

qu

Library

THE NATIONAL ARCHIVES  
 LITTERA SCRIPTA MANET  
**FEDERAL REGISTER**  
 OF THE UNITED STATES  
 1934  
 VOLUME 28 NUMBER 98

Washington, Saturday, May 18, 1963

# Contents

## Agricultural Marketing Service

PROPOSED RULE MAKING:  
 Milk in suburban St. Louis marketing area; proposed suspension of certain provisions of order..... 5021

RULES AND REGULATIONS:  
 Avocados:  
 Grown in south Florida; handling limitation..... 5005  
 Import regulations..... 5006  
 Lemons grown in California and Arizona; handling limitations..... 5005  
 Valencia oranges grown in Arizona and designated part of California; handling limitations..... 5004

## Agricultural Research Service

RULES AND REGULATIONS:  
 Brucellosis in domestic animals; modified certified areas..... 5010  
 Scabies in sheep; interstate movement..... 5009

## Agricultural Stabilization and Conservation Service

NOTICES:  
 Establishment of areas of venue for marketing quota review panels:  
 Maine..... 5025  
 Vermont..... 5026  
 RULES AND REGULATIONS:  
 Rice; acreage allotments; application for transfer of producer allotments..... 5004

## Agriculture Department

See Agricultural Marketing Service; Agricultural Research Service; Agricultural Stabilization and Conservation Service; Commodity Credit Corporation.

## Air Force Department

RULES AND REGULATIONS:  
 Miscellaneous amendments to subchapter..... 4989

## Civil Aeronautics Board

NOTICES:  
 Hearings, etc.:  
 Delta Air Lines, Inc..... 5026  
 Slick Corp..... 5027

RULES AND REGULATIONS:  
 Tariffs of air carriers; free and reduced-rate transportation; issuance of passes..... 5019

## Civil Service Commission

NOTICES:  
 Accountants, Auditors, and Internal Revenue Agents; increase in minimum rates of pay..... 5030  
 RULES AND REGULATIONS:  
 Peace Corps; exceptions from the competitive service..... 5009

## Commerce Department

NOTICES:  
 Sands, George A.; statement of changes in financial interests... 5026

## Commodity Credit Corporation

RULES AND REGULATIONS:  
 Oats; 1963 loan and purchase agreement program..... 5008

## Customs Bureau

RULES AND REGULATIONS:  
 Articles conditionally free, subject to reduced rate; entry of rented automobiles..... 5013  
 Vessels in foreign and domestic trades; customs financial and accounting procedure; navigation fees..... 5013

## Defense Department

See Air Force Department.

## Federal Aviation Agency

PROPOSED RULE MAKING:  
 Control zone; withdrawal of proposal to designate..... 5022  
 Control zone and temporary control zone; temporary alteration and designation..... 5022  
 Control zone and transition area; alteration..... 5023

RULES AND REGULATIONS:  
 Civil aircraft of Cuban registry, overflights across U.S. territory; special civil air regulation..... 5018

Restricted areas; alteration..... 5019  
 Restricted area and continental control area; alteration..... 5019

## Federal Communications Commission

NOTICES:  
 Hearings, etc.:  
 Automated Electronics, Inc., and Capital Broadcasting Co..... 5022  
 Dacus, James C. S..... 5028  
 Edina Corp. and Tedesco, Inc... 5028  
 Stock, Hugh Jordan..... 5028  
 Teleprompter Transmission of Kansas, Inc..... 5028

PROPOSED RULE MAKING:  
 Radio broadcast services; proposed order relating to hours of operation of standard broadcast stations..... 5024

## Federal Maritime Commission

NOTICES:  
 Agreements filed for approval:  
 Alaska Terminal and Stevedoring Co. et al..... 5029  
 H. L. Ziegler, Inc., et al..... 5030  
 W. J. Byrnes of L.A., Inc., et al. 5029

## Federal Power Commission

NOTICES:  
 Hearings, etc.:  
 Cities Service Gas Co..... 5035  
 Colorado Interstate Gas Co. and El Paso Natural Gas Co..... 5035  
 Florida Gas Transmission Co... 5031  
 Humble Oil and Refining Co. et al..... 5036  
 Kansas-Nebraska Natural Gas Co..... 5036  
 London Gas Co. et al..... 5031  
 Northern Natural Gas Co..... 5036  
 Panhandle Eastern Pipe Line Co..... 5037  
 Petroleum, Inc., et al..... 5037  
 Southeastern Power Administration..... 5037  
 Town of Poseyville, Ind..... 5038  
 United Gas Pipe Line Co..... 5038

(Continued on next page)

Comm Hyde

**Federal Trade Commission**

**RULES AND REGULATIONS:**  
Meyers Development Corp. et al.; prohibited trade practices----- 5011

**Food and Drug Administration**

**NOTICES:**  
Petitions regarding food additives surface lubricants:  
E. I. du Pont de Nemours and Co., Inc----- 5026  
Socony Mobile Oil Co., Inc----- 5026

**PROPOSED RULE MAKING:**  
Biphenamine hydrochloride; proposed exemptions from prescription-dispensing requirements----- 5021

Food additives permitted in animal feed or animal-feed supplements; proposed definitions and interpretations----- 5021

**RULES AND REGULATIONS:**  
Food additives:  
Chlortetracycline in medicated chicken feed----- 5015  
Inorganic bromides from soil treatment; tolerances for residues----- 5014  
Lubricants with incidental food contact----- 5016  
Nitrofurazone----- 5015  
Technical white mineral oil----- 5016

Further extension of effective date of Public Law 86-139 as it affects Federal Food, Drug, and Cosmetic Act----- 5014

Mayonnaise, French dressing, and salad dressing; order amending identity standards----- 5013

**Health, Education, and Welfare Department**

See Food and Drug Administration.

**Interior Department**

See Land Management Bureau; National Park Service.

**Interstate Commerce Commission**

**NOTICES:**  
Fourth section application for relief----- 5040  
Motor carrier transfer proceedings----- 5039  
**PROPOSED RULE MAKING:**  
Standard time zone boundaries-- 5023

**Labor Department**

See Wage and Hour Division.

**Land Management Bureau**

**NOTICES:**  
Alaska; notice of filing of plat of survey and order providing for opening of public lands (2 documents)----- 5025

**National Park Service**

**NOTICES:**  
Purchasing agent; delegation of authority regarding purchase orders----- 5025

**Post Office Department**

**PROPOSED RULE MAKING:**  
Proposed rules of procedure before Board of Contract Appeals; effective date----- 5021

**Saint Lawrence Seaway Development Corporation**

**RULES AND REGULATIONS:**  
Tariff of tolls; schedule for transit of seaway; correction----- 5018

**Small Business Administration**

**NOTICES:**  
Chicago Regional Area; delegation of authority to conduct program activities----- 5038

**State Department**

**RULES AND REGULATIONS:**  
Foreign and territorial compensation; deletion of rules; correction----- 5009

**Treasury Department**

See Customs Bureau.

**Wage and Hour Division**

**RULES AND REGULATIONS:**  
Puerto Rico; wage orders:  
Paper, paper products, printing, and publishing industry---- 5017  
Stone, clay, glass, cement, and related products industry---- 5017

**Codification Guide**

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

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

**5 CFR**  
6----- 5009  
301----- 5009

**7 CFR**  
730----- 5004  
908----- 5004  
910----- 5005  
915----- 5005  
944----- 5006  
1421----- 5008

**PROPOSED RULES:**  
1032----- 5021

**9 CFR**  
74----- 5009  
78----- 5010

**14 CFR**  
60----- 5018  
71 [New]----- 5019  
73 [New] (2 documents)----- 5019  
223----- 5019

**PROPOSED RULES:**  
71 [New] (3 documents)----- 5022, 5023

**16 CFR**  
13----- 5011

**19 CFR**  
4----- 5013  
10----- 5013  
24----- 5013

**21 CFR**  
25----- 5013  
120 (2 documents)----- 5014  
121 (5 documents)----- 5014-5016

**PROPOSED RULES:**  
121----- 5021  
130----- 5021

**29 CFR**  
677----- 5017  
678----- 5017

**32 CFR**  
1053----- 4989  
1054----- 4991  
1055----- 4994  
1057----- 4994  
1059----- 5003

**33 CFR**  
402----- 5018

**39 CFR**  
**PROPOSED RULES:**  
201----- 5021

**47 CFR**  
**PROPOSED RULES:**  
3----- 5024

**49 CFR**  
**PROPOSED RULES:**  
139----- 5023

# Rules and Regulations

## Title 32—NATIONAL DEFENSE

### Chapter VII—Department of the Air Force

#### SUBCHAPTER W—AIR FORCE PROCUREMENT INSTRUCTION

#### MISCELLANEOUS AMENDMENTS TO SUBCHAPTER

Subchapter W of Title 32 is amended as follows:

#### PART 1053—CONTRACTS; GENERAL

A new Subpart B is added as follows:

#### Subpart B—Numbering of Contracts

Sec.	Numbering of contracts.
1053.201	Numbering of contracts.
1053.201-4	System of numbering.

