

# FEDERAL REGISTER

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# Presidential Documents

## Title 3—THE PRESIDENT

### Proclamation 3487

#### CHILD HEALTH DAY, 1962

#### By the President of the United States of America A Proclamation

WHEREAS children are our Nation's most priceless resource and most cherished responsibility; and

WHEREAS it is essential that boys and girls of our Nation be given a good start in life by the fostering of their emotional, physical, and spiritual well-being so that in future years each may achieve his full potential for a productive and satisfying life; and

WHEREAS the observance of a special day emphasizing child health effectively underscores these goals; and

WHEREAS the Congress, by a joint resolution of May 18, 1928, 45 Stat. 617, as amended by a joint resolution of September 22, 1959, 73 Stat. 627 (36 U.S.C. 143), requested the President of the United States to issue annually a proclamation setting apart the first Monday in October as Child Health Day; and

WHEREAS Child Health Day is also an appropriate time to observe a Universal Children's Day, and to salute the work which the United Nations, through its specialized agencies, and the United Nations Children's Fund are doing to build better health for children around the world:

NOW, THEREFORE, I, JOHN F. KENNEDY, President of the United States of America, do hereby designate Monday, the first day of October 1962, as Child Health Day; and I invite all persons and all agencies and organizations interested in the welfare of children to unite on that day in observances that will underscore the importance of providing opportunities for our children at the beginning of life that will insure healthy development through the years.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this sixteenth day of August in the year of our Lord nineteen hundred and sixty-two,  
[SEAL] and of the Independence of the United States of America the one hundred and eighty-seventh.

JOHN F. KENNEDY

By the President:

GEORGE W. BALL,  
*Acting Secretary of State.*

[F.R. Doc. 62-8472; Filed, Aug. 20, 1962; 10:56 a.m.]







# Rules and Regulations

## 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, Amdt. 1, Wheat]

### PART 421—GRAINS AND RELATED COMMODITIES

#### Subpart—1962-Crop Wheat Loan and Purchase Agreement Program

##### MISCELLANEOUS AMENDMENTS

The regulations issued by the Commodity Credit Corporation published in 27 F.R. 5243 and containing the specific requirements of the 1962-crop wheat price support program are hereby amended as follows:

Section 421.1204(b) is amended to also make wheat grading "Sample" because of test weight only but not less than 40 pounds per bushel eligible for price support if it otherwise grades No. 3 or better so that the amended subparagraph reads as follows:

#### § 421.1204 Eligible wheat.

(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 because of containing "Durum" and/or "Red Durum" but otherwise grading No. 3 or better; (3) wheat of any class grading No. 4 or 5 or "Sample" on the factor of test weight only but otherwise meeting the requirements stated in subparagraph (1) or (2) of this paragraph and having a test weight of not less than 40 pounds per bushel; or (4) wheat of the class Mixed wheat, consisting of mixtures of grades of eligible wheat as specified in subparagraph (1), (2) or (3) 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 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.

Section 421.1206(c) is amended by extending the schedule therein to apply to wheat testing as low as 40 pounds per bushel so that the amended paragraph reads as follows:

#### § 421.1206 Determination of quantity.

(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
49.0 to 49.9.....	82
48.0 to 48.9.....	80
47.0 to 47.9.....	78
46.0 to 46.9.....	77
45.0 to 45.9.....	75
44.0 to 44.9.....	73
43.0 to 43.9.....	72
42.0 to 42.9.....	70
41.0 to 41.9.....	68
40.0 to 40.9.....	67

Section 421.1212 is amended to change the applicability of sedimentation premiums, to provide discounts for "Sample" wheat and to issue basic terminal and county support rates. Paragraph (f) (2) and (4) are amended and paragraphs (g) and (h) are added to read as follows:

#### § 421.1212 Support rates.

(f) *Discounts and premiums.* \* \* \*

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

#### (2) Grade premium and discounts—Continued

(ii) *Discounts—Continued*  
"Sample" on basis of test weight  
(apply the following table):

Test weight (pounds)	Discount for Hard Red Spring (cents per bushel)	Discount for wheat of all other classes (cents per bushel)
50	9	13
49	13	17
48	17	21
47	21	25
46	25	29
45	29	33
44	35	39
43	41	45
42	47	51
41	53	57
40	59	63

	Cents per bushel
No. 4 or 5 because of containing Durum and/or Red Durum <sup>1</sup> ..	-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

<sup>1</sup> This discount is in addition to any other applicable numerical grade discount, and any other discounts which may be applicable.

<sup>2</sup> 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.

(4) Schedule of premiums for sedimentation values. (Not applicable to varieties listed in subparagraph (3) of this paragraph or to Mixed wheats which contain Durum and/or Red Durum).

	Premium, cents per bushel
Sedimentation value:	
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

(g) *Basic support rates (Terminals).* The basic support rates for U.S. No. 1 per bushel for loan and settlement purposes for wheat stored in approved warehouses at the terminal markets listed below are as follows:



## RULES AND REGULATIONS

## WHEAT PRODUCED IN COMMERCIAL AREA

Terminal market	Rate per bushel
Astoria, Oreg.	\$2.18
Portland, Oreg.	2.18
Kalama, Wash.	2.18
Longview, Wash.	2.18
Seattle, Wash.	2.18
Tacoma, Wash.	2.18
Vancouver, Wash.	2.18
Long Beach, Calif.	2.26
Los Angeles, Calif.	2.26
Oakland, Calif.	2.26
San Francisco, Calif.	2.26
Stockton, Calif.	2.26
Wilmingon, Calif.	2.26
Louisville, Ky.	2.27
Memphis, Tenn.	2.27
Atchison, Kans.	2.28
Council Bluffs, Iowa.	2.28
Kansas City, Kans.	2.28
Kansas City, Mo.	2.28
Saint Joseph, Mo.	2.28
Omaha, Nebr.	2.28
Sioux City, Iowa.	2.28
Cairo, Ill.	2.28
Chicago, Ill.	2.28
East St. Louis, Ill.	2.28
Milwaukee, Wis.	2.28
St. Louis, Mo.	2.28
Duluth, Minn.	2.35
Minneapolis, Minn.	2.35
St. Paul, Minn.	2.35
Superior, Wis.	2.35
Albany, N.Y.	2.40
Baltimore, Md.	2.40
Norfolk, Va.	2.40
Philadelphia, Pa.	2.40
New York, N.Y.	2.40
Corpus Christi, Tex.	2.47
Galveston, Tex.	2.47
Houston, Tex.	2.47
Port Arthur, Tex.	2.47
New Orleans, La.	2.47
Baton Rouge, La.	2.47

(h) Basic support rates (Counties).  
The basic support rates for U.S. No. 1 per bushel for loans and settlement purposes for farm-stored and country warehouse-stored wheat are as follows:

ALABAMA	
All counties	\$2.11

County	Rate per bushel	County	Rate per bushel
Apache	\$1.63	Mohave	\$1.74
Cochise	1.96	Navajo	1.63
Coconino	1.66	Pima	2.02
Gila	1.72	Pinal	2.05
Graham	1.90	Santa Cruz	1.99
Greenlee	1.72	Yavapai	1.71
Maricopa	2.05	Yuma	2.07

County	Rate per bushel	County	Rate per bushel
Arkansas	\$2.16	Drew	\$2.09
Ashley	2.08	Faulkner	2.14
Baxter	1.98	Franklin	1.95
Benton	1.93	Fulton	2.03
Boone	1.96	Garland	2.02
Bradley	2.07	Grant	2.04
Calhoun	2.06	Greene	2.16
Carroll	1.94	Hempstead	2.08
Chicot	2.08	Hot Spring	2.03
Clark	2.05	Howard	2.00
Clay	2.16	Independence	2.09
Cleburne	2.16	Izard	2.00
Cleveland	2.04	Jackson	2.16
Columbia	2.09	Jefferson	2.13
Conway	2.13	Johnson	1.97
Craighead	2.16	Lafayette	2.09
Crawford	1.94	Lawrence	2.15
Crittenden	2.16	Lee	2.16
Cross	2.16	Lincoln	2.14
Dallas	2.05	Little River	2.08
Desha	2.15	Logan	1.94

## ARKANSAS—Continued

County	Rate per bushel	County	Rate per bushel
Lonoke	\$2.16	Pulaski	\$2.15
Madison	1.94	Randolph	2.16
Marion	1.97	St. Francis	2.16
Miller	2.09	Saline	2.03
Mississippi	2.16	Scott	1.98
Monroe	2.16	Searcy	1.96
Montgomery	1.98	Sebastian	1.97
Nevada	2.07	Sevier	2.00
Newton	1.96	Sharp	2.03
Ouachita	2.07	Stone	2.01
Perry	1.99	Union	2.09
Phillips	2.16	Van Buren	2.06
Pike	1.99	Washington	1.94
Poinsett	2.16	White	2.16
Polk	1.98	Woodruff	2.16
Pope	1.98	Yell	1.98
Prairie	2.16		

## CALIFORNIA

County	Rate per bushel	County	Rate per bushel
Alameda	\$2.13	Placer	\$2.11
Alpine	2.02	Plumas	2.02
Amador	2.13	Riverside	2.08
Butte	2.08	Sacramento	2.13
Calaveras	2.13	San Benito	2.09
Colusa	2.08	San Bernar-	
Contra Costa	2.13	dino	2.11
El Dorado	2.10	San Diego	2.07
Fresno	2.08	San Joaquin	2.15
Glenn	2.06	San Luis	
Humboldt	1.96	Obispo	2.04
Imperial	2.09	San Mateo	2.13
Inyo	1.93	Santa Barbara	2.06
Kern	2.05	Santa Clara	2.12
Kings	2.08	Santa Cruz	2.10
Lake	2.07	Shasta	2.00
Lassen	1.95	Sierra	1.94
Los Angeles	2.12	Siskiyou	2.00
Madera	2.10	Solano	2.12
Marin	2.13	Sonoma	2.12
Mariposa	2.10	Stanislaus	2.14
Mendocino	2.04	Sutter	2.10
Merced	2.11	Tehama	2.03
Modoc	1.99	Tulare	2.08
Mono	1.89	Tuolumne	2.14
Monterey	2.08	Ventura	2.11
Napa	2.12	Yolo	2.11
Orange	2.10	Yuba	2.10

## COLORADO

County	Rate per bushel	County	Rate per bushel
Adams	\$1.90	Kit Carson	\$1.92
Alamosa	1.79	La Plata	1.71
Arapahoe	1.90	Larimer	1.90
Archuleta	1.71	Las Animas	1.89
Baca	1.92	Lincoln	1.90
Bent	1.91	Logan	1.90
Boulder	1.90	Mesa	1.75
Chaffee	1.78	Moffat	1.71
Cheyenne	1.92	Montezuma	1.65
Conejos	1.78	Montrose	1.71
Costilla	1.80	Morgan	1.90
Crowley	1.90	Otero	1.90
Custer	1.84	Ourray	1.71
Delta	1.71	Phillips	1.92
Denver	1.90	Pitkin	1.75
Dolores	1.65	Prowers	1.92
Douglas	1.90	Pueblo	1.90
Eagle	1.75	Rio Blanco	1.71
Elbert	1.90	Rio Grande	1.78
El Paso	1.90	Routt	1.71
Fremont	1.85	Saguache	1.78
Garfield	1.75	San Miguel	1.68
Grand	1.75	Sedgwick	1.93
Huerfano	1.87	Summit	1.75
Jackson	1.78	Washington	1.90
Jefferson	1.90	Weld	1.90
Kiowa	1.92	Yuma	1.92

## DELAWARE

County	Rate per bushel
Kent	\$2.23
New Castle	2.23
Sussex	2.22

## GEORGIA

All counties	Rate per bushel
	\$2.14

## IDAHO

County	Rate per bushel	County	Rate per bushel
Ada	\$1.89	Gem	\$1.89
Adams	1.87	Gooding	1.87
Bannock	1.85	Idaho	1.91
Bear Lake	1.82	Jefferson	1.80
Benewah	1.95	Jerome	1.88
Bingham	1.83	Kootenai	1.94
Blaine	1.85	Latah	1.95
Boise	1.89	Lemhi	1.81
Bonner	1.87	Lewis	1.92
Bonneville	1.82	Lincoln	1.86
Boundary	1.87	Madison	1.79
Butte	1.83	Minidoka	1.88
Camas	1.85	Nez Perce	1.94
Canyon	1.89	Oneida	1.87
Caribou	1.83	Owyhee	1.89
Cassia	1.88	Payette	1.89
Clark	1.78	Power	1.85
Clearwater	1.92	Shoshone	1.83
Custer	1.83	Teton	1.78
Elmore	1.88	Twin Falls	1.90
Franklin	1.86	Valley	1.88
Fremont	1.78	Washington	1.88

## ILLINOIS

County	Rate per bushel	County	Rate per bushel
Adams	\$2.03	Lee	\$2.07
Alexander	2.11	Livingston	2.07
Bond	2.09	Logan	2.08
Boone	2.08	McDonough	2.04
Brown	2.04	McHenry	2.09
Bureau	2.06	McLean	2.06
Calhoun	2.10	Macon	2.10
Carroll	2.05	Macoupin	2.11
Cass	2.06	Madison	2.11
Champaign	2.09	Marion	2.11
Christian	2.11	Marshall	2.06
Clark	2.06	Mason	2.06
Clay	2.06	Massac	2.07
Clinton	2.11	Menard	2.06
Coles	2.08	Mercer	2.04
Cook	2.13	Monroe	2.11
Crawford	2.04	Montgomery	2.11
Cumberland	2.08	Morgan	2.08
De Kalb	2.09	Moultrie	2.10
De Witt	2.06	Ogle	2.07
Douglas	2.08	Peoria	2.06
Du Page	2.11	Perry	2.11
Edgar	2.06	Platt	2.09
Edwards	2.05	Pike	2.05
Effingham	2.09	Pope	2.01
Fayette	2.11	Pulaski	2.11
Ford	2.06	Putnam	2.06
Franklin	2.11	Randolph	2.11
Fulton	2.06	Richland	2.05
Gallatin	2.05	Rock Island	2.05
Greene	2.11	St. Clair	2.11
Grunty	2.09	Saline	2.04
Hamilton	2.11	Sangamon	2.09
Hancock	2.03	Schuyler	2.05
Hardin	1.98	Scott	2.06
Henderson	2.03	Shelby	2.10
Henry	2.05	Stark	2.06
Iroquois	2.11	Stephenson	2.05
Jackson	2.11	Tazewell	2.06
Jasper	2.05	Union	2.11
Jefferson	2.11	Vermilion	2.10
Jersey	2.11	Wabash	2.03
Jo Daviess	2.05	Warren	2.05
Johnson	2.02	Washington	2.11
Kane	2.11	Wayne	2.05
Kankakee	2.12	White	2.06
Kendall	2.10	Whiteside	2.05
Knox	2.05	Will	2.11
Lake	2.13	Williamson	2.11
La Salle	2.08	Winnebago	2.06
Lawrence	2.05	Woodford	2.06

## INDIANA

County	Rate per bushel	County	Rate per bushel
Adams	\$2.02	Carroll	\$2.07
Allen	2.02	Cass	2.08
Bartholomew	2.07	Clark	2.11
Benton	2.07	Clay	2.05
Blackford	2.04	Clinton	2.05
Boone	2.03	Crawford	2.08
Brown	2.04	Daviess	2.01



## INDIANA—Continued

County	Rate per bushel	County	Rate per bushel
Dearborn	\$2.04	Montgomery	\$2.04
Decatur	2.06	Morgan	2.02
De Kalb	2.02	Newton	2.14
Delaware	2.02	Noble	2.03
Dubois	2.05	Ohio	2.04
Elkhart	2.07	Orange	2.10
Fayette	2.04	Owen	2.02
Floyd	2.11	Parke	2.03
Fountain	2.03	Perry	2.04
Franklin	2.04	Pike	2.02
Fulton	2.13	Porter	2.14
Gibson	2.05	Posey	2.05
Grant	2.03	Pulaski	2.14
Greene	2.02	Putnam	2.03
Hamilton	2.03	Randolph	2.03
Hancock	2.04	Ripley	2.05
Harrison	2.04	Rush	2.04
Hendricks	2.04	St. Joseph	2.12
Henry	2.04	Scott	2.08
Howard	2.05	Shelby	2.04
Huntington	2.02	Spencer	2.05
Jackson	2.08	Starke	2.14
Jasper	2.13	Steuben	2.02
Jay	2.02	Sullivan	2.05
Jefferson	2.05	Switzerland	2.05
Jennings	2.06	Tippecanoe	2.06
Johnson	2.04	Tipton	2.03
Knox	2.03	Union	2.04
Kosciusko	2.07	Vanderburgh	2.08
Lagrange	2.03	Vermillion	2.10
Lake	2.14	Vigo	2.10
La Porte	2.14	Wabash	2.05
Lawrence	2.08	Warren	2.08
Madison	2.03	Warrick	2.04
Marion	2.04	Washington	2.10
Marshall	2.13	Wayne	2.03
Martin	2.02	Wells	2.02
Miami	2.07	White	2.14
Monroe	2.10	Whitley	2.04

## Iowa

Adair	\$2.06	Ida	\$2.06
Adams	2.08	Iowa	2.06
Allamakee	2.10	Jackson	2.03
Appanoose	2.02	Jasper	2.07
Audubon	2.09	Jefferson	2.00
Benton	2.08	Johnson	2.07
Black Hawk	2.09	Jones	2.07
Boone	2.07	Keokuk	2.04
Bremer	2.09	Kossuth	2.10
Buchanan	2.08	Lee	2.03
Buena Vista	2.08	Linn	2.08
Butler	2.09	Louisa	2.02
Calhoun	2.08	Lucas	2.04
Carroll	2.08	Lyon	2.08
Cass	2.08	Madison	2.05
Cedar	2.03	Mahaska	2.05
Cerro Gordo	2.11	Marion	2.04
Cherokee	2.07	Marshall	2.08
Chickasaw	2.10	Mills	2.10
Clarke	2.05	Mitchell	2.12
Clay	2.09	Monona	2.09
Clayton	2.08	Monroe	2.02
Clinton	2.04	Montgomery	2.10
Crawford	2.09	Muscatine	2.02
Dallas	2.05	O'Brien	2.09
Davis	2.01	Osceola	2.09
Decatur	2.04	Page	2.09
Delaware	2.08	Palo Alto	2.10
Des Moines	2.02	Plymouth	2.07
Dickinson	2.10	Pocahontas	2.09
Dubuque	2.07	Polk	2.07
Emmet	2.11	Pottawattamie	2.10
Fayette	2.09	Poweshiek	2.06
Floyd	2.11	Ringgold	2.05
Franklin	2.09	Sac	2.07
Fremont	2.10	Scott	2.04
Greene	2.07	Shelby	2.10
Grundy	2.09	Sioux	2.07
Guthrie	2.06	Story	2.08
Hamilton	2.09	Tama	2.08
Hancock	2.10	Taylor	2.07
Hardin	2.09	Union	2.06
Harrison	2.10	Van Buren	2.01
Henry	2.01	Wapello	2.01
Howard	2.11	Warren	2.05
Humboldt	2.09	Washington	2.04

## Iowa—Continued

County	Rate per bushel	County	Rate per bushel
Wayne	\$2.03	Woodbury	\$2.07
Webster	2.09	Worth	2.12
Winnebago	2.12	Wright	2.09
Winneshiek	2.10		

## KANSAS

County	Rate per bushel	County	Rate per bushel
Allen	\$2.06	Linn	\$2.09
Anderson	2.08	Logan	1.96
Atchison	2.10	Lyon	2.06
Barber	1.99	McPherson	2.01
Barton	1.99	Marion	2.02
Bourbon	2.08	Marshall	2.06
Brown	2.09	Meade	1.96
Butler	2.02	Miami	2.10
Chase	2.04	Mitchell	2.01
Chautauqua	2.04	Montgomery	2.06
Cherokee	2.06	Morris	2.04
Cheyenne	1.95	Morton	1.93
Clark	1.96	Nemaha	2.07
Clay	2.03	Neosho	2.06
Cloud	2.02	Ness	1.99
Coffey	2.07	Norton	1.99
Comanche	1.97	Osage	2.07
Cowley	2.02	Osborne	2.01
Crawford	2.06	Ottawa	2.02
Decatur	1.97	Pawnee	1.99
Dickinson	2.02	Phillips	1.99
Doniphan	2.10	Pottawatomie	2.06
Douglas	2.10	Pratt	1.99
Edwards	1.99	Rawlins	1.96
Elk	2.04	Reno	2.01
Ellis	1.99	Republic	2.02
Ellsworth	2.01	Rice	2.01
Finney	1.96	Riley	2.06
Ford	1.98	Rooks	2.00
Franklin	2.10	Rush	1.99
Geary	2.04	Russell	2.00
Gove	1.97	Saline	2.02
Graham	1.99	Scott	1.96
Grant	1.95	Sedgwick	2.02
Gray	1.97	Seward	1.94
Greely	1.95	Shawnee	2.08
Greenwood	2.05	Sheridan	1.97
Hamilton	1.95	Sherman	1.95
Harper	2.01	Smith	2.01
Harvey	2.02	Stafford	1.99
Haskell	1.96	Stanton	1.93
Hodgeman	1.99	Stevens	1.94
Jackson	2.08	Sumner	2.02
Jefferson	2.10	Thomas	1.96
Jewell	2.02	Trego	1.99
Johnson	2.10	Wabunsee	2.06
Kearny	1.95	Wallace	1.95
Kingman	2.01	Washington	2.03
Kiowa	1.99	Wichita	1.95
Labette	2.06	Wilson	2.06
Lane	1.97	Woodson	2.06
Leavenworth	2.10	Wyandotte	2.10
Lincoln	2.01		

## KENTUCKY

County	Rate per bushel	County	Rate per bushel
Adair	\$2.09	Clinton	\$2.10
Allen	2.08	Crittenden	2.06
Anderson	2.10	Cumberland	2.09
Ballard	2.06	Daviess	2.06
Barren	2.08	Edmonson	2.07
Bath	2.10	Elliott	2.10
Bell	2.09	Estill	2.10
Boone	2.09	Fayette	2.11
Bourbon	2.11	Fleming	2.10
Boyd	2.11	Franklin	2.10
Boyle	2.11	Fulton	2.06
Bracken	2.10	Gallatin	2.09
Breathitt	2.09	Garrard	2.11
Breckenridge	2.07	Grant	2.10
Bullitt	2.09	Graves	2.06
Butler	2.07	Grayson	2.08
Caldwell	2.07	Green	2.10
Calloway	2.06	Greenup	2.11
Campbell	2.09	Hancock	2.07
Carlisle	2.06	Hardin	2.08
Carroll	2.09	Harrison	2.10
Carter	2.10	Hart	2.08
Casey	2.10	Henderson	2.06
Christian	2.07	Henry	2.09
Clark	2.11	Hickman	2.06
Clay	2.09	Hopkins	2.07

## KENTUCKY—Continued

County	Rate per bushel	County	Rate per bushel
Jackson	\$2.09	Muhlenberg	\$2.07
Jefferson	2.09	Nelson	2.10
Jessamine	2.11	Nicholas	2.10
Johnson	2.09	Ohio	2.07
Kenton	2.09	Oldham	2.09
Knox	2.09	Owen	2.10
Larue	2.09	Owsley	2.09
Laurel	2.10	Pendleton	2.10
Lawrence	2.10	Powell	2.10
Lee	2.10	Pulaski	2.11
Lewis	2.11	Robertson	2.10
Lincoln	2.11	Rockcastle	2.11
Livingston	2.06	Rowan	2.11
Logan	2.07	Russell	2.09
Lyon	2.07	Scott	2.10
McCracken	2.06	Shelby	2.09
McCreary	2.09	Simpson	2.08
McLean	2.06	Spencer	2.09
Madison	2.11	Taylor	2.10
Magoffin	2.09	Todd	2.07
Marion	2.10	Trigg	2.07
Marshall	2.06	Trimble	2.09
Mason	2.10	Union	2.06
Meade	2.07	Warren	2.07
Menifee	2.09	Washington	2.11
Mercer	2.11	Wayne	2.10
Metcalfe	2.08	Webster	2.06
Monroe	2.09	Whitley	2.09
Montgomery	2.10	Wolfe	2.09
Morgan	2.09	Woodford	2.11

## MARYLAND

County	Rate per bushel	County	Rate per bushel
Allegany	\$2.14	Howard	\$2.26
Anne Arundel	2.22	Kent	2.23
Baltimore	2.22	Montgomery	2.21
Calvert	2.20	Prince Georges	2.21
Caroline	2.23	Queen Annes	2.23
Carroll	2.22	St. Marys	2.21
Cecil	2.22	Somerset	2.20
Charles	2.20	Talbot	2.23
Dorchester	2.22	Washington	2.18
Frederick	2.21	Wicomico	2.22
Garrett	2.13	Worcester	2.21
Harford	2.22		

## MICHIGAN

County	Rate per bushel	County	Rate per bushel
Alcona	\$1.88	Lake	\$1.95
Alger	2.00	Lapeer	2.00
Allegan	2.01	Leelanau	1.88
Alpena	1.87	Lenawee	2.01
Antrim	1.88	Livingston	2.01
Arenac	1.93	Luce	1.88
Baraga	2.07	Mackinac	1.88
Barry	2.01	Macomb	2.02
Bay	1.98	Manistee	1.95
Benzie	1.98	Marquette	2.05
Berrien	2.10	Mason	1.95
Branch	2.02	Mecosta	1.95
Calhoun	2.05	Menominee	2.00
Cass	2.05	Midland	1.98
Charlevoix	1.88	Missaukee	1.94
Cheboygan	1.86	Monroe	2.02
Chippewa	1.88	Montcalm	1.98
Clare	1.98	Montmorency	1.87
Clinton	2.00	Muskegon	1.98
Crawford	1.89	Newaygo	1.97
Delta	2.00	Oakland	2.00
Dickinson	2.00	Oceana	1.95
Eaton	2.01	Ogemaw	1.96
Emmet	1.87	Ontonagon	2.01
Genesee	2.00	Osceola	1.95
Gladwin	1.96	Oscoda	1.96
Gogebic	2.09	Otsego	1.87
Grand Traverse	1.92	Ottawa	2.01
Gratiot	2.00	Presque Isle	1.86
Hillsdale	2.01	Roscommon	1.89
Houghton	2.02	Saginaw	2.00
Huron	1.95	St. Clair	2.01
Ingham	2.01	St. Joseph	2.04
Ionia	2.00	Sanilac	1.98
Iosco	1.89	Schoolcraft	2.00
Iron	2.01	Shiawassee	2.00
Isabella	1.97	Tuscola	1.97
Jackson	2.02	Van Buren	2.03
Kalamazoo	2.04	Washtenaw	2.01
Kalkaska	1.88	Wayne	2.01
Kent	2.00	Wexford	1.95
Keweenaw	2.02		



## RULES AND REGULATIONS

## MINNESOTA

County	Rate per bushel	County	Rate per bushel
Aitkin	\$2.24	Martin	\$2.12
Anoka	2.16	Meeker	2.16
Becker	2.16	Mille Lacs	2.19
Beltrami	2.18	Morrison	2.21
Benton	2.16	Mower	2.16
Big Stone	2.16	Murray	2.11
Blue Earth	2.16	Nicollet	2.16
Brown	2.16	Nobles	2.09
Carlton	2.24	Norman	2.13
Carver	2.16	Olmsted	2.16
Cass	2.21	Otter Tail	2.17
Chippewa	2.16	Pennington	2.14
Chisago	2.16	Pine	2.23
Clay	2.15	Pipestone	2.10
Clearwater	2.17	Polk	2.14
Cottonwood	2.12	Pope	2.16
Crow Wing	2.22	Ramsey	2.16
Dakota	2.16	Red Lake	2.15
Dodge	2.16	Redwood	2.16
Douglas	2.16	Renville	2.16
Faribault	2.12	Rice	2.16
Fillmore	2.16	Rock	2.09
Freeborn	2.16	Roseau	2.11
Goodhue	2.16	St. Louis	2.15
Grant	2.16	Scott	2.16
Hennepin	2.16	Sherburne	2.16
Houston	2.16	Sibley	2.16
Hubbard	2.18	Stearns	2.16
Isanti	2.16	Steele	2.16
Itasca	2.23	Stevens	2.16
Jackson	2.11	Swift	2.16
Kanabec	2.22	Todd	2.17
Kandiyohi	2.16	Traverse	2.16
Kittson	2.10	Wabasha	2.16
Koochiching	2.16	Wadena	2.19
Lac qui Parle	2.16	Waseca	2.16
Lake of the Woods	2.14	Washington	2.16
Le Sueur	2.16	Watsonwan	2.13
Lincoln	2.14	Wilkin	2.16
Lyon	2.16	Winona	2.16
McLeod	2.16	Wright	2.16
Mahnomen	2.15	Yellow	
Marshall	2.12	Medicine	2.16

## MISSISSIPPI

All counties..... \$2.05

## MISSOURI

County	Rate per bushel	County	Rate per bushel
Adair	\$2.02	Franklin	\$2.10
Andrew	2.10	Gasconade	2.06
Atchison	2.09	Gentry	2.09
Audrain	2.05	Greene	2.04
Barry	2.04	Grundy	2.07
Barton	2.06	Harrison	2.07
Bates	2.09	Henry	2.09
Benton	2.07	Hickory	2.06
Bollinger	2.05	Holt	2.10
Boone	2.05	Howard	2.05
Buchanan	2.10	Howell	1.99
Butler	2.15	Iron	2.06
Caldwell	2.09	Jackson	2.10
Callaway	2.05	Jasper	2.06
Camden	2.02	Jefferson	2.11
Cape Girardeau	2.12	Johnson	2.09
Carroll	2.08	Knox	2.03
Carter	2.04	Laclede	2.01
Cass	2.10	Lafayette	2.09
Cedar	2.08	Lawrence	2.04
Chariton	2.07	Lewis	2.04
Christian	2.04	Lincoln	2.10
Clark	2.04	Linn	2.06
Clay	2.10	Livingston	2.08
Clinton	2.10	McDonald	2.04
Cole	2.03	Macon	2.03
Cooper	2.06	Madison	2.06
Crawford	2.07	Maries	2.06
Dade	2.06	Marion	2.05
Dallas	2.03	Mercer	2.05
Davies	2.09	Miller	2.02
De Kalb	2.10	Mississippi	2.15
Dent	2.04	Moniteau	2.05
Douglas	2.01	Monroe	2.04
Dunklin	2.16	Montgomery	2.07
		Morgan	2.05

## MISSOURI—Continued

County	Rate per bushel	County	Rate per bushel
New Madrid	\$2.16	Ste. Genevieve	\$2.08
Newton	2.04	St. Francois	2.07
Nodaway	2.08	St. Louis	2.11
Oregon	2.03	Saline	2.08
Osage	2.05	Schuyler	2.02
Ozark	1.98	Scotland	2.03
Pemiscot	2.16	Scott	2.14
Perry	2.06	Shannon	2.01
Pettis	2.07	Shelby	2.04
Phelps	2.05	Stoddard	2.14
Pike	2.06	Stone	2.03
Platte	2.10	Sullivan	2.05
Polk	2.06	Taney	2.02
Pulaski	2.03	Texas	2.01
Putnam	2.05	Vernon	2.08
Ralls	2.05	Warren	2.10
Randolph	2.04	Washington	2.08
Ray	2.09	Wayne	2.04
Reynolds	2.02	Webster	2.02
Ripley	2.11	Worth	2.08
St. Charles	2.11	Wright	2.01
St. Clair	2.08		

## MONTANA

County	Rate per bushel	County	Rate per bushel
Beaverhead	\$1.74	Madison	\$1.81
Big Horn	1.78	Meagher	1.81
Blaine	1.81	Mineral	1.83
Broadwater	1.81	Missoula	1.83
Carbon	1.81	Musselshell	1.81
Carter	1.90	Park	1.81
Cascade	1.81	Petroleum	1.81
Chouteau	1.81	Phillips	1.82
Custer	1.88	Pondera	1.81
Daniels	1.85	Powder River	1.86
Dawson	1.89	Powell	1.78
Deer Lodge	1.76	Prairie	1.88
Fallon	1.90	Ravalli	1.80
Fergus	1.81	Richland	1.89
Flathead	1.80	Roosevelt	1.90
Gallatin	1.81	Rosebud	1.83
Garfield	1.87	Sanders	1.83
Glacier	1.81	Sheridan	1.88
Golden Valley	1.81	Silver Bow	1.77
Granite	1.80	Stillwater	1.81
Hill	1.81	Sweet Grass	1.81
Jefferson	1.79	Teton	1.81
Judith Basin	1.81	Toole	1.81
Lake	1.80	Treasure	1.82
Lewis and Clark	1.81	Valley	1.85
Liberty	1.81	Wheatland	1.81
Lincoln	1.80	Wibaux	1.91
McCone	1.88	Yellowstone	1.81

