likely to damage the ammunition, the vessel or other cargo. Shall not be overstowed with inert permitted cargo having lesser bearing surface or greater unit weight than any item stowed below. Class X-A items shall not be stowed in the same hold or compartment with permitted military explosives other than this class or Class X-B unless the two are separated by a partition bulkhead or a type "A" dunnage floor. Except for wooden barrels or boxes and fiberboard containers, no flammable or combustible material as cargo shall be stowed in a hold or compartment in which this class of ammunition is stowed. When photoflash bombs are stowed with any other military explosive, including items of this class the two stowages must be separated by a partition bulkhead or a type "A" dunnage floor. For stowage adjacent to other dangerous articles see § 146.29-59. Shall not be loaded at an ammunition loading pier.	1. Handle by hand or mechanical means. 2. Do not drop, drag, slide, tumble, walk or otherwise subject these articles to shock. 3. Do not use chute in loading or unloading. 4. Cargo nets shall not be used except to enclose a pallet, skipboard, or tray, or as a preventer or save-all. 5. Bombs, not crated or boxed, without external fittings or with external fittings protected by lug guards, may be rolled only under continuous hand control on level surfaces or on non-powered roller conveyors, provided these surfaces or conveyors are relatively level and free from projections. 6. Unboxed or uncrated warheads, depth bombs, depth charges, or other thin walled items shall not be tiered in "making up" drafts (hoists). 7. No "cant" or barrel hooks shall be used on this class of ammunition. 8. Depth charges and rocket heads that are not boxed or crated shall be loaded by use of pallet, skipboard or tray fitted with cargo net or sideboards. 9. Bombs, except depth bombs, may be loaded by use of wire rope slings, or by pallet, skipboard or tray fitted with cargo net or sideboards. 10. Depth bombs shall be loaded only by using pallet, skipboard, or tray fitted with cargo net or sideboards. (See § 146.29-39.) 11. Slings for use in hoisting this class of ammunition must be approved for use by the Captain of the Port. 12. Single slings made up in multiple assembly with spreader may be used in handling bombs that do not exceed 1,101 pounds each. Two-legged slings shall be used in handling bombs of more than 1,101 pounds each. *TABLE OF LIMITING LOADS* (Applicable when handling bombs by sling method) Weight of individual bomb or cluster: — *Maximum units in one draft* 1 lb. to 250 lbs.[1] — 8 276 lbs. to 500 lbs.[1] — 6 551 lbs. to 1,000 lbs.[1] — 4 1,101 lbs. to 2,000 lbs.[1] — 2 Over 2,200 lbs — 1 [1]A tolerance of 10% per unit is allowed. (For example, a bomb weighing 550 lbs. may be considered as coming within the 500 lb. group.) 13. Naval mines, uncrated and fitted with lifting eye shall be loaded by using wire rope and shackle. 14. Naval mines, uncrated and not fitted with lifting eye may be loaded by use of wire rope slings or trays fitted with sideboards. 15. The following items when boxed or crated shall be loaded by the use of pallet, skipboard or tray fitted with cargo net or sideboards, photoflash bombs, antitank mines, antipersonnel mines, naval mines, warheads, depth charges, torpedo bangalore, projector charges and rocket heads. 16. Warheads, crated in such a manner that the nose lifting ring is exposed may be loaded by means of said ring. 17. The maximum permitted weight per draft, when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 18. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 19. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent, by means of sideboards or netting extended upward to the uppermost height of the draft, the upper tier or tiers from shifting or falling from the draft. 20. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
X-B Explosive bombs, mines, torpedoes, etc., packed with fuzes in integral package. (Fuzes will not detonate item with which packaged nor adjacent packages.)	Bombs, bomb clusters, mines, depth charges warheads (all unfuzed), projector charges (unfuzed and without motors), torpedo bangalore (unfuzed), and other unfuzed ammunition filled with relatively large amounts of HE; all possessing a similar hazard characteristic of en masse detonation. The fuze is packed integral with the item, but the fuze will not detonate the item with which packaged nor adjacent packages. Includes but is not limited to: Bombs: Armor-piercing. Demolition. Depth. Depth charge. Fragmentation. G. P. Photoflash (except M-122). S. A. P. Shallow water depth. Mines: Aerial. Aircraft. Anti-personnel (unfuzed). Anti-personnel fragmentation (unfuzed). Anti-tank (unfuzed). Anti-tank non-metallic (unfuzed). Grenade. High explosive. Land. Nuclear weapons (see para. 21 under "Handling"). Signals, underwater sound, w/fuze. Torpedo bangalore. Torpedo warheads.	"Explosive bombs" "Explosive mines" "Explosive projectiles." "Explosive torpedoes."	