AUTHORITY: §§ 1053.201 and 1053.201-4 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314.

§ 1053.201 Numbering of contracts.

§ 1053.201-4 System of numbering.

Subcontracts: Contracting officers will urge contractors holding AF prime contracts to include in their subcontracts a reference to the number of the prime contracts involved. Prime contractors will also be asked to urge their subcontractors to include a reference to the number of the applicable prime contract in subcontracts and so on down the line. This practice will materially assist in accounting and auditing and particularly in the settlement of terminated contracts of all tiers.

#### Subpart D—Administrative Requirements

§ 1053.404-2 [Amendment]

1. In § 1053.404-2, delete all the Notes following paragraph (k).

2. A new § 1053.404-3 is added as follows:

§ 1053.404-3 Visits.

(a) *Visits to contractors' facilities (plants).* AFCMDs/AFPROs are responsible for the surveillance of the contractors under their jurisdiction. Official visits by Air Force personnel to the facilities (plants) of the contractors require prior notice of such visits to the AFCMDs/AFPROs. Normally, this notice will be in writing (by letter or electrically transmitted message, and will be directed sufficiently in advance of the visit to allow a minimum of three (working) days notice to the AFCMDs/AFPROs. The notice will include information concerning the facility of the contractor to be visited, purpose of the visit, name, grade, security clearance, and organizational assignment of the individuals making the visit. The Air Force visitors will usually report to one of the following (in order listed) for the purpose of registering and coordinating

the official business to be conducted: AFCMD/AFPRO, AF Contract Management Office.

(b) *Visits to missile sites.* All personnel desiring to visit missile sites which are in process of activation will obtain clearance prior to visit from one of the following:

(1) SAC Headquarters and SAC Numbered Air Force Headquarters will obtain clearance for SAC personnel from commanders, site activities task forces (SATAF).

(2) All AFCMD/AFPRO, CMR, AMA, and contractor personnel actively engaged in program support to SATAFs will obtain clearance from the concerned SATAF commander.

(3) All others will obtain clearance from Commander BSD (BSIS), Norton AFB, Calif.

(c) *Visits to AFSC test site offices.* Air Force personnel desiring to visit AFSC test site offices, or contractor's work sites at test bases, will give prior notice and report to the AFSC test site office.

(d) *Official correspondence.* (1) Official correspondence intended for an AF contractor will be directed through the appropriate AFCMD/AFPRO. Electrically transmitted messages, however, may be addressed directly to the contractor provided an information copy is transmitted to the AFCMD/AFPRO.

(2) AF personnel will address all official communications intended for contractor activities located at test and missile operational sites through the cognizant AFSCTSO or AFSCSD, as appropriate.

§ 1053.404-5 [Resignation]

3. Section 1053.404-5 is redesignated 1053.404-6.

§§ 1053.406-5, 1053.407-1, 1053.407-3, 1053.407-7 (d) (2), 1053.407-9 [Deletion]

4. Delete §§ 1053.406-5, 1053.407-1, 1053.407-3, 1053.407-7 (d) (2), and 1053.407-9.

5. Revise § 1053.406-6 to read as follows:

§ 1053.406-6 Processing variations not permitted by the Contract.

*Underruns.* It is the responsibility of the contractor to deliver and of the Air Force to accept the quantities called for by the terms of the contract, unless the contract has been terminated according to the terms of the contract. If the contractor requests the Air Force to accept quantities less than those in the contract or less than those permitted by the variation clause, the ACO will carefully consider the reasons for the underrun as extended by the contractor and determine whether acceptance of the underrun is warranted. Where acceptances appear justified, the ACO will submit the facts to the buyer, who will reply, stating the decision made and the ac-

tion to be taken by the procuring contracting officer.

Subpart L—Bills of Materials, is deleted.

A new Subpart Y is added as follows:

#### Subpart Y—Procurement of Communication Services

Sec.	Scope of subpart.
1053.2500	Scope of subpart.
1053.2501	Applicability of subpart.
1053.2502	Basic policy for procuring communication services.
1053.2503	Authority to procure communication services.
1053.2504	Methods and forms of procurement of leased services.
1053.2505	Authority to issue documents for communication services and facilities.
1053.2506	Distribution of contractual documents for leased communication services and facilities.
1053.2507	Administration of contractual documents for leased communication services.
1053.2509	Pricing policy for leased services.
1053.2510	Government-owned systems.
1053.2511	Leased communication services versus Government-owned communication system.
1053.2512	Special termination procedures.

AUTHORITY: §§ 1053.2500 to 1053.2512 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314.

§ 1053.2500 Scope of subpart.

This subpart sets forth the policies and procedures to be followed in procuring communication services.

§ 1053.2501 Applicability of subpart.

This subpart applies to all AF activities authorized to procure communication services.

§ 1053.2502 Basic policy for procuring communication services.

(a) *Leased communication services.* Generally, leased communication services are procured from a communication common carrier within its service area. By law or regulation generally only one source is certificated or otherwise authorized to provide such services in a service area. In the case of communication services procured for SAGE, the law (50 U.S.C. 491) requires the Air Force to utilize the facilities and capabilities of communication common carriers to the fullest extent practicable. However, in some cases, no single communication common carrier may have the exclusive right to provide the service. In such cases services will be procured from the source from which they may be obtained on the basis that will best serve the Government's interest.

(b) *Government-owned communication systems.* In a limited number of cases, generally for reason of security or operational requirements, the needs of the Government for communication services can only be met by a Government-owned communication system. Such procurements will be made com-

petitively from any responsible qualified sources, whether a communication common carrier or other company.

(c) *Leased communication services versus Government-owned communication systems.* There are special instances in which the requirements of the Government may be satisfied by either a leased communication service, or a government-owned communication system. In such cases competitive proposals will be obtained to determine which will best serve the Government's interest.

**§ 1053.2503 Authority to procure communication services.**

(a) *Ground Electronics Engineering Agency (GEEIA).* Base wire and telephone systems, as defined in CED 2201.2, AFM 100-22 (Commercial Communications Services), will be procured by GEEIA except as otherwise provided in paragraphs (b), (c), and (d) of this section.

(b) *AFCS.* All leased private line services, as defined in CED 2206.1, AFM 100-22, will be procured by AFCS. In addition, AFCS is responsible for procurement of leased tactical on-base communication services.

(c) *Air Force base.* Miscellaneous base communication services, as defined in figure 22-3, AFM 100-22, will be procured as delegated by the major air commands. Service authorized by the "Maximum Limit Authorization" in DD Form 428, "Communication Service Authorization" (CSA), issued by GEEIA or AFCS, will be procured by the AF base concerned.

(d) *AFLC.* Government-owned communication systems will be procured by AFLC.

**§ 1053.2504 Methods and forms of procurement of leased services.**

(a) Orders for communication services to be obtained from communication carriers are placed by issuing DD Form 428 generally pursuant to the terms of a basic agreement, as is more fully described in this section:

(1) *Basic agreements:* (i) Basic agreements with the American Telephone and Telegraph Company and with the Associated Bell Telephone Companies are negotiated by an interdepartmental team for the general requirements of the Department of Defense. Recommendations for new basic agreements or modifications to existing agreements will be made by GEEIA and AFCS to AFLC (ROAMA), the procurement activity which is designated to represent the Air Force on the interdepartmental team.