## NEBRASKA

County	Rate per bushel	County	Rate per bushel
Adams	\$2.04	Furnas	\$2.00
Antelope	2.05	Gage	2.08
Arthur	1.95	Garden	1.94
Banner	1.90	Garfield	2.03
Blaine	1.99	Gosper	2.01
Boone	2.06	Grant	1.95
Box Butte	1.94	Greeley	2.05
Boyd	2.02	Hall	2.05
Brown	1.99	Hamilton	2.06
Buffalo	2.04	Harlan	2.01
Burt	2.10	Hayes	1.96
Butler	2.10	Hitchcock	1.97
Cass	2.10	Holt	2.03
Cedar	2.04	Hooker	1.97
Chase	1.95	Howard	2.05
Cherry	1.97	Jefferson	2.06
Cheyenne	1.91	Johnson	2.08
Clay	2.04	Kearney	2.02
Colfax	2.10	Keith	1.95
Cuming	2.09	Keya Paha	1.99
Custer	2.01	Kimball	1.90
Dakota	2.07	Knox	2.03
Dawes	1.91	Lancaster	2.10
Dawson	2.02	Lincoln	1.98
Deuel	1.93	Logan	1.99
Dixon	2.06	Loup	2.02
Dodge	2.10	McPherson	1.99
Douglas	2.10	Madison	2.06
Dundy	1.95	Merrick	2.06
Fillmore	2.06	Morrill	1.93
Franklin	2.02	Nance	2.07
Frontier	1.99	Nemaha	2.08

## NEBRASKA—Continued

County	Rate per bushel	County	Rate per bushel
Nuckolls	\$2.04	Seward	\$2.09
Otoe	2.10	Sheridan	1.93
Pawnee	2.07	Sherman	2.04
Perkins	1.95	Sioux	1.90
Phelps	2.02	Stanton	2.07
Pierce	2.06	Thayer	2.06
Platte	2.08	Thomas	1.99
Polk	2.08	Thurston	2.08
Red Willow	1.99	Valley	2.03
Richardson	2.07	Washington	2.10
Rock	2.00	Wayne	2.05
Saline	2.08	Webster	2.03
Sarpy	2.10	Wheeler	2.06
Saunders	2.10	York	2.07
Scotts Bluff	1.91		

## NEW JERSEY

County	Rate per bushel	County	Rate per bushel
Bergen	\$2.22	Middlesex	\$2.22
Burlington	2.22	Monmouth	2.21
Camden	2.23	Morris	2.21
Cape May	2.19	Ocean	2.21
Cumberland	2.22	Passaic	2.20
Essex	2.22	Salem	2.23
Gloucester	2.23	Somerset	2.21
Hunterdon	2.20	Sussex	2.21
Mercer	2.22	Warren	2.19

## NEW MEXICO

County	Rate per bushel	County	Rate per bushel
Bernalillo	\$1.87	Mora	\$1.87
Catron	1.78	Otero	1.90
Chaves	1.93	Quay	1.97
Colfax	1.86	Rio Arriba	1.71
Curry	1.97	Roosevelt	1.95
De Baca	1.92	Sandoval	1.87
Dona Ana	1.87	San Juan	1.50
Eddy	1.92	San Miguel	1.87
Grant	1.72	Santa Fe	1.84
Guadalupe	1.92	Sierra	1.87
Harding	1.90	Socorro	1.87
Hidalgo	1.85	Taos	1.78
Lea	1.96	Torrance	1.90
Lincoln	1.90	Union	1.91
Luna	1.85	Valencia	1.82
McKinley	1.72		

## NEW YORK

County	Rate per bushel	County	Rate per bushel
Albany	\$2.24	Oneida	\$2.19
Allegany	2.16	Onondaga	2.17
Broome	2.17	Ontario	2.17
Cattaraugus	2.13	Orange	2.20
Cayuga	2.17	Orleans	2.16
Chautauqua	2.09	Oswego	2.17
Chemung	2.17	Otsego	2.19
Chenango	2.17	Putnam	2.20
Clinton	2.14	Rensselaer	2.23
Columbia	2.22	Rockland	2.19
Cortland	2.17	St. Lawrence	2.13
Delaware	2.18	Saratoga	2.22
Dutchess	2.20	Schenectady	2.23
Erie	2.15	Schoharie	2.21
Essex	2.17	Schuyler	2.17
Franklin	2.11	Seneca	2.17
Fulton	2.18	Steuben	2.17
Genesee	2.17	Suffolk	2.16
Greene	2.21	Sullivan	2.15
Herkimer	2.20	Tioga	2.17
Jefferson	2.14	Tompkins	2.17
Lewis	2.15	Ulster	2.20
Livingston	2.17	Warren	2.20
Madison	2.17	Washington	2.21
Monroe	2.17	Wayne	2.17
Montgomery	2.23	Westchester	2.21
Nassau	2.18	Wyoming	2.17
Niagara	2.17	Yates	2.17

## NORTH CAROLINA

All counties..... \$2.16

## NORTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Adams	\$1.96	Burke	\$1.96
Barnes	2.10	Burleigh	2.01
Benson	2.02	Cass	2.12
Billings	1.95	Cavalier	2.04
Bottineau	1.97	Dickey	2.11
Bowman	1.95	Divide	1.94



## NORTH DAKOTA—Continued

County	Rate per bushel	County	Rate per bushel
Dunn	\$1.95	Pembina	\$2.08
Eddy	2.05	Pierce	2.01
Emmons	2.02	Ramsey	2.04
Foster	2.07	Ransom	2.11
Golden Valley	1.92	Renville	1.96
Grand Forks	2.11	Richland	2.16
Grant	1.96	Rolette	2.00
Griggs	2.09	Sargent	2.14
Hettinger	1.96	Sheridan	2.02
Kidder	2.04	Sioux	1.98
La Moure	2.08	Slope	1.92
Logan	2.05	Stark	1.96
McHenry	1.99	Steele	2.09
McIntosh	2.05	Stutsman	2.07
McKenzie	1.92	Towner	2.01
McLean	1.99	Traill	2.11
Mercer	1.97	Walsh	2.09
Morton	1.98	Ward	1.97
Mountain	1.96	Wells	2.04
Nelson	2.07	Williams	1.95
Oliver	1.98		

## OHIO

Adams	\$2.01	Licking	\$2.03
Allen	2.02	Logan	2.01
Ashland	2.04	Lorain	2.04
Ashtabula	2.07	Lucas	2.02
Athens	2.03	Madison	2.02
Auglaize	2.02	Mahoning	2.06
Belmont	2.04	Marion	2.03
Brown	2.01	Medina	2.04
Butler	2.01	Meigs	2.01
Carroll	2.04	Mercer	2.02
Champaign	2.01	Miami	2.02
Clark	2.01	Monroe	2.04
Clermont	2.01	Montgomery	2.01
Clinton	2.01	Morgan	2.04
Columbiana	2.05	Morrow	2.03
Coshocton	2.04	Muskingum	2.04
Crawford	2.03	Noble	2.04
Cuyahoga	2.04	Ottawa	2.03
Darke	2.04	Paulding	2.02
Defiance	2.01	Perry	2.03
Delaware	2.03	Pickaway	2.02
Erie	2.03	Pike	2.01
Fairfield	2.03	Portage	2.04
Fayette	2.01	Prebble	2.01
Franklin	2.03	Putnam	2.02
Fulton	2.01	Richland	2.04
Gallia	2.01	Ross	2.02
Geauga	2.07	Sandusky	2.03
Greene	2.01	Scioto	2.01
Guernsey	2.04	Seneca	2.03
Hamilton	2.01	Shelby	2.02
Hancock	2.03	Stark	2.04
Hardin	2.03	Summit	2.04
Harrison	2.04	Trumbull	2.07
Henry	2.01	Tuscarawas	2.04
Highland	2.01	Union	2.03
Hocking	2.03	Van Wert	2.02
Holmes	2.04	Vinton	2.03
Huron	2.03	Warren	2.01
Jackson	2.01	Washington	2.04
Jefferson	2.05	Wayne	2.04
Knox	2.03	Williams	2.02
Lake	2.05	Wood	2.03
Lawrence	2.01	Wyandot	2.03

## OKLAHOMA

Adair	\$1.99	Creek	\$1.99
Alfalfa	1.99	Custer	1.99
Atoka	1.99	Delaware	2.04
Beaver	1.96	Dewey	1.98
Beckham	1.99	Ellis	1.97
Blaine	1.99	Garfield	1.99
Bryan	1.99	Garvin	1.99
Caddo	1.99	Grady	1.99
Canadian	1.99	Grant	1.99
Carter	1.99	Greer	1.99
Cherokee	2.01	Harmon	1.99
Choctaw	1.99	Harper	1.95
Cimarron	1.94	Haskell	1.99
Cleveland	1.99	Hughes	1.99
Coal	1.99	Jackson	1.99
Comanche	1.99	Jefferson	1.99
Cotton	1.99	Johnston	1.99
Craig	2.05	Kay	2.00

## OKLAHOMA—Continued

Kingfisher	\$1.99	Ottawa	\$2.05
Kiowa	1.99	Pawnee	1.99
Latimer	1.99	Payne	1.99
Le Flore	1.99	Pittsburg	1.99
Lincoln	1.99	Pontotoc	1.99
Logan	1.99	Pottawatomie	1.99
Love	1.99	Pushmataha	1.99
McClain	1.99	Roger Mills	1.98
McCurtain	1.99	Rogers	2.03
McIntosh	1.99	Seminole	1.99
Major	1.99	Sequoyah	1.99
Marshall	1.99	Stephens	1.99
Mayes	2.03	Texas	1.96
Murray	1.99	Tillman	1.99
Muskogee	1.99	Tulsa	2.02
Noble	1.99	Wagoner	2.02
Nowata	2.05	Washington	2.05
Okfuskee	1.99	Washita	1.99
Oklahoma	1.99	Woods	1.98
Okmulgee	1.99	Woodward	1.97
Osage	2.01		

## OREGON

Baker	\$1.94	Lake	\$1.99
Benton	1.98	Lane	1.95
Clackamas	2.02	Lincoln	1.92
Clatsop	1.98	Linn	1.98
Columbia	2.00	Malheur	1.89
Coos	1.88	Marion	2.01
Crook	2.01	Morrow	2.02
Curry	1.86	Multnomah	2.05
Deschutes	2.01	Polk	2.00
Douglas	1.90	Sherman	2.04
Gilliam	2.03	Tillamook	2.04
Grant	2.01	Umatilla	2.01
Harney	1.86	Union	1.96
Hood River	2.03	Wallowa	1.93
Jackson	1.86	Wasco	2.07
Jefferson	2.04	Washington	2.04
Josephine	1.83	Wheeler	2.01
Klamath	2.00	Yamhill	2.02

## PENNSYLVANIA

Adams	\$2.20	Lackawanna	\$2.16
Allegheny	2.08	Lancaster	2.20
Armstrong	2.10	Lawrence	2.08
Beaver	2.08	Lebanon	2.18
Bedford	2.13	Lehigh	2.20
Berks	2.20	Luzerne	2.16
Blair	2.12	Lycoming	2.14
Bradford	2.16	McKean	2.12
Bucks	2.22	Mercer	2.07
Butler	2.09	Mifflin	2.15
Cambria	2.11	Monroe	2.18
Carbon	2.18	Montgomery	2.22
Centre	2.13	Montour	2.15
Chester	2.21	Northampton	2.20
Clarion	2.09	Northumber-	
Clearfield	2.11	land	2.15
Clinton	2.13	Perry	2.17
Columbia	2.17	Pike	2.14
Crawford	2.07	Potter	2.11
Cumberland	2.18	Schuylkill	2.17
Dauphin	2.17	Snyder	2.15
Delaware	2.22	Somerset	2.12
Elk	2.12	Sullivan	2.17
Erie	2.07	Susquehanna	2.16
Fayette	2.11	Tioga	2.16
Forest	2.08	Union	2.15
Franklin	2.18	Venango	2.07
Fulton	2.16	Warren	2.07
Greene	2.09	Washington	2.08
Huntingdon	2.14	Wayne	2.15
Indiana	2.11	Westmoreland	2.10
Jefferson	2.11	Wyoming	2.17
Juniata	2.15	York	2.20

## SOUTH CAROLINA

All counties	\$2.14
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## SOUTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Aurora	\$2.01	Brookings	\$2.09
Beadle	2.07	Brown	2.10
Bennett	1.95	Brule	1.99
Bon Homme	2.03	Buffalo	1.99

## SOUTH DAKOTA—Continued

County	Rate per bushel	County	Rate per bushel
Butte	\$1.90	Lake	\$2.08
Campbell	2.04	Lawrence	1.90
Charles Mix	2.01	Lincoln	2.07
Clark	2.11	Lyman	1.97
Clay	2.07	McCook	2.07
Codington	2.12	McPherson	2.05
Corson	1.98	Marshall	2.13
Custer	1.90	Meade	1.93
Davison	2.05	Mellette	1.98
Day	2.12	Miner	2.07
Deuel	2.11	Minnehaha	2.08
Dewey	1.97	Moody	2.09
Douglas	2.02	Pennington	1.93
Edmunds	2.06	Perkins	1.96
Fall River	1.89	Potter	2.01
Faulk	2.04	Roberts	2.15
Grant	2.15	Sanborn	2.06
Gregory	2.01	Shannon	1.93
Haakon	1.96	Spink	2.08
Hamlin	2.10	Stanley	2.02
Hand	2.05	Sully	2.00
Hanson	2.06	Todd	1.98
Harding	1.95	Tripp	1.99
Hughes	2.02	Turner	2.07
Hutchinson	2.03	Union	2.07
Hyde	2.03	Walworth	2.02
Jackson	1.95	Washabaugh	1.95
Jerauld	2.06	Yankton	2.05
Jones	1.95	Ziebach	1.95
Kingsbury	2.09		

## TENNESSEE

Anderson	\$2.14	Lauderdale	\$2.06
Bedford	2.11	Lawrence	2.10
Benton	2.08	Lewis	2.10
Bledsoe	2.12	Lincoln	2.12
Blount	2.15	Loudon	2.14
Bradley	2.14	McMinn	2.14
Campbell	2.14	McNairy	2.07
Cannon	2.10	Macon	2.09
Carroll	2.07	Madison	2.06
Carter	2.17	Marion	2.12
Cheatham	2.09	Marshall	2.11
Chester	2.07	Mauzy	2.10
Claiborne	2.16	Meigs	2.13
Clay	2.10	Monroe	2.15
Cocke	2.15	Montgomery	2.08
Coffey	2.11	Moore	2.11
Crockett	2.06	Morgan	2.13
Cumberland	2.12	Oblon	2.06
Davidson	2.09	Overton	2.11
Decatur	2.08	Perry	2.09
DeKalb	2.10	Pickett	2.11
Dickson	2.09	Polk	2.15
Dyer	2.06	Putnam	2.11
Fayette	2.06	Rhea	2.13
Fentress	2.12	Roane	2.13
Franklin	2.12	Robertson	2.08
Gibson	2.06	Rutherford	2.10
Giles	2.11	Scott	2.13
Grainger	2.15	Sequatchie	2.12
Greene	2.16	Sevier	2.15
Grundy	2.11	Shelby	2.06
Hamblen	2.16	Smith	2.10
Hamilton	2.13	Stewart	2.08
Hancock	2.17	Sullivan	2.18
Hardeman	2.07	Sumner	2.08
Hardin	2.08	Tipton	2.06
Hawkins	2.18	Trousdale	2.09
Haywood	2.06	Unicoi	2.16
Henderson	2.08	Union	2.15
Henry	2.07	Van Buren	2.11
Hickman	2.09	Warren	2.11
Houston	2.08	Washington	2.17
Humphreys	2.08	Wayne	2.09
Jackson	2.10	Weakley	2.06
Jefferson	2.15	White	2.11
Johnson	2.17	Williamson	2.10
Knox	2.15	Wilson	2.09
Lake	2.06		

## TEXAS

Andrews	\$1.98	Bandera	\$2.08
Archer	1.99	Bastrop	2.12
Armstrong	1.99	Baylor	1.99
Atascosa	2.10	Bee	2.10
Bailey	1.99	Bell	2.12



## RULES AND REGULATIONS

## TEXAS—Continued

County	Rate per bushel	County	Rate per bushel
Bexar	\$2.12	Karnes	\$2.10
Blanco	2.11	Kaufman	2.09
Borden	1.99	Kendall	2.08
Bosque	2.10	Kent	1.99
Bowie	2.03	Kerr	2.07
Briscoe	1.99	Kimble	2.06
Brown	2.08	King	1.99
Burleson	2.15	Kinney	2.00
Burnet	2.08	Knox	1.99
Caldwell	2.12	Lamar	2.03
Calhoun	2.12	Lamb	1.99
Callahan	1.99	Lampasas	2.08
Carson	1.99	Limestone	2.12
Castro	1.99	Lipscomb	1.97
Chambers	2.18	Live Oak	2.10
Cherokee	2.13	Llano	2.08
Childress	1.99	Loving	1.92
Clay	2.01	Lubbock	1.99
Cochran	1.99	Lynn	1.99
Coke	1.99	McCulloch	2.07
Coleman	2.05	McLennan	2.12
Collin	2.08	Martin	1.98
Collingsworth	1.99	Mason	2.08
Comal	2.12	Maverick	1.97
Comanche	2.02	Medina	2.10
Concho	2.05	Menard	2.05
Cooke	2.03	Midland	1.97
Coryell	2.08	Milam	2.14
Cottle	1.99	Mills	2.08
Crosby	1.99	Mitchell	1.99
Culberson	1.91	Montague	2.03
Dallam	1.96	Moore	1.97
Dallas	2.08	Motley	1.99
Dawson	1.99	Navarro	2.11
Deaf Smith	1.99	Nolan	1.99
Delta	2.06	Ochiltree	1.97
Denton	2.08	Oldham	1.99
DeWitt	2.12	Palo Pinto	2.03
Dickens	1.99	Parker	2.06
Dimmit	2.01	Parmer	1.99
Donley	1.99	Pecos	1.91
Eastland	2.00	Potter	1.99
Edwards	1.99	Presidio	1.89
Ellis	2.10	Randall	1.99
El Paso	1.89	Real	2.05
Erath	2.04	Reeves	1.92
Falls	2.12	Refugio	2.10
Fannin	2.03	Roberts	1.97
Fisher	1.99	Robertson	2.12
Floyd	1.99	Rockwall	2.08
Foard	1.99	Runnels	2.03
Gaines	1.99	San Saba	2.08
Galveston	2.29	Schleicher	1.97
Garza	1.99	Scurry	1.99
Gillespie	2.07	Shackelford	1.99
Glasscock	1.99	Sherman	1.96
Goliad	2.12	Somervell	2.08
Gray	1.98	Stephens	2.03
Grayson	2.03	Sterling	1.99
Guadalupe	2.12	Stonewall	1.99
Hale	1.99	Sutton	1.95
Hall	1.99	Swisher	1.99
Hamilton	2.04	Tarrant	2.09
Hansford	1.96	Taylor	2.01
Hardeman	1.99	Terry	1.99
Harris	2.28	Throckmorton	2.01
Hartley	1.97	Tom Green	1.99
Haskell	1.99	Travis	2.12
Hays	2.12	Uvalde	2.05
Hemphill	1.97	Van Zandt	2.08
Hill	2.11	Victoria	2.12
Hockley	1.99	Waller	2.25
Hood	2.07	Ward	1.94
Howard	1.99	Wharton	2.23
Hudspeth	1.90	Wheeler	1.98
Hunt	2.07	Wichita	1.99
Hutchinson	1.97	Wilbarger	1.99
Irion	1.96	Williamson	2.12
Jack	2.03	Wilson	2.10
Jackson	2.15	Wise	2.05
Jeff Davis	1.90	Yoakum	1.99
Johnson	2.10	Young	2.03
Jones	1.99	Zavala	2.01

## UTAH

Beaver	\$1.88	Cache	\$1.87
Box Elder	1.87	Carbon	1.75

## UTAH—Continued

County	Rate per bushel	County	Rate per bushel
Daggett	\$1.75	Salt Lake	\$1.88
Davis	1.88	San Juan	1.75
Duchesne	1.76	Sanpete	1.69
Emery	1.75	Sevier	1.64
Garfield	1.63	Summit	1.88
Grand	1.75	Tooele	1.88
Iron	1.87	Uintah	1.73
Juab	1.88	Utah	1.88
Kane	1.63	Wasatch	1.76
Millard	1.84	Washington	1.87
Morgan	1.88	Wayne	1.66
Piute	1.63	Weber	1.88
Rich	1.74		

## VIRGINIA

County	Rate per bushel	County	Rate per bushel
Accomac	\$2.17	Lee	\$2.15
Albemarle	2.16	Loudoun	2.16
Alleghany	2.14	Louisa	2.16
Amelia	2.17	Lunenburg	2.17
Amherst	2.16	Madison	2.16
Appomattox	2.17	Mathews	2.17
Arlington	2.16	Mecklenburg	2.16
Augusta	2.16	Middlesex	2.17
Bath	2.14	Montgomery	2.14
Bedford	2.16	Nansemond	2.16
Bland	2.14	Nelson	2.16
Botetourt	2.15	New Kent	2.17
Brunswick	2.16	Norfolk	2.16
Buchanan	2.14	Northampton	2.17
Buckingham	2.17	Northumberland	2.17
Campbell	2.16	land	2.17
Caroline	2.17	Nottaway	2.17
Carroll	2.15	Orange	2.16
Charles City	2.17	Page	2.16
Charlotte	2.17	Patrick	2.15
Chesterfield	2.17	Pittsylvania	2.16
Clarke	2.16	Powhatan	2.17
Craig	2.14	Prince	2.17
Culpeper	2.16	Edward	2.17
Cumberland	2.17	Prince	2.17
Dickenson	2.14	George	2.17
Dinwiddie	2.17	Prince	2.17
Elizabeth City	2.17	William	2.16
Essex	2.17	Princess Anne	2.16
Fairfax	2.16	Pulaski	2.15
Fauquier	2.16	Rappahan-	2.16
Floyd	2.15	nock	2.16
Fluvanna	2.16	Richmond	2.17
Franklin	2.15	Roanoke	2.15
Frederick	2.16	Rockbridge	2.16
Giles	2.14	Rockingham	2.16
Gloucester	2.17	Russell	2.15
Goochland	2.17	Scott	2.15
Grayson	2.15	Shenandoah	2.16
Greene	2.16	Smyth	2.15
Greensville	2.16	Southampton	2.16
Halifax	2.16	Spotsylvania	2.17
Hanover	2.17	Stafford	2.17
Henrico	2.17	Surry	2.16
Henry	2.15	Sussex	2.16
Highland	2.14	Tazewell	2.14
Isle of Wight	2.16	Warren	2.16
James City	2.17	Warwick	2.17
King and	2.17	Washington	2.15
Queen	2.17	Westmoreland	2.17
King George	2.17	Wise	2.15
King William	2.17	Wythe	2.15
Lancaster	2.17	York	2.17

## WASHINGTON

County	Rate per bushel	County	Rate per bushel
Adams	\$1.99	Kitsap	\$1.95
Asotin	1.95	Kittitas	2.05
Benton	2.02	Klickitat	2.03
Chelan	2.00	Lewis	1.98
Clallam	1.89	Lincoln	1.98
Clark	2.04	Mason	1.97
Columbia	2.00	Okanogon	1.98
Cowlitz	2.02	Pacific	1.97
Douglas	1.99	Pend Oreille	1.83
Ferry	1.77	Pierce	2.03
Franklin	2.01	San Juan	2.00
Garfield	1.98	Skagit	2.00
Grant	2.00	Skamania	2.03
Grays Harbor	1.97	Snohomish	2.01
Island	2.00	Spokane	1.95
Jefferson	1.91	Stevens	1.91
King	2.04	Thurston	1.99

## WASHINGTON—Continued

County	Rate per bushel	County	Rate per bushel
Wahkiakum	\$2.02	Whitman	\$1.96
Walla Walla	2.01	Yakima	2.01
Whatcom	1.99		

## WEST VIRGINIA

County	Rate per bushel	County	Rate per bushel
Barbour	\$2.11	Mineral	\$2.13
Berkeley	2.15	Mingo	2.10
Boone	2.10	Monongalia	2.09
Braxton	2.10	Monroe	2.13
Brooke	2.08	Morgan	2.14
Cabell	2.08	Nicholas	2.12
Calhoun	2.09	Ohio	2.08
Clay	2.10	Pendleton	2.14
Doddridge	2.08	Pleasants	2.07
Fayette	2.12	Pocahontas	2.14
Gilmer	2.09	Preston	2.11
Grant	2.13	Putnam	2.08
Greenbrier	2.14	Raleigh	2.11
Hampshire	2.14	Randolph	2.13
Hancock	2.08	Ritchie	2.08
Hardy	2.14	Roane	2.08
Harrison	2.10	Summers	2.14
Jackson	2.07	Taylor	2.11
Jefferson	2.16	Tucker	2.13
Kanawha	2.09	Tyler	2.07
Lewis	2.10	Upshur	2.11
Lincoln	2.09	Wayne	2.09
Logan	2.10	Webster	2.12
McDowell	2.12	Wetzel	2.08
Marion	2.09	Wirt	2.08
Marshall	2.08	Wood	2.07
Mason	2.08	Wyoming	2.11
Mercer	2.13		

## WISCONSIN

County	Rate per bushel	County	Rate per bushel
Adams	\$2.07	Marathon	\$2.09
Ashland	2.14	Marquette	2.06
Barron	2.13	Marquette	2.06
Bayfield	2.14	Milwaukee	2.11
Brown	2.02	Monroe	2.09
Buffalo	2.13	Oconto	2.00
Burnett	2.24	Oneida	2.04
Calumet	2.03	Outagamie	2.02
Chippewa	2.12	Ozaukee	2.05
Clark	2.09	Pepin	2.15
Columbia	2.05	Pierce	2.16
Crawford	2.08	Polk	2.16
Dane	2.05	Portage	2.07
Dodge	2.04	Price	2.10
Door	1.98	Racine	2.11
Douglas	2.19	Richland	2.04
Dunn	2.14	Rock	2.06
Eau Claire	2.13	Rusk	2.12
Florence	2.03	St. Croix	2.16
Fond du Lac	2.04	Sauk	2.05
Forest	2.07	Sawyer	2.13
Grant	2.03	Shawano	2.04
Green	2.05	Sheboygan	2.04
Green Lake	2.02	Taylor	2.10
Iowa	2.01	Trempealeau	2.11
Iron	2.10	Vernon	2.09
Jackson	2.11	Vilas	2.04
Jefferson	2.06	Walworth	2.07
Juneau	2.08	Washburn	2.14
Kenosha	2.11	Washington	2.05
Kewaunee	1.99	Waukesha	2.06
La Crosse	2.10	Waupaca	2.05
La Fayette	2.02	Waushara	2.05
Langlade	2.04	Winnebago	2.03
Lincoln	2.04	Wood	2.09
Manitowoc	2.03		

## WYOMING

County	Rate per bushel	County	Rate per bushel
Albany	\$1.84	Natrona	\$1.76
Big Horn	1.73	Niobrara	1.86
Campbell	1.81	Park	1.73
Carbon	1.78	Platte	1.90
Converse	1.82	Sheridan	1.79
Crook	1.83	Sublette	1.74
Fremont	1.73	Sweetwater	1.75
Goshen	1.90	Teton	1.78
Hot Springs	1.73	Uinta	1.75
Johnson	1.79	Washakie	1.73
Laramie	1.90	Weston	1.85
Lincoln	1.72		



(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)

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on August 15, 1962.

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

[F.R. Doc. 62-8401; Filed, Aug. 20, 1962; 8:58 a.m.]

## Title 7—AGRICULTURE

### Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 612]

#### PART 301—DOMESTIC QUARANTINE NOTICES

##### Subpart—Khapra Beetle

#### ADMINISTRATIVE INSTRUCTIONS DESIGNATING CERTAIN PREMISES AS REGULATED AREAS

Pursuant to § 301.76-2 of the regulations supplemental to the Khapra Beetle Quarantine (7 CFR 301.76-2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), revised administrative instructions are hereby issued as follows, listing premises in which infestation of the khapra beetle has been determined to exist and designating such premises as regulated areas within the meaning of said quarantine and regulations.

§ 301.76-2a Administrative instructions designating certain premises as regulated areas under the khapra beetle quarantine and regulations.

Infestation of the khapra beetle has been determined to exist in the premises listed below. Accordingly, such premises are hereby designated as regulated areas within the meaning of the provisions in this subpart:

#### ARIZONA

C. Areboyo, chicken coop, located ¼ mile north of Farmers Investment Co. labor camp office, Sahuarita, P.O. Box 143, Sahuarita.

Santos Castellana, chicken coop, located ¼ mile north of Farmers Investment Co., cotton gin, Sahuarita, P.O. Box 179, Sahuarita.

Benjamin Castillo residence, located ½ mile north and ½ mile east of Farmers Investment Co. office, Sahuarita, P.O. Box 44, Sahuarita.

Farmers Investment Co., Baca Float Ranch, located on the east side of Highway 89, 3 miles south of Tumacacori, in Santa Cruz Co., P.O. Box 7, Sahuarita.

Farmers Investment Co., Continental Feed Lot, located 1 mile north of Continental, east side of Highway 89, Box 374, Nogales Star Route, Continental.

Farmers Investment Co., feed lot, located ½ mile east and ¾ mile north of Sahuarita, P.O. Box 7, Sahuarita.

Farmers Investment Company Grain Storage, located on the east side of Nogales Highway 89, 20 miles south of Tucson, P.O. Box 7, Sahuarita.

Farmers Investment Co., machine shop, located ¼ mile south of Continental store, P.O. Box 347, Continental.

Farmers Investment Co., Oro Verde Ranch, located ¼ mile east of Highway 89, 14 miles south of Tucson, P.O. Box 7, Sahuarita.

Gomicindo Gomez, chicken coop, located ½ mile south of Producers Gin, Sahuarita, P.O. Box 114, Sahuarita.

Joe Lopez, chicken coop, located ½ mile west and ¼ mile north of Sahuarita, 238 East Aviation Drive, Tucson.

Juan Lopez residence, located east of Farmers Investment Co., cotton gin, Sahuarita, P.O. Box 171, Sahuarita.

Producers Cotton Oil Co., cotton gin, located on the east side of Highway 89, Sahuarita.

L. W. Simmons Farm, located on the west side of Highway 77, 3 miles south of Winkelman, P.O. Box 914, Coolidge.

Edward Soliz Residence, 2511 East Maryland Drive, Tempe.

State Chemical Co., 4158 East Grant Road, Tucson.

Charles A. Whitlow Ranch, located 11 miles east of Florence, 3½ miles north of Florence-Kelvin Highway, P.O. Box 13, Florence.

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161. 19 F.R. 74, as amended; 7 CFR 301.76-2)

These administrative instructions shall become effective August 21, 1962, when they shall supersede P.P.C. 612, effective May 1, 1962 (27 F.R. 4147).

These administrative instructions designate certain premises in Arizona, in which khapra beetle infestation has been determined to exist, as regulated areas under the khapra beetle quarantine and regulations. They also have the effect of revoking the designation as regulated areas of certain premises in Arizona, since it has been determined by the Director of the Plant Pest Control Division that adequate sanitation measures have been practiced for a sufficient length of time to eradicate the khapra beetle in and upon such premises.

These instructions, in part, impose restrictions supplementing khapra beetle quarantine regulations already effective. They also relieve restrictions insofar as they revoke the designation of certain regulated areas. They must be made effective promptly in order to carry out the purposes of the regulations and to be of maximum benefit in permitting the interstate movement, without restriction under the quarantine, of regulated products from the premises being removed from designation as regulated areas. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the foregoing administrative instructions are impracticable and good cause is found for making the effective date thereof less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 15th day of August 1962.