A A A A	Fire and shock are the primary hazards to this class of ammunition. They are particularly dangerous because of their tendency to detonate en masse if involved in a fire or subjected to shock. Detonation will result in severe structural damage, increasing in severity and range in relation to the amount of high explosives involved. All high explosive loaded items in this class having thin container walls are relatively easily ruptured or dented. Denting of the container walls by impacts, though not sufficiently severe to rupture them has occasionally resulted in partial or complete detonation, and such kind of ammunition is said to possess "container-dent sensitivity." A certain degree of confinement combined with local heating of the contained explosive by a particular kind of impact apparently causes instantaneous explosive action. But whatever may be the actual mechanics of this phenomenon, the kinds of impacts known to have caused explosion of these items include such impacts as dropping on or striking against a rounded corner, similar to a hatch coaming, impact of one bomb against another, or being struck by handling and transportation equipment. In placing or removing dunnage, an accidental or misdirected blow from a sledge hammer, pinch bar or other hand tool may cause such explosions. The impact need not be violent. A short drop of only 2 feet caused a low order detonation of a depth bomb. Warheads, depth bombs, depth charges, Naval mines, and like items are in the "Container-dent sensitivity" category. All of the foregoing also apply in substantial effect to containers of this class of ammunition that are not thin walled.	*AMMUNITION STOWAGE OR PORTABLE MAGAZINE* Items in this class having thin container walls and said to possess "container-dent sensitivity" shall not be tiered one layer on top of another unless they are boxed, crated or dunnaged in such a manner that they are properly protected to withstand the superimposed weight. Items having thin walls and possessing "container-dent sensitivity" may be overstowed only with very light cargo such as bomb fin assemblies, empty water fillable practice bombs and empty auxiliary gas tanks. Items of this class having thick walled containers may be tiered one layer on top of another provided they are so stowed, dunnaged, blocked and/or braced as to prevent movement that is likely to damage the ammunition, the vessel or other cargo. Shall not be overstowed with inert permitted cargo having lesser bearing surface or greater unit weight than any item stowed below. Class X-B items shall not be stowed in the same hold or compartment with permitted military explosives other than this class or Class X-A unless the two are separated by a partition bulkhead or a type "A" dunnage floor. Except for wooden barrels or boxes and fiberboard containers no flammable or combustible material as cargo or containers of same shall be stowed in a hold in which this class of ammunition is stowed. When photoflash bombs are stowed with any other military explosive, including items of this class, the two stowages must be separated by a partition bulkhead or a type "A" dunnage floor. For stowage adjacent to other dangerous articles see § 146.29-59. Shall not be loaded at an ammunition loading pier.	1. Handle by hand or mechanical means. 2. Do not drop, drag, slide, tumble, walk or otherwise subject these articles to shock. 3. Do not use chute in loading or unloading. 4. Cargo nets shall not be used except to enclose a pallet, skipboard, or tray, or as a preventor or save-all. 5. Bombs, not crated or boxed, without external fittings or with external fittings protected by lug guards, may be rolled only under continuous hand control on level surfaces or on non-powered roller conveyors, provided these surface or conveyors are relatively level and free from projections. 6. Unboxed or uncrated warheads, depth bombs, depth charges, or other thin walled items shall not be tiered in "making up" drafts (hoists). 7. No "cant" or barrel hooks shall be used on this class of ammunition. 8. Depth charges and rocket heads that are not boxed or crated shall be loaded by use of pallet, skipboard or tray fitted with cargo net or sideboards. 9. Bombs, except depth bombs, may be loaded by use of wire rope slings, or by pallet, skipboard or tray fitted with cargo net or sideboards. 10. Depth bombs shall be loaded only by using pallet, skipboard, or tray fitted with cargo net or sideboards. (See § 146.29-39.) 11. Slings for use in hoisting this class of ammunition must be approved for use by the Captain of the Port. 12. Single slings made up in multiple assembly with spreader may be used in handling bombs that do not exceed 1,101 pounds each. Two legged slings shall be used in handling bombs of more than 1,101 pounds each. (See table of Limiting Loads, Class X-A). 13. Naval mines, uncrated and fitted with lifting eye shall be loaded by using wire rope and shackle. 14. Naval mines, uncrated and not fitted with lifting eye may be loaded by use of wire rope slings or trays fitted with sideboards. 15. The following items when boxed or crated shall be loaded by the use of pallet, skipboard or tray fitted with cargo net or sideboards; photoflash bombs, antitank mines, antipersonnel mines, naval mines, warheads, depth charges, torpedo bangalore, projector charges and rocket heads. 