(ii) Basic agreements with other companies are negotiated by AFLC (the AMA furnishing contractual support to the GEEIA region in whose area of jurisdiction the services are rendered) according to the provisions of Subpart WW, Part 1007 of this subchapter.

(2) *Communication Service Authorization (DD Form 428):* DD Form 428 (CSA) will be used according to the terms of the basic agreements to establish, change, or discontinue leased communication services from commercial communication common carriers. Where the volume of transactions necessitates preparation of orders by other

than manual processes, a form suitable for an electronic data processing system may be used in lieu of the DD Form 428, provided that all essential elements of the DD Form 428 are incorporated in the electronic data processing CSA and it is executed by a person with necessary authority. A CSA may make provision for limited authority to effect modification in service by establishing a monetary "Maximum Limit Authorization."

(i) AF Form 1075, "Telephone Work Order," or AF Form 189, "Private Line Service Work Order" (September 1961 Edition), will be used, as appropriate, to accomplish permissible modifications to existing communication services and facilities to the extent authorized by the "Maximum Limit Authorization" established by a basic CSA.

(b) Where communication services and facilities are to be procured from other than a communication common carrier, the following methods and forms will be used.

(1) *Indefinite delivery type contracts (§ 3.409 of this title):* AFLC (ROAMA) or GSA indefinite delivery type contracts for communication services and/or equipment will be used by all requiring activities. Recommendations for new ROAMA contracts or modifications to existing contracts will be made by the major air commands to ROAMA (ROPAP). Recommendations for new GSA contracts or modifications to existing contracts will be made by the major air commands to AFLC (MCPK). Orders for communication services and/or equipment for use in providing communication service will be accomplished as follows:

(i) DD Form 1155, "Order for Supplies or Services," will be used as a delivery order to procure communication services and facilities under the above mentioned contracts. The procurement activity issuing the DD Form 1155 may authorize the affected communication activity to issue work orders or equipment orders for miscellaneous and routine services required in connection with a leased system or facility within the scope of such order. This authority is accomplished in the form of a "Maximum Limit Authorization" outlined in the DD Form 1155. The appropriate communication officer and/or his assistant may be designated in the DD Form 1155 by title as authorized to issue work orders or equipment orders within the limits of the delivery order (see § 1001.451(d) of this subchapter). This designation will be limited to the ordering or scheduling of services and equipment within the limits of the DD Form 1155.

(ii) AF Form 782, "Equipment Order," will be used to schedule deliveries of communication services, equipment or facilities order on DD Form 1155 to the extent authorized by the DD Form 1155.

(2) When definite requirements are generated and contracts, as set forth in subparagraph (1) of this paragraph, have not been established to cover these requirements, procurement action will be accomplished as delegated by the major air commands. Any of the approved types of contracts in Subchapter A, Chapter I of this title and this subchapter, as determined in the best in-

terest of the Government, will be used to accomplish procurement action.

**§ 1053.2505 Authority to issue documents for communication services and facilities.**

(a) The basic agreements as outlined in § 1053.2502 as well as the DD Form 428 and DD Form 1155 will be signed by a contracting officer appointed under the provisions of § 1001.452 of this subchapter. For miscellaneous base services, the DD Form 428 and 1155 or other approved contract forms will be signed by a contracting officer in the base procurement office or major air command procurement staff office as appropriate.

(b) AF Form 1075, "Local Communications Work Order," AF Form 189, "Private Line Service Work Order" (September 1961 Edition), and AF Form 782, "Data Processing Equipment Order," will be signed by the communication officer or his assistant who has been designated for this purpose in the DD Form 428 or DD Form 1155 (see § 1001.451(d) of this subchapter).

**§ 1053.2506 Distribution of contractual documents for leased communication services and facilities.**

After all required approvals have been obtained, all contractual documents, except those listed in this section for which special distribution is specified, for communication services will be distributed according to existing procedures.

(a) DD Form 428, "Communication Service Authorization."

(1) The original to the contractor.  
(2) An authenticated copy to the contracting officer.

(3) An authenticated copy to the accounting and finance officer making payment.

(4) Additional distribution according to local requirements.

(b) AF Form 782, "Equipment Order."

(1) Original and two copies to the contractor. After verification and scheduling, the contractor will forward one copy to its installation function (factory, distributor, or subcontractor as appropriate) and the other copy to the AF activity affected by the order.

(2) One certified or authenticated copy to the contracting officer of the activity who issued the DD Form 1155.

(3) Additional distribution according to local requirements.

(c) AF Form 1075 and AF Form 189 (September 1961 Edition), will be distributed as determined by the contracting officer.

**§ 1053.2507 Administration of contractual documents for leased communication services.**

(a) Contractual actions for leased communication services and facilities will be administered by the contracting officer of the issuing activity (see § 1053.2503) with the following exceptions:

(1) Technical inspection and acceptance will be accomplished by the appropriate agency or activity for the specific service ordered.

(2) The major air command or base will monitor services provided by the communication company to determine

adequacy of service and is authorized to deal directly with the contractor on matters pertaining to reliability, restoration, quality of service, etc., except that any action which: (i) Requires a change in the contractual document, (ii) results in an expenditure of funds over and above that authorized by any "Maximum Limit Authorization" in the contractual document, or (iii) constitutes or contemplates a formal complaint to the company (a "formal complaint" includes actions to: recover monies paid; process an official complaint to the appropriate regulatory body; terminate a contract for cause; or like actions) will be referred to the procurement activity. In addition, the major air command or base will provide, on request, any outage data required for management purposes.

**§ 1053.2509 Pricing policy for leased services.**

(a) In general, charges for leased services are paid according to the tariff issued or approved by the regulatory agency having jurisdiction.

(b) In procuring communication services it is the responsibility of the contracting officer, in conjunction with the staff judge advocate and technical advisers, to examine the applicable tariffs, both in the initial procurement and any change thereto after service commences, and to determine whether the charges and conditions contained therein are fair and reasonable. If, after review, the charges or conditions are considered to be unreasonable, the office of The Judge Advocate General, Hq USAF, will be notified according to paragraph 4d, AFR 110-3 (Taxation, Legal and Administrative Actions, and Legal Process).

(c) In addition to monthly recurring charges, where the furnishing of services requires special construction, the payment of a nonrecurring charge may be required. The latter charge may take the form of a one-time construction or installation charge to be paid at or prior to the commencement of the service, or it may take the form of a contingent termination liability covering a specified time period. A combination of these two forms of nonrecurring charges may also be applicable. If the amounts of these charges are specifically enumerated in tariffs, they will be treated as in paragraph (b) of this section. In all other cases such charges are subject to negotiation on the basis of standards or criteria established under tariffs.

(1) Construction charges may be required in advance of service where temporary facilities or expedited construction, or other than normal construction, such as special, hardened facilities, etc., is required. In addition such payment may be requested by the communication common carrier in order to finance the special construction, or may be requested by the customer to effect a reduction in the recurring charge by elimination of cost of financing and other charges. Such payments will be in the form of progress payments (see Part 163, Subchapter E of this title and § 1030.5 of this subchapter), except that

the Government will not take title to the property.

(2) Termination liability: Termination liability provides the company a return of private capital expended for specially provided facilities, either through normal tariff charges over a specified period or a lump sum payment if services are terminated prior to a specified time. The amount of the termination charge must take into account the amount of amortization paid through construction charges and recurring charges and the foreseeable reuse the company may have for the facilities. If there is no foreseeable reuse for the facilities, the termination charge must include a credit for the scrap value of the facilities.

(d) If no regulatory agency has jurisdiction over the services being procured, competitive bids or proposals, as appropriate, will be obtained.

**§ 1053.2510 Government-owned systems.**

When a Government-owned system is to be procured, competitive bids will be solicited. If the specifications are not sufficiently definite otherwise to permit full and free competition, two-step formal advertising (Subpart E, Part 2 of this title) may be utilized.