[SEAL]

D. R. SHEPHERD,  
Acting Director,  
Plant Pest Control Division.

[F.R. Doc. 62-8400; Filed, Aug. 20, 1962; 8:58 a.m.]

#### PART 319—FOREIGN QUARANTINE NOTICES

##### Subpart—Nursery Stock, Plants, and Seeds

#### AMENDMENT OF LIST OF PLANTS PROHIBITED ENTRY

Pursuant to the authority conferred by sections 7 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 160, 162), § 319.37(b) of the quarantine relating to the importation of nursery stock, plants, and seeds (7 CFR 319.37 (b)), is amended by inserting "Republic of South Africa" in the tabular column titled "Foreign country or countries from which prohibited" in the item relating to "Rosa spp.", so that the amended item reads: "Australia, Italy, New Zealand, and Republic of South Africa."

(Secs. 7 and 9, 37 Stat. 317, 318, as amended; 7 U.S.C. 160, 162)

The foregoing amendment shall become effective August 21, 1962.

A paper by M. A. Meyers entitled "Virus diseases of roses in South Africa" appearing in the South African Journal of Agricultural Science 3(3):467-471, 1960, reports the presence of rose wilt virus at Pretoria, Republic of South Africa. Plants of Rosa spp. are now prohibited importation into the United States from Australia, Italy, and New Zealand because of the occurrence of rose wilt virus in these three countries. The foregoing amendment imposes a similar prohibition on plants of this genus from the Republic of South Africa.

The amendment should be made effective promptly in order to accomplish its purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 15th day of August 1962.

[SEAL]

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

[F.R. Doc. 62-8380; Filed, Aug. 20, 1962; 8:56 a.m.]

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

#### PART 981—HANDLING OF ALMONDS GROWN IN CALIFORNIA

##### Administrative Rules and Regulations

Notice was published in the FEDERAL REGISTER on July 14, 1962 (27 F.R. 6717), that there was under consideration a proposal to amend the administrative rules and regulations (Subpart—Administrative Rules and Regulations), pertaining to operations under the amended



## RULES AND REGULATIONS

marketing agreement and order (7 CFR Part 981), regulating the handling of almonds grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (secs. 1-19, 48 Stat. 31, as amended, 7 U.S.C. 601-674).

The notice afforded interested persons 15 days for filing written data, views, or arguments pertaining to the proposal. A communication was received from three handlers requesting a slight modification of the proposal. After consideration of all relevant matters presented, including those in the communication and notice, it is hereby found that amending the administrative rules and regulations as herein set forth will tend to effectuate the declared policy of the act.

Therefore, Subpart—Administrative Rules and Regulations (§§ 981.450-981.481), is amended as follows:

(a) Amend the introductory text of § 981.450(a) to read as follows:

(a) *Exemption from program obligations.* Any handler who, pursuant to § 981.50, intends to dispose of almonds, other than those withheld to meet a surplus obligation, for export to eligible surplus destinations, for crushing into oil, or for producing animal feed or products in other outlets which the Board finds are noncompetitive with existing normal markets for almonds, may have the kernel weight of such almonds excluded from such handler's receipts and exempted from program obligations to the extent provided in this part if the almonds are so disposed of no later than 30 days after the close of the current crop year, and he complies with the following measures to assure accountability to the Board:

(b) Amend § 981.450(a)(2) by eliminating the period at the end of the paragraph and adding the following: " \* \* \* except that in the case of exports, an agreement that such almonds will not be sold within or reimported into the United States, will be obtained from the purchaser."

(c) Amend § 981.450 (a) (3) to read as follows:

(3) Ships directly to the location where disposition is to take place, or in the case of export ships directly to the purchaser, and upon domestic shipment or export, the handler shall submit to the Board a copy of the sales invoice, bill of lading, or such other instruments acceptable to the Board as shall verify the shipment or export.

(d) Amend § 981.450(a)(4) to read as follows:

(4) Upon completion of disposition, other than by export, the handler shall submit to the Board ACB Form 8 wherein the user of almonds certifies to the Board and the Secretary that the almonds have been crushed, fed, or so comingled with other feed products or otherwise processed that they have lost their identity as almonds.

Dated August 15, 1962, to be effective 30 days after publication in the FEDERAL REGISTER.

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

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

[F.R. Doc. 62-8378; Filed, Aug. 20, 1962; 8:56 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter III—Federal Aviation Agency

#### SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 61-NY-42]

#### PART 600—DESIGNATION OF FEDERAL AIRWAYS

##### Alteration

On July 28, 1962, there was published in the FEDERAL REGISTER (27 F.R. 7429) amendments to §§ 600.6072, 601.6072, 600.663, and 601.663 of the regulations of the Administrator. The amendment to § 600.6072 designated a segment of low altitude VOR Federal airway No. 72 from Concord, N.H., to Laconia, N.H. The terminus of Victor 72 over Laconia was defined as the intersection of the Concord VOR 011° and the Lebanon, N.H., VOR 103° radials. This amendment is to become effective September 20, 1962.

Subsequent to the publication of the rule, it has been determined that the intersection should have been based on the Concord VOR 011° and the Kennebunk, Maine, VORTAC 281° radials. By utilizing the Kennebunk VORTAC radial in lieu of the Lebanon VOR radial, a minimum en route altitude of 4,000 feet MSL may be utilized. The Lebanon radial permits only a 6,000 feet MSL minimum en route altitude.

Since this action imposes no additional burden on any person, compliance with section 4 of the Administrative Procedure Act is unnecessary and the effective date of the final rule as initially adopted may be retained.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), effective immediately, Airspace Docket No. 61-NY-42 is changed as follows:

In item 1(b) "the Lebanon, N.H., VOR 103° radials." is deleted and "the Kennebunk, Maine, VORTAC 281° radials." is substituted therefor.

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

Issued in Washington, D.C., on August 14, 1962.

W. THOMAS DEASON,  
*Assistant Chief,  
Airspace Utilization Division.*

[F.R. Doc. 62-8335; Filed, Aug. 20, 1962; 8:45 a.m.]

[Airspace Docket No. 62-EA-26]

#### PART 600—DESIGNATION OF FEDERAL AIRWAYS

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

##### Designation of Federal Airway and Associated Control Areas

On July 4, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 6336) stating that the Federal Aviation Agency proposed to designate low altitude VOR Federal airway No. 469 and its associated control areas between Danville, Va., and Lynchburg, Va.

The Air Transport Association of America concurred in the proposed action and no other comments were received.

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 received.

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. In Part 600 (14 CFR Part 600) the following is added:

§ 600.6469 VOR Federal airway No. 469 (Danville, Va., to Lynchburg, Va.).

From the Danville, Va., VOR to the Lynchburg, Va., VORTAC.

2. In Part 601 (14 CFR Part 601) the following is added:

§ 601.6469 VOR Federal airway No. 469 Control areas (Danville, Va., to Lynchburg, Va.).

All of VOR Federal airway No. 469.

These amendments shall become effective 0001 e.s.t., October 18, 1962.

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

Issued in Washington, D.C., on August 14, 1962.

W. THOMAS DEASON,  
*Assistant Chief,  
Airspace Utilization Division.*

[F.R. Doc. 62-8338; Filed, Aug. 20, 1962; 8:46 a.m.]

[Airspace Docket No. 62-EA-55]

#### PART 600—DESIGNATION OF FEDERAL AIRWAYS

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

##### Alteration of Federal Airways and Associated Control Areas

On July 26, 1962, a notice of proposed rule making was published in the FED-



ERAL REGISTER (27 F.R. 7127) stating that the Federal Aviation Agency was considering the extension low altitude VOR Federal airway No. 143 and its associated control areas from the Montebello, Va., VOR to the Casanova, Va., VORTAC; the designation of a north alternate to low altitude VOR Federal airway No. 156 and its associated control areas between the Elkins, W. Va., VORTAC and the Gordonsville, Va., VORTAC via the Kessel, W. Va., VOR; and the extension of low altitude VOR Federal airway No. 251 and its associated control areas from the Front Royal, Va., VOR to the Montebello, Va., VOR.

No adverse 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 600.6143 (14 CFR 600.6143) is amended as follows:

(a) In the caption "to Montebello, Va.," is deleted and "to Casanova, Va.," is substituted therefor.

(b) In the text "to the Montebello, Va., VOR," is deleted and "Montebello, Va., VOR; INT of the Montebello VOR 031° and the Casanova, Va., VORTAC 267° radials; to the Casanova VORTAC." is substituted therefor.

2. In the text of § 600.6156 (14 CFR 600.6156, 27 F.R. 1596) "From the Elkins, W. Va., VORTAC via the Gordonsville, Va., VORTAC;" is deleted and "From the Elkins, W. Va., VORTAC via the Gordonsville, Va., VORTAC; including a north alternate from the Elkins VORTAC to the Gordonsville VORTAC via the Kessel, W. Va., VOR;" is substituted therefor.

3. Section 600.6251 (14 CFR 600.6251) is amended as follows:

(a) In the caption "(Front Royal, Va.," is deleted and "(Montebello, Va.," is substituted therefor.

(b) In the text "From the Front Royal, Va., VOR via the" is deleted and "From the Montebello, Va., VOR via the Front Royal, Va., VOR;" is substituted therefor.

4. In the caption of § 601.6143 (14 CFR 601.6143) "to Montebello, Va.," is deleted and "to Casanova, Va.," is substituted therefor.

5. In the text of § 601.6156 (14 CFR 601.6156) "No. 156," is deleted and "No. 156, including a N alternate, but excluding the airspace between the main airway and the N alternate." is substituted therefor.

6. In the caption of § 601.6251 (14 CFR 601.6251) "(Front Royal, Va.," is deleted and "(Montebello, Va.," is substituted therefor.

These amendments shall become effective 0001 e.s.t. September 20, 1962.

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

Issued in Washington, D.C., on August 14, 1962.

W. THOMAS DEASON,  
Assistant Chief,  
Airspace Utilization Division.

[F.R. Doc. 62-8339; Filed, Aug. 20, 1962; 8:46 a.m.]

[Airspace Docket No. 62-SO-36]

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

### Alteration of Control Zone

On June 16, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 5747) stating that the Federal Aviation Agency proposed to alter the Greenville, S.C., control zone.

No adverse comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice § 601.2145 (14 CFR 601.2145) is amended to read:

#### § 601.2145 Greenville, S.C., control zone.

Within a 5-mile radius of the Greenville Airport (latitude 34°50'50" N., longitude 82°21'05" W.); within a 5-mile radius of the Donaldson AFB (latitude 34°45'00" N., longitude 82°22'00" W.), Greenville, S.C.; within a 5-mile radius of the Piedmont Airport (latitude 34°53'48" N., longitude 82°13'04" W.), Greenville, S.C.; within 2 miles either side of the 219° bearing from the Greenville ILS OM extending from the Donaldson AFB 5-mile radius zone to 12 miles SW of the Greenville ILS OM; and within 2 miles either side of the Piedmont ILS localizer SW course extending from the Piedmont Airport 5-mile radius zone to the Piedmont ILS OM.

This amendment shall become effective 0001 e.s.t., October 15, 1962.

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

Issued in Washington, D.C., on August 14, 1962.

W. THOMAS DEASON,  
Assistant Chief,  
Airspace Utilization Division.

[F.R. Doc. 62-8336; Filed, Aug. 20, 1962; 8:45 a.m.]

[Airspace Docket No. 62-WA-93]

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

### Alteration of Control Zone and Control Area Extension

The purpose of these amendments to §§ 601.2156 and 601.230 of the regulations of the Administrator is to alter the Miami, Fla. (International Airport), control zone and control area extension.

The Miami control zone (§ 601.2156) and the Miami control area extension (§ 601.230) are designated, in part, with reference to the Miami ILS serving runway 9-R. This facility is being relocated to serve runway 27-L and a new ILS to serve runway 9-L has been commissioned. Therefore, action is taken herein to alter the descriptions of the Miami International Airport control zone and the Miami control area extension with reference to these ILS facilities. This results in a reduction in length of the present east and west control zone extensions, and shifts slightly northward the remaining portion of the west extension. Requirements for this area will be reviewed at a later date under the CAR Amendments 60-21/60-29 implementation program.

Since the changes effected by these amendments are minor in nature, and impose no additional burden on any person, notice and public procedure hereon are unnecessary, and they may be made effective September 20, 1962.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) the following actions are taken:

#### § 601.230 [Amendment]

1. In the text of § 601.230 (14 CFR 601.230) "the Miami ILS outer marker compass locator" is deleted and "the Miami runway 9-L ILS OM" is substituted therefor.

2. Section 601.2156 (14 CFR 601.2156) is amended to read:

#### § 601.2156 Miami, Fla. (International Airport), control zone.

Within a 5-mile radius of the Miami International Airport (latitude 25°47'35" N., longitude 80°17'10" W.); within 2 miles either side of the Miami runway 9-L ILS localizer W course extending from the 5-mile radius zone to the runway 9-L ILS OM; within 2 miles either side of the Miami runway 27-L ILS localizer E course extending from the 5-mile radius zone to the runway 27-L ILS OM; and within 2 miles either side of the Miami VORTAC 138° radial extending from the 5-mile radius zone to the VORTAC.



These amendments shall become effective 0001 e.s.t., September 20, 1962.

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

Issued in Washington, D.C., on August 14, 1962.

W. THOMAS DEASON,  
Assistant Chief,  
Airspace Utilization Division.

[F.R. Doc. 62-8337; Filed, Aug. 20, 1962;  
8:46 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission [Docket 8457 c.o.]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Dormeyer Corp. and North Advertising Inc.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages or connections*: § 13.15-5 *Advertising and promotional services*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Dormeyer Corporation et al., Chicago, Ill., Docket 8457, May 8, 1962]

*In the Matter of Dormeyer Corporation, a Corporation, and North Advertising Incorporated, a Corporation*

Consent order requiring a Chicago manufacturer of household electrical appliances and its advertising agency to cease representing falsely, in trade journals of national circulation, that Dormeyer products had been featured as gifts or shown on each of 12 "give-away" shows named, and that arrangements had been made to continue such featuring and for respondent manufacturer to sponsor the shows.

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

*It is ordered*, That respondent Dormeyer Corporation, a corporation, its successors and assigns, and respondent North Advertising Incorporated, a corporation, and their officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of household electrical appliances, or any other product, in commerce, as "commerce" is defined in the Federal Trade Commission Act, forthwith cease and desist from:

1. Representing that such household electrical appliances or any other products have been exhibited, featured, or advertised to any extent, or in any manner, which is contrary to the fact.

2. Representing that any such electrical household appliances or any other products will be advertised or promoted to any extent or in any specified manner and then failing to advertise or promote such products to the extent or in the manner represented.

3. Falsely representing that contracts have been entered into or arrangements

or commitments made for the sponsorship of any radio or television show or program, or whereby any such electrical household appliances or any other products will be exhibited, featured or advertised on any radio or television show or program or in any other specified manner.

*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: May 8, 1962.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 62-8352; Filed, Aug. 20, 1962;  
8:48 a.m.]

[Docket 6495 o.]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Foremost Dairies, Inc.

Subpart—Acquiring stock or assets of competitor: § 13.5 *Acquiring stock or assets of competitor*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 18) [Divestiture order, Foremost Dairies, Inc., Jacksonville, Fla., Docket 6495, Apr. 30, 1962]

Order requiring the fourth largest dairy firm in the country to sell ten industry concerns it acquired in 1952, 1953, and 1955, which acquisitions might substantially lessen competition or tend to create a monopoly, in violation of section 7 of the Clayton Act.

The order requiring divestiture, together with compliance provisions, is as follows:

*It is ordered*, That respondent, Foremost Dairies, Inc., a corporation, and its officers, directors, agents, representatives and employees, shall, within twelve months from the date of service upon it of this order, divest itself absolutely, in good faith, of all stock, assets, properties, rights and privileges, tangible or intangible, including, but not limited to, all contract rights, plants, machinery, equipment, trade names, trademarks, and good will acquired by Foremost Dairies, Inc., as a result of the acquisition of the stock, share capital, or assets of each of the following named corporations: Banner Dairies, Inc., Abilene, Texas; Phenix Dairy, Houston, Texas; Tennessee Dairies, Inc., Dallas, Texas; Southern Maid, Inc., Bristol, Virginia; The Welch Milk Company, Welch, West Virginia; Crescent Creamery Co., Sioux Falls, South Dakota; Moanalua Dairy, Ltd., and Rico Ice Cream Company, Ltd., Honolulu, Hawaii; Golden State Company, Ltd., San Francisco, California; and Philadelphia Dairy Products, Inc., Philadelphia, Pennsylvania, together with all plants, machinery, buildings, improvements, equipment, and other property of whatever description that has been added to or placed on the prem-

ises of each of the former above-named corporations by respondent, as may be necessary to restore each of them as a going concern and to establish each of them as an effective competitor in substantially all the same basic lines of commerce in which each of the respective acquired corporations was engaged at the time of its acquisition.

Pending divestiture, Foremost shall not make any changes in any of the above-mentioned plants, machinery, buildings, equipment, or other property of whatever description, which shall impair their present rated capacity for the production of their respective dairy products, or their market value, unless said capacity or value is restored prior to divestiture.

Respondent in such divestiture shall not sell or transfer, directly or indirectly, any of the stock, assets, properties, rights, or privileges, tangible or intangible, acquired, added modified or placed on the premises of any of the above-named concerns by respondent, to anyone who, at the time of divestiture, is a stockholder of respondent, or to anyone who is or, at the time of acquisition, was an officer, director, representative, employee, or agent of, or otherwise, directly or indirectly, connected with, or under the control or influence of, respondent.

*It is further ordered*, That, in said divestiture, respondent shall not sell or transfer, directly or indirectly, any of the stock, assets, properties, rights or privileges, tangible or intangible, to any corporation, or to anyone, who, at the time of said divestiture, is an officer, director, employee or agent of such corporation, which, at the time of such sale or transfer, is a substantial factor in the dairy products industry, if the effect of such sale or transfer might be to substantially lessen competition or tend to create a monopoly or oligopoly in any one of the said dairy products, in any section of the country.

*It is further ordered*, That the charges contained in paragraph seven of the complaint be, and they hereby are, dismissed.

*It is further ordered*, That respondent, Foremost Dairies, Inc., shall, within three months from the date of service upon it of this order, submit in writing for the consideration and approval of the Federal Trade Commission, its plan for carrying out the provisions of this order, such plan to include the date within which full compliance may be effected.

Issued: April 30, 1962.

By the Commission.<sup>1</sup>

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 62-8351; Filed, Aug. 20, 1962;  
8:48 a.m.]

[Docket C-134]

#### PART 13—PROHIBITED TRADE PRACTICES

##### S.G.L. Mfg. Corp. et al.

Subpart—Furnishing false guaranties:  
§ 13.1053 *Furnishing false guaranties*:

<sup>1</sup> Commissioner Elman dissenting in part.



§ 13.1053-30 *Flammable Fabrics Act*. Subpart—Importing, selling, or transporting flammable wear: § 13.1060 *Importing, selling, or transporting flammable wear*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 67 Stat. 111, as amended; 15 U.S.C. 45, 1191) [Cease and desist order, S.G.L. Mfg. Corp. et al., New York, N.Y., Docket C-134, May 8, 1962]

*In the Matter of S.G.L. Mfg. Corp., a Corporation, and Nancy Greer, Inc., a Corporation, and Sidney Lippman, and Sol Greenfield, Individually and as Officers of Both Corporations*

Consent order requiring New York City manufacturers to cease violating the Flammable Fabrics Act by manufacturing and selling in commerce dresses made of fabric so highly flammable as to be dangerous when worn, and furnishing their customers with a false guaranty that tests had been made and showed that the dresses were not dangerously flammable.

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

It is ordered, That respondents S.G.L. Mfg. Corp., a corporation, and its officers, and Nancy Greer, Inc., a corporation, and its officers, and Sidney Lippman and Sol Greenfield individually and as officers of both corporations, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from:

1. (a) Importing into the United States; or

(b) Manufacturing for sale, selling, offering for sale, introducing, delivering for introduction, transporting or causing to be transported, in commerce, as "commerce" is defined in the Flammable Fabrics Act; or (c) Transporting or causing to be transported, for the purpose of sale or delivery after sale in commerce;

any article of wearing apparel which, under the provisions of section 4 of the Flammable Fabrics Act, as amended, is so highly flammable as to be dangerous when worn by individuals.

2. Manufacturing for sale, selling, or offering for sale any article of wearing apparel made of fabric, which fabric has been shipped or received in commerce, and which, under section 4 of the Flammable Fabrics Act, as amended, is so highly flammable as to be dangerous when worn by individuals.

3. Furnishing to any person a guaranty with respect to any article of wearing apparel or fabric which respondents, or any of them, have reason to believe may be introduced, sold or transported in commerce, which guaranty represents, contrary to fact, that reasonable and representative tests made under the procedures provided in section 4 of the Flammable Fabrics Act, as amended, and the rules and regulations thereunder, show and will show that the article of wearing apparel, or the fabric used or contained therein, covered by the guaranty, is not,

in the form delivered or to be delivered by the guarantor, so highly flammable under the provisions of the Flammable Fabrics Act as to be dangerous when worn by individuals, provided, however, that this prohibition shall not be applicable to a guaranty furnished on the basis of, and in reliance upon, a guaranty to the same effect received by respondents in good faith signed by and containing the name and address of the person by whom the article of wearing apparel or fabric was manufactured or from whom it was received.

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: May 8, 1962.

By the Commission.

[SEAL]

JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 62-8395; Filed, Aug. 20, 1962; 8:58 a.m.]

## Title 21—FOOD AND DRUGS

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

#### PART 19—CHEESES; PROCESSED CHEESES; CHEESE FOODS; CHEESE SPREADS, AND RELATED FOODS; DEFINITIONS AND STANDARDS OF IDENTITY

##### Muenster Cheese for Manufacturing; Identity; Effective Date

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), notice is hereby given that no objections were filed to the order published in the FEDERAL REGISTER of June 26, 1962 (27 F.R. 5985), establishing a definition and standard of identity for muenster cheese for manufacturing and amending the standards for specified pasteurized cheese products to list muenster cheese for manufacturing as a permitted cheese ingredient of such products. Accordingly, the definition and standard of identity and the referenced amendments promulgated by that order will become effective August 25, 1962.

(Secs. 401, 701, 52 Stat. 1046, 1055 as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: August 14, 1962.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 62-8370; Filed, Aug. 20, 1962; 8:53 a.m.]

## PART 121—FOOD ADDITIVES

### Subpart D—Food Additives Permitted in Food for Human Consumption

#### FURALTADONE

The Commissioner of Food and Drugs has evaluated data submitted by The Norwich Pharmacal Company, Post Office Box 191, Norwich, New York, and other relevant information and has concluded that the following regulation should issue establishing a zero tolerance in milk for furaltadone used as an intramammary infusion for mastitis. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations are amended by adding to Subpart D the following new section:

#### § 121.1094 Furaltadone.

A tolerance of zero is established for residues of furaltadone in milk of dairy cows resulting from use of the additive as an intramammary infusion not less than 48 hours before milk is taken for consumption.

Notice and public procedure and delayed effective date are not necessary prerequisites to the promulgation of this order, and I so find, since this regulation is interpretative in nature.

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

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

Dated: August 14, 1962.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 62-8374; Filed, Aug. 20, 1962; 8:55 a.m.]

## PART 121—FOOD ADDITIVES

### Subpart D—Food Additives Permitted in Food for Human Consumption

#### NICOTINAMIDE-ASCORBIC ACID COMPLEX

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by the R. P. Scherer Corporation, 9425 Grinnell Avenue, Detroit 13, Michigan, and other relevant material, has concluded that the following regulation should issue to provide for the safe use of nicotinamide-ascorbic acid complex in multivitamin preparations. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), Part 121 is amended by adding to Subpart D the following new section:



### § 121.1095 Nicotinamide-ascorbic acid complex.

Nicotinamide-ascorbic acid complex may be safely used in accordance with the following prescribed conditions:

(a) The additive is the product of the controlled reaction between ascorbic acid and nicotinamide, melting in the range 141° C. to 145° C.

(b) It is used as a source of ascorbic acid and nicotinamide in multivitamin preparations.

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

Dated: August 14, 1962.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 62-8375; Filed, Aug. 20, 1962; 8:55 a.m.]

## PART 121—FOOD ADDITIVES

### Subpart D—Food Additives Permitted in Food for Human Consumption

#### ETHYL FORMATE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Union Carbide Corporation, Saw Mill River Road at Route 100C, Tarrytown, New York, and other relevant material, has concluded that the following regulation should issue with respect to the food additive ethyl formate. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart D the following new section:

### § 121.1096 Ethyl formate.

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

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

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

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

Any person who will be adversely affected by the foregoing order may at any time 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)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: August 14, 1962.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 62-8373; Filed, Aug. 20, 1962; 8:54 a.m.]

## PART 121—FOOD ADDITIVES

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

#### DEFOAMING AGENTS USED IN THE MANUFACTURE OF PAPER AND PAPERBOARD

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Wyandotte Chemicals Corporation, 1609 Biddle Avenue, Wyandotte, Michigan, and other relevant material, has concluded that the food additive regulations should be amended to broaden the description of one of the miscellaneous substances permitted for use in the formulation of defoaming agents used in the manufacture of paper and paperboard intended for use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625),

§ 121.2519 *Defoaming agents used in the manufacture of paper and paperboard* is amended by deleting from paragraph (d)(3) the item "Polyoxypropylene-ethylene oxide condensate, molecular weight 950-2,250" and substituting therefor the item "Polyoxypropylene-polyoxyethylene condensate, molecular weight 950-2,750."

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

Dated: August 14, 1962.

GEO. P. LARRICK,  
Commissioner of Food and Drugs.

[F.R. Doc. 62-8376; Filed, Aug. 20, 1962; 8:55 a.m.]

## PART 121—FOOD ADDITIVES

### Subpart C—Food Additives Permitted in Animal Feed and Animal Feed Supplements

### Subpart D—Food Additives Permitted in Food for Human Consumption

## PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

### Antibiotics in Cattle Feed

1. The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Commercial Solvents Corporation, Terre Haute, Indiana, and other relevant material, has concluded that the following amendments to the food additive regulations should issue to permit the addition of zinc bacitracin to cattle feed. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), Part 121 is amended as follows:

a. Section 121.225(c)(3)(iii) is amended to read:



**§ 121.225 Antibiotics for growth promotion and feed efficiency.**

(c) \* \* \*

(3) \* \* \*

(iii) In feed for growing cattle, in an amount providing not less than 35 milligrams nor more than 70 milligrams per animal per day.

b. Based upon an evaluation of the data before him, and proceeding under the authority of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), the Commissioner of Food and Drugs has further concluded that where cattle have received feed treated with zinc bacitracin in accordance with § 121.225 (d)(3)(iii), tolerance limitations are required in order to assure that the edible tissues and byproducts from cattle are safe for human consumption. Therefore, § 121.1005 is amended to read as follows:

**§ 121.1005 Bacitracin, zinc bacitracin, manganese bacitracin, bacitracin methylene disalicylate.**

A tolerance of zero is established for residues of the food additives bacitracin, bacitracin methylene disalicylate, manganese bacitracin, and zinc bacitracin in eggs of poultry, in milk, and in the uncooked edible tissues and byproducts of cattle, swine, pheasants, quail, and poultry.

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

**§ 146.26 [Amendment]**

2. Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507(c), 59 Stat. 463 as amended; 21 U.S.C. 357(c)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the Commissioner finds that cattle feed containing zinc bacitracin is safe and efficacious for use in the conditions prescribed in amendment 1a of this order. Therefore, § 146.26 *Animal feed containing penicillin* \* \* \* (21 CFR 146.26) is amended by adding to paragraph (b) the following new subparagraph:

(52) It is a cattle feed containing zinc bacitracin in the amounts and for the purposes indicated in § 121.225 of this chapter and its labeling bears adequate directions and warnings for such use.

(Sec. 507(c), 59 Stat. 463; 21 U.S.C. 357(c))

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 sup-

ported 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.

(Secs. 409(c)(1), 507, 59 Stat. 463 as amended, 72 Stat. 1786; 21 U.S.C. 348(c)(1), 357)

Dated: August 14, 1962.

GEO. P. LARRICK,

Commissioner of Food and Drugs.

[F.R. Doc. 62-8372; Filed, Aug. 20, 1962; 8:54 a.m.]

**Title 29—LABOR****Chapter V—Wage and Hour Division, Department of Labor****SUBCHAPTER B—STATEMENTS OF GENERAL POLICY OR INTERPRETATION NOT DIRECTLY RELATED TO REGULATIONS****PART 783—APPLICATION OF THE FAIR LABOR STANDARDS ACT TO EMPLOYEES EMPLOYED AS SEAMEN****Revision**

Pursuant to the Fair Labor Standards Act of 1938 (29 U.S.C. 201-219), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A (15 F.R. 3290) of the Secretary of Labor, Part 783 of Title 29 of the Code of Federal Regulations is hereby revised in the manner indicated below in order to reflect interpretations of the Fair Labor Standards Amendments of 1961 (75 Stat. 65-75).

The revision shall become effective upon its publication in the FEDERAL REGISTER. The revision is interpretative. Therefore, the procedural and effective date requirements of section 4 of the Administrative Procedure Act are not applicable.

As revised, Part 783 of Title 29 of the Code of Federal Regulations reads as follows:

**INTRODUCTORY**

- Sec.  
783.0 Purpose of this part.  
783.1 General scope of the Act.  
783.2 Matters discussed in this part.  
783.3 Significance of official interpretations.  
783.4 Basic support for interpretations.  
783.5 Interpretations made, continued, and superseded by this part.

**SOME BASIC DEFINITIONS**

- 783.6 Definitions of terms used in the Act.  
783.7 "Employer", "employee", and "employ".  
783.8 "Person".  
783.9 "Enterprise".  
783.10 "Establishment".  
783.11 "Enterprise engaged in commerce or in the production of goods for commerce".  
783.12 "Commerce".  
783.13 "Production".  
783.14 "Goods".  
783.15 "State".  
783.16 "Wage".  
783.17 "American vessel".

**APPLICATION IN GENERAL OF THE ACT'S PROVISIONS**

- Sec.  
783.18 Commerce activities of employees.  
783.19 Commerce activities of enterprise in which employee is employed.  
783.20 Exemptions from the Act's provisions.  
783.21 Guiding principles for applying coverage and exemption provisions.  
783.22 Pay standards for employees subject to "old" coverage of the Act.  
783.23 Pay standards for "newly covered" employees.

**THE STATUTORY PROVISIONS REGARDING SEAMEN**

- 783.24 The section 13(a)(14) exemption.  
783.25 The section 13(b)(6) exemption.  
783.26 The section 6(b)(2) minimum wage requirement.  
783.27 Scope of the provisions regarding "seamen".

**LEGISLATIVE HISTORY AND JUDICIAL CONSTRUCTION OF THE EXEMPTIONS**

- 783.28 General legislative history.  
783.29 Adoption of the exemption in the original 1938 Act.  
783.30 The 1961 Amendments.

**WHO IS "EMPLOYED AS A SEAMAN"**

- 783.31 Criteria for employment "as a seaman".  
783.32 "Seaman" includes crew members.  
783.33 Employment "as a seaman" depends on the work actually performed.  
783.34 Employees aboard vessels who are not "seamen".  
783.35 Employees serving as "watchmen" aboard vessels in port.  
783.36 Barge tenders.  
783.37 Enforcement policy for nonseaman's work.

**WHAT IS AN "AMERICAN VESSEL"**

- 783.38 Statutory definition of "American vessel".  
783.39 "Vessel" includes all means of water transportation.  
783.40 "Documented" vessel.  
783.41 "Numbered" vessel.  
783.42 Vessels neither "documented" nor "numbered".

**COMPUTATION OF WAGES AND HOURS**

- 783.43 Computation of seaman's minimum wage.  
783.44 Board and lodging as wages.  
783.45 Deductions from wages.  
783.46 Hours worked.  
783.47 Off-duty periods.

**APPLICATION OF THE EXEMPTIONS**

- 783.48 Factors determining application of exemptions.  
783.49 Workweek unit in applying the exemptions.  
783.50 Work exempt under another section of the Act.  
783.51 Seamen on a fishing vessel.