16. Warheads, crated in such a manner that the nose lifting ring is exposed may be loaded by means of said ring. 17. The maximum permitted weight per draft, when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 18. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 19. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent, by means of sideboards or netting extended upward to the uppermost height of the draft, the upper tier or tiers from shifting or falling from the draft. 20. The limiting weights noted above are for a 5-ton boom. See § 146.29-41. 21. Nuclear weapons, warheads, and their components shall be handled and transported in accordance with pertinent military service directives.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
X-C Guided missiles, solid propellant motors, packed with or without HE warheads.	Completely assembled missiles or rockets with ICC Class A solid fuel motors. Projector charges. Rocket motors, Class A.	"Rocket ammunition with explosive projectiles." Jato units, Class A. Jet, thrust units, Class A.	A	Fire and shock are the primary hazards to this class of ammunition. They are particularly dangerous because of (1) their tendency to detonate en masse if involved in a fire or subjected to shock, and (2) the combustibility and toxicity of the fuel if involved in a fire. All high explosive loaded items of this class having thin container walls are relatively easily ruptured or dented. Denting of the container walls by impact, though not sufficiently severe to rupture them may result in a partial or complete detonation. A certain degree of confinement combined with local heating of the contained explosive by a particular kind of impact causes instantaneous explosive action. These kinds of impacts are, striking against a rounded corner similar to a hatch coaming, impact of one missile against another, or being struck by handling or transportation equipment. Toxicity by inhalation of fumes is increased when fuels are ignited as the intensity of poisonous fumes is increased. Care should be exercised to minimize the exposure of personnel to the toxic effects of these mixtures and to prevent damage to the container with resulting leakage or spillage.	*AMMUNITION STOWAGE OR PORTABLE MAGAZINE* Class X-C items shall not be stowed in the same hold or compartment with permitted military explosives other than this class or Classes II-B, IV, and VII unless the two are separated by a partition bulkhead or a type "A" dunnage floor. Except for wooden boxes or barrels and fiberboard containers, no flammable or combustible material shall be stowed in a hold or compartment in which this class of ammunition is stowed. Shall not be overstowed with any other kind of cargo. May be stowed on deck protected, except on the square of a hatch. For stowage adjacent to other dangerous articles see § 146.29-59. Shall not be loaded at an ammunition loading pier.	1. Handle by hand or mechanical means. 2. Do not drop, drag, slide, tumble, walk or otherwise subject these articles to shock. 3. Do not use chute in loading or unloading. 4. Cargo nets shall not be used except to enclose a pallet, skipboard, or tray, or as a preventor or save-all. 5. Missiles, not crated or boxed, without external fittings or with external fittings protected by lug guards, may be rolled only under continuous hand control on level surfaces or on non-powered roller conveyors, provided these surfaces or conveyors are relatively level and free from projections. 6. Unboxed or uncrated missiles shall not be tiered in "making up" drafts (hoists). 7. No "cant" or barrel hooks shall be used on this class of ammunition. 8. May be loaded by use of wire rope slings, or by pallet, skipboard or tray fitted with cargo net or sideboards. 9. Slings for use in hoisting this class of ammunition must be approved for use by the Captain of the Port. 10. Single slings made up in multiple assembly with spreader may be used in handling missiles that do not exceed 1,101 pounds each. Two legged slings shall be used in handling missiles of more than 1,101 pounds each. (See table of Limiting Loads, Class X-A). 11. The maximum permitted weight per draft, when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 12. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 13. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent, by means of sideboards or netting extended upward to the uppermost height of the draft, the upper tier or tiers from shifting or falling from the draft. 14. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