**§ 1053.2511 Leased communication services versus Government-owned communication system.**

Where Government requirements may be satisfied either through the procurement of leased communication services, or through a Government-owned system, all other factors being equal, competitive proposals will be solicited for both types of service. In such solicitations, consideration will be given to the recurring and nonrecurring costs involved. Such procurements present special problems of solicitation of proposals and evaluation thereof since they require the equating of "lease" and "buy" proposals, and in respect to the latter may also require, because of specification problems presented, a two-step advertising procedure. (Subpart E, Part 2 of this title). For the foregoing reasons such procurement shall not be made without approval by Hq USAF (AFSPM-CP) of the proposed solicitation procedure and evaluation criteria.

**§ 1053.2512 Special termination procedures.**

Any termination settlement action in connection with the AFCS-SAGE program will be reported to Hq USAF and the General Accounting Office (GAO) pursuant to the requirements of Section 303, Public Law 968, 84th Congress (50 U.S.C. 491).

**PART 1054—CONTRACT ADMINISTRATION**

**Subpart A—Administration of AF Contracts by Contracting Officers**

Revise §§ 1054.104, 1054.113, and 1054.114 as follows:

**§ 1054.104 Matters of contract administration to be handled by administrative contracting officers.**

\* \* \* \* \*

(d) Administer advance payment bank accounts when so authorized by Financial Branch (ASXKMF), WPAFB, Ohio.

\* \* \* \* \*

(g) Approve subcontracts and purchase orders to vendors according to the provisions of the contract being administered. (See § 3.903 of this title and § 1003.903 of this subchapter.)

\* \* \* \* \*

(j) When requested, participate in price redeterminations at AFSC/AFLC procurement activities.

(1) When price redetermination is to be accomplished by AMAs, review contractor's quotations and, to the extent authorized by Subpart T, Part 1003 of this subchapter, negotiate the revision in price and accomplish necessary contractual changes according to the agreements reached.

\* \* \* \* \*

(1) Take action to approve sale or disposition of Government property according to existing directives. (See Subpart E, Part 8 of this title.)

(m) \* \* \*

(1) In cases of loss, destruction, or damage, determine liability of the contractor, if any.

\* \* \* \* \*

(x) \* \* \*

(2) Negotiate and approve priced exhibits covering calls against open contracts; however, any priced exhibit exceeding \$100,000 will be subject to review and administrative approval prior to distribution.

\* \* \* \* \*

(z) In connection with approval of First Articles and/or preproduction samples:

(1) Notify the contractor and other interested parties of the acceptance or rejection of First Articles where the contract contains a provision for First Article and/or preproduction sample approval. When the First Article or preproduction sample approval clause is incorporated in the contract any notification required therein, other than that of termination, will be accomplished by the ACO. The Government Laboratory responsible for conducting the required tests, or evaluation of test reports, will notify the ACO, through the PCO, of the acceptance or rejection of the item. Upon receipt of such information, the ACO will immediately notify the contractor, the appropriate AMA, Attn: Due In Assets, or other interested persons.

(2) Immediately upon shipment of the First Article, or a test report for evaluation, to the laboratory specified in the contract, the ACO will request the PCO to obtain from the Test Engineer the date testing or evaluation will be completed. If the ACO does not receive notification of acceptance or rejection within the time scheduled, follow-up action will be accomplished to the PCO on a thirty-day basis.

(aa) When closing out cost-reimbursement contracts, obtain release from contractors according to appropriate contract clause. See § 16.812 of this title for release form. (Also see § 1016.812 of this subchapter.)

(bb) When decision to terminate or reduce is pending on aircraft or missile propulsion system production contracts, obtain cost data and complete engine and spare data for the procuring contracting officer.

(cc) When extenuating circumstances arise on contracts exempted from production surveillance, the ACO may request production surveillance.

\* \* \* \* \*

#### § 1054.113 Contractor radio frequency and call sign authorization.

The ACO will assure that contractors process applications for radio frequencies and call sign authorizations through Air Force channels.

#### § 1054.114 Assignment of administrative contracting officer at principal office of multi-divisional contractors.

(a) Whenever it becomes necessary to coordinate the management policies and practices of a multi-divisional (plant) contractor with other contract administration activities, or whenever a cognizant audit agency assigns a contract audit coordinator according to the Audit Agencies, Joint Letter No. 43 (Revised), March 3, 1961, the AFCMD/AFPRO will assign an administrative contracting officer at the principal office of the contractor to:

\* \* \* \* \*

(b) Upon notification that a contract audit coordinator has been assigned, AFSC, Deputy Director of Procurement (ASXKK), WPAFB, through channels, will notify the appropriate AFCMD/AFPR. The AFCMD/AFPR will advise ASXKK name and address of the principal ACO assignment, when such assignment is appropriate.

(c) [Deleted]

#### Subpart B—Secondary Administration

Revise § 1054.206(b) (1) and (6) to read as follows:

#### § 1054.206 Functions which can be delegated.

\* \* \* \* \*

(b) *Subcontracts.* \* \* \*

(1) *Pricing functions.* The basic responsibility for subcontract pricing rests with the prime contractor. The prime ACO must insure that the prime contractor is performing this management obligation effectively. He should remind the contractor that complete justification of subcontract awards is required with particular attention given, where appropriate, to price and/or cost analysis, including audit (§ 1003.903-55 of this subchapter), and the currency, completeness, and correctness of cost and pricing data obtained from subcontractors (see § 3.903-4 of this title and § 1003.903-4 of this subchapter for discussion of ACO review of individual subcontracts).

(i) Where a prime contractor demonstrates, based on the submission of a completely documented subcontract file,

that it has effected a sound procurement and complied with all applicable requirements of Subpart I, Part 3 of this title and Subpart I, Part 1003 of this subchapter, should consent to the subcontract without requesting duplicative analyses from a secondary ACO. This approach also should be followed by secondary ACOs when they have been delegated the responsibility for approving the award of lower-tier subcontracts falling into certain categories.

(ii) No audit will be required except at the discretion of the contractor where: (a) The subcontract amount is less than that stipulated for requiring consent of the ACO under the contractor's approved purchasing system, (b) the type of contract does not require ACO's approval, (c) multi-source proposals indicate the presence of effective competition and satisfactory past performance. An audit report is mandatory on all subcontractor's proposals exceeding \$350,000 (or such greater or lesser amount as may be agreed upon by the contractor and the contracting officer) unless covered by exceptions (a), (b), and (c) of this subdivision. These procedures are equally applicable to all price revision actions. This, however, does not preclude the Auditor General (or any other cognizant Department of Defense audit agency) from performing such audit as he may consider necessary.

(iii) Where a contractor advises its cognizant ACO that a subcontractor has refused to provide or give access to the contractor to cost data essential for negotiation purposes, and that all reasonable steps, including top management participation, have been taken to secure such information from the subcontractor, the ACO will request an assist analysis from the appropriate secondary ACO. If the subcontractor's proposal exceeds \$350,000, inclusion of a request for audit assistance is mandatory; however, requests for audit assistance also may be included where the subcontract proposal is less than \$350,000. Such assistance is considered desirable, and is encouraged to the fullest practicable extent (see § 1003.903-55(b) of this subchapter). The request will be coordinated with and an information copy furnished to, the audit activity located at or responsible for audit of the prime contractor's facility.

(iv) If a request for assist analysis prepared according to subdivision (iii) of this subparagraph includes a request for audit review, the CMD/AFPRO having secondary administration responsibilities will, upon receipt, hold a pre-analysis review with the cognizant military auditor. This meeting may be as formal or informal as desired. The procurement situation and the request for assistance will be discussed and a mutually agreeable approach to analysis determined. If, during pre-analysis review, it is agreed that pertinent information requested has been furnished in prior unclassified analysis and audit reports, that this information is still valid, and that neither the CMD/AFPRO nor the auditor can contribute any other significant information, the CMD/AFPRO representative will advise the requesting ACO accord-

ingly. In such cases, he will advise that a pre-analysis review was held with the auditor, will reference the earlier reports and, where the earlier reports were prepared for activities other than the requesting CMD/AFPRO, will attach information copies.

(v) Where, because of any of the circumstances mentioned in § 1003.903-55 (b) (2), (3), (4), and (5) of this subchapter, it is decided to request government audit reports but not an assist analysis, the ACO will forward the request to the audit activity located at, or responsible for, audit of the prime contractor's facility for processing in accordance with departmental audit instructions.