**AUTHORITY:** §§ 783.0 to 783.51 issued under secs. 1-19, 52 Stat. 1060, as amended; 29 U.S.C. 201-219.

**INTRODUCTORY****§ 783.0 Purpose of this part.**

This Part 783 is the official interpretation of the Department of Labor with respect to the meaning and application of sections 6(b)(2), 13(a)(14), and 13(b)(6) of the Fair Labor Standards Act, as amended, which govern the application of the minimum wage and overtime pay requirements of the Act to employees employed as seamen. Prior to the Fair Labor Standards Amendments of 1961, which became effective on Sep-



tember 3, 1961, all employees employed as seamen were exempt from both the minimum wage and overtime pay provisions of the Act. The 1961 amendments have narrowed this exemption so as to extend the minimum wage provisions of the Act to employees employed as seamen on American vessels. Employees employed as seamen on vessels other than American vessels continue to be exempt from both the minimum wage and the overtime pay requirements of the Act. It is the purpose of this part to make available in one place the interpretations of the law relating to employees employed as seamen which will guide the Secretary of Labor and the Administrator in the performance of their duties under the Act.

### § 783.1 General scope of the Act.

The Fair Labor Standards Act, as amended, is a Federal statute of general application which establishes minimum wage, overtime pay, and child labor requirements that apply as provided in the Act. All employees, whose employment has the relationship to interstate or foreign commerce which the Act specifies, are subject to the prescribed labor standards unless specifically exempt from them. Employers having such employees are required to comply with the Act's provisions in this regard unless relieved therefrom by some exemption in the Act. Such employers are also required to comply with specified recordkeeping requirements contained in Part 516 of this chapter. The law authorizes the Department of Labor to investigate for compliance and, in the event of violations, to supervise the payment of unpaid wages or unpaid overtime compensation owing to any employee. The law also provides for enforcement in the courts.

### § 783.2 Matters discussed in this part.

This Part 783 discusses the meaning and application of the exemptions provided in sections 13(a) (14) and 13(b) (6) of the Act. The provisions of section 6(b) (2) of the Act, which relate to the calculation of minimum wages and the hours worked by seamen on American vessels, are also discussed in this part. Other provisions of the Act are discussed only to make clear their relevance to these provisions and are not considered in detail in this part. Interpretations and regulations also published elsewhere in this title deal in some detail with such subjects as the general coverage of the Act (Part 776 of this chapter), methods of payment of wages (Part 531 of this chapter), hours worked (Part 785 of this chapter), recordkeeping requirements (Part 516 of this chapter), and qualifications for exempt executive, administrative, and professional employees (Part 541 of this chapter). Reference should also be made to Subpart G of Part 4 of this title which contains the official interpretations of the child labor provisions of the Act. Copies of any of these documents may be obtained from any office of the Wage and Hour and Public Contracts Divisions.

### § 783.3 Significance of official interpretations.

This part contains the official interpretations of the Department of Labor pertaining to the provisions of section 6(b) (2) and the exemptions provided in sections 13(a) (14) and 13(b) (6) of the Act. It is intended that the positions stated concerning the Act will serve as "a practical guide to employers and employees as to how the office representing the public interest in its enforcement will seek to apply it" (*Skidmore v. Swift*, 323 U.S. 134). The Secretary of Labor and the Administrator will follow these interpretations in the performance of their duties under the Act, unless and until they are otherwise directed by authoritative decisions of the courts or conclude upon re-examination of an interpretation that it is incorrect. The interpretations contained herein may be relied upon in accordance with section 10 of the Portal-to-Portal Act (29 U.S.C. 251-262), so long as they remain effective and are not modified, amended, rescinded, or determined by judicial authority to be incorrect.

### § 783.4 Basic support for interpretations.

The ultimate decisions on interpretations of the Act are made by the courts (*Mitchell v. Zachry*, 362 U.S. 310; *Kirschbaum v. Walling*, 316 U.S. 517). Court decisions supporting interpretations contained in this part are cited where it is believed they may be helpful. On matters which have not been determined by the courts, it is necessary for the Secretary of Labor and the Administrator to reach conclusions as to the meaning and the application of provisions of the law in order to carry out their responsibilities of administration and enforcement (*Skidmore v. Swift*, 323 U.S. 134). In order that these positions may be made known to persons who may be affected by them, official interpretations are issued by the Administrator on the advice of the Solicitor of Labor, as authorized by the Secretary (Reorg. Pl. 6 of 1950, 64 Stat. 1263; Gen. Ord. 45A, May 24, 1950, 15 F.R. 3290). As included in this part, these interpretations are believed to express the intent of the law as reflected in its provisions and as construed by the courts and evidenced by its legislative history. References to pertinent legislative history are made in this part where it appears that they will contribute to a better understanding of the interpretations.

### § 783.5 Interpretations made, continued, and superseded by this part.

On and after publication of this Part 783 in the FEDERAL REGISTER, the interpretations contained therein shall be in effect and shall remain in effect until they are modified, rescinded or withdrawn. This part supersedes and replaces the interpretations previously published in the FEDERAL REGISTER and Code of Federal Regulations as Part 783 of this chapter. Prior opinions, rulings, and interpretations and prior enforcement policies which are not inconsistent

with the interpretations in this part or with the Fair Labor Standards Act as amended by the Fair Labor Standards Amendments of 1961 are continued in effect; all other opinions, rulings, interpretations, and enforcement policies on the subjects discussed in the interpretations in this part are rescinded and withdrawn. The interpretations in this part provide statements of general principles applicable to the subjects discussed and illustrations of the application of these principles to situations that frequently arise. They do not and cannot refer specifically to every problem which may be met by employers and employees in the application of the Act. The omission to discuss a particular problem in this part or in interpretations supplementing it should not be taken to indicate the adoption of any position by the Secretary of Labor or the Administrator with respect to such problem or to constitute an administrative interpretation or practice or enforcement policy. Questions on matters not fully covered by this part may be addressed to the Administrator of the Wage and Hour and Public Contracts Divisions, United States Department of Labor, Washington 25, D.C., or to any Regional Office of the Divisions.

### SOME BASIC DEFINITIONS

### § 783.6 Definitions of terms used in the Act.

The meaning and application of the provisions of law discussed in this part depend in large degree on the definitions of terms used in these provisions. The Act itself defines some of these terms. Others have been defined and construed in decisions of the courts. In the following sections some of these basic definitions are set forth for ready reference in connection with the part's discussion of the various provisions in which they appear. These definitions and their application are further considered in other statements of interpretations to which reference is made, and in the sections of this part where the particular provisions containing the defined terms are discussed.

### § 783.7 "Employer", "employee", and "employ".

The Act's major provisions impose certain requirements and prohibitions on every "employer" subject to their terms. The employment by an "employer" of an "employee" is, to the extent specified in the Act, made subject to minimum wage and overtime pay requirements and to prohibitions against the employment of oppressive child labor. The Act provides its own definitions of "employer", "employee", and "employ", under which "economic reality" rather than "technical concepts" determines whether there is employment subject to its terms (*Goldberg v. Whitaker House Cooperative*, 366 U.S. 28; *United States v. Silk*, 331 U.S. 704; *Rutherford Food Corp. v. McComb*, 331 U.S. 772). An "employer", as defined in section 3(d) of the Act, "includes any person acting directly or indirectly in



the interest of an employer in relation to an employee but shall not include the United States or any State or political subdivision of a State, or any labor organization (other than when acting as an employer), or anyone acting in the capacity of officer or agent of such labor organization". An "employee", as defined in section 3(e) of the Act, "includes any individual employed by an employer", and "employ", as used in the Act, is defined in section 3(g) to include "to suffer or permit to work". It should be noted, as explained in Part 791 of this chapter, dealing with joint employment, that in appropriate circumstances two or more employers may be jointly responsible for compliance with the statutory requirements applicable to employment of a particular employee. It should also be noted that "employer", "enterprise", and "establishment" are not synonymous terms, as used in the Act. An employer may have an enterprise with more than one establishment, or he may have more than one enterprise, in which he employs employees within the meaning of the Act. Also, there may be different employers who employ employees in a particular establishment or enterprise.

#### § 783.8 "Person".

As used in the Act (including the definition of "enterprise" set forth below in § 783.9), "person" is defined as meaning "an individual, partnership, association, corporation, business trust, legal representative, or any organized group of persons" (Act, section 3(a)).

#### § 783.9 "Enterprise".

The term "enterprise" which may, in some situations, be pertinent in determining coverage of this Act of employees employed by employers on vessels, is defined in section 3(r) of the Act. Section 3(r) states:

Enterprise means the related activities performed (either through unified operation or common control) by any person or persons for a common business purpose, and includes all such activities whether performed in one or more establishments or by one or more corporate or other organizational units including departments of an establishment operated through leasing arrangements, but shall not include the related activities performed for such enterprise by an independent contractor \* \* \*

The scope and application of this definition is discussed in Part 776 of this chapter and in §§ 779.200-779.235 of this chapter.

#### § 783.10 "Establishment".

As used in the Act (including the provision quoted below in § 783.11), the term "establishment", which is not specifically defined therein, refers to a "distinct physical place of business" rather than to "an entire business or enterprise" which may include several separate places of business. This is consistent with the meaning of the term as it is normally used in business and in government, is judicially settled, and has been recognized in the Congress in the course of enactment of amendatory legislation (Phillips v. Walling, 324 U.S. 490; Mitchell v. Bekins Van & Storage Co.,

352 U.S. 1027; 95 Cong. Rec. 12505, 12579, 14877; H. Rept. No. 1453, 81st Cong., 1st sess. p. 25). This is the meaning of the term as used in sections 3(r), 3(s), and 6(b) of the Act. An establishment may have employees employed away from the establishment as well as within it (H. Rept. No. 1453, supra).

#### § 783.11 "Enterprise engaged in commerce or in the production of goods for commerce".

Portions of the definition of "enterprise engaged in commerce or in the production of goods for commerce" (Act, section 3(s)) which may in some situations determine the application of provisions of the Act to employees employed by employers on vessels are as follows:

(s) "Enterprise engaged in commerce or in the production of goods for commerce" means any of the following in the activities of which employees are so engaged, including employees handling, selling, or otherwise working on goods that have been moved in or produced for commerce by any person:

(3) any establishment of any such enterprise \* \* \* which has employees engaged in commerce or in the production of goods for commerce if the annual gross volume of sales of such enterprise is not less than \$1,000,000.

The application of this definition is considered in Part 776 of this chapter.

#### § 783.12 "Commerce".

"Commerce" as used in the Act includes interstate and foreign commerce. It is defined in section 3(b) of the Act to mean "trade, commerce, transportation, transmission, or communication among the several States or between any State and any place outside thereof." (For the definition of "State", see § 783.15.) The application of this definition and the kinds of activities which it includes are discussed at length in Part 776 of this chapter dealing with the general coverage of the Act.

#### § 783.13 "Production".

To understand the meaning of "production" of goods for commerce as used in the Act it is necessary to refer to the definition in section 3(j) of the term "produced". A detailed discussion of the application of the term as defined is contained in Part 776 of this chapter, dealing with the general coverage of the Act. Section 3(j) provides that "produced" as used in the Act "means produced, manufactured, mined, handled, or in any other manner worked on in any State; and for the purposes of this Act an employee shall be deemed to have been engaged in the production of goods if such employee was employed in producing, manufacturing, mining, handling, transporting, or in any other manner working on such goods, or in any closely related process or occupation directly essential to the production thereof, in any State." (For the definition of "State" see § 783.15.)

#### § 783.14 "Goods".

The definition in section 3(i) of the Act states that "goods", as used in the Act, means "goods (including ships and marine equipment), wares, products,

commodities, merchandise, or articles or subjects of commerce of any character, or any part or ingredient thereof, but does not include goods after their delivery into the actual physical possession of the ultimate consumer thereof other than a producer, manufacturer, or processor thereof." Part 776 of this chapter, dealing with the general coverage of the Act, contains a detailed discussion of the application of this definition and what is included in it.

#### § 783.15 "State".

As used in the Act, "State" means "any State of the United States or the District of Columbia or any Territory or possession of the United States" (Act, section 3(c)). The application of this definition in determining questions of coverage under the Act's definition of "commerce" and "produced" (see §§ 783.12, 783.13) is discussed in Part 776 of this chapter, dealing with general coverage.

#### § 783.16 "Wage".

"Wage" paid to an employee is defined in section 3(m) of the Act to include "the reasonable cost, as determined by the Secretary of Labor, to the employer of furnishing such employee with board, lodging, or other facilities, if such board, lodging, or other facilities are customarily furnished by such employer to his employees: *Provided*, That the cost of board, lodging, or other facilities shall not be included as a part of the wage paid to any employee to the extent it is excluded therefrom under the terms of a bona fide collective bargaining agreement applicable to the particular employee: *Provided further*, That the Secretary is authorized to determine the fair value of such board, lodging, or other facilities for defined classes of employees and in defined areas, based on average cost to the employer or to groups of employers similarly situated, or average value to groups of employees, or other appropriate measure of fair value. Such evaluations, where applicable and pertinent, shall be used in lieu of actual measure of cost in determining the wage paid to any employee". Although there is some incidental discussion in this part of this definition and its impact, a fuller discussion of its meaning and the regulations pertaining thereto are set forth in Part 531 of this chapter.

#### § 783.17 "American vessel".

Section 3(p) of the Act, added by the 1961 Amendments, defines "American vessel" to include "any vessel which is documented or numbered under the laws of the United States." This definition and its effect with respect to the application of the Act to employment of individuals as seamen are discussed in subsequent sections of this part.

#### APPLICATION IN GENERAL OF THE ACT'S PROVISIONS

#### § 783.18 Commerce activities of employees.

Prior to the 1961 Amendments, the Fair Labor Standards Act applied to all employees, not specifically exempted, who are engaged (a) in interstate or foreign commerce or (b) in the produc-



tion of goods for such commerce, which is defined to include any closely related process or occupation directly essential to such production (29 U.S.C. 206(a), 207(a); and see §§ 783.12 to 783.15 for definitions governing the scope of this coverage). The Act as amended in 1961 continues this coverage. In general, employees of businesses concerned with the transportation of goods or persons on navigable waters are engaged in interstate or foreign commerce, or in the production of goods for such commerce, as defined in the Act, and are subject to the Act's provisions except as otherwise provided in sections 13(a) (14) and 13(b) (6) or other express exemptions. A detailed discussion of the activities in commerce or in the production of goods for commerce which will bring an employee under the Act is contained in Part 776 of this chapter, dealing with general coverage.

**§ 783.19 Commerce activities of enterprises in which employee is employed.**

Under amendments to the Fair Labor Standards Act effective September 3, 1961, employees not covered by reason of their personal engagement in interstate commerce activities, as explained in § 783.18, are nevertheless brought within the coverage of the Act if they are employed in an enterprise which is defined in section 3(s) of the Act as an enterprise engaged in commerce or in the production of goods for commerce, or by an establishment described in section 3(s) (3) of the Act (see § 783.11). Such employees, if not exempt from the minimum wage and overtime pay requirements under section 13(a) (14) or exempt from the overtime pay requirements under section 13(b) (6), will have to be paid in accordance with these monetary standards of the Act unless expressly exempt under some other provision. This would generally be true of employees employed in enterprises and by establishments engaged in a business concerned with transportation of goods or persons by vessels, where the enterprise has an annual gross sales volume of \$1,000,000 or more. Enterprise coverage is more fully discussed in Part 776 of this chapter, dealing with general coverage.

**§ 783.20 Exemptions from the Act's provisions.**

The Act provides a number of specific exemptions from the general requirements previously described. Some are exemptions from the overtime provisions only. Others are from the child labor provisions only. Several are exemptions from both the minimum wage and the overtime requirements of the Act. Finally, there are some exemptions from all three—minimum wage, overtime pay, and child labor requirements. An examination of the terminology in which the exemptions from the general coverage of the Fair Labor Standards Act are stated discloses language patterns which reflect congressional intent. Thus, Congress specified in varying degree the criteria for application of each of the exemptions and in a number of instances differentiated as

to whether employees are to be exempt because they are employed by a particular kind of employer, employed in a particular type of establishment, employed in a particular industry, employed in a particular capacity or occupation, or engaged in a specified operation. (See 29 U.S.C. 203(d); 207(b), (c), (h); 213(a), (b), (c), (d). And see *Addison v. Holly Hill*, 322 U.S. 607; *Walling v. Haden*, 153 F. 2d 196, certiorari denied 328 U.S. 866; *Mitchell v. Stinson*, 217 F. 2d 210.) In general, there are no exemptions from the child labor requirements that apply in enterprises or establishments engaged in transportation or shipping (see Part 4, Subpart G of this title). Such enterprises or establishments will, however, be concerned with the exemption from overtime pay in section 13(b) (6) of the Act for employees employed as seamen and the exemption from the minimum wage and overtime pay requirements provided by section 13(a) (14) for employees so employed on vessels other than American vessels. These exemptions, which are subject to the general rules stated in § 783.21, are discussed at length in this part.

**§ 783.21 Guiding principles for applying coverage and exemption provisions.**

It is clear that Congress intended the Fair Labor Standards Act to be broad in its scope (*Helena Glendale Ferry Co. v. Walling*, 132 F. 2d 616). "Breadth of coverage is vital to its mission" (*Powell v. U.S. Cartridge Co.*, 339 U.S. 497). An employer who claims an exemption under the Act has the burden of showing that it applies (*Walling v. General Industries Co.*, 330 U.S. 545; *Mitchell v. Kentucky Finance Co.*, 359 U.S. 290; *Tobin v. Blue Channel Corp.*, 198 F. 2d 245, approved in *Mitchell v. Myrtle Grove Packing Co.*, 350 U.S. 891; *Fleming v. Hawkeye Pearl Button Co.*, 113 F. 2d 52). Conditions specified in the language of the Act are "explicit prerequisites to exemption" (*Arnold v. Kanowsky*, 361 U.S. 388; and see *Walling v. Haden*, 153 F. 2d 196). In their application, the purpose of the exemption as shown in its legislative history as well as its language should be given effect. However, "the details with which the exemptions in this Act have been made preclude their enlargement by implication" and "no matter how broad the exemption, it is meant to apply only to" the specified activities (*Addison v. Holly Hill*, 322 U.S. 607; *Maneja v. Waialua*, 349 U.S. 254). Exemptions provided in the Act "are to be narrowly construed against the employer seeking to assert them" and their application limited to those who come "plainly and unmistakably within their terms and spirits." This construction of the exemptions is necessary to carry out the broad objectives for which the Act was passed (*Phillips v. Walling*, 324 U.S. 490; *Mitchell v. Kentucky Finance Co.*, supra; *Arnold v. Kanowsky*, supra; *Helena Glendale Ferry Co. v. Walling*, supra; *Mitchell v. Stinson*, 217 F. 2d 210; *Fleming v. Hawkeye Pearl Button Co.*, 113 F. 2d 52; *Walling v. Bay State Dredging & Contracting Co.*, 149 F. 2d 346, certiorari

denied 326 U.S. 760; *Anderson v. Manhattan Lighterage Corp.*, 148 F. 2d 971, certiorari denied 326 U.S. 722; *Sternberg Dredging Co. v. Walling*, 158 F. 2d 678).

**§ 783.22 Pay standards for employees subject to "old" coverage of the Act.**

The 1961 amendments did not change the tests described in § 783.18 by which coverage based on the employee's individual activities is determined. Any employee whose employment satisfies these tests and would not have come within some exemption (such as section 13(a) (14)) in the Act prior to the 1961 amendments is subject to the "old" provisions of the law and entitled to a minimum wage of at least \$1.15 an hour beginning September 3, 1961, and not less than \$1.25 an hour beginning September 3, 1963 (29 U.S.C. 206(a) (1)), unless expressly exempted by some provision of the amended Act. Such an employee is also entitled to overtime pay for hours worked in excess of 40 in any workweek at a rate not less than one and one-half times his regular rate of pay (29 U.S.C. 207(a) (1)), unless expressly exempt from overtime by some exemption such as section 13(b) (6) (Minimum wage rates in Puerto Rico, the Virgin Islands, and American Samoa are governed by special provisions of the Act (29 U.S.C. 206(a) (3); 206(c)). Information on these rates is available at any office of the Wage and Hour and Public Contracts Divisions.)

**§ 783.23 Pay standards for "newly covered" employees.**

There are some employees whose individual activities would not bring them within the minimum wage or overtime pay provisions of the Act as it was prior to the 1961 amendments, but who are brought within minimum wage or overtime coverage or both for the first time by the new "enterprise" coverage provisions or changes in exemptions, or both, which were enacted as part of the amendments and made effective September 3, 1961. Typical of such employees are those who, regardless of any engagement in commerce or in the production of goods for commerce, are employed as seamen and would therefore have been exempt from minimum wage as well as overtime pay requirements by virtue of section 13(a) (14) of the Act until the 1961 amendments if so employed during that period, but who by virtue of these amendments are exempt only from the overtime pay requirements on and after September 3, 1961, under section 13(b) (6) of the amended Act. These "newly covered" employees for whom no specific exemption has been retained or provided in the amendments must be paid not less than the minimum wages shown in the schedule below for hours worked, computed, in the case of employees employed as seamen, in accordance with the special provisions of section 6(b) (2) which are discussed in subsequent sections of this part. Any "newly covered" employees who are not exempted by section 13(b) (6) because of their employment as seamen must be paid, unless exempted by some other provision, not less than one and one-half



times their regular rates of pay for overtime, as shown in the schedule below.

Beginning	Minimum wage (29 U.S.C. 206(b))	Overtime pay (29 U.S.C. 207(a)(2))
Sept. 3, 1961----- Sept. 3, 1963-----	\$1 an hour----- No change-----	None required. After 44 hours in a workweek.
Sept. 3, 1964-----	\$1.15 an hour-----	After 42 hours in a workweek.
Sept. 3, 1965 <sup>1</sup> and thereafter.	\$1.25 an hour-----	After 40 hours in a workweek.

<sup>1</sup> Requirements identical to those for employees under "old" coverage. (Minimum wage rates for newly covered employees in Puerto Rico, the Virgin Islands, and American Samoa are set by wage order on recommendations of special industry committees (29 U.S.C. 206(a)(3); 206(c)(2)). Information on these rates may be obtained at any office of the Wage and Hour and Public Contracts Divisions.)

#### THE STATUTORY PROVISIONS REGARDING SEAMEN

##### § 783.24 The section 13(a)(14) exemption.

Section 13(a)(14) of the Fair Labor Standards Act exempts from the minimum wage and overtime pay requirements of the Act, but not from its child labor provisions, "any employee employed as a seaman on a vessel other than an American vessel".

##### § 783.25 The section 13(b)(6) exemption.

Section 13(b)(6) of the Act exempts from the overtime pay requirements of the Act, but not from its other requirements, "any employee employed as a seaman".

##### § 783.26 The section 6(b)(2) minimum wage requirement.

Section 6(b), with paragraph (2) thereof, requires the employer to pay to an employee, "if such employee is employed as a seaman on an American vessel, not less than the rate which will provide to the employee, for the period covered by the wage payment, wages equal to compensation at the hourly rate prescribed by paragraph (1) of this subsection for all hours during such period when he was actually on duty (including periods aboard ship when the employee was on watch or was, at the direction of a superior officer, performing work or standing by, but not including off-duty periods which are provided pursuant to the employment agreement)." The "hourly rate prescribed by" paragraph (1) of the subsection is the minimum wage rate applicable according to the schedule shown in § 783.23.

##### § 783.27 Scope of the provisions regarding "seamen".

In accordance with the above provisions of the Act as amended, an employee employed as a seaman is exempt only from its overtime pay provisions under the new section 13(b)(6), unless the vessel on which he is employed is not an American vessel. Section 13(a)(14) as amended continues the prior exemption, from minimum wages as well as overtime pay, for any employee employed as a seaman on a vessel other than an American vessel. Thus, to come within this latter exemption an employee now must be "employed as" a

"seaman" on a vessel other than an "American vessel", while to come within the overtime exemption provided by section 13(b)(6) an employee need only be "employed as" a "seaman". The minimum wage requirements of the Act, as provided in section 6(b) and paragraph (2) of that subsection apply if the employee is "employed as" a "seaman" on an "American vessel". The meaning and scope of these key words, "employed as a seaman" and "American vessel" are discussed in subsequent sections of this part. Of course, if an employee is not "employed as" a "seaman" within the meaning of this term as used in the Act, these exemptions and section 6(b)(2) would have no relevancy and his status under the Act would depend, as in the case of any other employee, upon the other facts of his employment. (§§ 783.-8-783.20.)

#### LEGISLATIVE HISTORY AND JUDICIAL CONSTRUCTION OF THE EXEMPTIONS

##### § 783.28 General legislative history.

As Originally enacted in 1938, section 13(a)(3) of the Fair Labor Standards Act exempted from both the minimum wage and overtime pay requirements "any employee employed as a seaman" (52 Stat. 1050). In 1949 when several amendments were made to the Act (63 Stat. 910), this exemption was not changed except that it was renumbered section 13(a)(14). In the 1961 Amendments (75 Stat. 65), a like exemption was retained but it was limited to one employed as a seaman on a vessel other than an American vessel (sec. 13(a)(14)); an overtime exemption was provided for all employees employed as seamen (sec. 13(b)(6)), and those employed as seamen on an American vessel were brought within the minimum wage provisions (sec. 6(b)(2)).

##### § 783.29 Adoption of the exemption in the original 1938 Act.

(a) The general pattern of the legislative history of the Act shows that Congress intended to exempt, as employees "employed as" seamen, only workers performing water transportation services. The original bill considered by the congressional committees contained no exemption for seamen or other transportation workers. At the joint hearings before the Senate and House Committees on Labor, representatives of the principal labor organizations representing seamen and other transportation workers testified orally and by writing that the peculiar needs of their industry and the fact that they were already under special governmental regulation made it unwise to bring them within the scope of the proposed legislation (see Joint Hearings before Senate Committee on Education and Labor and House Committee on Labor on S. 2475 and H.R. 7200, 75th Cong., 1st sess., pp. 545, 546, 547, 549, 1216, 1217). The committees evidently acquiesced in this view and amendments were accepted (81 Cong. Rec. 7875) and subsequently adopted in the law, exempting employees employed as seamen (sec. 13(a)(3)), certain employees of motor carriers (sec. 13(b)(1)), railroad employees (sec. 13(b)(2)), and employees

of carriers by air (sec. 13(a)(4), now sec. 13(b)(3)).

(b) That the exemption was intended to exempt employees employed as "seamen" in the ordinary meaning of that word is evidenced by the fact that the chief proponents for the seamen's exemption were the Sailors Union of the Pacific and the National Maritime Union. The former wrote asking for an exemption for "seamen" for the reason that they were already under the jurisdiction of the Maritime Commission pursuant to the Merchant Marine Act of 1936 (Joint Hearings before the Committees on Labor on S. 2475 and H.R. 7200, 75th Cong. 1st sess., pp. 1216, 1217). The representative of the latter union also asked that "seamen" be exempted for the same reason saying \* \* \* "We feel that in a general interpretation of the whole bill that the way has been left open for the proposed Labor Standards Board to have jurisdiction over those classes of workers who are engaged in transportation. While this may not have an unfavorable effect upon the workers engaged in transportation by water, we feel that it may conflict with the laws now in effect regarding the jurisdiction of the government machinery now set up to handle these problems" (id. at p. 545). And he went on to testify, "What we would like is an interpretation of the bill which would provide a protective clause for the 'seamen'" (id. at p. 547).

(c) Consonant with this legislative history, the courts in interpreting the phrase "employee employed as a seaman" for the purpose of the Act have given it its commonly accepted meaning, namely, one who is aboard a vessel necessarily and primarily in aid of its navigation (Walling v. Bay State Dredging and Contracting Co., 149 F. 2d 346; Walling v. Haden, 153 F. 2d 196; Sternberg Dredging Co. v. Walling, 158 F. 2d 678). In arriving at this conclusion, the courts recognized that the term "seaman" does not have a fixed and precise meaning but that its meaning is governed by the context in which it is used and the purpose of the statute in which it is found. In construing the Fair Labor Standards Act, as a remedial statute passed for the benefit of all workers engaged in commerce, unless exempted, the courts concluded that giving a liberal interpretation of the meaning of the term "seaman" as used in an exemptive provision of the Act would frustrate rather than accomplish the legislative purpose (Helena Glendale Ferry Co. v. Walling, 132 F. 2d 616; Walling v. Bay State Dredging and Contracting Co., supra; Sternberg Dredging Co. v. Walling, supra; Walling v. Haden, supra).

##### § 783.30 The 1961 Amendments.

One of the steps Congress took in the 1961 Amendments to extend the monetary provisions of the Act to more workers was to limit the scope of the exemption which excluded all employees employed as seamen from application of the minimum wage and overtime provisions. This it did by extending the minimum wage provisions of the Act to one employed as a seaman on an Amer-



ican vessel (section 6(b)(2)), by adding to the language of section 13(a)(14) to make the exemption applicable only to a seaman employed on a vessel other than an American vessel, and finally by the addition of a new exemption, section 13(b)(6), relieving employers of overtime pay requirements with respect to those employees employed as seamen who do not come within the scope of the amended section 13(a)(14). (H. Rep. No. 75, 87th Cong., 1st sess., pp. 33, 36; Sen. Rep. No. 145, 87th Cong. 1st sess., pp. 32, 50; Statement of the Managers on the Part of the House, H. (Conf.) Rep. No. 327, 87th Cong., 1st sess., p. 16.) In view of the retention in the 1961 amendments of the basic language of the original exemption, "employee employed as a seaman", the legislative history and prior judicial construction (see § 783.29) of the scope and meaning of this phrase would seem controlling for purposes of the amended Act.

#### WHO IS "EMPLOYED AS A SEAMAN"

##### § 783.31 Criteria for employment "as a seaman".

In accordance with the legislative history and authoritative decisions as discussed in §§ 783.28 and 783.29, an employee will ordinarily be regarded as "employed as a seaman" if he performs, as master or subject to the authority, direction, and control of the master aboard a vessel, service which is rendered primarily as an aid in the operation of such vessel as a means of transportation, provided he performs no substantial amount of work of a different character. This is true with respect to vessels navigating inland waters as well as ocean-going and coastal vessels (Sternberg Dredging Co. v. Walling, 158 F. 2d 678; Walling v. Haden, 153 F. 2d 196, certiorari denied 328 U.S. 866; Walling v. Great Lakes Dredge & Dock Co., 149 F. 2d 9, certiorari denied 327 U.S. 722; Douglas v. Dixie Sand and Gravel Co. (E.D. Tenn.) 9 WH Cases 285). The Act's provisions with respect to seamen apply to a seaman only when he is "employed as" such (Walling v. Haden, supra); it appears also from the language of sections 6(b)(2) and 13(a)(14) that they are not intended to apply to any employee who is not employed on a vessel.

##### § 783.32 "Seaman" includes crew members.

The term "seaman" includes members of the crew such as sailors, engineers, radio operators, firemen, pursers, surgeons, cooks, and stewards if, as is the usual case, their service is of the type described in § 783.31. In some cases it may not be of that type, in which event the special provisions relating to seamen will not be applicable (Sternberg Dredging Co. v. Walling, 158 F. 2d 678; Cuascut v. Standard Dredging Co., 94 F. Supp. 197; Woods Lumber Co. v. Tobin, 199 F. 2d 455). However, an employee employed as a seaman does not lose his status as such simply because, as an incident to such employment, he performs some work not connected with operation of the vessel as a means of transportation, such as assisting in the

loading or unloading of freight at the beginning or end of a voyage, if the amount of such work is not substantial.