X-D Guided missiles, liquid propellant motors, packed with HE warheads.	Completely assembled missiles or rockets with liquid petroleum fueled motors.	"Rocket ammunition with explosive projectiles."	A	Fire and shock are the primary hazards to this class of ammunition. They are particularly dangerous because of (1) their tendency to detonate en masse if involved in a fire or subjected to shock, and (2) the combustibility and toxicity of the fuel if involved in a fire. All high explosive loaded items of this class having thin container walls are relatively easily ruptured or dented. Denting of the container walls by impact, though not sufficiently severe to rupture them may result in a partial or complete detonation. A certain degree of confinement combined with local heating of the contained explosive by a particular kind of impact causes instantaneous explosive action. These kinds of impacts are, striking against a rounded corner, similar to a hatch coaming, impact of one missile against another, or being struck by handling or transportation equipment. Toxicity by inhalation of fumes is increased when fuels are ignited as the intensity of poisonous fumes is increased. Care should be exercised to minimize the exposure of personnel to the toxic effects of these mixtures and to prevent damage to the container with resulting leakage or spillage.	*AMMUNITION STOWAGE* Class X-D items shall not be stowed in the same hold or compartment with other military explosives, other dangerous cargo, or regulated items. Shall be stowed only in a lower hold, or "On deck protected," not on the square of a hatch. Shall not be overstowed. For stowage adjacent to other dangerous articles see § 146.29-59. Shall not be loaded at an ammunition loading pier. Must be stowed so that superstructure intervenes between it and other items that require "On deck" stowage. Preferred "On deck" stowage is aft. Missiles with liquid petroleum fueled motors may be stowed at any level in any hatch provided leakage of the fuel will drain directly into the bilges.	1. Handle by hand or mechanical means. 2. Do not drop, drag, slide, tumble, walk or otherwise subject these articles to shock. 3. Do not use chute in loading or unloading. 4. Cargo nets shall not be used except to enclose a pallet, skipboard, or tray, or as a preventor or save-all. 5. Missiles, not crated or boxed, without external fittings or with external fittings protected by lug guards, may be rolled only under continuous hand control on level surfaces or on non-powered roller conveyors, provided these surfaces or conveyors are relatively level and free from projections. 6. Unboxed or uncrated missiles shall not be tiered in "making up" drafts (hoists). 7. No "cant" or barrel hooks shall be used on this class of ammunition. 8. May be loaded by use of wire rope slings, or by pallet, skipboard or tray fitted with cargo net or sideboards. 9. Slings for use in hoisting this class of ammunition must be approved for use by the Captain of the Port. 10. Single slings made up in multiple assembly with spreader may be used in handling missiles that do not exceed 1,101 pounds each. Two legged slings shall be used in handling missiles of more than 1,101 pounds each. (See table of Limiting Loads, Class X-A). 11. The maximum permitted weight per draft, when handled by pallet, skipboard, tray or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 12. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 13. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent, by means of sideboards or netting extended upward to the uppermost height of the draft, the upper tier or tiers from shifting or falling from the draft. 14. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
XI-A						
Chemical ammunition, lethal.	Chemical ammunition filled with lethal gases such as mustard gas (H), lewisite gas (L), nerve gas (GB and VX), BW agents, phosgene gas (CG), hydrocyanic acid (AC), nitrogen mustard gas (HN), diphosgene (DP), chlorpicrin gas (PS), cyanogen chloride (CK) when shipped assembled with or without their ignition elements, bursting charges or fuzes. **When these substances are shipped in drums, barrels, cylinders or other authorized containers they shall be classified Class A, Poison Gas.** **When these substances are shipped in authorized ICC specification containers or Chemical Corps specification containers of integrity equal to ICC containers (including** projectiles, bombs and rockets without ignition elements, **bursting charges or fuzes) they may be handled and stowed either as Class A poison gas or chemical ammunition Class XI-A.** **Includes but is not limited to the following items when filled with any of the above agents:** Ammunition for guns with gas projectile. **Bombs, chemical.** **Bombs, clusters, chemical.** **Frangible grenade.** **Hand grenade.** Howitzer projectile. **Land mine.** Mortar projectile. **Rockets, chemical.** **Separate loading projectile.** **NOTE: The U. S. Army Chemical Corps or U. S. Navy, when shipping chemical ammunition, mark such ammunition and the containers thereof, in general, as follows:** **(a) By the use of color bands painted upon the ammunition the containers thereof; by letter symbol to indicate the particular kind of chemical therein and the word "Gas" stenciled upon the ammunition of the containers thereof.** **(b) Persistent gases are marked with two (2) green bands. Nonpersistent gases with one (1) green band.** **(c) The word "Gas" will be stenciled upon** projectiles and upon the outside container of projectiles, grenades, bombs, candles, etc., the stenciling to be of the same color as the designating band. **(d) The bodies of all ammunition containing gas will be painted gray.