(vi) If an audit report is to be furnished in accordance with subdivisions (ii), (iii), (iv) or (v) of this subparagraph, the ACO and the auditor cognizant of the prime contractor or upper tier subcontractor will review such audit reports, where practicable, prior to making audit information available to the prime contractor or upper tier subcontractor, to insure that information of a proprietary or security nature is held inviolate. The requested dates will be considered firm, if acceptable to the prime or upper tier auditor and approved by the ACO.

\* \* \* \* \*

(6) *Termination functions.* The initial assignment of secondary responsibility under a subcontract will not contain a delegation of termination responsibilities; if deemed appropriate, at time of termination, the primary ACO (TCO) may assign such responsibilities.

#### Subpart C—Contract Change Notifications

1. Add new §§ 1054.300 and 1054.301 as follows:

#### § 1054.300 Scope of subpart.

This subpart covers responsibilities and procedures for making changes in AF contracts by Contract Change Notification (CCN) under the Changes clause or other provision of the contract authorizing unilateral modification of the contract by the contracting officer.

#### § 1054.301 Applicability of subpart.

All CCNs will be prepared on AFPI Form 35, "Contract Change Notification" (OM), by or under the direct supervision of, or at the direction of the appropriate procuring contracting officer (PCO) in AFSC divisions, Air Defense Command procurement activities, and AFLC central procurement activities excluding Air Procurement Region Far East (APRFE).

2. Revise §§ 1054.302, 1054.303, 1054-304(d) and 1054.308 as follows:

#### § 1054.302 Definitions.

(a) *Change Order.* See § 1.201-1 of this title and § 1001.201-1 of this subchapter.

(b) *Contract Change Notification (CCN).* See § 1001.201-50 of this subchapter.

(c) *Supplemental Agreement.* See § 1.201-18 of this title.

(d) *Master Serial Number.* A number assigned by the contract distribution office of the issuing activity, for keeping

a record of CCNs in consecutive order as issued.

**§ 1054.303 Use of CCN's.**

- (a) \* \* \*
- (4) \* \* \*

NOTE: No engineering change to a production article will be authorized without the concurrence of the responsible AFSC office. Engineering changes to experimental articles will be authorized only at the direction or with the approval of AFSC.

(b) Subject to the limitations of paragraphs (a) and (c) of this section, CCN's may be issued to change the specifications if the change is for: (1) Correcting deficiencies arising out of the specifications and not due to contractor's non-compliance with contract terms, (2) improving reliability of the items, (3) improving performance of the items within the scope of the original objectives and general configuration, or (4) any combination of the foregoing. If the purpose of a change is one of the foregoing, the order directing the change may be limited to only a portion of the work involved, such as study, prototyping, or testing and may be limited to fewer than all the end-items on contract. A CCN also may include authorization to accomplish work incidental to the objective of the change, such as modification of bailed equipment needed for testing. However, study or development of projects for general application will not be ordered by CCN. Where only a portion of the work involved is being ordered, the file, CCN, and definitizing document should so indicate, in order that changes of this type may be identified and distinguished from projects which are outside the scope of the Changes clause.

**§ 1054.304 Procedure for issuance of CCN's.**

(d) CCN's will be issued by the PCO, unless authority to issue same has been delegated to the ACO and the contract so provides. In the latter case, no master serial number will be assigned. Before issuance of a CCN, the contracting officer will obtain the contractor's estimate of the change in contract price resulting from the change or, if the change is urgent, will make his own estimate and take action to cause commitment and obligation of funds.

**§ 1054.308 Supplemental agreements with respect to changes ordered by CCN's.**

(a) The PCO is responsible for promptly negotiating an agreement regarding the changes covered by all CCN's issued prior to pricing against any given contract, except as specified in the contract or in the case of letter contracts. The supplemental agreement will identify all CCN's being superseded thereby and will show the change in contract price, cost and fee attributable to each. Any increase or decrease decided upon as a result of such negotiation will be incorporated into the contract by means of a supplemental agreement. If it is established, either as a result of negotiation or by reason of

waiver thereof by contractor, that no change is required in contract price, or in the estimated cost and fixed fee, or in the delivery schedule, or time of performance, a supplemental agreement nevertheless will be issued to show for record purposes that the changes specified by CCN's listed in the supplemental agreement necessitate no change in contract price, or in estimated cost and fixed fee, or in delivery schedule, or time of performance. The amount shown on the face of the supplemental agreement superseding a CCN will be the net increase or decrease over or under the amount of funds previously obligated under the CCN. The body of the supplemental agreement will contain a recapitulation of the final negotiated change in price, the amount previously obligated by CCN, and the net adjustment being made by the supplemental agreement. The requirement for manual approval will be based upon the final negotiated price shown in the recapitulation, and not the net adjustment effected by the supplemental agreement.

(b) Within 15 calendar days after receiving a satisfactory cost quotation or notification that no costs are involved, the PCO will initiate action to definitize all CCN's covered by the quotation into a supplemental agreement. This does not permit the PCO to hold a cost quotation for 15 calendar days when the CCN involved will become delinquent before completion of definitizing action under the 6 months' limitation for computing and reporting delinquent CCN's. However, in cases of cost quotations received for CCN's issued under contracts containing Form C (FPR-C) or Form D (FPR-D) clauses prior to price redetermination or under incentive type contracts prior to establishment of a firm target price, the buyer may withhold these cost quotations but must definitize them at the time of price redetermination or when a firm target price is established. Notwithstanding the foregoing, quotations should not be withheld if it is apparent that the price of the end item will be increased or decreased substantially. When CCN's have been issued under a letter contract, the latter will not be amended to incorporate the CCN, but the PCO whenever possible will formalize such CCN's at the time the letter contract is definitized.

**Subpart H—Contract Technical Services Contracts**

Revise §§ 1054.803(a) and 1054.804, as follows:

**§ 1054.803. Responsibilities.**

- (a) Furnish the accounting and finance office certain information to support the obligation of funds for services called for on applicable exhibits to CTS contracts.
- (4) One copy of AFPI Form 82 will be distributed to each of the following offices:
  - (i) Contractor.
  - (ii) General Accounting Office.
  - (iii) The paying accounting and finance office.

(iv) The command accounting and finance activity.

(v) The administrative contracting officer.

(vi) The command office of primary interest (DCS/M or equivalent).

(vii) AFLC, MAAMA (MAPOD) (Contract Files).

**§ 1054.804 Responsibilities of AFSC contracting officers.**

Time spent in training at the contractor's plant by contract technical services personnel or time consumed while awaiting security clearances will be certified by contracting officers assigned to AFPROS/AFCMDs. Certifying such time will not require delegation from ACOs at the using commands.

**Subpart N—Payment of Fixed Fee Under CPFF Contracts**

Revise § 1054.1404 to read as follows:

**§ 1054.1404 Optional formula.**

If the ACO is convinced that some formula other than any of the ones outlined above will be more fitting under the circumstances of his particular contract, he will submit the formula to AFSC (ASXKK), WPAFB, Ohio, for review and approval before he adopts it in certifying percentages of completion of work.

**Subpart P—Administration of Flight Test of Other R&D Programs at Test Sites**

Revise § 1054.1604 (a), (b) (1) and (d) (4), as follows:

**§ 1054.1604 Responsibilities.**

(a) The chief, CMD, other AF field procurement activities or the AFPR having cognizance over the prime contract under which the test is being conducted will insure that all contractual data are made available to the test facility for guidance during test, and that an ACO is assigned through transfer of secondary administration or a project officer is designated and delegated specific responsibilities. If programs are to be conducted at other test sites, where there is no resident ACO, the services of a project officer will be employed in connection with specific duties and responsibilities by the office having primary administration responsibilities.

(b) \* \* \*

(1) Request a project officer be designated as representative of the contracting officer for the specific contract(s) with specific duties, responsibilities, and actions to be accomplished under the designation. The project officer designated should be an engineer or other technically qualified person thoroughly familiar with the test function.

(d) \* \* \*

(4) Process contractor requests for material and/or services which will be included in SF 1080 reimbursement vouchers. Where individual contractor requests are estimated to cost over the sum total of \$5,000, the project officer will submit such requests to the AFSC Test Site Office for appropriate action.