##### § 783.33 Employment "as a seaman" depends on the work actually performed.

Whether an employee is "employed as a seaman", within the meaning of the Act, depends upon the character of the work he actually performs and not on what it is called or the place where it is performed (Walling v. Haden, 153 F. 2d 196; Cuascut v. Standard Dredging Corp., 94 F. Supp. 197). Merely because one works aboard a vessel (Helena Glendale Ferry Co. v. Walling, 132 F. 2d 616; Walling v. Bay State Dredging & Contracting Co., 149 F. 2d 346), or may be articulated as a seaman (see Walling v. Haden, supra), or performs some maritime duties (Walling v. Bay State Dredging & Contracting Co., 149 F. 2d 346; Anderson v. Manhattan Lighterage Corp., 148 F. 2d 971), one is not employed as a seaman within the meaning of the Act unless one's services are rendered primarily as an aid in the operation of the vessel as a means of transportation, as for example services performed substantially as an aid to the vessel in navigation. For this reason it would appear that employees making repairs to vessels between navigation seasons would not be "employed as" seamen during such a period. (See Desper v. Starved Rock Ferry Co., 342 U.S. 187; but see Walling v. Keansburg Steamboat Co., 162 F. 2d 405 in which the seaman exemption was allowed in the case of an articulated employee provided he also worked in the ensuing navigation period but not in the case of unarticled employees who only worked during the lay-up period.) For the same and other reasons, stevedores and longshoremen are not employed as seamen. (Knudson v. Lee & Simmons, Inc., 163 F. 2d 95). Stevedores or roustabouts traveling aboard a vessel from port to port whose principal duties require them to load and unload the vessel in port would not be employed as seamen even though during the voyage they may perform from time to time certain services of the same type as those rendered by other employees who would be regarded as seamen under the Act.

##### § 783.34 Employees aboard vessels who are not "seamen".

Concessionaires and their employees aboard a vessel ordinarily do not perform their services subject to the authority, direction, and control of the master of the vessel, except incidentally, and their services are ordinarily not rendered primarily as an aid in the operation of the vessel as a means of transportation. As a rule, therefore, they are not employed as seamen for purposes of the Act. Also, other employees working aboard vessels, whose service is not rendered primarily as an aid to the operation of the vessel as a means of transportation are not employed as seamen (Knudson v. Lee & Simmons, Inc., 163 F. 2d 95; Walling v. Haden, 153 F. 2d 196, certiorari denied 328 U.S. 866). Thus, employees on floating equipment who are engaged in the construction of docks, levees, revetments, or other structures, and employees engaged in dredging operations or in the

digging or processing of sand, gravel, or other materials are not employed as seamen within the meaning of the Act but are engaged in performing essentially industrial or excavation work (Sternberg Dredging Co. v. Walling, 158 F. 2d 678; Walling v. Haden, supra; Walling v. Bay State Dredging & Contracting Co., 149 F. 2d 346; Walling v. Great Lakes Dredge & Dock Co., 149 F. 2d 9, certiorari denied 327 U.S. 722). Thus, "captains" and "deck hands" of launches whose dominant work was industrial activity performed as an integrated part of harbor dredging operations and not in furtherance of transportation have been held not to be employed as seamen within the meaning of the Act (Cuascut v. Standard Dredging Corp., 94 F. Supp. 197).

##### § 783.35 Employees serving as "watchmen" aboard vessels in port.

Various situations are presented with respect to employees rendering watchman or similar service aboard a vessel in port. Members of the crew, who render such services during a temporary stay in port or during a brief lay-up for minor repairs, are still employed as "seamen". Where the vessel is laid up for a considerable period, members of the crew rendering watchman or similar services aboard the vessel during this period would not appear to be within the special provisions relating to seamen because their services are not rendered primarily as an aid in the operation of the vessel as a means of transportation. See Desper v. Starved Rock Ferry Co., 342 U.S. 187. Furthermore, employees who are furnished by independent contractors to perform watchman or similar services aboard a vessel while in port would not be employed as seamen regardless of the period of time the vessel is in port, since such service is not of the type described in § 783.31. The same considerations would apply in the case of members of a temporary or skeleton crew hired merely to maintain the vessel while in port so that the regular crew may be granted shore leave. On the other hand, licensed relief officers engaged during relatively short stays in port whose duty it is to maintain the ship in safe and operational condition and who exercise the authority of the master in his absence, including keeping the log, checking the navigation equipment, assisting in the movement of the vessel while in port, are employed as seamen within the meaning of the exemptions. The same may be true of licensed relief engineers employed under the same circumstances whose duty it is to maintain the ship's auxiliary machinery in operation and repair (see Pratt v. Alaska Packers Assn. (N.D. Calif.) 9 WH Cases 61).

##### § 783.36 Barge tenders.

Barge tenders on non-selfpropelled barges who perform the normal duties of their occupation, such as attending to the lines and anchors, putting out running and mooring lights, pumping out bilge water, and other similar activities necessary and usual to the navigation of barges, are considered to be employed as "seamen" for the purposes of the Act un-



less they do a substantial amount of "non-seaman's" work (*Gale v. Union Bag & Paper Corp.*, 116 F. (2d) 27 (C.A. 5, 1940), cert. den. 313 U.S. 559 (1941)). However, there are employees who, while employed on vessels such as barges and lighters, are primarily or substantially engaged in performing duties such as loading and unloading or custodial service which do not constitute service performed primarily as an aid in the operation of these vessels as a means of transportation and consequently are not employed as "seamen" (*McCarthy v. Wright & Cobb Lighterage Co.*, 163 F. (2d) 92; *Anderson v. Manhattan Lighterage Corp.*, 148 F. (2d) 971, certiorari denied 326 U.S. 722; *Woods Lumber Co. v. Tobin*, 20 Labor Cases 66,640 (W.D. Tenn., 1951), aff'd, 199 F. (2d) 455). Whether an employee is on board a vessel primarily to perform maritime services as a seaman or loading and unloading services typical of such shore-based personnel as longshoremen is a question of fact and can be determined only after reviewing all the facts in the particular case.

#### § 783.37 Enforcement policy for non-seaman's work.

In the enforcement of the Act, an employee will be regarded as "employed as a seaman" if his work as a whole meets the test stated in § 783.31, even though during the workweek he performs some work of a nature other than that which characterizes the service of a seaman, if such nonseaman's work is not substantial in amount. For enforcement purposes, the Administrator's position is that such differing work is "substantial" if it occupies more than 20 percent of the time worked by the employee during the workweek.

#### WHAT IS AN "AMERICAN VESSEL"

#### § 783.38 Statutory definition of "American vessel".

The provisions of section 6(b) (2) prescribe special methods for computing minimum wages and hours worked under the Act which are applicable only to seamen who are employed on American vessels. An "American vessel", which would appear to signify a vessel of the United States as distinguished from a foreign vessel, "includes", under the terms of the definition in section 3(p) of the Act, "any vessel which is documented or numbered under the laws of the United States." The Department of the Treasury, Bureau of Customs and the United States Coast Guard, respectively, are responsible for documentation and numbering of vessels.

#### § 783.39 "Vessel" includes all means of water transportation.

Since the Act does not define "vessel" it is appropriate to apply the definition of "vessel" as set forth in the United States Code (1 U.S.C. 3). The Code defines "vessel" as including "every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water". But the Federal Boating Act of 1958, (under which the U.S. Coast Guard is responsible for numbering ves-

sels) and the Documentation Regulations administered by the Bureau of Customs, utilize this basic definition, with the addition of specific exclusions for "seaplanes" and "aircraft" (46 U.S.C. 527; 19 CFR 3.1(a)).

#### § 783.40 "Documented" vessel.

A vessel "documented \* \* \* under the laws of the United States" is typically a vessel which has been registered, enrolled and licensed, or licensed by the Bureau of Customs under the laws of the United States (46 U.S.C. 11, 193, 251-252, 258, 840). Although Bureau of Customs regulations provide for three types of documentations, distinctions between the categories of vessels subject to them are immaterial for the purposes of the Fair Labor Standards Act, since a vessel with any of the three kinds of documentation is an "American vessel" within the section 3(p) definition. Generally, any vessel of five net tons or more which is owned by a citizen of the United States is "entitled to" documentation. Complete information on the documentation requirements may be found in 19 CFR Part 3.

#### § 783.41 "Numbered" vessel.

A vessel "numbered under the laws of the United States" means a vessel numbered pursuant to the provisions of Federal law, including vessels numbered under any State numbering system approved by the Secretary of the Department under which the U.S. Coast Guard is operating, in accordance with section 2(c) of the Federal Boating Act of 1958 (46 U.S.C. 527-527h). Generally, any vessel which is not required to have, and does not have, a valid marine document issued by the Bureau of Customs and is propelled by machinery of more than 10 horsepower, whether or not such machinery is the principal source of propulsion, is required to be numbered in conformity with the Federal Boating Act of 1958 if it uses the navigable waters of the United States, its Territories, or the District of Columbia or is owned in a State and uses the high seas (46 U.S.C. 527(a)). The requirements and procedures of this Act are explained in detail in 46 CFR Part 170.

#### § 783.42 Vessels neither "documented" nor "numbered".

An "American vessel" on which employment as a seaman is subject to the minimum wage under the provisions of section 6(b) (2) and section 13(a) (14) is not limited by the language of the Act to those vessels which are "documented" or "numbered" as described above in §§ 783.40 and 783.41. Since the term "American vessel" has traditionally been applied to regularly documented vessels (see *U.S. v. Rogers*, 27 Fed. Cas. 890; *Badger v. Entierrez*, 111 U.S. 734; 18 Op. A.G. 234 (1885); 48 Am. Jur. 40), the inclusion of numbered vessels in the statutory definition of "American vessel" would indicate that the word "includes" is used in the sense of "embracing", as an enlargement and not as a word of limitation. The term may therefore apply to other vessels that do not fall within the illustrations given. For example, neither the documenting laws nor the numbering

laws apply to vessels plying the purely internal waters of a State which do not join up with navigable waters touching on another State (19 CFR 3.5(a) (4); 33 CFR 2.10-5), but, nevertheless, the Fair Labor Standards Act does apply in those areas and it clearly would not comport with the remedial purpose of the Act to exclude from its minimum wage provisions seamen engaged in commerce or in the production of goods for commerce in those areas though the vessels are not documented or numbered. On the contrary, the legislative history shows the affirmative purpose to improve, though to a limited extent, the status of seamen (Sen. Rep. No. 145, 87th Cong., 1st sess., p. 32, 50).

#### COMPUTATION OF WAGES AND HOURS

#### § 783.43 Computation of seaman's minimum wage.

Section 6(b) requires, under paragraph (2) of the subsection, that an employee employed as a seaman on an American vessel be paid wages at not less than the rate which will provide to the employee, for the period covered by the wage payment, wages which are equal to compensation for all hours on duty in such period at the hourly rate prescribed for employees newly covered by the Act's minimum wage requirements by reason of the 1961 Amendments (see §§ 783.23 and 783.26). Although the Act takes the workweek as the unit of time to be used in determining compliance with the minimum wage or overtime requirements and in applying the exemptions, Congress, in recognition of the unique working conditions of seamen and of the customs in the industry, made this special provision. Under section 6(b) (2) periods other than a workweek may be used, in accordance with established customs in the industry, as the basis for calculating wages for covered seamen provided the wages equal the compensation at the applicable minimum hourly rate which would be due to the employee for his hours actually spent on duty in the period. This would mean that the wage period may properly cover, for example, the period of a month or of a voyage so long as the seaman receives at the appropriate time compensation at least equal to the prescribed minimum rate for each compensable hour in that pay period. (See also § 531.26 of this chapter concerning requirements of other laws governing calculation of wages and frequency and manner of payment.) To illustrate, where seamen have customarily been paid monthly under an arrangement to perform seamen's duties during stipulated periods and to be off duty during stipulated periods during the month, if such a seaman works 300 hours during the month and receives his monthly compensation in an amount equal to a payment for that number of hours at the applicable minimum rate, there would be compliance with the requirements of section 6(b) (2). The fact that this seaman works a varying number of hours during the weeks comprising the monthly period or that the monthly compensation is disbursed in two or four partial payments to the seaman during the month would not warrant a contrary conclusion.



**§ 783.44 Board and lodging as wages.**

The wages for the period covered by the wage payment include all remuneration for employment paid to or on behalf of the employee for all hours actually on duty intended to be compensated by such wage payment. The reasonable cost or fair value, as determined by the Secretary of Labor pursuant to section 3(m) of the Act, of board and lodging furnished the employee during such period, if customarily furnished by the employer to his employees, is also included as part of the wages for the actual hours worked in the period (see § 783.16). However, the cost of board and lodging would not be included as part of the wages paid to the employee to the extent it is excluded from the employee's wages under terms of a bona fide collective bargaining agreement applicable to such employee, whether or not customarily furnished to the employee. Where such an exclusion is not provided for in any bona fide collective bargaining agreement applicable to the employee, the reasonable cost or fair value thereof, whichever is appropriate, as determined in accordance with the standards set forth in the regulations in Part 531 of this chapter, is included as part of the wage paid to such employee. Part 531 of this chapter also contains the official regulations and interpretations of the Department of Labor concerning the application of section 3(m) to other facilities as well as board and lodging furnished to an employee.

**§ 783.45 Deductions from wages.**

Where deductions are made from the wages of a seaman subject to section 6(b) of the Act, consideration must be given as to whether or not such deductions are permitted to be made when they result in the seaman receiving cash wages which are less than the applicable minimum wage rate for each hour actually on duty during the period covered by the wage payments. Such considerations are to be based upon the principles and interpretations governing such deductions. These are set forth and discussed in Part 531 of this chapter. The methods of paying the compensation required by section 6 and the application thereto of the provisions of section 3(m) of the Act, which are set forth and explained in the said Part 531, are applicable to seamen subject to the minimum wage provisions of the Act.

**§ 783.46 Hours worked.**

The provisions of section 6(b) (2) of the Act require that a seaman employed on an American vessel be paid wages equal to compensation at not less than the prescribed minimum wage rate for all of the hours the employee "was actually on duty (including periods aboard ship when the employee was on watch or was, at the direction of a superior officer, performing work or standing by, but not including off-duty periods which are provided pursuant to the employment agreement)". The Act in this portion of section 6(b) (2) is reflecting concepts that are well established in the law, and existing precedents (in such cases as

*Armour & Co. v. Wantock*, 323 U.S. 126; *Skidmore v. Swift & Co.*, 323 U.S. 134; *Steiner v. Mitchell*, 350 U.S. 247; *Mitchell v. King Packing Co.*, 350 U.S. 260; *Tennessee Coal, Iron & R. Co. v. Muscoda Local No. 123*, 321 U.S. 590; and *General Electric Co. v. Porter*, 208 F.2d 805, certiorari denied, 347 U.S. 951, 975) would be applicable in determining what time constitutes hours worked. See also the general discussion of hours worked in Part 785 of this chapter.

**§ 783.47 Off-duty periods.**

Off-duty periods include not only such periods as shore leave but also generally those hours spent by a seaman on the vessel outside his watch or normal or regular working hours and his standby periods during which hours he is not required to perform and does not perform work of any kind but is free to utilize his time for his own purpose. The fact that during such off-duty periods the employee is subject to call in case of emergency situations affecting the safety and welfare of the vessel upon which he is employed, or of its passengers, crew, or cargo or for participation in lifeboat or fire drills will not render such off-duty periods, excluded by employment agreement applicable to the employee, "hours worked". Responding to such calls, however, as well as the performance of work in response thereto constitute compensable work time. For further and more detailed discussion on what generally are regarded as "hours worked" under the Act, see Part 785 of this chapter.

**APPLICATION OF THE EXEMPTIONS****§ 783.48 Factors determining application of exemptions.**

The application of the exemptions provided by section 13(a) (14) and section 13(b) (6) of the Act is determined in accordance with their language and scope as explained in §§ 783.24, 783.25, and 783.27, with regard to the principles set forth in § 783.20 and the legislative history and judicial construction outlined in §§ 783.28-783.30. Whether a particular employee is exempt depends on what he does, as explained in §§ 783.31-783.37. Whether he is exempt from the overtime pay provisions only or from minimum wages as well depends on whether his employment is or is not on an American vessel, which is determined as indicated in §§ 783.38-783.42. In addition, sections 13(a) (14) and 13(b) (6), like other exemptions in the Act, apply on a workweek basis, as mentioned in § 783.43 and explained in §§ 783.49 and 783.50.

**§ 783.49 Workweek unit in applying the exemptions.**

The unit of time to be used in determining the application of the exemption provided by section 13(b) (6) or 13(a) (14) to an employee is the workweek. (See *Overnight Transportation Co. v. Missel*, 316 U.S. 572; *Sternberg Dredging Co. v. Walling*, 158 F.2d 678.) This is the period used in determining whether a substantial amount of non-seaman's work has been performed so as to

make the exemption inapplicable. See § 783.37. A workweek is a fixed and regularly recurring interval of 7 consecutive 24-hour periods. It may begin at any hour of any day set by the employer and need not coincide with the calendar week. Once the workweek has been set it commences each succeeding week on the same day and at the same hour. Changing of the workweek for the purpose of escaping the requirements of the Act is not permitted.

**§ 783.50 Work exempt under another section of the Act.**

Where an employee performs work during his workweek, some of which is exempt under one section of the Act, and the remainder of which is exempt under another section or sections of the Act, the exemptions may be combined. The employee's combination exemption is controlled in such case by that exemption which is narrower in scope. For example, if part of his work is exempt from both minimum wage and overtime compensation under one section of the Act, and the rest is exempt only from the overtime pay requirements under section 13(b) (6), the employee is exempt that week from the overtime pay provisions, but not from the minimum wage requirements.

**§ 783.51 Seamen on a fishing vessel.**

In extending the minimum wage to seamen on American vessels by limiting the exemption from minimum wages and overtime provided by section 13(a) (14) of the Act to "any employee employed as a seaman on a vessel other than an American vessel," and at the same time extending the minimum wage to "on-shore" but not "offshore" operations concerned with aquatic products, the Congress, in the 1961 Amendments to the Act, did not indicate any intent to remove the crews of fishing vessels engaged in operations named in section 13(a) (5) from the exemption provided by that section. The exemption provided by section 13(a) (14), and the general exemption in section 13(b) (6) from overtime for "any employee employed as a seaman" (whether or not on an American vessel) apply, in general, to employees, working aboard vessels, whose services are rendered primarily as an aid to navigation (§§ 783.31-783.37). It appears, however, that it is not the custom or practice in the fishing industry for a fishing vessel to have two crews, namely a fishing crew whose duty it is primarily to fish and to perform other duties incidental thereto and a navigational crew whose duty it is primarily to operate the boat. Where, as is the typical situation, there is but one crew which performs all these functions, the section 13(a) (5) exemption from both the minimum wage and the overtime provisions would apply to its members. For a further explanation of the fishery exemption see Part 784 of this chapter.

Signed at Washington, D.C., this 14th day of August 1962.

CLARENCE T. LUNDQUIST,  
Administrator.

[F.R. Doc. 62-8358; Filed, Aug. 20, 1962; 8:49 a.m.]



## Title 31—MONEY AND FINANCE: TREASURY

### Chapter I—Monetary Offices, Department of the Treasury

#### PART 128—TRANSACTIONS IN FOREIGN EXCHANGE, TRANSFERS OF CREDIT, AND EXPORT OF COIN AND CURRENCY

##### Subpart B—Description of Forms Prescribed Under This Part

###### SHORT TERM CLAIMS ON FOREIGNERS

Subpart B of the Treasury Regulations is being amended to describe a new report form.

Subpart B is hereby amended by the addition of a new section § 128.14a. The new § 128.14a shall read as follows:

§ 128.14a Supplement to Foreign Exchange Form C½: "Short-term" claims on "foreigners."

On this supplementary form exporters, importers, industrial and commercial concerns and other nonbanking institutions are required to report monthly to a Federal Reserve bank data on a portion of their claims on "foreigners."

The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Sec. 5, 40 Stat. 415, as amended; 50 U.S.C., App. 5, sec. 8, 59 Stat. 515; 22 U.S.C. 286f, E.O. 6560, Jan. 15, 1934, E.O. 10033, 14 F.R. 561, 3 CFR, 1949 Supp.)

[SEAL]

DOUGLAS DILLON,  
Secretary of the Treasury.

[F.R. Doc. 62-8397; Filed, Aug. 20, 1962; 8:58 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

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

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2755]

##### ALASKA

#### Withdrawing Lands for Use of Alaska Railroad; Amending Public Land Order No. 1216 of September 13, 1955; Modifying Executive Order No. 2242 of August 31, 1915

By virtue of the authority vested in the President by section 1 of act of March 12, 1914 (38 Stat. 305; 48 U.S.C. 304), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following described lands in Alaska are hereby reserved for use of the Alaska Railroad, Department of the Interior, for railroad purposes including development of industrial sites:

No. 162—4

[Anchorage 052264]

##### ANCHORAGE AREA

Anchorage Townsite, East Addition,  
Blocks 41-A and 43.  
Anchorage Townsite, Fourth Addition,  
Block 33, Lots 1, 2, 3, and 5;  
Block 34, lots 1 and 2.

Containing 10.58 acres.

2. Executive Order 2242 of August 31, 1915, so far as it withdrew the lands for townsite purposes, is hereby modified to the extent necessary to permit the reservation made by paragraph 1 of this order to become effective. This order shall be subject to existing withdrawals for water power purposes so far as it affects the lands described in paragraph 1 hereof.

3. Public Land Order No. 1216 of September 13, 1955 (20 F.R. 7004), is hereby amended to the extent necessary to conform the description for the Rampart school reserve, appearing in paragraph 1a of the said order, to the plat of survey approved October 20, 1961, so as to read as follows:

[60507]

U.S. Survey 3667, Lot 2.

Containing 2.70 acres.

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

AUGUST 14, 1962.

[F.R. Doc. 62-8357; Filed, Aug. 20, 1962; 8:49 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter VII—Department of the Air Force

#### SUBCHAPTER B—AIRCRAFT

#### PART 824—UNIDENTIFIED FLYING OBJECTS (UFO)

##### SUBCHAPTER G—PERSONNEL

#### PART 887—APPOINTMENT OF OFFICIAL PERSONNEL

##### Miscellaneous Amendments

1. Part 824 is revised to read as follows:

Sec.

824.1 Purpose.

824.2 Unidentified flying objects.

824.3 Maintaining public relations.

AUTHORITY: §§ 824.1 to 824.3 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012.  
SOURCE: AFR 200-2, July 20, 1962.

##### § 824.1 Purpose.

Sections 824.1 to 824.3 establish the UFO Program to investigate and analyze UFO's over the United States. Such investigation and analysis are directly related to Air Force responsibility for the defense of the United States. The UFO Program provides for the prompt reporting and rapid identification of UFOs.

##### § 824.2 Unidentified flying objects.

Any aerial phenomena, airborne object or objects which are unknown or appear out of the ordinary to the observer because of performance, aerodynamic characteristics, or unusual features.

##### § 824.3 Maintaining public relations.

The Office of Information, Office of the Secretary of the Air Force is responsible for releasing information and answering correspondence to the public relating to UFO's. Private individuals or organizations desiring AF interviews, briefings, lectures, or private discussions on UFO's will direct their requests to the Office of Information, Office of the Secretary of the Air Force.

2. In § 887.2, paragraph (c) is revised to read as follows:

##### § 887.2 Grade determination.

(c) *Temporary grade.* (1) Medical and dental officers initially appointed in the permanent grade of first lieutenant will also be appointed in the temporary grade of captain with date of rank on date of graduation. The temporary grade of captain will be effective on the active duty date.

(2) Appointment in the Regular Air Force will not affect a higher temporary grade or date of rank in temporary grade held by appointee.

(3) A Reserve of the Air Force commission or Regular warrant officer appointment will be vacated on the day before date of execution of oath of office as a Regular Air Force officer.

(4) An officer accepting a Regular Air Force appointment who is serving on active duty in a Reserve grade equivalent to or higher than his Regular grade will be given a temporary USAF appointment in a grade equal to his Reserve grade, with no change in current active duty date of rank.

(5) Officers appointed in a Regular grade higher than their temporary grade will vacate their temporary grade and assume the higher grade on date of acceptance of Regular appointment.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012) [AFR 36-21, Nov. 7, 1960; AFR 36-21A, July 1, 1962]

By order of the Secretary of the Air Force.

WILLIAM L. KOCH,  
Lt. Colonel, U.S. Air Force,  
Chief, Special Activities  
Group, Office of the Judge  
Advocate General.

[F.R. Doc. 62-8333; Filed, Aug. 20, 1962; 8:45 a.m.]

## Title 50—WILDLIFE AND FISHERIES

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

#### PART 32—HUNTING

##### Cape Romain National Wildlife Refuge, South Carolina

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



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

**SOUTH CAROLINA**

**CAPE ROMAIN NATIONAL WILDLIFE REFUGE**

Public hunting of upland game on the Bulls Island Unit of the Cape Romain National Wildlife Refuge, South Carolina, is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,495 acres or 7 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta 23, Georgia. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Turkey gobblers with visible beards; squirrels and raccoons.

(b) Open season: December 3, 1962, through December 8, 1962. Sunrise to 8:30 a.m. and from 3:30 p.m. to sunset (standard time). The season on turkey gobblers will be closed when the total number taken reaches 25 birds.

(c) Daily bag limits: Turkey gobblers—2; squirrels—no limit; raccoons—no limit. Season bag limit on turkey gobblers—2.

(d) Methods of hunting:

(1) Weapons: Bows with minimum recognized pull of 45 pounds and arrows with minimum blade widths of  $\frac{7}{8}$  inch on turkey gobblers, and any width blade or blunts on squirrels and raccoons.

(2) Prohibited methods: Firearms, crossbows, or any other types of mechanical bow. Broadhead arrows shall not be released at game perched on limbs above the ground level.

(3) Stand hunting: Stand hunting only is permitted. Drive and stalk hunting is prohibited.

(4) Dogs: One dog per hunting party may be used to track wounded game only. Dogs must be on a leash at all times.

(e) Other provisions:

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

(2) Camping is permitted at the designated camping area only, and all fires must be confined to this area.

(3) Hunters must check in with refuge personnel upon arrival and check out upon departure from Bulls Island.

(4) Individuals under 18 years of age attending this hunt must be accompanied by a responsible adult.

(5) A Federal permit is required to enter the public hunting area. Permits may be obtained from the Refuge Manager, Cape Romain National Wildlife Refuge, McClellanville, South Carolina, until 4:00 p.m. November 21, 1962. A maximum of 100 hunters will be accommodated each day.

(6) The provisions of this special regulation are effective to December 9, 1962.

**§ 32.32 Special regulations; big game; for individual wildlife refuge areas.**

**SOUTH CAROLINA**

**CAPE ROMAIN NATIONAL WILDLIFE REFUGE**

Public hunting of big game on the Bulls Island Unit of the Cape Romain National Wildlife Refuge is permitted only on the area designated by signs as open to hunting. This open area, comprising 2,495 acres or 7 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta 23, Georgia. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: White-tailed deer of either sex.

(b) Open season: December 3, 1962, through December 8, 1962. Sunrise to 8:30 a.m., and from 3:30 p.m. to sunset (standard time). Season will be closed when the total number reaches fifty (50) animals.

(c) Daily bag limits: Two deer of either sex for daily and total bag limits.

(d) Methods of hunting:

(1) Weapons: Bows with minimum recognized pull of 45 pounds and arrows with minimum blade width of seven-eighths ( $\frac{7}{8}$ ) inch.

(2) Prohibited methods: Firearms, crossbows, or any type of mechanical bow.

(3) Stand hunting: Stand hunting only is permitted. Drive and stalk hunting is prohibited.

(4) Dogs: One dog per hunting party may be used to track wounded game only. Dogs must be on leash at all times.

(e) Other provisions:

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

(2) Camping is permitted at the designated camping area only, and all fires must be confined to this area.

(3) Hunters must check in with refuge personnel upon arrival and check out upon departure from Bulls Island.

(4) All deer must be tagged before they are removed from the Bulls Island headquarters area.

(5) Individuals under 18 years of age attending this hunt must be accompanied by a responsible adult.

(6) A Federal permit is required to enter the public hunting area. Permits must be obtained from the Refuge Manager, Cape Romain National Wildlife Refuge, McClellanville, South Carolina, until 4:00 p.m. November 21, 1962. A maximum of 100 hunters will be accommodated each day.

(7) The provisions of this special regulation are effective to December 9, 1962.

F. C. GILLET,  
Acting Regional Director, Bureau  
of Sport Fisheries and Wildlife.

[F.R. Doc. 62-8353; Filed, Aug. 20, 1962;  
8:48 a.m.]



# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Agricultural Stabilization and Conservation Service

[7 CFR Parts 1001, 1006, 1007, 1014, 1015]

[Docket Nos. AO-14-A-34, AO-203-A-16, AO-204-A-16, AO-302-A-8, AO-305-A-7]

### MILK IN GREATER BOSTON, SPRINGFIELD, AND WORCESTER, MASSACHUSETTS; SOUTHEASTERN NEW ENGLAND; AND CONNECTICUT MARKETING AREAS

#### Notice of Hearing on Proposed Amendments to Tentative Marketing Agreements and Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Hotel Bradford, Boston, Massachusetts, beginning at 10:00 a.m., e.d.t., on August 28, 1962, with respect to proposed amendments to the tentative marketing agreements and to the orders regulating the handling of milk in the Greater Boston, Springfield, and Worcester, Massachusetts, Southeastern New England and Connecticut marketing areas.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreements and to the orders.

This hearing is being called in response to a request by a large number of producer groups to review particularly the provisions of the various orders which relate to treatment of partially regulated milk. As indicated by the Department's invitation to interested persons for proposed order amendments, the order provisions pertaining to the definitions of pool plants, pooling requirements, and the definitions of producer have a direct bearing on the extent and volume of milk partially regulated in the respective markets. Because of the related importance of the definitions and pooling requirements under each of the orders, which assist to determine the scope of class pricing and pooling under the respective orders, such provisions are open for review at this hearing as they relate to the proposals set forth below.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by Bellows Falls Cooperative Creamery, Inc., et al.:

**Proposal No. 1.** Amend §§ 1001.65, 1006.65, 1007.65, 1014.46, and 1015.46 of the Greater Boston, Springfield, Worcester, Southeastern New England, and Connecticut orders so as to provide alternate bases of "compensatory payments" on partially regulated milk so that the payments presently required by the provisions of those sections would continue in effect, but with the following modifications:

In the case of all fluid milk products to which the present payments apply, except receipts from a producer-handler under any Federal order, receipts from other Federal order plants which are not classified and priced as Class I milk under the other Federal order, and overages and other miscellaneous receipts of the type assigned to Class I milk pursuant to the provisions of § 1001.25(k) of the Greater Boston order and corresponding sections of the other orders, the handler responsible for making the payments would have the choice of:

(a) Paying into the respective producer settlement fund (1) on the quantity of such fluid milk products assigned to, or disposed of as, Class I milk in the respective market, the difference between the Class I and blended prices applicable to the zone location of the unregulated plant at which the fluid milk products were received from dairy farmers, plus (2) any amount by which the classified use value of all of the milk received from dairy farmers at such plant exceeded the combined total of the amount actually paid to such dairy farmers and the payment to the producer settlement fund provided in item (1), or

(b) Paying into the producer settlement fund, on the quantity of such fluid milk products assigned to, or disposed of as, Class I milk in the respective market, the difference between the Class I and Class II prices applicable at the zone location of the unregulated plant at which the fluid milk products were received from dairy farmers.

(The choice described in (a), above, should be available to the handler responsible for making the compensatory payments only if the reports, records, and facilities necessary to determine the amount of obligation thereunder are made readily available to the market administrator.)

**Proposal No. 1a.** Amend §§ 1001.72, 1006.72, 1007.72, 1014.70, and 1015.70 of the Greater Boston, Springfield, Worcester, Southeastern New England, and Connecticut orders, relating to payments of administration expense, so as to provide that the quantity to which the administration payment applies in the case of a handler who makes payments under Proposal No. 1 shall be as follows:

(a) If paragraph (a) of that proposal is applicable, the quantity to which the administration expense payment

shall apply will be the total quantity of receipts of fluid milk products at the unregulated plant.

(b) If paragraph (b) of that proposal is applicable, the quantity to which the administration expense shall apply will be the quantity of fluid milk products received at the regulated plant from the unregulated plant, or disposed of on routes in the respective marketing area from the unregulated plant.

Proposed by Massachusetts Cooperative Milk Producers Federation, Inc.:

**Proposal No. 2.** Amend the New England Federal orders to provide that a handler dealing in nonpool milk be subject to compensatory payments determined either by the fluid milk-surplus use differential or by the differential between the handler's actual cost and the New England Class I price at the election of the handler each month.

Proposed by New England Milk Dealers, Inc.:

**Proposal No. 3.** Amend the New England Federal orders to require equalizing payments into the pool on Class I milk from any other Federal order plant.