**	**"Ammunition for cannon with gas projectile."** **"Explosive bomb"** **"Explosive projectile."** **"Explosive mine"** **"Hand grenade"** **"Rifle grenade"** **"Rocket ammunition with gas projectile."** **Shipping name of item when shipped as Class A poison.**	**A** **A** **A** **A** **A** **A** **A** **Pois. A**	This type of ammunition or bulk shipments of these substances in containers other than ammunition, represents a particular and special hazard. Minute quantities of either liquid or vapor can cause serious burns and death. The liquid or vapor will contaminate everything with which it comes in contact, cause serious and painful burns to exposed portions of the body and the eyes, and attack the respiratory system usually with fatal results. Nerve gas is highly toxic, quick acting nerve poison. It can be absorbed through any body surface including the respiratory tract, skin, eyes, and gastro-intestinal tract. The rapidity of action of nerve gas and absence of identifying symptoms may incapacitate a person so rapidly that he may be unable to take individual protective measures.	*CHEMICAL AMMUNITION STOWAGE, SPECIAL STOWAGE, OR PORTABLE MAGAZINE* Bulk shipments of chemical agents in ICC cylinders, tanks or Chemical Corps specification containers of integrity equal to ICC containers may be stowed in a shelter deck space or in a deck house suitable for such stowage. Chemical ammunition (explosive) shall be stowed in a deep tank, lower hold or between deck, and such stowage shall be effectively sealed off to prevent the escape of any leakage which may take place. (See § 146.-29-85.) Drums or other authorized ICC or Chemical Corps specification containers filled with Class A poison gas may be stowed in the same hold or compartment with chemical ammunition Class XI-A. For stowage adjacent to other dangerous articles see § 146.29-59. May be loaded at a temporary location authorized by the Captain of the Port for the specific loading. When given chemical ammunition stowage, see § 146.29-85 for additional requirements.	When possible and the amount of such ammunition or containers of these chemical substances warrants, a technical representative of the appropriate Army technical service (Chemical or Ordnance Corps) or Navy Department shall be present during the loading and stowage. 1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Do not use chute in loading or unloading. 4. Shall not be rolled except under hand control and on a level surface without appreciable incline. 5. Packages shall be braced so as to prevent any movement. Top tiers shall be braced to prevent upward movement. 6. Packages or containers shall be stowed in the position indicated by their markings. When not so marked, boxes shall be stowed on the most stable side and arranged in such a manner that the joints between boxes are staggered. 7. No packages shall be "cant" stowed. 8. Dunnage shall be applied to the sides, ends and tops of the boxes before bracing is applied. 9. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with removable sides are authorized. 10. Cargo nets without trays, skipboards, pallets or pieplates are not permitted. 11. Wire rope slings are permitted when handling unboxed bombs or containers filled with this class of chemical warfare material. 12. The maximum permitted weight per draft when handled by tray, skipboard, pallet, or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 13. Single bombs or other unit containers weighing in excess of 2,200 lbs. must be loaded or unloaded one at a time. 14. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 15. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent, by means of sideboards or netting extended upward to the uppermost height of the draft, the upper tier or tiers from shifting or falling from the draft. 16. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
XI-B Chemical ammunition, nonlethal.	Chemical ammunition filled with non-lethal gases such as Chloracetophenone gas (CN), Chloracetophenone solution (CNB) or (CNS), Brombenzylcyanide (BBC) and Adamsite (DM) when shipped assembled with or without their ignition elements, bursting charges or fuzes. When these substances are shipped in drums, barrels, cylinders or other authorized containers, they shall be classified as tear gasses or irritating substances, Class C—poisons. When these substances are shipped in authorized ICC specification containers or Chemical Corps containers of integrity equal to ICC containers (including projectiles, bombs and rockets, without ignition elements, bursting charges or fuzes) they may be handled and stowed either as Class C—poisons or as chemical ammunition Class XI-B. Includes but is not limited to the following items when filled with any of the above agents: Ammunition for cannon with gas projectile. Bombs, aircraft. Bombs, aircraft cluster. CN capsules. Gas identification sets. Grenades, hand. Grenades, frangible, hand. Grenades, rifle. Rockets. Projectiles, mortar. Tear gas candles. Tear gas pots. NOTE: The U. S. Army and Navy when shipping harassing gas ammunition, mark such ammunition and the containers thereof with the word "gas" and Chemical Corps symbol of the gas with one red band.	