### Subpart U—Work Request Procedures for Over and Above Work on Maintenance, Overhaul and Modification Contracts

Revise § 1054.2101 to read as follows:

#### § 1054.2101 Applicability of subpart.

This subpart applies to contract management regions and AFLC field procurement activities, including APRE and APRFE.

Subpart BB—Costs Incurred on Contract, DD Form 1177, is deleted.

## PART 1055—LOGISTIC SUPPORT ITEMS

Subpart B is revised to read as follows:

### Subpart B—Contractual Provisioning Documents

Sec.	
1055.200	Scope of subpart.
1055.201	Applicability of subpart.
1055.202	Definitions.

**AUTHORITY:** §§ 1055.200 to 1055.202 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314.

#### § 1055.200 Scope of subpart.

This subpart prescribes the use and application of contractual provisioning documents.

#### § 1055.201 Applicability of subpart.

This subpart is applicable to all central procurement activities and contract management regions.

#### § 1055.202 Definitions.

(a) "Contractual provisioning document" is an authorized specific document incorporated in AF contracts, by reference or otherwise, to prescribe the procedures, terms, and conditions governing the determination of the range and quantity of items required, and the furnishing of initial support requirements to support and maintain an end article for its initial phase of prescribed service.

(b) "Amendment" is an authorized document for changing existing requirements in, or adding new requirements to, contractual provisioning documents.

(c) "Addendum" is an authorized document outlining deviations from contractual provisioning documents, which apply to specific major commodity areas.

Subpart D is revised to read as follows:

### Subpart D—Approval of Spare Parts or Aerospace Ground Equipment Exhibits and Issuance of Supplemental Agreements

#### § 1055.402 Procedures and responsibilities.

Spare parts and AGE lists will be furnished by the contractor to the ACO according to the authorized contractual provisioning documents appended to or referenced in the contracts.

Subpart E is revised to read as follows:

### Subpart E—Interim Spare Parts Kits To Maintain Experimental and Developmental Equipment

Sec.	
1055.500	Scope of subpart.
1055.501	Applicability of subpart.
1055.502	Application.
1055.503	Definition.
1055.505	Limitations.

**AUTHORITY:** §§ 1055.500 to 1055.505 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314.

#### § 1055.500 Scope of subpart.

This subpart establishes procedures for providing kits of spare parts for experimental and developmental equipment on research and development contracts during the testing period.

#### § 1055.501 Applicability of subpart.

This subpart applies to AFLC/AFSC field procurement activities.

#### § 1055.502 Application.

This subpart applies to all procurement, involving AFSC 600 series funds, of research and development interim spare parts kits.

#### § 1055.503 Definition.

"Research and development interim spare parts kits" are those peculiar spare parts, components, and testing or handling equipment which in the estimation of the contractor would normally be required for support during the testing period only.

#### § 1055.505 Limitations.

(a) The provisioning of bulk spares for production equipment will continue to be prescribed by Subpart B of this part.

(b) Funds for the procurement of research and development spare parts will be the same as those used for the procurement of the end item.

(c) Standard AF stock items will continue to be furnished by the AFLC.

## PART 1057—REPORTS

Subpart KK is revised to read as follows:

### Subpart KK—Financial Management Reports

Sec.	
1057.3700	Scope of subpart.
1057.3701	Definitions.
1057.3703	Use of DD Form 1097.
1057.3704	Coverage of the DD Form 1097.
1057.3705	General procedures related to both functions of the report.
1057.3706	Direction confined to the expenditure management function.
1057.3707	Action and distribution of DD Form 1097 and related data.
1057.3708	Action and distribution of Air Force expenditure forecasts.
1057.3709	Instructions for review and submission of analysis of deviation reports (for expenditure management purpose).
1057.3710	Actual expenditure reporting.
1057.3711	Establishment and control of expenditure targets.
1057.3712	Flow charts.
1057.3713	Participation in Expenditure and Management Control Program.

Sec.	
1057.3714	Figure No. 1 example of completed AFPI Form 89 "Analysis of DD Form 1097 expenditure forecast."
1057.3715	"System Expenditure Forecast Report," AFPI Form 17. RCS: AF-C167.

**AUTHORITY:** §§ 1057.3700 to 1057.3715 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314.

#### § 1057.3700 Scope of subpart.

This subpart prescribes instructions relating to the operation of the AF Expenditure Management and Control Program under provisions of AFR 70-13 (Management and Control of Expenditures in The Central Procurement Areas) and the financial management aspects of the contract function utilizing the DD Form 1097, "Financial Management Report." Bureau of Budget Approval Number 22-R180 (expires May 31, 1964) applies. Revised instructions pertaining to the use of the DD Form 1097 data are effective with the September 30, 1962 report. Detailed instructions for completion of the DD Form 1097 are attached to each copy of the Form or in supplemental instructions approved by Bureau of Budget. Instructions contained herein pertain to the use of DD Form 1097 data within the Air Force and do not revise or supersede the instructions for preparation and completion of the DD Form 1097. The DD Form 1097 is designed as a dual purpose form to:

(a) Provide cost information for cost reimbursement contracts.

(b) Provide information for expenditure management and control on the status of expenditures and forecasts of future expenditures and billings under existing contracts and planned programs.

#### § 1057.3701 Applicability.

This subpart applies to all organizations and personnel concerned with the management and control of AF expenditures in the central procurement areas and the financial status aspects of the contract function.

#### § 1057.3702 Definitions.

(a) *AF Expenditure Management and Control Program.* Refers to all aspects of management, control, and providing information regarding AF expenditures in the central procurement area so that these expenditures will not exceed predetermined objectives and to provide a factual basis for data required at all management levels to facilitate decisions on changes to major programs.

(b) *Central Procurement Area.* Includes (1) Aircraft, missile and other Procurement appropriations administered by the AFSC/AFLC and (2) research, development, test and evaluation (RDT&E) appropriation administered by AFSC and the Office of Aerospace Research (OAR). Excludes the Commands' Operation and Maintenance programs.

(c) *DD Form 1097.* The form used by contractors to report information on existing contracts and planned programs.

to assist AF personnel in evaluating the status of procurement programs and procurement actions in relation to estimated expenditures and contract costs.

(d) *Weapon/Space/Support System (Aircraft / Missile / Space / Electronic) Coverage.* The expenditure forecast coverage for a system selected under AFR 70-13 will be identified by major components of the system and will comprise a minimum of 70 percent of the annual program forecast.

(e) *Expenditures or payments.* The net amount paid by government disbursing offices to a contractor under a contract includes advance payments, progress payments, net payments on delivery of contract items (billings on delivery, less recoupment of progress payments), termination payments, and cost reimbursement payments.

(f) *Command Expenditure Manager (CEM).* Refers to the AFSC DCS/Comptroller who is responsible for the over-all expenditure management program assigned to AFSC for the total appropriation structure. Action office for transmitting expenditure forecast reports required by AFR 70-13 to Hq USAF and for establishing expenditure limitations or targets.

(g) *Command Expenditure Forecast Monitor (CEFM).* Refers to the office and personnel located in the Directorate of Procurement, AFSC (Fiscal and Reports Branch, Plans and Management Office (ASXK-2), WPAFB, Ohio) vested with the responsibility for administering the provisions of AFR 70-13; monitoring the procedures and performance under this Instruction; and the performance of the CEFM functions defined herein.

(h) *Division Expenditure Forecast Monitor (DEFM).* Refers to the organization and/or personnel within each of the AFSC divisions (Aeronautical Systems, Ballistic Systems, Electronics Systems, and Space Systems) designated by the division commander to monitor division actions and responsibilities defined in this Instruction related to the preparation, review, and/or adjustment of selected system expenditure forecast reports. The DEFM is the division focal point for matters relating to the expenditure forecast reporting defined herein.

(i) *CMR Expenditure Forecast Monitor.* Refers to the organization and/or personnel within each contract management region (CMR) (Eastern CMR, Central CMR and Western CMR) designated by the CMR commander to monitor actions and responsibilities of CMR elements (ACOs, AFPROs, CMDs) defined in this Instruction. Is the CMR focal point for matters relating to the expenditure forecast reporting.