Proposed by H. P. Hood & Sons, Inc.:

**Proposal No. 4.** Amend the definition of distributing plant in §§ 1001.3(f), 1006.3(f) and 1007.3(f) of the Greater Boston, Springfield and Worcester orders to be defined as follows: "any processing plant (1) with route disposition in the marketing area in the month of not less than 2 percent of its receipts from dairy farmers, or of its total receipts of fluid milk products in that month, and (2) with total Class I disposition in the month of not less than 25 percent of its total receipts of fluid milk products in that month."

**Proposal No. 5.** Amend the definitions of pool plants and regulated plants in the Connecticut and Southeastern New England orders to bring about the equivalent result as under Proposal No. 4 for these orders.

**Proposal No. 6.** Amend § 1001.21 of the Greater Boston order by deleting the language of paragraph (g) and substituting the following: "Notwithstanding the provisions of paragraphs (d), (e), and (f) above, any supply plant in any of the months of December through June from which the total quantity of fluid milk products shipped in the month to all plants to which qualifying shipments may be made under any New England Federal order is at least 25 percent of its total receipts of milk from dairy farmers, shall be in that month a pool plant under the New England order to whose regulated plants the greatest quantity is shipped."

**Proposal No. 7.** Amend the pool plant provisions of the Springfield, Worcester, Southeastern New England, and Connecticut orders to effectuate the same result as in Proposal No. 6.

**Proposal No. 8.** Amend the definition of "dairy farmers for other markets" in



each of the New England orders so that the term shall not apply to a dairy farmer ordinarily delivering to plants which become pooled on a compulsory basis pursuant to Proposals No. 6 and 7 in any month when such compulsory pooling is in effect.

**Proposal No. 9.** Amend § 1001.65 of the Greater Boston order and the corresponding provisions of the other four New England orders to provide that in order to insure uniform minimum class prices to all handlers in the marketing area, any person having route disposition of Class I milk in the marketing area or any person having Class I disposition to or from a regulated plant of milk which is not fully classified and priced under this order, shall be liable for an equalizing payment if the ascertainable minimum price of such milk was less than the minimum Class I price of fully regulated milk under this order. All payments due under this section shall be made to the Market Administrator and shall be added by him to the producer-settlement fund. The rate of equalizing minimum price payment shall be as follows:

(a) On such milk that is classified and priced under another Federal order, the rate per hundredweight shall be the plus difference between the Class I price under the New England order applicable at the zone location of the plant where the milk was received from dairy farmers and the minimum class price applicable to the milk under the other Federal order.

(b) On such milk that is classified and priced pursuant to the Milk Price Control Agency of a State government, the rate per hundredweight shall be the plus difference between the Class I price under the New England order applicable at the zone location of the plant where the milk was received from dairy farmers and the minimum class price applicable to the milk under the State Milk Price Control Agency.

(c) On such milk that is not price regulated as outlined in paragraph (a) or (b) of this section, the rate of payment per hundredweight shall be the difference between the Class I price under the New England order and the uniform or blended price under the same order, both applicable at the zone location of the plant where the milk was received from dairy farmers.

Proposed by Connecticut Milk Producers Association, Modern Milk Marketing Association, and Cooperative Dairy, Inc.:

**Proposal No. 10.** If a compensatory payment on nonpool milk at a rate equal to the fluid milk-blend price differential is provided as a result of the hearing, change the July-November shipping requirement for pool supply plants to 30 percent, returning it to the same status as before the July 1, 1962, amendments.

**Proposal No. 11.** In § 1015.24(b), delete steps 3 and 14, which provide first for a subtraction of shrinkage on direct-delivery milk and then for the addition back in of the shrinkage.

**Proposal No. 12.** Allocate to Class II first in the assignment sequence (not to

Class I, as at present) packaged fluid milk products moving to Connecticut from New York-New Jersey plants which are in Class III under the New York-New Jersey order and in Class I under the Connecticut order.

Proposed by the Milk Marketing Orders Division, Agricultural Stabilization and Conservation Service:

**Proposal No. 13.** Make such changes as may be necessary to make the entire marketing agreements and the orders conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the respective orders may be procured from the Market Administrator for the respective markets at Room 403, 230 Congress Street, Boston 10, Massachusetts; Room 408, 145 State Street, Springfield 3, Massachusetts; Room 403, 107 Front Street, Worcester 8, Massachusetts; 57 Eddy Street, Providence 3, Rhode Island; and 1049 Asylum Avenue, Hartford 5, Connecticut; or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may there be inspected.

Signed at Washington, D.C., on August 16, 1962.

ROBERT G. LEWIS,  
Deputy Administrator, Price  
and Production Agricultural  
Stabilization and Conserva-  
tion Service.

[F.R. Doc. 62-8399; Filed, Aug. 20, 1962;  
8:58 a.m.]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

#### [ 21 CFR Part 121 ]

#### FOOD ADDITIVES

##### Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 889) has been filed by American Cyanamid Company, Post Office Box 400, Princeton, New Jersey, proposing the amendment of §§ 121.208 and 121.1014 of the food additive regulations to provide a zero tolerance for residues of chlortetracycline in milk and to provide for the safe use of this antibiotic in dairy cattle feed, as follows:

<i>Daily quantity</i>	<i>Limitations</i>
0.1 mg. per pound of body weight.	Continuous use.

*Indications for use*  
As an aid in increasing  
milk production.

Dated: August 14, 1962.

J. K. KIRK,  
Assistant Commissioner  
of Food and Drugs.

[F.R. Doc. 62-8363; Filed, Aug. 20, 1962;  
8:51 a.m.]

#### [ 21 CFR Part 121 ]

#### FOOD ADDITIVES

##### Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 905) has been filed by Central States Paper and Bag Company, Inc., 5221 Natural Bridge, St. Louis 15, Missouri, proposing the amendment of paragraph (b) (1) of § 121.2551 *Corrosion inhibitors used for steel or tinplate* by adding to the *List of substances* the new item "Dicyclohexylamine nitrate."

Dated: August 14, 1962.

J. K. KIRK,  
Assistant Commissioner  
of Food and Drugs.

[F.R. Doc. 62-8364; Filed, Aug. 20, 1962;  
8:51 a.m.]

#### [ 21 CFR Part 121 ]

#### FOOD ADDITIVES

##### Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 885) has been filed by Drew Chemical Corporation, 416 Division Street, Boonton, New Jersey, proposing the issuance of a regulation to provide for the safe use of propylene glycol mono- and diesters of fats and fatty acids in or on food as emulsifiers, surfactants and defoaming agents; in paper and paper-board for food packaging; and as equipment lubricants.

Dated: August 14, 1962.

J. K. KIRK,  
Assistant Commissioner  
of Food and Drugs.

[F.R. Doc. 62-8365; Filed, Aug. 20, 1962;  
8:51 a.m.]

#### [ 21 CFR Part 121 ]

#### FOOD ADDITIVES

##### Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b) (5), 72 Stat. 1786; 21 U.S.C. 348 (b) (5)), notice is given that a petition (FAP 531) has been filed by Geigy Chemical Corporation, Post Office Box 430, Yonkers, New York, proposing the amendment of § 121.1056 of the food additive regulations to establish a tolerance of 100 parts per million (0.01 percent) for residues of disodium ethylenediamine tetraacetate in or on frozen white potato products, calculated on an anhydrous basis. Such residues derive from use of the additive as a color preservative in frozen white potato products.

Dated: August 14, 1962.

J. K. KIRK,  
Assistant Commissioner  
of Food and Drugs.

[F.R. Doc. 62-8366; Filed, Aug. 20, 1962;  
8:52 a.m.]



## [ 21 CFR Part 121 ]

## FOOD ADDITIVES

## Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 872) has been filed by Rohm and Haas Company, Washington Square, Philadelphia 5, Pa., proposing the issuance of a regulation to provide for the safe use of sulfonated copolymers of styrene and divinylbenzene ion-exchange resins in food processing.

Dated: August 14, 1962.

J. K. KIRK,  
Assistant Commissioner  
of Food and Drugs.

[F.R. Doc. 62-8367; Filed, Aug. 20, 1962;  
8:52 a.m.]

## [ 21 CFR Part 121 ]

## FOOD ADDITIVES

## Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that petitions (FAP 597, 598) have been filed by A. E. Staley Manufacturing Company, Decatur, Illinois, proposing amendment of § 121.1031 *Food starch-modified* to provide for the safe use in food of this food additive, modified with not to exceed 0.6 percent acrolein with or without 7.5 percent vinyl acetate.

Dated: August 14, 1962.

J. K. KIRK,  
Assistant Commissioner  
of Food and Drugs.

[F.R. Doc. 62-8368; Filed, Aug. 20, 1962;  
8:52 a.m.]

## [ 21 CFR Part 121 ]

## FOOD ADDITIVES

## Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 902) has been filed by Tennessee Products and Chemical Corporation, 2611 West End Avenue, Nashville 5, Tennessee, proposing the amendment of paragraph (c)(5) of § 121.2520 *Adhesives* by adding a new item "Sucrose benzoate" to the list of substances permitted for use in food-packaging adhesives.

Dated: August 14, 1962.

J. K. KIRK,  
Assistant Commissioner  
of Food and Drugs.

[F.R. Doc. 62-8369; Filed, Aug. 20, 1962;  
8:53 a.m.]

## FEDERAL AVIATION AGENCY

## [ 14 CFR Parts 600, 601, 608 ]

[Airspace Docket No. 61-WA-188]

## SPECIAL USE AIRSPACE, FEDERAL AIRWAYS AND CONTROLLED AIRSPACE

## Withdrawal of Proposed Designation and Alteration

In a notice of proposed rule making published in the FEDERAL REGISTER on January 11, 1962, as Airspace Docket No. 61-WA-188 (27 F.R. 317), it was stated that the Federal Aviation Agency proposed to designate special use airspace, alter the continental control area, and the Enid, Okla., control zone, and to alter control area extensions and Federal airways in the vicinity of Vance Air Force Base, Enid, Okla.

Subsequent to publication of the notice, the Federal Aviation Agency has determined that a further review of these proposals is desirable prior to taking any action to alter the allocation of airspace in the vicinity of Enid. New proposals will be issued upon completion of this review.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the proposal contained in Airspace Docket No. 61-WA-188 is withdrawn.

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

Issued in Washington, D.C., on August 14, 1962.

W. THOMAS DEASON,  
Assistant Chief,  
Airspace Utilization Division.

[F.R. Doc. 62-8334; Filed, Aug. 20, 1962;  
8:45 a.m.]

## [ 14 CFR Parts 600, 602 ]

[Airspace Docket No. 62-WA-89]

## FEDERAL AIRWAYS, JET ROUTE AND JET ADVISORY AREA

## Proposed Alteration and Designation

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 amendments to Part 600 and §§ 600.6516, 600.1530, 600.1531, 600.1644, 602.100, and 602.200 of the regulations of the Administrator, the substance of which is stated below.

This docket concerns the Department of the Air Force airspace requirements for undergraduate pilot training activities at Vance Air Force Base, Enid, Okla., and actions proposed by the Federal Aviation Agency to meet these specific requirements with the least impact on other segments of aviation.

Airspace Docket No. 62-WA-62, published in the FEDERAL REGISTER as a notice of proposed rule making (27 F.R.

5341) and as an amendment to the regulations of the Administrator (27 F.R. 5981) set forth the Department of the Air Force requirement for airspace in the vicinity of six selected bases in which to conduct undergraduate pilot training. The training activity, procedures for conducting the training, use of the airspace within the training areas, and methods of publicizing the training activities were described in detail in Airspace Docket No. 62-WA-62. With the exception of specific airspace actions, the overall operation at all six selected bases is basically the same and will not be repeated herein.

Vance AFB has some 350 students and 166 jet aircraft in its program. Each student spends 55 weeks in obtaining 132 hours training in T-37s and 130 hours in T-33s. The T-33s are being phased out of the program and are being replaced with T-38s. Normally, 63 sorties operate continuously during daylight hours. The majority of the sorties consist of acrobatic maneuvers performed at speeds of 300 to 600 miles per hour, which are not adaptable to air traffic control and cannot be conducted on Federal airways. Because of normal training days lost due to inclement weather, training is sometimes conducted on Saturdays and Sundays.

The Federal Aviation Agency has reviewed the airspace requirements of all segments of the aviation industry in the Enid area together with airway alignments and airspace available for the proposed Air Force activities and it appears that an area of approximately 6,581 square nautical miles north of Oklahoma City, Okla., to be known hereafter as "Vance One Intensive Student Jet Training Area"; and that an area of approximately 1,180 square nautical miles southeast of Ponca City, Okla., to be known hereafter as "Vance Two Intensive Student Jet Training Area" would satisfy Air Force airspace requirements. These areas are described below.

I. Name. Vance One Intensive Student Jet Training Area.

Boundary. Beginning at latitude 36°21'00" N., longitude 99°40'20" W.; to latitude 37°03'40" N., longitude 98°50'30" W.; to latitude 37°04'30" N., longitude 98°25'30" W.; to latitude 36°58'20" N., longitude 98°02'00" W.; to latitude 36°47'30" N., longitude 97°34'00" W.; to latitude 36°37'30" N., longitude 97°19'00" W.; to latitude 35°49'30" N., longitude 97°41'20" W.; to latitude 35°39'00" N., longitude 98°17'00" W.; to latitude 35°45'00" N., longitude 98°52'10" W.; to the point of beginning.

Time of use. Sunrise to Sunset, Monday through Friday.

Altitudes. 10,000 feet MSL to 23,000 feet MSL.

II. Name. Vance Two Intensive Student Jet Training Area.

Boundary. Beginning at latitude 36°35'10" N., longitude 97°08'03" W.; to latitude 36°08'00" N., longitude 97°21'30" W.; to latitude 36°10'00" N., longitude 97°07'55" W.; to latitude 36°09'00" N., longitude 97°07'25" W.; to latitude 36°10'00" N., longitude 96°56'30" W.; to latitude 36°11'15" N., longitude 96°49'00" W.; to latitude 36°09'55" N., longitude 96°48'45" W.; to latitude 36°12'30" N., longitude 96°23'30" W.; to



latitude 36°25'00" N., longitude 96°20'00" W.; to latitude 36°31'00" N., longitude 96°15'05" W.; to latitude 36°38'00" N., longitude 96°22'55" W.; to latitude 36°39'40" N., longitude 96°56'00" W.; thence clockwise along a 10-mile radius circle centered at latitude 36°43'40" N., longitude 97°06'10" W. (Ponca City Airport) to point of beginning.

*Time of use.* Sunrise to sunset, Monday through Friday.

*Altitudes.* 10,000 feet MSL to 19,000 feet MSL.

These "Intensive Student Jet Training Areas" will be clearly depicted on all appropriate aeronautical charts. The activities being conducted will be described in the Airman's Guide and other aeronautical publications. These areas will be stratified by altitudes as required by training activities at a particular time and are designed to have the least possible effect on Federal airways and to allow free transit below 10,000 feet MSL for direct flights. During the time these areas are in use, IFR flights of nonparticipating aircraft will not be cleared to transit the areas. VFR flights will not be denied access to the areas; however, they will be advised of the training activities and given traffic advisory information.

The airway segments described below would traverse the proposed training areas. When the training areas are not in use, the Kansas City Air Route Traffic Control Center will utilize the altitudes above 9,000 feet for Instrument Flight Rules traffic along these airway segments within the geographical limits of the "Intensive Student Jet Training Areas" depicted on aeronautical charts. However, when the areas are in use, the Kansas City Air Route Traffic Control Center will not authorize flight along these airway segments above 9,000 feet and such airway segments will not be employed as airways above 9,000 feet. Consequently, the prohibition of acrobatics on airways is not considered applicable within the altitude and geographical limits of the "Intensive Student Jet Training Areas" when such areas are in use for student jet training by the Air Training Command.

1. Low altitude VOR Federal airway No. 12 and Intermediate altitude VOR Federal airway No. 1541 from the Gage, Okla., VORTAC to the Anthony, Kans., VOR.

2. Low altitude VOR Federal airway No. 190 from the Gage VORTAC to the Ponca City, Okla., VORTAC.

3. Low altitude VOR Federal airway No. 17 from the Gage VORTAC to the Oklahoma City, Okla., VORTAC.

4. Low altitude VOR Federal airway No. 140 and Intermediate Altitude VOR Federal airway No. 1626 from the intersection of the Sayre, Okla., VOR 071° and the Oklahoma City VORTAC 282° True radials; to the intersection of the Sayre 071° and the Oklahoma City VORTAC 021° True radials.

5. Low altitude VOR Federal airway No. 77 east alternate from the Ponca City VORTAC to the intersection of the Ponca City VORTAC 181° and the Tulsa, Okla., VORTAC 262° True radials.

6. Low altitude VOR Federal airway No. 14 south alternate from the Ponca City VORTAC to the intersection of the Ponca City VORTAC 135° and the Tulsa VORTAC 262° True radials.

7. Low altitude VOR Federal airway No. 74 from the Ponca City VORTAC to the Tulsa VORTAC.

The following airway and jet route segments would also traverse or overlie the proposed training areas:

Low altitude VOR Federal airway No. 516 which is designated in part from the Liberal, Kans., VOR via the intersection of the Liberal VOR 090° and the Ponca City VORTAC 280° True radials to the Ponca City VORTAC. Intermediate altitude VOR Federal airway No. 1530 which is designated in part from the Liberal VOR via intersection of the Liberal VOR 090° and the Ponca City VOR 280° True radials; intersection of the Ponca City VOR 280° and the Anthony VOR 162° True radials; thence 10-mile-wide airway to the Ponca City VOR. Intermediate altitude VOR Federal airway No. 1531 which is designated in part from the Oklahoma City VOR; as a 12-mile-wide airway to the Gage VOR. Intermediate altitude VOR Federal airway No. 1644 which is designated in part from the Ponca City VOR as a 10-mile-wide airway to the Tulsa VOR. Jet Route No. 20 which is designated in part from Denver, Colo., via Garden City, Kans., to Oklahoma City. Jet Route No. 20 jet advisory area "radar" which is designated in part from Garden City to Oklahoma City. Jet Route No. 20 jet advisory area "nonradar" which is designated in part from 120 nautical miles southeast of Denver to Garden City.

Accordingly, to provide for the most expeditious routing of IFR traffic when the training areas are in use, the Federal Aviation Agency is considering the following actions:

1. Realign Victor 516 from the Liberal VOR via the Anthony VOR; to the Ponca City VOR.

2. Realign Victor 1530 from the Liberal VOR via the intersection of the Liberal VOR 086° and the Hutchinson, Kans., VOR 224° True radials; 10-mile-wide airway to the Anthony VOR; thence to the Ponca City VOR.

3. Realign Victor 1531 from the Oklahoma City VOR; 12-mile-wide airway via the intersection of the Oklahoma City VOR 282° and the Gage VOR 133° True radials; to the Gage VOR.

4. Realign Victor 1644 from the Ponca City VOR; 10-mile-wide airway via the intersection of the Ponca City VOR 094° and the Tulsa VOR 319° True radials; to the Tulsa VOR.

5. Designate Intermediate altitude VOR Federal airway No. 1773 from the Gage VOR to the Hutchinson VOR.

6. Designate Intermediate altitude VOR Federal airway No. 1775 from the Gage VOR via the intersection of the Gage VOR 043° and the Wichita, Kansas, VOR 250° True radials; to the Wichita VOR.

7. Realign Jet Route No. 20 from Denver via Gage, Okla., to Oklahoma City.

8. Redesignate Jet Route No. 20 jet advisory area "radar" from 85 nautical miles northwest of Gage to Oklahoma City.

9. Redesignate Jet Route No. 20, jet advisory area "nonradar" from 150 nautical miles southeast of Denver to 85 nautical miles northwest of Gage.

The control areas associated with the proposed low altitude airway segments would extend from 700 feet above the surface to the base of the continental control area. Separate actions would be initiated to implement on an area basis Amendment 60-21 to Part 60 of the Civil Air Regulations.

The proposals in this notice have been informally discussed with representatives of a majority of the aviation organizations and the Air Force. In view of this, it is felt that fifteen days will be sufficient time for comments on the notice.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within fifteen 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 Chief, Airspace Utilization Division. 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 A-103, 1711 New York Avenue NW., Washington 25, D.C.

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 August 14, 1962.

W. THOMAS DEASON,  
Assistant Chief,  
Airspace Utilization Division.

[F.R. Doc. 62-8340; Filed, Aug. 20, 1962;  
8:46 a.m.]



# Notices

## POST OFFICE DEPARTMENT

### DIRECTOR, PROCUREMENT DIVISION, BUREAU OF FACILITIES

#### Delegations of Authority

The following is the text of Order No. P-63-6 and excerpts from Order No. P-63-7 by the Director, Procurement Division, Bureau of Facilities:

JULY 2, 1962.

#### Order No. P-63-6:

Pursuant to Postmaster General Order No. 55582, dated March 2, 1954 (19 F.R. 2376), I do hereby redelegate to the Chief, Contract Branch, the authority to sign in his own name:

(a) All contracts and purchase orders except those drawn for stamped and accountable paper or those involving:

- (1) Other Government Agencies, other than vehicle procurements,
- (2) General Schedule Contracts,
- (3) Orders against Term Contracts,
- (4) Purchases from commercial sources which do not exceed \$2,500 for each purchase, whenever a formal contract is not involved, and

(5) Negotiated contracts as provided for in Assistant Postmaster General, Bureau of Facilities' Order No. 215, dated January 29, 1962 (27 F.R. 1463).

(b) Amendments or revisions to contract and purchase orders authorized in paragraph (a) of this Order.

(c) General correspondence and official documents in connection with the administration of contracts and purchase orders authorized in paragraphs (a) and (b) of this Order, and in connection with other functions and activities of the Contract Branch, except when addressed to other organizational components of the Department and involving other than normal routine matters. The above delegation is subject to the following provisions:

(1) All procurement actions must be submitted for review of the Chief Procurement Officer of the Post Office Department before signature when such procurement actions individually exceed or are expected to exceed \$50,000.

(2) All initial procurements of equipment which have been adopted as standard, regardless of purchase amount, must be submitted for review of the Chief Procurement Officer of the Post Office Department before signature.

I do hereby redelegate to the Head, Compliance and Review Section, the authority to sign contracts, purchase orders and all other contractual correspondence and documentation as outlined above, subject to the same limitations and except that all procurement actions must be submitted for the review of the Chief, Contract Branch, when such procurement actions individually exceed or are expected to exceed \$10,000. In the absence of the Chief, Contract Branch,

the Head, Compliance and Review Section, has the full authority delegated above to the Chief, Contract Branch.

In the absence of the Chief, Contract Branch, and the Head, Compliance and Review Section, the same authority is delegated to the Head, Inspection and Acceptance Section, as is delegated above to the Chief, Contract Branch.

The Chief, Contract Branch, is hereby delegated authority to further redelegate authority to sign general correspondence and other official documents not involving the obligation of funds.

This Order supersedes and cancels Order No. P-62-50, dated May 18, 1962.

JULY 2, 1962.

#### Order No. P-63-7:

Pursuant to Postmaster General Order No. 55582, dated March 2, 1954, (19 F.R. 2376), I do hereby redelegate to the Chief, Inventory and Distribution Branch, the authority to sign in his own name:

(a) \* \* \*

(b) Purchase orders and related documents, including amendments or revisions, for equipment, supplies and services involving:

- (1) Other Government Agencies, except vehicle procurements,
- (2) General Schedule Contracts,
- (3) Orders against Term Contracts,
- (4) Purchases from commercial sources which do not exceed \$2500 for each purchase, whenever a formal contract is not involved.

(c) Recommendations on findings and determinations when mistakes in bids solicited at Headquarters are alleged after opening and prior to award.

(d) \* \* \*

(e) General correspondence and official documents in connection with the administration of contracts and purchase orders authorized in paragraph (b) of this Order, and in connection with other functions and activities of the Inventory and Distribution Branch, except when addressed to other organizational components of the Department and involving other than normal routine matters.

I do hereby redelegate to the Chief, Supplies Section, authority to sign his own name:

(a) Standard Form 1, Printing and Binding Requisitions,

(b) Standard Form 1-C, Printing and Binding Requisition for Specialty Items,

(c) Form GPO 3019 Rev., Printing and Reproduction Service Requisition,

(d) Requisitions for Disbursing Officer's Checks,

(e) POD Form 4710, Shipping Instructions for Purchase Order.

In the absence of the Chief, Supplies Section, the Assistant Chief of that Section is authorized to sign.

I do hereby redelegate to the Chief, Equipment Section, and to the Heads of the Mechanical Unit and the Non-

Mechanical Unit, authority to sign POD Form 339, Shipping Instructions for Material in Storage, and POD Form 4710, Shipping Instructions for Purchase Order.

In the absence of the Chief, Inventory and Distribution Branch, the following are designated as Acting Chief in the order indicated and are authorized to exercise the authorities delegated hereby.

- (1) Chief, Supplies Section,
- (2) Chief, Equipment Section,
- (3) Chief, Warehousing Section.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 309, 501)

LOUIS J. DOYLE,  
General Counsel.

[F.R. Doc. 62-8381; Filed, Aug. 20, 1962; 8:56 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### ALASKA

### Notice of Proposed Withdrawal and Reservation of Lands

AUGUST 6, 1962.

The National Park Service has filed an application, Serial Number A. 032306 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws and the disposal of materials under the Materials Act of July 31, 1947, as amended. The applicant desires the land for the protection and preservation of the prehistoric sites thereon.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Cordova Building, 555 Cordova Street, Anchorage, Alaska.

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

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

The lands involved in the application are:

KACHEMAK BAY AREA

Yukon Island.

Containing 700 acres, more or less.

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

[F.R. Doc. 62-8354; Filed, Aug. 20, 1962; 8:48 a.m.]



[W-0175620]

**WYOMING****Notice of Proposed Withdrawal and Reservation of Lands**

AUGUST 13, 1962.

The Bureau of Reclamation, United States Department of the Interior, has filed an application, serial number Wyoming 0175620, for the withdrawal of lands described below, from all forms of appropriation under the first form of withdrawal as provided by section 3 of the Act of July 17, 1902 (32 Stat. 388), subject to valid existing rights.

The applicant desires the lands for reclamation purposes in connection with the Seedskaadee Project.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal may present their views in writing to the State Director, Bureau of Land Management, Department of the Interior, P.O. Box 929, Cheyenne, Wyoming.

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

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

The lands involved in the application are:

**SIXTH PRINCIPAL MERIDIAN, WYOMING**

- T. 20 N., R. 109 W.,  
 Sec. 10:  $W\frac{1}{2}$ ,  $SE\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 14:  $W\frac{1}{2}SW\frac{1}{4}$ ,  $SE\frac{1}{4}SW\frac{1}{4}$ .  
 T. 22 N., R. 111 W.,  
 Sec. 4: Lot 5,  $SE\frac{1}{4}NE\frac{1}{4}$ .  
 T. 23 N., R. 111 W.,  
 Sec. 33:  $E\frac{1}{2}$ .  
 T. 23 N., R. 112 W.,  
 Sec. 2: Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,  
 15, 16,  $S\frac{1}{2}$ ;  
 Sec. 3: Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,  
 15, 16,  $S\frac{1}{2}$ ;  
 Sec. 4: Lots 5, 6, 11, 12, 13, 14,  $SE\frac{1}{4}$ .  
 T. 24 N., R. 112 W.,  
 Sec. 10:  $S\frac{1}{2}SW\frac{1}{4}$ ,  $SE\frac{1}{4}$ ;  
 Sec. 11:  $SW\frac{1}{4}$ ,  $SW\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 27: All;  
 Sec. 28:  $E\frac{1}{2}$ ;  
 Sec. 33:  $E\frac{1}{2}$ ;  
 Sec. 34: All;  
 Sec. 35: All.

Total area aggregates 5705.14 acres.

ED PIERSON,  
 State Director.

[F.R. Doc. 62-8355; Filed, Aug. 20, 1962;  
 8:48 a.m.]

[W-0210680]

**WYOMING****Notice of Proposed Withdrawal and Reservation of Lands**

AUGUST 13, 1962.

The Bureau of Reclamation, United States Department of the Interior, has filed an application, serial number Wyoming 0210680, for the withdrawal of lands described below, from all forms of appropriation under the first form of

withdrawal as provided by section 3 of the Act of July 17, 1902 (32 Stat. 388), subject to valid existing rights.

The applicant desires the lands for reclamation purposes in connection with the Seedskaadee Project in Wyoming.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions or objections in connection with the proposed withdrawal may present their views in writing to the State Director, Bureau of Land Management, Department of the Interior, P.O. Box 929, Cheyenne, Wyoming.

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

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

The lands involved in the application are:

**SIXTH PRINCIPAL MERIDIAN, WYOMING**

- T. 24 N., R. 111 W.,  
 Sec. 18: Lots 6, 7, 8,  $SE\frac{1}{4}NW\frac{1}{4}$ ,  $E\frac{1}{2}SW\frac{1}{4}$ .  
 T. 24 N., R. 112 W.,  
 Sec. 10:  $S\frac{1}{2}N\frac{1}{2}$ ,  $N\frac{1}{2}SW\frac{1}{4}$ ;  
 Sec. 11:  $SW\frac{1}{4}NE\frac{1}{4}$ ,  $S\frac{1}{2}NW\frac{1}{4}$ ,  $NW\frac{1}{4}SE\frac{1}{4}$ ;  
 Sec. 18:  $E\frac{1}{2}$ ;  
 Sec. 19:  $E\frac{1}{2}$ ;  
 Sec. 20: All;  
 Sec. 28:  $W\frac{1}{2}$ ;  
 Sec. 29: All;  
 Sec. 30:  $E\frac{1}{2}NE\frac{1}{4}$ ;  
 Sec. 32:  $N\frac{1}{2}N\frac{1}{2}$ ;  
 Sec. 33:  $N\frac{1}{2}NW\frac{1}{4}$ .

Total area aggregates 3137.76 acres.

ED PIERSON,  
 State Director.

[F.R. Doc. 62-8356; Filed, Aug. 20, 1962;  
 8:49 a.m.]

**DEPARTMENT OF AGRICULTURE****Office of the Secretary****ARKANSAS AND MINNESOTA****Designation of Areas for Emergency Loans**

For the purpose of making emergency loans pursuant to section 321(a) of Public Law 87-128 (7 U.S.C. 1961) it has been determined that in the hereinafter named counties in the States of Arkansas and Minnesota natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

**ARKANSAS**

Fulton. Stone.  
 Iard.

**MINNESOTA**

Chisago. Mille Lacs.  
 Grant. Washington.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1963, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 16th day of August 1962.

ORVILLE L. FREEMAN,  
 Secretary.

[F.R. Doc. 62-8402; Filed, Aug. 20, 1962;  
 8:59 a.m.]

**DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE****Social Security Administration****CONGO REPUBLIC (BRAZZAVILLE)****Notice of Finding Regarding Foreign Social Insurance and Pension System**

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) authorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death; and whether individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has considered evidence relating to the social insurance or pension system of the Congo Republic (Brazzaville), from which evidence it appears that the Congo Republic (Brazzaville) does not have a social insurance or pension system of general application which pays benefits on account of old age, retirement, or death.

Accordingly, it is hereby determined and found that the Congo Republic (Brazzaville) does not have in effect a social insurance or pension system which meets the requirements of section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)).

[SEAL] ROBERT M. BALL,  
 Commissioner of Social Security.

Approved: August 14, 1962.

ANTHONY J. CELEBREZZE,  
 Secretary of Health, Education,  
 and Welfare.

[F.R. Doc. 62-8371; Filed, Aug. 20, 1962;  
 8:53 a.m.]

**ATOMIC ENERGY COMMISSION**

[Docket No. 50-146]

**SAXTON NUCLEAR EXPERIMENTAL CORP.****Notice of Completion and Operation of Facility**

Please take notice that pursuant to the provisions of Paragraph 4.A. of Pro-



visional Operating License No. DPR-4, Saxton Nuclear Experimental Corporation has been authorized to operate its nuclear reactor located near the Borough of Saxton in Liberty Township, Bedford County, Pennsylvania at steady-state power levels not in excess of 20 megawatts thermal in the manner described and subject to the provisions set forth in Provisional Operating License No. DPR-4.

Based upon reports of inspections by representatives of the Division of Compliance and an evaluation of these reports by the Research and Power Reactor Safety Branch, Division of Licensing and Regulation, I have found that construction of the facility has been completed in conformity with the Final Safeguards Report.

Notice of Issuance of Provisional Operating License No. DPR-4 was issued on November 15, 1961.