"Ammunition for cannon with gas projectile." "Explosive bomb" "Explosive projectile." "Hand grenade" "Rifle grenade" "Tear gas candle" "Tear gas grenade" "Rocket ammunition with gas projectile." Shipping name of item when shipped as Class C poison.	A A A A A Pois. C Pois. C A Pois. C	Fire and intolerable vapors. The fire hazard of some of these items is similar to that of smokeless powder. The vapors are rarely lethal as concentrations far below the lethal range are intolerable. Gas mask provides complete protection.	*CHEMICAL AMMUNITION STOWAGE, SPECIAL STOWAGE, OR PORTABLE MAGAZINE* It is important to stow in locations not subject to temperatures above 100° F. Stowage shall be accessible from cargo hatch or other access means to the hold or compartment. Drums or other authorized ICC or Chemical Corps specification containers filled with Class C poison gas may be stowed in the same hold or compartment with chemical ammunition, Class XI-B. For stowage adjacent to other dangerous articles see § 146.29-59. May be loaded at a temporary location authorized by the Captain of the Port for the specific loading. When given chemical ammunition stowage, see § 146.29-85 for additional requirements.	When possible and the amount of such ammunition or containers of these chemical substances warrants, the loading and stowage of chemical ammunition or chemical agents for such should be supervised by a representative of the appropriate Army technical service (Chemical or Ordnance Corps) or Navy Department. 1. Handle by hand or mechanical means. 2. Do not drop, drag, tumble, walk or otherwise subject packages to shock. 3. Do not use chute in loading or unloading. 4. Shall not be rolled except under hand control and on a level surface without appreciable incline. 5. Packages shall be braced so as to prevent any movement. Top tiers shall be braced to prevent upward movement. 6. Packages or containers shall be stowed in the position indicated by their markings. When not so marked, boxes shall be stowed on the most stable side and arranged in such a manner that the joints between boxes are staggered. 7. No packages shall be "cant" stowed. 8. Dunnage shall be applied to the sides, ends and tops of the boxes before bracing is applied. 9. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with removable sides are authorized. 10. Cargo nets without trays, skipboards, pallets or pieplates are not permitted. 11. Wire rope slings are permitted when handling unboxed bombs or containers filled with this class of chemical warfare material. 12. The maximum permitted weight per draft when handled by tray, skipboard, pallet or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 13. Single bombs or other unit containers weighing in excess of 2,200 lbs. must be loaded or unloaded one at a time. 14. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 15. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent, by means of sideboards or netting extended upward to the uppermost height of the draft, the upper tier or tiers from shifting or falling from the draft. 16. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
XI-C						
Fuels in containers for guided missiles and rockets.	Missile fuels are usually non-corrosive, highly combustible mixtures, shipped in drums of aluminum or glass containers, used as fuels for guided missiles or rockets. Includes but is not limited to: Acetonitrile (methyl cyanide). Aluminum borohydride. Anhydrous ammonia. Aniline. Diborane. Diethylene triamine. Diethylene glycol dinitrate, liquid. Dimethyl hydrazine, unsymmetrical. Ethyl alcohol. Furfuryl alcohol. Gasoline (AVGAS). Heptane. Hydrazine. Hydrazine hydrate. Kerosene. Liquid fluorine. Liquid hydrogen. Methyl alcohol. Monoethylaniline. Nitroglycerine, liquid. Nitromethane. Octane. Pentaborane. Pentane. Potassium cuprocyanide. Tetranitromethane.	Shipping name of item.	F. G. F. L. F. S. Oxy. M. Nonf. G. Pois. B.	The principal hazard is its involvement in a fire since all of the fuels are highly combustible and toxic and under certain conditions will explode. Aniline-furfuryl alcohol mixtures are toxic through inhalation of the fumes or vapors, ingestion, and absorption through the skin. Toxicity by inhalation of fumes is increased when fuels are ignited as the intensity of poisonous fumes is increased. Care should be exercised to minimize the exposure of personnel to the toxic effects of these mixtures and to prevent damage to the containers with resulting leakage or spillage.	