#### § 1057.3703 Use of DD Form 1097.

This report will be used for accomplishing the following objectives:

(a) *Financial status.* To obtain earliest possible knowledge of an increase or decrease in the estimated cost (over-run or under-run) while developing forecast of contractor-incurred commitments and contractor expenditures for cost reimbursement contracts.

(b) *Manage Air Force expenditures.* This is referred to as the "expenditure

management" purpose of the report which involves the following:

(1) Development of expenditure forecasts for total AF business for each of the selected contractors covering at least 70 percent of the total central procurement area assigned to AFSC/AFLC. Also involves forecasts for major individual contracts for analysis purposes. The selection of these contractors is made in compliance with AFR 70-13. Selection of contractors is accomplished annually, and revised as necessary, by the CEFM to include the principal AF contractors holding the largest unliquidated dollar balance of active contracts and who are anticipated to actively continue as major contractors under AF planned programs. Also included in the selected contractors list are those contractors who, although they do not meet the above criteria, are major contractors associated with the systems selected for participation in the expenditure management program. The CEFM upon selection of the contractors for participation in the expenditure management program will publish and maintain the list of selected contractors contained in § 1057.3713(d). The CEFM will advise the contractors of their selection to participate in the expenditure management program and provide guidance regarding such participation.

(2) Development of expenditure forecasts for certain selected AF systems covering at least 70 percent of the yearly program for each system selected. Selection of the AF systems for inclusion in the expenditure management program according to AFR 70-13 is accomplished annually by Hq USAF who provides the list of such systems to the CEFM for publishing in § 1057.3713(c).

(3) Apprising appropriate AFSC and AFSC staff activities and the Air Staff of projected expenditure of AF funds.

(4) Compare actual expenditures with expenditure targets or predetermined objectives (see § 1057.3709) and expenditure forecasts, and analyze deviations from the projected course. All AF organizations and personnel concerned with the expenditure management program should maintain cognizance and necessary records of such deviations to enable them to explain, as required, instances where actual payments deviate substantially from the contractor's forecasts. Standards of forecast accuracy and deviation tolerances are explained in other sections of this Instruction.

#### § 1057.3704 Coverage of the DD Form 1097.

(a) For financial status: (1) All cost reimbursement type contracts, except facility contracts, with an unliquidated dollar balance of \$25,000 and over, regardless of contractor, will be reported. The exception to this dollar limitation is in connection with contracts with non-profit (educational) institutions for which reporting is limited to contracts having an unliquidated dollar balance of \$100,000 or more; however if determined necessary, the contracting officer may require reports submitted on such contracts with an unliquidated dollar balance of less than \$100,000 but not less than \$25,000. The clause entitled "Fi-

nancial Management Report," reference Subparts B and D, Part 1007 of this subchapter, will be included in all cost type contracts in excess of \$25,000 face value (\$100,000 limitation for non-profit (educational) institutions).

(2) Individual contract reporting requires completion of the DD Form 1097 heading and the following items: 1, 2, 3, 8, 9 or 10, 12, 13, 14, 15, 16, 18, and 19. Items 4, 5 and 6 of the form will be completed when conditions under Note 1 on the form are met or provided for by contractual coverage.

(b) For expenditure management purposes: (1) A Summary report from each of the selected contractors covering total AF business in the 3010/3020/3080 and 3600 (except P-690) and corresponding prior-year appropriation areas will be required (Note: Appropriation 3010 will include prior year appropriation 3015 expenditures). For selected contractor "summary" report the DD Form 1097 will be annotated to indicate "Summary" under Item 3 of the form and requires completion of the heading and the following items: 1, 2, 9 or 10, 11, 14, 15, 17, 18, and 19.

NOTE: Contractors are to be requested to prepare Item 7, on Summary and Individual reports on a "net payments" basis.

(2) Reports covering individual contracts are also required. Individual contract reporting is required from selected contractors only, and is restricted to those contracts, regardless of type, with unliquidated dollar balance of \$1 million or over, unless individual contract reports are required and requested by the DEFM for "System Expenditure Forecast Reports." The DD Form 1097 report for individual contracts requires completion of the heading and the following items: 1, 2, 3, 9 or 10, 11, 13, 14, 15, 17, 18, and 19.

(c) When it is necessary to report both financial status and expenditure management the information for both will be included on the same form. In other instances as requirements demand, it may be necessary to prepare and submit a report covering only one or the other of the two functions.

#### § 1057.3705 General procedures related to both functions of the report.

(a) DD Form 1097 will be prepared quarterly by the contractors and submitted to the ACO in number of copies designated by the ACO.

(b) ACOs will assure that appropriate contractors submit completed reports in accordance with instructions. They will: (1) Furnish the contractors a supply of DD Forms 1097, (2) advise which specific reports are required including number of copies of report and (3) will give necessary guidance based on this Instruction or other pertinent instructions contained in AF directives, regulations, manuals, etc.

(c) Summary and individual contract reports will be submitted by the contractor to the ACO involved not later than the 30th day of the month following the end of each calendar quarter. Extension of submission date, not to exceed 10 work days, may be granted by the ACO only upon consideration of

written justification and request by the contractor. Recipients of DD Form 1097 reports will be advised by the ACO of approved extensions granted, including the revised submission date.

(d) Channeling of reports from the ACO location forward is covered separately for the two functions in §§ 1057.3706 and 1057.3707 and in Charts contained in § 1057.3712 (a) and (b).

(e) The ACO after review and analysis, will complete item 19 of the report. Review and analysis of the contractor report will include, but not necessarily be limited to, a review of any estimated cost increases (or decreases) shown in the contractor's forecast, as well as a review of the contractor's forecast of billings or payments to ascertain whether he has included all provisioning orders, work requests, and similar contingency items released to him. ACO remarks will include pertinent comments in explanation of contract financial status as well as to explain adjustments made to the contractor's forecast.

(f) In connection with contractor summary DD Form 1097 reports submitted for the expenditure management function, the ACO will prepare an AFPI Form 89, "Analysis of DD Form 1097 Expenditure Forecast," for each summary report. Instructions relative to completion and submission of AFPI Form 89 are contained in § 1057.3708(a) (1) (ii).

(g) Program data pertaining to various selected systems and other major programs will be released to applicable ACOs by the appropriate AFSC Division.

§ 1057.3706 Direction confined to the expenditure management function.

(a) It is imperative that expenditure forecasts in item 17 be as accurate as possible since Hq USAF, the Department of Defense, and the Bureau of the Budget use these forecasts as a basis for making vital financial management decisions.

(b) DD Form 1097 Expenditure Management Reporting and Distribution Procedures: (1) Selected AF contractors will prepare and submit the following DD Form 1097 reports:

(i) A "summary" report covering all active AF contracts as well as planning programs. A planning program is a program not yet on contract but one which the contractor knows through official AF Program and Production Schedule releases (distributed to contractors through ACOs) is planned for his particular facility. It is preferable that the summary report be limited to those items funded with 3010/3020/3080 and 3600 (excluding P-690) and corresponding prior year funds. If the summary includes total AF funds, including funds not referred to in this subdivision, the ACO will apply a factor to remove amounts of funds not desired. (See AFPI Form 89 instructions, § 1057.3708 (a) (1) (ii).) The actual payments will be reported only against the funds included in the forecast. Summary reporting will be limited to the contractor's facilities assigned to the designated AFPRO/CMD for administration. Where a CMD or AFPRO encompasses multiple contractor facilities or plants,

separate summary reports are desirable for each facility. The contractor will indicate under item 18 or the ACO under item 19, or by attachment to the DD Form 1097, a listing of the individual contract numbers and the planning program included in the "summary" report.

(ii) A separate DD Form 1097 for each individual contract according to provisions of § 1057.3704(b) (2).

(iii) A separate DD Form 1097 report for each planning program included in the summary report.

(iv) Item 17 on both summary and individual DD Form 1097 reports will be a forecast of payments and not a forecast of contractor capability. Such factors as progress payments, lump sum definitization payments, accelerations, and slippages will be taken into consideration in developing the forecast.

(2) Entries under item 17 for summary, individual contract, and planning program reports will be as of the end of each of the next 3 months and the end of each of the following 7 quarters. A final entry will be made for "To Completion of Contract."