Dated at Germantown, Md., this 15th day of August 1962.

For the Atomic Energy Commission.

EBER R. PRICE,  
Acting Director, Division of  
Licensing and Regulation.

[F.R. Doc. 62-8332; Filed, Aug. 20, 1962;  
8:45 a.m.]

[Docket No. 27-10]

## NUCLEAR ENGINEERING CO., INC.

### Notice of Proposed Amendment of Byproduct, Source and Special Nuclear Material License

Please take notice that Nuclear Engineering Company, Inc., with principal office at 65 Ray Street, Pleasanton, California, holder of License No. 4-3766-1 which authorizes the receipt, processing, packaging, storage and disposal of waste byproduct, source and special nuclear material, has applied for an amendment which would authorize the burial of low level radioactive waste material at a site near Beatty, Nevada.

Section 20.302 of the Commission's regulation, Standards For Protection Against Radiation, 10 CFR Part 20, provides that persons engaging in land burial of radioactive wastes received from other persons must do so on land owned by the Federal Government or by a State government. The purpose of this provision is to assure the necessary long-term control of such land in the event a licensee is unable, for any reason, to maintain the operation. The proposed land burial site is on land owned by the State of Nevada. Nuclear Engineering Company, Inc., will operate the burial ground under a lease from the State. The State of Nevada has assured the Commission that in the event of any default by the licensee with the terms and conditions of its lease, specifically including abandonment of the premises, the State shall be solely responsible to assure that all radioactive wastes on the site are buried and that the site is maintained subject to the same conditions of the license held by Nuclear Engineering Company, Inc.

No. 162—5

The AEC has reviewed the application for amendment and has prepared a hazards analysis which includes an analysis prepared by the U.S. Geological Survey of the geology and hydrology of the proposed site. In view of the foregoing and information regarding the licensee's equipment, facilities, procedures and personnel previously submitted and incorporated in the public files, the AEC has found that:

(a) The applicant's proposed equipment, facilities and procedures are adequate to protect health and minimize danger to life or property;

(b) The applicant is qualified by training and experience to conduct the proposed land burial operation in such a manner as to protect health and minimize danger to life or property;

(c) The issuance of the proposed amendment to the license authorizing the burial of low-level radioactive wastes at the site proposed will not be inimical to the common defense and security or the health and safety of the public; and

(d) The application complies with the requirements of the Atomic Energy Act of 1954, as amended, and Commission regulations.

The AEC proposes to grant the amendment subject to appropriate limitations unless within fifteen (15) days after filing of this notice with the office of the Federal Register, a petition to intervene and a request for a formal hearing are filed with the Commission in the manner prescribed in the Commission's rules of practice, Part 2, Title 10, Code of Federal Regulations or unless the Commission upon further consideration, directs the holding of such a hearing on its own motion.

The application for license amendment, the hazards analysis prepared by the Division of Licensing and Regulation and the geological and hydrological analysis of the site prepared by the U.S. Geological Survey are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington 25, D.C. Copies of the hazards analysis referenced above may also be obtained by request addressed to the Commission's Public Document Room, 1717 H Street NW., Washington 25, D.C. or to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

The text of the proposed amendment is attached to this notice.

Dated at Germantown, Md., August 16, 1962.

For the Atomic Energy Commission.

EBER R. PRICE,  
Acting Director, Division  
of Licensing & Regulation.

[License No. 4-3766-1 (B64); Amdt. No. 15]

In accordance with application dated October, 6, 1961 and amendment thereto dated January 24, 1962, License No. 4-3766-1 is hereby amended as follows:

The following condition is added:

18. Byproduct, source and special nuclear material may be disposed of by burial at a site located in the NW¼ of the NE¼ of Section 35, Township 13 South, Range 47 East, Mount Diablo Baseline and Meridian, in accordance with procedures and limitations

set forth in the application dated October 6, 1961, and amendment thereto dated January 24, 1962, and subject to the following additional limitations:

(1) Packages placed in the burial trench shall be covered over with earth at the end of each operating day during which any packages containing radioactive waste are placed in the burial trench.

(2) Upon completion of burial operations in a burial trench, the licensee will backfill the trench so that there is a minimum of three feet of earth, consisting of both fine and coarse materials, between the last layer of packages and the surface of the ground. The licensee will mound earth, including both fine and coarse materials, over the trench to a minimum height of two feet at the center of the mound in such a manner as to drain runoff water away from the trench over which the earth is mounded and away from any other trench in the process of being filled.

(3) A water sample shall be obtained from the test well described in the application not less than once each month and analyzed for gross beta-gamma radioactivity.

(4) Should any water sample obtained from the test well reveal an increase in the concentration of radioactive material in the aquifer greater than the concentration of radioactive material determined prior to commencement of burial operations, the licensee shall perform further surveys to determine whether or not the increase is due to the land burial operations. Should the radioactivity be determined to originate in the burial ground, the licensee shall notify the Director, Division of Licensing and Regulation within thirty (30) days of such findings.

Date of issuance:

For the Atomic Energy Commission.

[F.R. Doc. 62-8403; Filed, Aug. 20, 1962;  
8:45 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 13935]

### KENT AVIATION LIMITED

#### Notice of Hearing

Notice is hereby given that a hearing on the above-entitled application is assigned to be held on September 6, 1962, at 10 a.m., e.d.s.t., in Room 1029, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., August 16, 1962.

[SEAL]

FRANCIS W. BROWN,  
Chief Examiner.

[F.R. Doc. 62-8389; Filed, Aug. 20, 1962;  
8:56 a.m.]

[Docket No. 9523 etc.]

### REOPENED PUERTO RICO THIRD- CLASS PASSENGER FARE INVESTI- GATION

#### Notice Reassigning Prehearing Conference

Pursuant to request of counsel for Trans Caribbean Airways, agreed to by other parties, the prehearing conference in the above-entitled proceeding, now assigned for August 30, 1962, is hereby advanced one day and reassigned to be held August 29, 1962, 10:00 a.m., e.d.s.t.,



in Room 1029, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C.

Dated at Washington, D.C., August 16, 1962.

[SEAL]

THOMAS L. WRENN,  
Associate Chief Examiner.

[F.R. Doc. 62-8390; Filed, Aug. 20, 1962;  
8:56 a.m.]

[Docket No. 13939; Order No. E-18706]

## CONTINENTAL AIR LINES, INC., ET AL.

### Order of Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of August, 1962, in the matter of business and economy fares proposed by Continental Air Lines, Inc., American Airlines, Inc., Braniff Airways, Inc., Trans World Airlines, Inc., and United Air Lines, Inc.:

Continental Air Lines, Inc., has filed a tariff effective August 24, 1962, to expire with January 31, 1963, which would provide new jet business and jet economy fares. The services are to be offered, along with first-class service, in three-section configuration B-707 aircraft on a limited number of flights in the Chicago-Kansas City, Denver-Los Angeles markets.<sup>1</sup> The proposed business class fares are 86-89 percent of the present jet first-class fares and the economy fares 79-81 percent of the jet day coach fares in these markets.

Competing defensive tariffs in the (1) Chicago-Denver-Los Angeles markets were filed by United Air Lines, Inc.; (2) Chicago-Los Angeles market by American Airlines, Inc.; (3) economy tariffs in the Chicago-Kansas City market by Braniff Airways, Inc.; and (4) economy tariffs by Trans World Airlines, Inc. in the Chicago-Kansas City and Chicago-Los Angeles markets. TWA also proposes a reduction in its Kansas City-Los Angeles regular night coach fare to compete with Continental's economy fare in that market.

In support of its proposal, Continental states it will provide a market test to determine the traffic stimulating effects of lower fares and to determine the buying desires of the public. Markets selected represent high density, highly competitive and lower density, as well as less competitive routes over short, intermediate, and long-haul stage lengths. Continental asserts the fares will stimulate new traffic and reduce inflight expenses, while the proposed more comfortable, business class service and fares will attract traffic from the lower-priced coach service with no material increase in inflight costs.

Complaints were filed by American Airlines, Inc., Braniff Airways, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., Northwest Airlines, Inc., Trans World Airlines, Inc., and United Air Lines, Inc. In general, the complaints allege that diversion

from first-class and coach services by the economy class rate-cutting proposal will reduce revenues without producing a compensatory increase in traffic; that effects of the proposed fares will extend to other parts of the country; the aircraft modifications will be expensive and inefficient; and that experience in the North Atlantic service with three classes of service resulted in elimination of the middle class and the same results can be expected here. Some of the complainants suggest, however, that some modification of the present fare relationships would be desirable. The City of Denver, Colorado, has filed a letter with the Board in support of Continental's proposal. Continental has filed a consolidated answer to the complaints alleging, inter alia, that only by experience can the generative effects of lower-priced service be ascertained, that it is here offering a controlled experiment, limited as to time and markets, that a survey has indicated that business travel will be attracted from coach to their business service, and suggests reporting be required of all participating carriers, commencing with July 1962 data.

The proposed economy service, with higher density than that in coach service, and with fewer amenities, should result in lower seat-mile costs. The business class service, with lesser seating space and amenities than first-class service but more than in coach, should result in seat-mile costs intermediate to the first-class and coach costs. From the information before us we cannot say the proposed fares are not reasonably related to the costs of providing such services, as measured by the relationship of fares and costs of first-class as well as coach services.

At the present time the extent the proposed business class service will appeal to any large percentage of present coach traffic cannot be determined, nor can the extent the proposed economy fares will stimulate new traffic be ascertained. We cannot therefore forecast accurately the impact of the proposal upon the net revenues of the carriers. In consideration of the relationship of the fares to costs, the limits contained in the proposal with respect to time and area, and the value to the public and the industry of ascertaining the effect such fares will have upon the movement of traffic, we will not suspend the proposed tariffs. The Board believes that a controlled experiment such as has been suggested here may provide answers to these questions and that after a short period of experimentation, with this information available, an investigation is desirable, and this order will institute an investigation of the Continental economy and business class fares as well as of the defensive tariffs filed by American, Braniff, TWA, and United.

The Board has instructed its staff to meet with the participating carriers and arrange for appropriate reporting procedures so that the Board can monitor the results of these fares on a reasonably current basis and so that adequate data will be available when the investigation moves forward.

The Board finds that its action herein is necessary and appropriate in order to carry out the provisions and objectives of the Federal Aviation Act of 1958, as amended, particularly sections 204(a), 403, 404, 407, and 1002 thereof.

Accordingly, it is ordered, That:

1. An investigation be instituted to determine whether the rates, fares, charges, rules, regulations or practices for air transportation of passengers by American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Trans World Airlines, Inc., and United Air Lines, Inc., as described in Appendix A<sup>2</sup> hereto including subsequent amendments thereof, are or will be unjust and unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful; and if found to be unlawful, to determine and prescribe the lawful fares and provisions.

### 2. The complaints of:

American Airlines, Inc., in Docket 13814.  
Braniff Airways, Inc., in Docket 13844.  
Delta Air Lines, Inc., in Docket 13840.  
Eastern Air Lines, Inc., in Docket 13843.  
National Airlines, Inc., in Docket 13845.  
Northwest Airlines, Inc., in Docket 13846.  
Trans World Airlines, Inc., in Docket 13843.  
United Air Lines, Inc., in Docket 13822.

insofar as they request investigation of the proposed fares and provisions are consolidated herein; and, except to the extent thus granted, are dismissed.

3. Copies of this order be served upon American Airlines, Inc., Braniff Airways, Inc., Continental Air Lines, Inc., Delta Air Lines, Inc., Eastern Air Lines, Inc., National Airlines, Inc., Northwest Airlines, Inc., Trans World Airlines, Inc., and United Air Lines, Inc., which are hereby made parties to this investigation.

4. This investigation is assigned for hearing before an examiner of the Board at a time and place hereafter to be designated.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.<sup>3</sup>

[SEAL]

MABEL McCART,  
Acting Secretary.

[F.R. Doc. 62-8391; Filed, Aug. 20, 1962;  
8:56 a.m.]

## FEDERAL MARITIME COMMISSION

### AIR-SEA FORWARDERS, INC., ET AL.

#### Notice of Freight Forwarder Applications Filed for Approval

Notice is hereby given that the following Los Angeles applications have been issued application numbers by the Federal Maritime Commission for licenses as independent ocean freight forwarders, pursuant to section 44(a) of the Shipping Act, 1916, as amended (Public Law 87-254). Corps. unless otherwise indicated.

<sup>2</sup> Appendix A filed as part of original document.

<sup>3</sup> Statement of members Gurney and Gilliland filed as part of original document.

<sup>1</sup> Business class fares are also proposed between Colorado Springs, Colorado, on the one hand, and Chicago, Kansas City, and Los Angeles, on the other.



Protests to the granting of any application should be filed in writing with the Director, Bureau of Domestic Regulation, Federal Maritime Commission, Washington 25, D.C., within 60 days from the date of publication of this notice in the FEDERAL REGISTER.

*No.; Name and Address; Officers*

- 903; Air-Sea Forwarders, Inc., 406 South Main Street (13)—Erwin Rautenberg, pres.; Jerome W. Shepard, vice pres.-legal counsel; Norman Krieger, 2d vice pres.; Harry Rautenberg, treas.; Samuel Keevuk, sec.
- 528; Barham Co., Guy B., 405 H. W. Hellman Building, 354 South Spring Street (13)—Patricia A. Barham, pres.-director; Jessica G. Barham, director; J. Russell Surbert, director; Elmer L. Higgs, treas.-vice pres.; Mabel L. Usher, sec.
- 164; Byrnes & Co., W. J. of Los Angeles, 354 South Spring Street (13)—Howard J. Mann, pres.; Elwyn W. Stevens, vice pres.; Catherine F. Leonard, sec.-treas.
- 52; Carmichael Forwarding Service, 406 South Main Street (13)—R. F. Lazier, pres.; Omar A. Slayter, vice pres.; Marjorie L. Lazier, sec.-treas.; R. A. Lazier, director.
- 640; Del Mar Shipping Corp., 624 H. W. Hellman Building, 354 South Spring Street (13)—Arthur J. Banuelos, pres.; Robert L. Waldeck, sec.-treas.
- 923; Dow Co., Inc., of L.A., Frank P., 711 H. W. Hellman Building, 354 South Spring Street (13)—William D. White, pres.-director; Katherine L. Kammann, vice pres.; Mary Edwards, sec.-director; H. K. White, treas.-director; Ruth P. Allemann, asst. sec.
- 923; Dow Co., Inc., Frank P., 309 Southwest 8th Avenue, Portland 4, Oreg.—Chas. E. Haney, vice pres.-treas.; William D. White, pres.; Vera M. Haney, sec.
- 805; Duncan Co., Inc., Bruce, 354 South Spring Street (13)—Bruce Duncan, pres.; Shozo Saito, vice pres.; Arthur B. Staudt, vice pres.-director.
- 787; Elder & Co., H. H., 215 Union Federal Savings Building, 426 South Spring Street (13)—Horace H. Elder, pres.-director; Kenyon F. Lee, vice pres.-atty.-director; Elaine F. Overacker, sec.-treas.-director; Marjorie E. Wells, asst. sec.; Ted L. Rausch, asst. vice pres.; Leroy B. Powers, asst. treas.
- 183; Farber & Co., 354 South Spring Street—Partnership: Rafael Farber, partner; Celia Farber, partner; Honorato Manriquez, partner.
- 794; Interamerican Forwarding Corp., 6277 East Slauson Avenue (22)—W. P. Daetwyler, treas.-pres.; F. G. Stapleton, vice pres.-sec.; Victor Kuehnlein, director.
- 804; International Customs Service, Inc., 510 H. W. Hellman Building, 354 South Spring Street (13)—Robert L. Waggoner, pres.; Regis F. Kramer, vice pres.-treas.; R. L. Waggoner (Mrs.), sec.
- 598; Inter-World Forwarding Co., 834 H. W. Hellman Building, 354 South Spring Street (13)—Juan A. Vargas, Jr., pres.; Dora B. de Sa, vice pres.; Carlos M. Teran, sec.; Jose F. Alvarenga, treas.
- 213; Loretz & Co., 108 West Sixth Street (14)—T. A. L. Loretz, pres.-director; R. H. Larson, vice pres.-treas.-director; C. J. Sullivan, vice pres.-director; Joseph Weinberg, vice pres.-sec.-director; P. R. Amsden, vice pres.; Arthur H. Glanz, director; Howard Daniel Fisher, asst. sec.; Charles W. Lee, director; Paul Moskowitz, asst. sec.; Thomas J. Sullivan, asst. sec.
- 244; Loudon & Co., Inc., James, 431 Hellman Building, 354 South Spring Street (13)—James Loudon, pres.-chairman of board of directors; Emma Loudon, director; James V. Loudon, exec. vice pres.-director; T. J. McDowell, vice pres.-director; J. J. Boyle, vice pres.; P. R. Domey, treas.; Krene Loudon, sec.-director.

- 519; Pacific International Forwarding, 630 San Fernando Building, 108 East Fourth Street (13)—Partnership: Robert M. Vasquez, partner; Amsi G. Alden, partner.
- 334; Perryman, Mojonier Co., 354 South Spring Street (13)—Theodore R. Mojonier, pres.; Grace E. Mojonier, vice pres.; Alberta N. Duncan, sec.-treas.
- 594; Superior Fast Freight, 4527 Loma Vista Avenue (58)—R. C. Harmonson, vice pres.; Dorothy Castro, sec.-treas.; S. D. Knopp, pres.
- 329; Universal Foreign Service, Inc., 726 San Fernando Building, 406 South Main Street (13)—Clarence G. Sellers, pres.-director; John L. Westland, Jr., vice pres.-director; Mary Sellers, sec.-treas.-director.
- 80; Wiley Co., James G., 406 South Main Street (13)—William R. Fielding, vice pres.; Max B. Lindner, sec.
- 641; Wilmoth Fast Forwarding, Inc., 600 San Fernando Building, 108 East Fourth Street (13)—Humberto S. Hodgson, pres.; Jacklynne L. Wilmoth, vice pres.; George M. Hodgson, sec.-treas.
- 677; Zerwekh Co., Edward S., 619 H. W. Hellman Building, 354 South Spring Street (13)—Edward S. Zerwekh, pres.; John H. Nessley, vice pres.; Cecilia Castellanos, sec.; Beatrice B. Zerwekh, treas.

Dated: August 16, 1962.

THOMAS LISI,  
Secretary.

[F.R. Doc. 62-8392; Filed, Aug. 20, 1962;  
8:57 a.m.]

## AMERICAN ENTERPRISES, INC., ET AL.

### Notice of Freight Forwarder Applications Filed for Approval

Notice is hereby given that the following Baltimore and Seattle applicants have been issued application numbers by the Federal Maritime Commission for licenses as independent ocean freight forwarders, pursuant to section 44(a) of the Shipping Act, 1916, as amended (Public Law 87-254). Corps. unless otherwise indicated.

Protests to the granting of any application should be filed in writing with the Director, Bureau of Domestic Regulation, Federal Maritime Commission, Washington 25, D.C., within 60 days from the date of publication of this notice in the FEDERAL REGISTER.

#### BALTIMORE

*No.; Name and Address; Officers*

- 863; American Enterprises, Inc., Pier 4 Pratt Street (2)—Jack Wurfl, pres.; Angelo Santamaria, vice pres.; Gustavo Aguirre, sec.; Julio E. Amador, treas.-director; Phillip O. Roach, director.
- 506; Frederick Forwarding Co., 105 South Frederick Street (2)—Partnership: Charles A. Masson, partner; Stevenson Masson, partner. Masson, Inc., William H., 105 South Frederick Street (2)—Charles A. Masson, pres.-treas.; Stevenson Masson, vice pres.-sec.; Elizabeth N. Masson, asst. treas.-asst. sec.
- 582; Ramsay Scarlett & Co., Inc., Calvert and Redwood Streets (2)—Wm. D. G. Scarlett, pres.-director; Charles Scarlett, Jr., exec. vice pres. and director; William L. Lampe, sec.-treas. and director; John A. Luetkemeyer, director; Nicholas G. Penniman, III, director; W. Bladen Lowndes, director; Rex Wheeler, Jr., vice pres.; Charles R. Butz, vice pres.; J. Joseph Brune, vice pres.

- 255; Rukert Marine Corp., 1409 Thames Street (31)—W. G. Norman Rukert, pres.; Norman G. Rukert, vice pres.; John B. Landeta, vice pres.; Virginia Orłowski, sec.-treas.
- 15; Shallus Co., The F. H., 208 Chamber of Commerce Building, Commerce and Water Streets—Frederick H. Kooke, pres.; H. Arthur Adolph, vice pres.; Calvin W. Sweeten, exec. vice pres. and treas.; Peter J. Sharlofsky, Jr., sec.; Gordon E. Kellenberger, director; Margaret W. Kibler, director; Edward G. Kibler, director; Frederick H. Kooke, director; H. Arthur Adolph, director.
- 17; Shapiro & Co., Inc., Samuel, 11-13 South Gay Street (2)—Samuel Shapiro, pres.; Hilda L. Shapiro, vice pres.; Jesse York, vice pres.; M. Sigmund Shapiro, treas.; Ida S. Goldberg, sec.; Florence P. Kluger, asst. sec.
- 644; Wall Shipping Co., East Redwood and South Streets—Robert H. Wall, pres.-director; Frank R. Bailey, sec.-vice pres.-director-treas.; Martin J. McNamara, Jr., sec. and director; Robert W. Berberich, director.

#### SEATTLE

- 308; Bush & Co., Inc., Geo. S., 811 First Avenue (4)—Victor D. Harlowe, pres.-treas.-director; Albert E. Murray, vice pres.-director; Jack R. Tuben, sec.; Wilbur W. Easter, director.
- 220; Byrnes & Co., W. J., Alex M. Bryce, Jr., d/b/a, 6644 White Building—Individual.
- 866; Frazier Co., I., 2203 Exchange Building (4)—Partnership: R. K. Jaggar, partner; Irma F. Jaggar, partner.
- 592; Hausman Co., Inc., Wm. A., 1008 Western Avenue (4)—Wm. A. Hausman, pres.; G. S. Hausman, treas.; Gordon H. Dickson, vice pres. and sec.
- 674; Jackson Co., Inc., Robert L., 646 South Holgate Street (4)—Edward R. McElligott, director-pres.; A. S. Walkowski, director; R. L. Jackson, director-vice pres.; Edwin M. Suddock, director-sec.-treas.; Lloyd M. Lindsey, director.
- 690; Landweer & Co., Inc., Robert E., 83 Marion Street Viaduct (4)—Austen D. Hemion, pres.; Eugene Ricksecker, vice pres.; Dorothy E. Bruce, sec.; Viola M. Landweer, treas.
- 939; Pacific Air Freight, Inc., 72 Marion Street (4)—Philip R. Gruger, pres.-director; Holt W. Webster, vice pres.-director; J. Vernon Williams, sec.-director; Robert Lamson, director.
- 126; Seaport Shipping Co. (Seattle), 801 Second Avenue (4)—A. J. Buckingham, pres.-director; R. C. Buckingham, vice pres.-director; Ruth M. Buckingham, sec.-treas. and director.
- 753; Steeb & Co., Inc., J. T., First and Marion Streets—M. G. Nelson, pres.; C. R. Swenson, vice pres.-treas.; I. Miller, sec.
- 350; Utility Cartage, Inc., Terry Avenue North and Denny Way (9)—John W. Brooke, pres.-director; K. M. Brooke, sec.-director; Dorothy Brooke Shuey, director and treas.

Dated: August 16, 1962.

THOMAS LISI,  
Secretary.

[F.R. Doc. 62-8393; Filed, Aug. 20, 1962;  
8:57 a.m.]

## PORT OF PALM BEACH DISTRICT AND WEST INDIA SHIPPING CO., INC.

### Notice of Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 75 Stat. 763; 46 U.S.C. 814):



Agreement No. 8855 and 8855-1 between the Port of Palm Beach District (Port) and West India Shipping Company, Inc. (West India), provides for the exclusive use by West India of certain terminal property and preferential right to use certain wharf facilities at the Port of Palm Beach, Florida, for a period of five years with the option to renew for an additional five years. West India shall pay as rental a fixed monthly sum and in addition shall pay all tariff charges other than dockage, as shown in the Port's published tariff. West India further guarantees the Port a minimum of 50,000 tons of cargo per use year.

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

Dated: August 16, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 62-8394; Filed, Aug. 20, 1962;  
8:57 a.m.]

### PERSIAN GULF OUTWARD FREIGHT CONFERENCE

#### Notice of Filing of Exclusive Patronage (Dual Rate) Contract

Notice is hereby given that The Persian Gulf Outward Freight Conference has filed with the Commission, pursuant to section 14b, Shipping Act, 1916, a proposed Exclusive Patronage (Dual Rate) Contract and an application for permission to use a dual rate system in the trade from U.S. ports (except Pacific Coast ports) and ports in Eastern Canada to ports in the Persian Gulf.

Interested parties may inspect a copy of the contract and application at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and at the offices of the District Managers of the Federal Maritime Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 30 days after publication of this notice in the FEDERAL REGISTER, an original and 15 copies of written statements with reference to such contract and application and their position as to approval, disapproval, modification, or cancellation, together with a request for hearing, should a hearing be desired.

Dated: August 13, 1962.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 62-8362; Filed, Aug. 20, 1962;  
8:50 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. G-5471, etc.]

### ALABAMA TENNESSEE NATURAL GAS CO.

#### Notice of Postponement of Oral Argument

AUGUST 13, 1962.

Notice is hereby given that the oral argument now scheduled for September 6, 1962, is hereby postponed to be heard at 10:00 a.m., November 1, 1962, in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

By direction of the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 62-8343; Filed, Aug. 20, 1962;  
8:47 a.m.]

[Docket No. G-11905 etc.]

### ATLANTIC REFINING CO. ET AL.

#### Notice of Severance

AUGUST 13, 1962.

The Atlantic Refining Company, et al., Docket No. G-11905 et al.; Texaco Inc., Docket No. CI62-63; MPS Production Co. (Operator), et al., Docket No. CI62-314; W. H. Hudson (Operator), et al., Docket No. CI62-1074; A. F. Childers, Jr. (Operator), et al., Docket No. CI62-1152.

Notice is hereby given that the four above-entitled matters, heretofore scheduled for a hearing to be held in Washington, D.C., on August 16, 1962, at 9:30 a.m., e.d.s.t., in the consolidated proceeding entitled The Atlantic Refining Company, et al., Docket Nos. G-11905, et al., are severed therefrom for such disposition as may be appropriate.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 62-8344; Filed, Aug. 20, 1962;  
8:47 a.m.]

[Docket No. RI63-35]

### CONTINENTAL OIL CO. ET AL.

#### Order Providing for Hearing on and Suspension of Proposed Change in Rate

AUGUST 14, 1962.

On July 16, 1962, Continental Oil Company (Operator), et al.,<sup>1</sup> (Continental) tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

<sup>1</sup> Address is: P.O. Box 2197, Houston 1, Tex.

Description: Notice of change, dated July 12, 1962.

Purchaser and producing area: Cities Service Gas Company (Laverne Field, Harper County, Oklahoma) (Panhandle Area).

Rate schedule designation: Supplement No. 2 to Continental's FPC Gas Rate Schedule No. 228.<sup>2</sup>

Effective date: August 16, 1962.<sup>3</sup>

Proposed rate: 13.0 cents per Mcf.<sup>4</sup>

Effective rate: 12.0 cents per Mcf.

Annual increase: \$300.

Pressure base: 14.65 psia.

Continental's proposed periodic rate increase exceeds the 11.0 cents per Mcf ceiling for increased rates in the Oklahoma Panhandle Area as set forth in the Commission's statement of general policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

The proposed increased rate may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 2 to Continental's FPC Gas Rate Schedule No. 228 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 2 to Continental's FPC Gas Rate Schedule No. 228.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until January 16, 1963, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37 (f)) on or before October 1, 1967.

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 62-8345; Filed, Aug. 20, 1962;  
8:47 a.m.]

<sup>2</sup> Formerly An-Son Petroleum Corporation (Operator), et al. FPC Gas Rate Schedule No. 2.

<sup>3</sup> The stated effective date is the first day after expiration of the required statutory notice.

<sup>4</sup> Subject to downward Btu adjustment.



[Docket No. G-19975 etc.]

**GRAHAM-MICHAELIS DRILLING CO.  
ET AL.****Notice of Applications and Date of  
Hearing**

AUGUST 14, 1962.

Graham-Michaelis Drilling Company (Operator), et al., G-19975, and CI60-28; Compass Exploration, Inc., CI61-299, and CI61-591.

Take notice that Graham-Michaelis Drilling Company (Graham-Michaelis) and Compass Exploration, Inc. (Compass) have filed, pursuant to section 7(c) of the Natural Gas Act, applications for certificates of public convenience and necessity in Docket Nos. G-19975 and CI61-299, respectively, authorizing the rendition of certain services. These services, as revised by appropriate amendments and/or supplements are described as follows:

A. Graham-Michaelis' certificate application in Docket No. G-19975 (filed October 20, 1959) covers a proposed sale of natural gas to Kansas-Nebraska Natural Gas Company, Inc. (Kansas-Nebraska) from certain acreage<sup>1</sup> in the Rift, Dailey, Haxton, Chappel and Marks Buttes Fields, Phillips, Logan and Sedgwick Counties, Colorado. Said sale will be made pursuant to a gas sales contract dated October 19, 1959, as amended October 20, 1959. The proposed initial price is 12.0 cents per Mcf at 16.4 psia.

On March 30 and May 1, 1961, Graham-Michaelis amended its application in Docket No. G-19975 to request abandonment authorization covering two wells located on section 33, T9N, R48W, Logan County and the E/2 of section 31, T9N, R47W, Phillips County, respectively. In each case, Graham-Michaelis cites water intrusion and resulting loss of production as reasons for abandonment.

B. Compass' certificate application in Docket No. CI61-299 (filed August 26, 1960, and amended on April 13 and June 5, 1961, and February 8, 1962) covers a proposed sale of natural gas to El Paso Natural Gas Company (El Paso) from certain acreage in San Juan County, New Mexico. Said sale will be made pursuant to a 20-year gas sales contract dated August 17, 1960, and three amendatory agreements adding acreage thereto dated April 10 and May 17, 1960, and February 5, 1962. The proposed initial price is 13.0 cents per Mcf (includes 1.0 cents per Mcf minimum for liquids) at 15.025 psia.

On April 23, 1962, Compass further amended the above-discussed application requesting authorization to abandon service from the #1-7 Federal Well dedicated to El Paso under the aforesaid April 10, 1961, amendatory agreement. Compass cites water intrusion and resulting loss of production as reasons for abandonment.

The above-mentioned applications were further amended to include certain other additional acreage. However, those amendments were inadvertently

assigned new docket numbers (Docket Nos. CI60-28 and CI61-591).

By order issued June 13, 1962, in Docket Nos. G-8166, et al., the subject Docket Nos. G-19975 and CI61-299 (and related Docket Nos. CI60-28 and CI61-591) were erroneously treated as though certificates had been issued pursuant to the original applications. It is anticipated that this error will be corrected by rescinding so much of the aforesaid order of June 13, 1962, as purported to act on the four docketed applications which are the subject of this notice.

The public convenience and necessity require that these matters be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 25, 1962, at 9:30 a.m., e.d.s.t. in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may after a non-contested hearing dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 14, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made: *Provided, further*, If a protest, petition to intervene, or notice of intervention be timely filed in any of the above dockets, the above hearing date as to that docket will be vacated and a new date for hearing will be fixed as provided in § 1.20(m) (2) of the rules of practice and procedure.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 62-8347; Filed, Aug. 20, 1962;  
8:47 a.m.]

[Docket No. CP62-270]

**NORTHERN NATURAL GAS CO.****Notice of Application and Date of  
Hearing**

AUGUST 14, 1962.