This class will *not* be stowed with any corrosive liquid (acids, etc.), oxidizing agents, or explosives. For stowage adjacent to other dangerous articles see § 146.29-59. May be stowed "On deck" and protected from direct rays of the sun and inclement weather, or may be stowed in a deep tank and such stowage shall be effectively sealed off to prevent the escape of any leakage which may take place. Pertinent parts of § 146.29-85 apply. Compatibility of items within this class shall be in accordance with § 146.29-99, Chart B. Must be stowed so that superstructure intervenes between it and other items that require "On deck" stowage. This requirement also applies to non-compatible items within this class. Preferred "On deck" stowage is aft. Drums may be tiered 2-high by use of metal dunnage of aluminum. When stowed on deck, the weather deck must be tight and the cargo hatch fitted with a tight raised coaming. The stowage must be accomplished by means of a crib and a platform so constructed as to provide a free space of at least six inches in height between the deck and the floor of the crib in such a manner as to allow flushing of any leakage that may occur. The stowage must not be made over the square of the hatch. If stowed aboard a vessel carrying no other military explosives, see § 146.29-11(b).	When possible, and the amount of substance warrants, the loading and stowage of fuels should be supervised by a representative of the appropriate Army technical service (Ordnance Corps) or Navy Department. 1. Handle by hand or mechanical means using extreme care against damage to the container resulting in leakage or spillage. 2. Do not drop, drag, tumble, walk or otherwise subject packages or drums to shock. Drums will *not* be rolled. 3. Packages shall be stowed in the position indicated by their markings; drums and kegs shall be stowed on end with bung holes up. 4. Do not use chute in loading or unloading. 5. Observe packages or drums for leakage or spillage and for odor of aniline or alcohol in the case of aniline-furfuryl alcohol shipments. If no odor is present and no evidence of leakage is present, the shipment is assumed to be in safe working condition and the cargo can be handled by personnel wearing the usual type of leather gloves and safety shoes. No other type of protective clothing will be required; however, in this operation as well as all other operations involving aniline-furfuryl alcohol mixtures, treadle type of deluge shower and a container of approximately 5% solution of acetic acid or strong vinegar must be available. 6. In the event of damage to a container resulting in leakage or spillage, stop operations, clear area of all personnel, render first-aid to personnel affected and spray copious amount of water on area affected. Decontamination must be handled with a minimum delay by personnel trained in this procedure and equipped with protective clothing and self-contained breathing apparatus. 7. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays with fixed or removable sides are authorized. 8. Cargo nets without trays, skipboards, pallets or pieplates are not permitted. 9. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent, by means of sideboards or netting extended upward to the uppermost height of the draft, the upper tier or tiers from shifting or falling from the draft. 10. The maximum permitted weight per draft, when handled by pallet, skipboard, tray or pieplate fitted with cargo nets or sideboards shall not exceed 2,400 lbs. plus 10%. 11. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 12. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

Classification, handling and stowage chart—Continued

Class	Description	I. C. C. marking	I. C. C. class	Hazard	Stowage	Handling
XI-D Oxidizers in containers for guided missiles and rockets.	Oxidizers for use with guided missiles and rockets are non-flammable liquids; however, they are strong oxidizers and if allowed to come in contact with readily organic materials or metallic powders, may cause spontaneous combustion. They are highly toxic producing poisonous vapors and fumes and capable of producing severe burns or death if improperly handled. Fuming nitric acid vigorously attacks most metals, particularly iron and steel. Includes but is not limited to: Compressed gas, oxygen. Hydrogen peroxide. Liquid nitrogen tetroxide. Liquid oxygen. Mixed acid (nitric-sulfuric). Red nitric acid, fuming. White nitric acid, fuming.	Shipping name of item.	Cor. L. Nonf. G. Oxy. M.	The principal hazards arise from the combustibility of organic materials when in contact with acids and the toxicity of fumes and vapors produced. The oxides of nitrogen, referred to as "nitrous fumes" if inhaled in appreciable quantities, may cause severe damage to respiratory and pulmonary tissues and, under certain conditions, may result in death. Color of the fumes is *not* an index to their toxicity. *All* nitric acid fumes are dangerous. Contact with the skin results in severe burns and may result in permanent scars or deformity. Contact with the eyes may cause blindness. Red Fuming Nitric Acid (RFNA) is not flammable in itself and cannot be detonated, but the combustibility of all organic material is greatly increased in contact with this acid. This acid is very hygroscopic (completely soluble), and its introduction *INTO* water will cause rapid evolution of heat with spattering of the acid. RFNA vigorously attacks most metals, particularly iron and steel. Nitric acid will react with salt water to liberate chlorine and other poisonous gases. Winterized water fire extinguishers containing salt as a freezing point depressant, should not be used to fight fires involving nitric acid. The use of large quantities of water, as a spray rather than a stream, to dilute the acid and extinguish the fire, is effective. Fire extinguishers of a suitable type should be provided wherever this acid is handled or stowed.	This class will *not* be stowed with any inflammable liquid fuels, metallic powders, or explosives. For stowage adjacent to other dangerous articles see § 146.29-59. May be stowed "On deck" and protected from direct rays of the sun and inclement weather, or may be stowed in a deep tank and such stowage shall be effectively sealed off to prevent the escape of any leakage which may take place. Pertinent parts of § 146.29-85 apply. Compatibility of items within this class shall be in accordance with § 146.29-99, Chart B. Must be stowed so that superstructure intervenes between it and other items that require "On deck" stowage. This requirement also applies to non-compatible items within this class. Preferred "On deck" stowage is aft. Drums may be tiered 2-high by use of metal dunnage of aluminum. When stowed on deck, the weather deck must be tight and the cargo hatch fitted with a tight raised coaming. The stowage must be accomplished as to provide a free space of at least six inches in height between the deck and the floor of the crib in such a manner as to allow flushing of any leakage that may occur. The stowage must not be made over the square of the hatch. If stowed aboard a vessel carrying no other military explosives, see § 146.29-11(b).	When possible, and the amount of substance warrants, the loading and stowage of oxidizers and acids should be supervised by a representative of the appropriate Army technical service (Chemical Corps or Ordnance Corps) or Navy Department. 1. Handle by hand or mechanical means using extreme care against damage to the container resulting in leakage or spillage. 2. Do not drop, drag, tumble, walk, or otherwise subject packages or drums to shock. Drums will not be rolled. 3. Packages shall be stowed in the position indicated by their markings; drums and kegs shall be stowed on end with bung holes up. 4. Do not use chute in loading or unloading. 5. Visually inspect packages or drums for evidence of spillage or leakage and for odor of nitrous dioxide fumes in the case of fuming nitric acid shipments. If no odor is detected and no fumes are visible, the shipment is assumed to be in safe working condition and the cargo can be handled by personnel wearing gloves and aprons of acid-resistant material, safety shoes and eye goggles. No other type of protective clothing will be required; however, two complete sets of acid-resistant protective clothing, including a self-contained breathing apparatus, of an approved type, must always be immediately available for emergency use. In this operation, as well as all other operations involving fuming nitric acid, treadle type of deluge showers and a container of approximately 5% solution of acetic acid or strong vinegar must be available. 6. In the event o damage to a container resulting in leakage, spillage or fumes, stop operations, clear area of all personnel, render first-aid to personnel affected and spray copious amount of water on area affected. Decontamination must be handled with a minimum delay by personnel trained in this procedure and equipped with approved type of protective clothing and self-contained breathing apparatus. Damaged containers will be removed only by such personnel. 7. Cargo handling stevedore gear may be trays, skipboards, pallets, or pieplates provided they are fitted with cargo nets or sideboards. Boxes or trays fitted with fixed or removable sides are authorized. 8. Cargo nets without trays, skipboards, pallets or pieplates are not permitted. 9. Lifts of palletized units shall not be tiered except when using a sling so designed as to prevent, by means of sideboards or netting extended upward to the uppermost height of the draft, the upper tier or tiers from shifting or falling from the draft. 10. The maximum permitted weight per draft, when handled by pallet, skipboard, tray, or pieplate fitted with cargo net or sideboards shall not exceed 2,400 lbs. plus 10%. 11. Drafts consisting of one or more palletized units shall not exceed 4,000 lbs. plus 10%. 12. The limiting weights noted above are for a 5-ton boom. See § 146.29-41.

§ 147.05–100 [Amendment]

II. In Part 147—Regulations Governing Use of Dangerous Articles as Ships' Stores and Supplies on Board Vessels, § 147.05–100 *Table S—Classification: Ships' stores and supplies of a dangerous nature* is amended as follows:

A. Amend the entry, "Motion picture film" as follows:

(1) In column 2, change paragraph 2 to read as follows:

Film used in providing entertainment for the passengers and crew. Only slow burning (cellulose acetate) film is permitted.

(R.S. 4405, as amended, 4462, as amended, 4472, as amended; 46 U.S.C. 375, 416, 170. Interpret or apply sec. 3, 68 Stat. 675; 50 U.S.C. 198, E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

Dated: May 28, 1962.

[SEAL]

A. C. RICHMOND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 62–5346; Filed, June 4, 1962; 8:45 a.m.]