Take notice that on May 21, 1962, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha 1, Nebraska, filed in Docket No. CP62-270 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of

public convenience and necessity authorizing the construction and operation of a measuring and regulating station on Applicant's 2-inch Claflin, Kansas, branch line, the continued operation of existing measuring and regulating facilities on Applicant's Holyrood line and the sale and delivery of natural gas to Producers Gas Equities, Inc. (Producers), for resale in Ellsworth and Rice Counties, Kansas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

By the Commission's order of June 8, 1962, in Docket No. CP 62-207 Applicant was authorized to abandon 35.1 miles of 18-inch pipeline east of its Otis compressor facilities in Barton and Ellsworth Counties, Kansas. The application states that Producers will be able to serve certain of the customers of Applicant now served directly by the lateral proposed to be abandoned and also will be able to serve its own customers who are now served directly from the Otis lateral. In order for Producers to render this service, it will be necessary for Applicant to construct and operate a measuring and regulating station on its 2-inch Claflin, Kansas, branch line at a point in section 17, Township 18 South, Range 10 West, Rice County, Kansas, and to continue to operate an existing non-jurisdictional delivery point on the Holyrood line in Section 13, Township 17 South, Range 10 West, Ellsworth County, Kansas, to serve Producers.

Applicant has agreed to sell and Producers has agreed to purchase 10 Mcf of gas per day of contract demand for a period of 15 years from the date of initial delivery. Producers estimates its annual requirements in Mcf at 14.73 psia for the first three years to be 182,500 for the Claflin Line and 200,750 for the Holyrood Line.

Applicant states that the estimated cost of the facilities which it proposes to construct is \$3,640, which will be financed from funds on hand.

Producers will purchase contract demand and overrun volumes from Applicant in accordance with the proposed Rate Schedules PL-1 and PO-1. An agreement between the parties provides that the initial rate shall be at the same level of rates as those in effect under Applicant's Rate Schedules CD-1 and R-1 at the time of initial delivery to Producers. Pro forma copies of the PL-1 and the PO-1 Rate Schedules have been filed with the application.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 27, 1962, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*,

<sup>1</sup> Production limited to the "D" and "J" Sands of the Dakota Formation.



That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 17, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 62-8348; Filed, Aug. 20, 1962;  
8:47 a.m.]

[Docket No. CP62-173]

### TOWN OF STEELE, ALABAMA

#### Notice of Cancellation of Hearing

AUGUST 14, 1962.

Take notice that the hearing in the above-docketed proceeding heretofore scheduled to commence on September 17, 1962, by order issued July 20, 1962, and published in the FEDERAL REGISTER on July 26, 1962 (27 F.R. 7147) is hereby cancelled.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 62-8346; Filed, Aug. 20, 1962;  
8:47 a.m.]

[Docket Nos. CP61-241, CP61-242]

### TRUNKLINE GAS COMPANY AND MISSISSIPPI RIVER TRANSMISSION CORP.

#### Notice of Applications and Date of Hearing

AUGUST 13, 1962.

Trunkline Gas Company, Docket No. CP61-241; Mississippi River Transmission Corporation, Docket No. CP61-242.

Take notice that on March 15, 1961, as supplemented on April 6, 1961, and on March 15, 1962, Trunkline Gas Company (Trunkline), P.O. Box 1642, Houston, Texas, filed in Docket No. CP61-241 an application pursuant to section 7(c) of the Natural Gas Act, as amended, for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the sale and delivery of natural gas for resale, subject to the jurisdiction of the Commission, as hereinafter described and as more fully set forth in the application which is on file with the Commission and open for public inspection.

Trunkline seeks authority to sell 25,000 Mcf of natural gas per day under its FPC Gas Rate Schedule P-1 to Illinois Power Company, 25,000 Mcf per day under FPC Gas Rate Schedule P-1 to Mis-

issippi River Transmission Company, 3,000 Mcf per day under FPC Gas Rate Schedule P-2 to Michigan Gas Utilities Company, and a total of 1,139 Mcf per day to nine of its existing small general service customers. Trunkline states that the sales proposed in this application do not change or affect in any way the increased sales proposed in Docket No. CP60-22 (Phase Two) to certain of Trunkline's customers not involved in this application.

Further, Trunkline seeks authority under this amended application to construct and operate 3,000 additional horsepower in each of five of its eight existing main line compressor stations from Station No. 48 (Longville, Louisiana) to Station No. 112 (Johnsonville, Illinois); 4,200 additional horsepower at Stations 75 and 84 (four 1050 units each); an additional 2,700 horsepower supercharged unit at Station 103; and supercharging at Station 103 to increase the horsepower of the existing engines by 1,400. It is stated that no increase in system capacity will result from these additional installations.

Also, Trunkline seeks hereunder authorization to construct and operate 76.8 miles of 26" O.D. pipeline from Cow Island, Louisiana, to Compressor Station No. 48, 24.2 miles of 18" O.D. pipeline to loop existing gathering facilities. The proposed facilities are intended to increase the winter sales capacity of Applicant's pipeline system as certificated in Opinion No. 339 from 605,000 Mcf per day to 660,000 Mcf per day.

The proposed facilities are estimated to cost approximately \$18,000,000.00. Trunkline proposes to finance the total cost of the instant project from certain long-term financing which has been arranged and includes the financing of facilities proposed in other proceedings, all as set forth in the second supplement to the application herein filed on March 15, 1962.

Take further notice that on March 15, 1961, as supplemented on April 6, 1961, Mississippi River Transmission Corporation (Mississippi), 9900 Clayton Road, St. Louis 24, Missouri, filed in Docket No. CP61-242 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of an additional volume of 25,000 Mcf of natural gas per day for resale in the Greater St. Louis Area, all as more fully described in the application and supplement which are on file with the Commission and open to public inspection.

Mississippi proposes to transport and sell the subject 25,000 Mcf per day to Laclede Gas Company (Laclede) and Illinois Power Company (Illinois Power) for distribution in St. Louis and St. Louis County, Missouri, and in Illinois in and adjacent to East St. Louis, respectively, in addition to the 50,000 Mcf per day which Mississippi is presently authorized to sell and deliver to these two distribution companies.

Mississippi has precedent agreements with Trunkline for the purchase of the subject 25,000 Mcf per day and with Laclede and Illinois Power for the sale

thereof—21,250 Mcf to Laclede and 3,750 Mcf to Illinois Power.

No additional facilities will be required for the proposed service which is stated to be needed in the St. Louis area during winter peak periods.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 18, 1962, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G. Street, NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 7, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 62-8349; Filed, Aug. 20, 1962;  
8:47 a.m.]

[Docket No. CP62-297]

### UNITED GAS PIPE LINE CO.

#### Notice of Application and Date of Hearing

AUGUST 14, 1962.

Take notice that on June 13, 1962, United Gas Pipe Line Company (Applicant), 1525 Fairfield Avenue, Shreveport, Louisiana, filed in Docket No. CP62-297 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval of the Commission to abandon certain natural gas facilities used to deliver natural gas to Arkansas Louisiana Gas Company (Ark-La), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to abandon and remove the following facilities:

- (1) Benton Town Border Station, consisting of a positive meter station, regulators, and appurtenant equipment, located in Possier Parish, Louisiana;
- (2) F. Solomon positive meter, regulators, and appurtenant equipment, located in Section 31, T19N, R14W, Caddo Parish, Louisiana; and



(3) F. Solomon positive meter station, regulators, and appurtenant equipment, located at approximate milepost 184 on Applicant's Latex-to-Sarepta main line in Caddo Parish, Louisiana.

The application states that the service agreements for the service rendered through the subject facilities terminated on July 25, 1962, and August 1, 1962, and that Ark-La has advised that it will not renew the agreements.

The original cost of the subject facilities was \$3,896.34.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 27, 1962, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of §130(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 17, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in commission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 62-8350; Filed, Aug. 20, 1962; 8:47 a.m.]

## HOUSING AND HOME FINANCE AGENCY

Office of the Administrator  
ACTING REGIONAL ADMINISTRATOR,  
ATLANTA

### Designation

The following officers, listed by title, of Region III, Housing and Home Finance Agency (excluding persons designated to serve in an acting capacity), are hereby designated to act in the place and stead of the Regional Administrator for Region III, with the title of "Acting Regional Administrator", and with all the powers, functions, duties, and responsibilities delegated or assigned to the said Regional Administrator, in the event the Regional Administrator is unable to act by reason of his absence, illness, or other cause; provided that no officer design-

nated below shall serve as "Acting Regional Administrator" unless every officer whose title precedes his in this designation is unable to act by reason of absence, illness, or other cause:

1. Deputy Regional Administrator.
2. Regional Counsel.
3. Regional Economist.
4. Regional Director of Administration.

This designation supersedes the designation effective June 7, 1962, which is hereby revoked.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); 62 Stat. 1268, 1283 (1948), as amended, 12 U.S.C. 1701c; Administrator's Order, effective December 23, 1954, 19 F.R. 9303 (December 29, 1954); Delegation of Authority effective May 4, 1962, 27 F.R. 4319)

Effective as of the 13th day of June 1962.

[SEAL] McCLELLAN RATCHFORD,  
Regional Administrator.

[F.R. Doc. 62-8377; Filed, Aug. 20, 1962; 8:55 a.m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3842]

### BLACK BEAR INDUSTRIES, INC.

#### Order Summarily Suspending Trading

AUGUST 15, 1962.

The common stock, par value 15 cents a share, of Black Bear Industries, Inc. (formerly Black Bear Consolidated Mining Co.) being listed and registered on the San Francisco Mining Exchange, a national securities exchange; and

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

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange:

It is ordered, Pursuant to section 19(a) (4) of the Securities Exchange Act of 1934 that trading in said security on the San Francisco Mining Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, August 16, 1962, through August 25, 1962, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F.R. Doc. 62-8359; Filed, Aug. 20, 1962; 8:50 a.m.]

[File No. 812-1520]

### TEXAS FUND, INC.

#### Notice of Filing of Application

AUGUST 15, 1962.

Notice is hereby given that Texas Fund, Inc. ("Texas") 423 Texas National Bank Building, Houston 2, Texas, a registered open-end investment company has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of its shares at net asset value for substantially all of the cash and securities of The Ansonia Investment Company ("Ansonia").

Shares of Texas, a Delaware corporation, are offered to the public on a continuous basis at net asset value plus varying sales charges dependent on the amount purchased. As of July 17, 1962, the net assets of Texas amounted to \$42,512,409.

Ansonia, a Connecticut corporation, is an unregistered investment company which since 1954 has been engaged in the business of investing its funds. Ansonia has three stockholders and is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Pursuant to an agreement between Texas and Ansonia, substantially all of the cash and securities of Ansonia, with a total value of \$3,803,115 as of July 17, 1962, will be transferred to Texas in exchange for shares of stock of Texas. The shares acquired by Ansonia are to be distributed immediately to its shareholders who have agreed to acquire the shares of Texas for investment and not for distribution to the public. The number of shares of Texas to be delivered to Ansonia will be determined by dividing the net asset value per share of Texas in effect at the closing time into the aggregate market value of the Ansonia assets to be exchanged (with certain adjustments as set forth below).

Since the exchange is expected to be tax free for Ansonia and its shareholders, Texas' cost basis for tax purposes on the assets acquired from Ansonia will be the same as for Ansonia, rather than the price actually paid by Texas for the assets. As of July 17, 1962, net unrealized appreciation on these securities which Ansonia would transfer to Texas amounted to \$2,004,689 or approximately 52.64 percent of Ansonia's assets to be transferred to Texas. On the same date, net unrealized appreciation on Texas' securities was approximately \$15,387,772 or approximately 36.20 percent of the net assets of Texas. Also on the same date, Texas' net realized capital gains aggregated approximately \$1,744,423.

Because Texas will acquire securities from Ansonia at a tax-cost basis less than the price actually paid therefor, their sale after acquisition would result in artificial capital gains and consequent tax liability thereon to the present shareholders of Texas.

An adjustment, which takes into account the tax consequences of the exchange, is to be made in the value of the Ansonia assets in accordance with the following formula:



From the value of Ansonia's assets will be deducted the aggregate of the following to the extent it is greater than zero:

1. 12½ percent of the net unrealized appreciation on those securities of Ansonia which Texas shall have advised Ansonia that it is Texas' intention to sell on acquisition;

2. plus 12½ percent of that amount which would have to be subtracted from, or less 12½ percent of that amount which would have to be added to, the net unrealized appreciation or net unrealized depreciation on the remaining securities of Ansonia in order to make the resulting figure divided by the market value of the assets of Ansonia equal to the net unrealized appreciation on the securities of Texas divided by the net assets of the Fund as of the valuation date;

3. Less 12½ percent of Texas' net realized capital gains multiplied by the fraction whose numerator is the value of the assets of Ansonia to be transferred to Texas and whose denominator is such value plus the total net assets of Texas.

If the transaction had been closed on July 18, 1962, the above-described adjustment (based upon retention of all the securities acquired, which is the present intention) would have been approximately \$60,345. In addition, the value of Ansonia's assets will be reduced by 1 percent and this amount will be paid to the broker-dealer who negotiated this transaction. The rate of 12½ percent applied to the excess unrealized appreciation of Ansonia is used as an estimated measure of the average tax rate payable on capital gains by Texas shareholders.

Applicant points out that the proposed acquisition is in the best interests of its shareholders because no brokerage commissions will be paid to acquire the stock.

The application recites that the terms of the entire transaction were arrived at through arm's-length bargaining between Texas and Ansonia. The application further states that there is no affiliation or relationship of any kind between the officers and directors of Texas and the officers, directors, and stockholders of Ansonia.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus, with certain exceptions not applicable here. Under the terms of the Agreement, however, the shares of Texas are to be issued to Ansonia at a price other than the public offering price stated in the prospectus.

Section 6(c) of the Act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may not later than August 30, 1962, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F.R. Doc. 62-8360; Filed, Aug. 20, 1962;  
8:50 a.m.]

## GENERAL SERVICES ADMINISTRATION

[Delegation of Authority No. 417]

### ATOMIC ENERGY COMMISSION

#### Contract for Electric Power

1. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, authority is hereby delegated to the United States Atomic Energy Commission to enter into a contract in accordance with section 201(a) (3) thereof, for a period not exceeding ten years for the purchase of electric power for the operation of its Linear Accelerator and Accelerator Complex, located or to be located at or near Stanford University, Stanford California.

2. The delegation of authority shall be subject to all provisions of Title III of said Act with respect to such contract, and to all provisions of law.

3. The authority delegated herein may be redelegated to any contracting officer or official of the Commission.

4. The Commission shall file a copy of said contract, and any amendments thereto, with the General Services Administration, as soon as practicable after the execution thereof.

5. This delegation of authority shall be effective August 3, 1962.

Dated: August 15, 1962.

LAWSON B. KNOTT, Jr.,  
Acting Administrator.

[F.R. Doc. 62-8396; Filed, Aug. 20, 1962;  
8:58 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-XIV-11]

### ASSISTANT TO THE CHIEF, FINANCIAL ASSISTANCE DIVISION, LOS ANGELES REGIONAL OFFICE

#### Delegation Relating to Financial Assistance

I. Pursuant to the authority delegated to the Chief, Financial Assistance Division, by Delegation of Authority No. 30-XIV-1 (Revision 1) as amended (26 F.R. 6607; 26 F.R. 8611), there is hereby redelegated to the Assistant to the Chief, Financial Assistance Division, Los Angeles Regional Office, Small Business Administration, the authority:

A. Financial assistance. 1. To approve the following:

a. Direct loans not exceeding \$50,000.  
b. Participation loans not exceeding \$150,000.

c. Limited loan participation not exceeding \$25,000.

d. Small loans not exceeding \$50,000.

e. Disaster loans not exceeding \$50,000.  
2. To decline direct and participation business and disaster loans of any amount.

3. To disburse approved disaster loans up to \$1,000.

4. To enter into Business Loan and Disaster Loan Participation Agreements with banks.

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

JOHN E. HORNE,  
Administrator.

By \_\_\_\_\_  
(Name)

Assistant to the Chief,  
Financial Assistance Division.

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

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

8. To take all necessary action in connection with the servicing, administration and collection of partially or fully disbursed loans, and to do and perform and to assent in the doing and performance of all and every act and thing requisite and proper to be done for the purpose of effectuating the granted powers, including without limiting the generality of the foregoing:

The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and of any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by Small Business Administration or its Administrator.

B. Administration. 1. To approve annual and sick leave for employees in the



Financial Assistance Division, except advanced annual or sick leave.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Assistant to the Chief, Financial Assistance Division.

Effective date: May 22, 1962.

GEORGE A. RANDS,  
Chief, Financial Assistance Division.

[F.R. Doc. 62-8361; Filed, Aug. 20, 1962;  
8:50 a.m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

FRANCIS MARBURG, JR., ET AL.

#### Notice of Intention To Return Vested Property

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

##### Claimant, Claim No., Property, and Location

Francis Marburg, Jr., Falls Church, Va.; \$1,142.85 in the Treasury of the United States.

Nancy Marburg Adams, Los Altos, Calif.; \$1,142.85 in the Treasury of the United States.

Theodore F. Marburg, Milwaukee, Wis.; \$1,142.85 in the Treasury of the United States.

Hildegard Marburg Hennington, Greenwich, Conn.; \$1,428.56 in the Treasury of the United States.

Dorothea Marburg Gray, Vienna, Austria; \$1,428.56 in the Treasury of the United States.

Donald Marburg, Beloit, Wis.; \$1,428.56 in the Treasury of the United States.

Gertrude W. Marburg, Montclair, N.J.; \$285.71 in the Treasury of the United States.

Claim No. 63232. Vesting Order No. 9570.

Executed at Washington, D.C., on August 14, 1962.

For the Attorney General.

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

[F.R. Doc. 62-8384; Filed, Aug. 20, 1962;  
8:56 a.m.]

[Vesting Order 18521, Amdt.; F49-1688]

#### DOMESTIC SCHEDULED SECURITIES OWNED BY NATIONALS OF THE NETHERLANDS

##### Amendment of Vesting Order

Vesting Order 18521, dated September 27, 1951, is hereby amended to read as follows:

Under the authority of the Trading With the Enemy Act, as amended, Executive Orders 9193, as amended, 9788 and No. 162—6

9989, and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows:

a. Those certain debts or other obligations, matured or unmatured, evidenced by two (2) Atchison, Topeka and Santa Fe Railway Company (The)—General Mortgage 4% Bonds, due October 1, 1995, of \$1000 face value each, in bearer form, numbered 10015 and 38151, and evidenced by coupons attached to or detached from said bonds and due on or after October 1, 1940, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under the aforesaid bonds and coupons.

b. Those certain debts or other obligations, matured or unmatured, evidenced by four (4) Central Pacific Railway Company—First Refunding 4% Bonds, due August 1, 1949, in bearer form, numbered 7637 and 77805 of \$1,000 face value each, numbered 1967 and 8064 of \$500 face value each, and evidenced by coupons attached to or detached from said bonds and due on or after August 1, 1940, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under the aforesaid bonds and coupons.

c. Those certain debts or other obligations, matured or unmatured, evidenced by seven (7) Cities Service Company—5% Debentures, due April 1, 1958, in bearer form, numbered 4889, 5454, 7786, 9941, 12537, 17317, and 46869 of \$1,000 face value each, one (1) Cities Service Company—Refunding 5% Debenture, due January 1, 1966, in bearer form, numbered 20283 of \$1,000 face value, and three (3) Cities Service Company 5% Debentures, due March 1, 1969, in bearer form, numbered 110, 22679, and 49934 of \$1,000 face value each, and evitached from said debentures and due on or after October 1, 1940, September 1, 1940 and September 1, 1940 respectively, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under the aforesaid debentures and coupons,

d. Those certain debts or other obligations, matured or unmatured, evidenced by one (1) Kansas City Southern Railway Company (The)—First Mortgage 3% Bond, due April 1, 1950, in bearer form, numbered 13645 of \$1,000 face value, and one (1) Kansas City Southern Railway Company (The)—Refunding and Improvement Mortgage 5% Bond, due April 1, 1950, in bearer form, numbered 8689 of \$1,000 face value, and evidenced by coupons attached to or detached from said bonds and due on or after October 1, 1940 and July 1, 1940 respectively, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations, together with any and all rights in, to and under the aforesaid bonds and coupons,

e. That certain debt or other obligation, matured or unmatured, evidenced by one (1) Missouri-Kansas-Texas Railroad Company—Prior Lien Series "B"

4% Bond, due January 1, 1962, in bearer form, numbered 30507 of \$1,000 face value, and evidenced by coupons attached to or detached from said bond and due on or after July 1, 1940, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, together with any and all rights in, to and under the aforesaid bond and coupons,

f. That certain debt or other obligation, matured or unmatured, evidenced by one (1) Southern Pacific Railroad Company—First Refunding Mortgage 4% Bond, due January 1, 1955, in bearer form, numbered 40908 of \$1,000 face value, and evidenced by coupons attached to or detached from said bond and due on or after July 1, 1940, and any and all rights to demand, enforce and collect the aforesaid debt or other obligation, together with any and all rights in, to and under the aforesaid bond and coupons.

is property within the United States;

2. That the property described in subparagraph 1 hereof is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or is evidence of ownership or control by, persons who, if individuals, are residents of The Netherlands and which, if corporations, partnerships, associations, or other organizations, are organized under the laws of The Netherlands, or on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in The Netherlands, and are nationals of a foreign country designated in Executive Order 8389, as amended.

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "foreign country" as used herein shall have the meanings prescribed in Executive Order 8389, as amended.

Executed at Washington, D.C., on August 15, 1962.

For the Attorney General.

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

[F.R. Doc. 62-8385; Filed, Aug. 20, 1962;  
8:56 a.m.]

## DEPARTMENT OF COMMERCE

### Office of the Secretary

HOWARD RICHMOND

#### Report of Appointment and Statement of Financial Interests

Report of appointment and statement of financial interests required by section



710(b) (6) of the Defense Production Act of 1950, as amended:

#### REPORT OF APPOINTMENT

1. Name of appointee: Howard Richmond.
2. Employing agency: Department of Commerce, Business and Defense Services Administration.
3. Date of appointment: August 6, 1962.
4. Title of position: Consultant.
5. Name of private employer: Crompton-Richmond Company, Inc., 1071 Sixth Avenue, New York City, N.Y.

CARLTON HAYWARD,  
Director of Personnel.

#### STATEMENT OF FINANCIAL INTERESTS

6. Names of any corporations of which the appointee is an officer or director or within 60 days preceding appointment has been an officer or director, or in which the appointee owns or within 60 days preceding appointment has owned any stocks, bonds, or other financial interests; any partnerships in which the appointee is, or within 60 days preceding appointment was, a partner; and any other businesses in which the appointee owns, or within 60 days preceding appointment has owned, any similar interest.

Crompton Company Inc.  
Crompton-Richmond Company, Inc.  
Engineered Yarns Inc.  
American Tobacco Company.  
R. J. Reynolds Tobacco Company.  
Standard Oil Company of New Jersey.  
Owens Corning Fiberglass.  
Liggett and Myers.  
I.B.M.  
American Cyanamid Company.  
Safeway Stores.  
Bank Deposits.

HOWARD RICHMOND.

AUGUST 9, 1962.

[F.R. Doc. 62-8386; Filed, Aug. 20, 1962;  
8:56 a.m.]

#### ROBERT JOSEPH WILLIAMS

##### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the past six months.

- A. Deletions: Central Hudson Gas & Electric, Elox Corporation.
- B. Additions: Dow Chemical, Freuhauf Traller Corp., Hoover Ball Bearing, Pacific Gas & Electric, U.S. Pipe & Foundry, Detrex Chemical.

This statement is made as of July 31, 1962.

ROBERT JOSEPH WILLIAMS.

AUGUST 10, 1962.

[F.R. Doc. 62-8387; Filed, Aug. 20, 1962;  
8:56 a.m.]

[Dept. Order No. 180]

#### U.S. COMMISSION, NEW YORK WORLD'S FAIR

##### Authorities and General Functions

AUGUST 7, 1962.

The following order was issued by the Secretary of Commerce on August 7, 1962.

**SECTION 1. Purpose.** The purpose of this order is to establish the Office of the Commissioner, U.S. Commission—New York World's Fair, and to define the authorities and general functions of the Office of the Commissioner.

**SEC. 2. Establishment.** There is hereby established in the Office of the Secretary, the Office of the Commissioner, U.S. Commission—New York World's Fair. The Office shall be headed by a Commissioner appointed by the President, who shall report and be responsible to the Assistant Secretary of Commerce for Administration. The Commissioner shall be assisted by such staff as is necessary to perform the functions described herein.

**SEC. 3. Delegation of authority.** .01 Public Law 87-256, in section 102(a)3 authorizes the President to provide for United States participation in international fairs and expositions. Executive Order 11014, issued by the President April 17, 1962, assigns to the Secretary of Commerce functions related to participation by the United States in the New York World's Fair.

.02 Pursuant to the authority vested in the Secretary of Commerce by law, and subject to such policies and directives as the Secretary of Commerce may prescribe, the Commissioner, U.S. Commission—New York World's Fair, is hereby authorized to perform the functions and exercise the authorities vested in the Secretary of Commerce by Executive Order 11014, of April 17, 1962; and subject to the provisions of applicable laws and regulations (1) to approve and execute advertised and negotiated contracts and related documents; (2) to acquire and dispose of property and otherwise expend appropriated funds; and (3) to authorize or approve official travel, incident to the development and presentation of the exhibit.

.03 The Commissioner may redelegate the authority granted herein with respect to the approval and execution of contracts and the authorization or approval of official travel to the principal administrative officer on his staff.

.04 Waivers of statutes and of limitations of authority authorized by Executive Order 11014 made available to the Commissioner, shall be used in a prudent manner and as sparingly as may be practical. For any expenditure in excess of \$5,000 this waiver authority may be used only upon determination by the Commissioner on the basis of written findings. For any expenditure in excess of \$25,000 the Commissioner's determinations and findings shall be subject to

the concurrence of the Assistant Secretary of Commerce for Administration.

.05 Subject to the limitations set forth in section 3.03 of this order the Commissioner, U.S. Commission—New York World's Fair, may redelegate the authority granted herein to any employee of the Office of the Commissioner, U.S. Commission—New York World's Fair, and may prescribe such limitations, restrictions and conditions in the exercise of such authority as he deems appropriate.

**SEC. 4. Objective and general functions.** The objective of the U.S. Commission—New York World's Fair is to enable the Federal Government to present to the world an exhibit portraying a picture of democracy—its opportunities, its problems, its inspirations, and its freedom. To this end the Office shall:

1. Plan, coordinate, develop, design, establish and perform all activities having to do with the United States Government participation in the United States exhibit;

2. Cooperate with other agencies of the Federal Government in the development and selection of appropriate exhibits to fulfill the objective of the United States Government participation in the exhibit;

3. Encourage private individuals, firms and other groups to make contributions of funds, property and services and otherwise to participate as appropriate in the exhibit.

**SEC. 5. Organization and assignment of functions.** The organization structure and assignment of functions within the Office of the Commissioner, U.S. Commission—New York World's Fair, shall be issued in an Organization and Function Supplement to this order and shall be assigned by the Commissioner and approved by the Assistant Secretary of Commerce for Administration.

[SEAL] HERBERT W. KLOTZ,  
Assistant Secretary for Administration.

[F.R. Doc. 62-8341; Filed, Aug. 20, 1962;  
8:47 a.m.]

[Dept. Order No. 169; Amdt. 1]

#### GREAT LAKES PILOTAGE ADMINISTRATION

##### Delegations of Authority and Functions of the Administrator

AUGUST 3, 1962.

The following amendment to the order was issued by the Secretary of Commerce on August 3, 1962. The material appearing at 25 F.R. 10142-10143 of October 25, 1960, is amended as follows:

Department Order No. 169 of September 8, 1960 is hereby amended as follows: Sections 3.01 and 3.02 are amended to read as follows:

**SEC. 3. Delegation of authority.** .01 Pursuant to the authority vested in the Secretary of Commerce by law, the Administrator, Great Lakes Pilotage Ad-



ministration, is hereby authorized to perform the functions and to exercise the authority of the Secretary of Commerce as set forth in Public Law 86-555, Great Lakes Pilotage Act of 1960, except as to the appointment of members of the Advisory Committee authorized in section 10(a) of the Act and the remission, or mitigation of penalties pursuant to section 7(c) of the Act.

2 This authority may be redelegated, in writing, by the Administrator to any officer of the Great Lakes Pilotage Administration, except that authority to impose civil penalties, pursuant to section 7(c) of the Act, and to issue regulations under the Act shall not be redelegable.

Section 4.01 8 is amended to read:

SEC. 4. *Functions of the Administrator.*  
8 Perform investigations as necessary to insure compliance with regulations issued by the Administrator and, where appropriate, impose civil penalties as provided in the Act.

[SEAL] HERBERT W. KLOTZ,  
Assistant Secretary  
for Administration.

[F.R. Doc. 62-8342; Filed, Aug. 20, 1962;  
8:47 a.m.]

## INTERSTATE COMMERCE COMMISSION

### FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 16, 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. 37885: *Iron and steel articles—Chattanooga, Tenn., to Louisiana points.* Filed by O. W. South, Jr., Agent (No. A4227), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from Chattanooga, Tenn., to specified points in Louisiana.

Grounds for relief: Market competition.

Tariff: Supplement 47 to Southern Freight Association tariff I.C.C. S-163.

FSA No. 37886: *Iron and steel articles to Pascagoula, Miss.* Filed by O. W. South, Jr., Agent (No. A4228), for interested rail carriers. Rates on iron and steel articles, as described in the application, in carloads, from East St. Louis and Granite City, Ill., to Pascagoula, Miss.

Grounds for relief: Barge-rail competition.

Tariff: Supplement 47 to Southern Freight Association tariff I.C.C. S-163.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 62-8383; Filed, Aug. 20, 1962;  
8:56 a.m.]

### FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 15, 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. 37880: *Joint motor-rail rates from and to central territory.* Filed by Eastern Central Motor Carriers Association, Inc., Agent (No. 214), for interested carriers. Rates on commodities moving on class and commodity rates, loaded in highway trailers of the motor carriers over the highways, thence transported on railroad flatcars of the railroad, between points in central, middlewest, and southwestern territories, on the one hand, and points in middle Atlantic and New England territories, on the other.

Grounds for relief: Motor-truck competition.

Tariffs: 15th revised page 22 and 16th revised page 64 to Eastern Central Motor Carriers Association, Inc., tariffs M.F.-I.C.C. A-171 and A-194, respectively.

FSA No. 37881: *Hay from Kansas and Oklahoma to the South.* Filed by Western Trunk Line Committee, Agent (No. A-2267), for interested rail carriers. Rates on hay, in carloads, from points in Kansas and Oklahoma, to points in Alabama, Florida, Georgia, North Carolina, and South Carolina.

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

Tariff: Supplement 12 to Western Trunk Line Committee tariff I.C.C. A-4333.

FSA No. 37882: *Petroleum products from Montana points to Grand Forks, N. Dak.* Filed by Great Northern Railway Company (No. 1080), jointly with the Northern Pacific Railway Company (No. 125), for themselves. Rates on distillate fuel oil, not suitable for illuminating purposes, gas oil and petroleum residual fuel oil, in tank-car loads, from Billings, East Billings, Great Falls, and Laurel, Mont., to Grand Forks, N. Dak.

Grounds for relief: Natural gas competition.

Tariffs: Supplement 44 to Great Northern Railway Company tariff I.C.C. A-8854 and supplement 18 to Northern Pacific Railway Company tariff I.C.C. 9977.

FSA No. 37883: *Liquid caustic soda to Catawba and Rock Hill, S.C.* Filed by Southwestern Freight Bureau, Agent (No. B-8240), for interested rail carriers. Rates on liquid caustic soda, in tank-car loads, from Baldwin, Ark., Wichita, Kans., Lake Charles, Plaquemine and West Lake Charles, La., Corpus Christi, Freeport, Houston, and Port Neches, Tex., to Catawba and Rock Hill, S.C.

Grounds for relief: Market competition.

Tariffs: Supplement 865 to Southwestern Freight Bureau tariff I.C.C. 4139, and 3 other schedules named in the application.

FSA No. 37884: *Grain and grain products from and to official territory points.* Filed by Traffic Executive Association-Eastern Railroads, Agent (E.R. No. 2627), for interested rail carriers. Rates on grain and grain products, in carloads and less-than-carloads, from and to points in official (including Illinois) territory.

Grounds for relief: Restore rate relationships and equalizations.

Tariffs: Supplement 205 to Traffic Executive Association-Eastern Railroads tariff I.C.C. 4403 (Hinsch series), and 3 other schedules named in the application.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 62-8314; Filed, Aug. 17, 1962;  
8:47 a.m.]

 **FEDERAL REGISTER**  
Telephone 3-3261

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## CUMULATIVE CODIFICATION GUIDE—AUGUST

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