(3) The due date for contractor submission of summary and individual contract DD Form 1097 reports to the responsible ACO is cited in § 1057.3705(c).

(4) Individual contract report channeling: Responsible ACOs will review, analyze, and confirm or refute the contractor data reported on summary or individual contract DD Forms 1097. ACOs will evaluate, in item 19 the accuracy and completeness of the contractor's reporting. Distribution will be made by ACOs according to § 1057.3707 (b).

(5) Contract report channeling and responsibilities: Channeling of DD Form 1097 reports (summary, individual contract, and planning program) and actions by responsible AF organizations is reflected in the chart contained in § 1057.3712(b).

§ 1057.3707 Action and distribution of DD Form 1097 and related data.

NOTE: Number of copies of individual DD Form 1097 reports reflected herein represents minimum requirement. Requirement for additional copies of individual DD Form 1097 reports by action elements will be forwarded to appropriate ACO.

(a) *Contractor action and distribution.* (1) The Form, when financial status information only is included, will be submitted by the contractor to the ACO in six copies.

(2) It may, however, be combined with the individual report for expenditure management purposes (see § 1057.3704 (c)), in which event the words "Expenditure Management and Financial Status" will be typed immediately underneath the printed title of the form, and will be submitted in 12 copies. Nothing in these instructions will be construed as relieving contractors from reporting on contracts directly to the AFSC divisions according to Bureau of Budget approved Exhibits relating to DD Form 1097 reporting incorporated in such contracts. DD Form 1097 may be incorporated and made a part of Bureau of Budget approved Exhibits. When the frequency and due dates of the contractor sub-

mitted reports coincide, a single contractor submission will satisfy the requirements of this Instruction and that of approved contract Exhibits. If conflict occurs, separate contractor submissions will be required to satisfy the requirements of this Instruction and of the Exhibits.

(b) *Air Force action and distribution of individual DD Form 1097, Summary DD Form 1097 and AFPI Form 89.*

NOTE: Copies of DD Forms 1097 and other data forwarded to PCO will be addressed to the office symbol and location shown in the "Issued by" block on the contract cover sheet. Material forwarded to the CMRs and AFSC divisions will be addressed to the office symbol of the monitors shown in § 1057.3713.

(1) DD Form 1097 as "Financial Status Report."

(i) Flow of reports and associated actions is depicted in the Chart contained in § 1057.3712(a). Actions defined as follows:

(a) Contractor forwards required number of copies of completed individual DD Form 1097 to ACO within 30 days following close of calendar quarter (see § 1057.3705).

(b) ACO forwards one advance copy of each individual DD Form 1097 to PCO immediately upon receipt from contractor.

(c) Upon receipt of advance copy of DD Form 1097, PCO will review to determine existence of estimated cost overrun or underrun which may result in a deficiency or excess of funds. On those reports indicating cost overruns, the PCO will immediately contact the initiator of the procurement (project officer) to determine whether the supplies and/or services are still required and whether there should be a change in quantity in light of anticipated increase in costs. The initiator (project officer) will take prompt action to determine whether additional funds are to be provided or the program is to be cut back and advise PCO of the determination. If additional funding is to be provided, follow the procedures in Subpart D, Part 1054 of this subchapter. Reports indicating contract cost underruns will be immediately investigated and necessary contractual action taken to effect removal of excess funds.

(d) Upon receipt of DD Form 1097 reports from the contractor, the ACO will complete item 19 of the Form and forward the required copies to the PCO for his information and action, and one copy to the CMR monitor for information purposes. Annotated copies will be forwarded by the ACO to arrive not later than 10 calendar days following receipt of the form from the contractor. One copy will be retained by the ACO for followup action and file.

(e) Upon receipt of completed DD Forms 1097 from the ACO, the PCO will review the submission and provide pertinent comments. Two copies of the annotated report will be forwarded by the PCO to the initiator of the procurement for information and action.

(f) The initiator of the procurement will forward one copy of the DD Form 1097 with all comments to appropriate higher authority if action is required.

(2) DD Form 1097 (Individual contract and Contractor Summary) reports submitted for "Expenditure Management" purpose alone or when combined with "Financial Status" purpose. Includes flow of AFPI Form 89.

(i) Flow of reports and associated actions is depicted in the Chart contained in § 1057.3712(b). Actions defined as follows:

(a) Selected contractor forwards DD Form 1097 reports to the ACO within 30 days following close of calendar quarter as follows:

(1) When submitted for "Expenditure Management" purpose, six copies of individual contract reports together with three copies of contractor "summary" reports.

(2) When submitted for combined purposes, 12 copies of the individual contract reports and 3 copies of contractor "summary" reports. The additional copies of individual reports for "Financial Status Report" purpose are distributed and utilized according to the chart contained in § 1057.3712(a).

(b) ACO and PCO actions:

(1) When DD Form 1097 is submitted for combined purpose, ACO and PCO will comply with requirement for "Financial Status Report" (§§ 1057.3712(a) and 1057.3707(b)(1)).

(2) When DD Form 1097 is submitted for "Expenditure Management" purpose either alone or combined with "Financial Status" purpose, the ACO immediately upon receipt from the contractor will forward two copies (only one additional copy if for combined purpose) of individual contract report without comment to appropriate PCO. PCO will, within 3 days after receipt from the ACO, review, analyze and return to the ACO a copy of the DD Form 1097 report, indicating by attachment, his specific recommendations or adjustments. The PCO's review and analysis should include consideration of the elements outlined for the ACO in § 1057.3705(e). PCO will retain one copy of the DD Form 1097 for information and file.

(3) Within 10 calendar days after receipt of the annotated copy of the individual contract DD Form 1097 from PCOs, the ACO will complete item 19 of the reports; will review and analyze the contractor summary DD Form 1097 report and complete item 19; prepare AFPI Form 89 (three copies) according to instructions contained in § 1057.3708(a)(1)(ii); forward one copy of each completed DD Form 1097 (individual and summary) together with the completed AFPI Form 89 to the Command Expenditure Forecast Monitor (ASXK-2), ASD, Plans and Management Office, Directorate of Procurement, WPAFB, Ohio; forward one copy of the same to the appropriate CMR monitor for information purposes. One copy of each individual DD Form 1097 identified to a selected system will be forwarded by the ACO to the appropriate DEFPM upon completion of item 19 of the report for use by the SPO/DEFM in preparing "System Expenditure Forecast Report." One copy of the completed DD Form 1097 and AFPI Form 89 will be retained by the ACO.

(3) Contract Management Region Expenditure Forecast Monitor receives copies of all contractor prepared DD Form 1097 reports with ACO adjustments and comments included in item 19 and completed AFPI Forms 89 based on contractor's "summary" DD Form 1097 report. The CMR monitor will take all management actions necessary to insure ACO/AFPRO/CMD compliance with instructions and guidance pertaining to the preparation, analysis, and submission of DD Forms 1097 and associated data contained in this Instruction or appropriate regulations, etc. Evaluation of ACO/AFPRO/CMD effectiveness in performance under provisions of this Instruction is vested in the CMR expenditure forecast monitor.

(4) AFSC division expenditure forecast monitor (DEFM). The DEFM participates in the AF Expenditure Management Program by monitoring the preparation of the selected system expenditure forecast report and by performing the review, adjustment, and submission of the AFPI Form 17, "System Expenditure Forecast Report," submitted under RCS: AF-C167 covering each of the selected systems for which the division has cognizance. Data pertaining to the principal selected contractors and their contracts involved in the "system" acquisition is provided to the DEFM and the system program office (SPO) through the channeling of DD Form 1097 reports. It is the responsibility of the SPO, through the DEFM, to advise the applicable ACO of specific requirements for individual contract DD Form 1097 reports. In addition to DD Form 1097 expenditure forecast data provided, the DEFM and SPO will utilize knowledge and experience concerning the system available from other sources to complete the AFPI Form 17 which is submitted to the CEFM (five copies) according to the format and instructions contained in §§ 1057.3715 and 1057.3712(d). The systems selected by Hq USAF under provisions of AFR 70-13 for participation in the expenditure management program with the responsible DEFM is summarized in § 1057.3713. To the extent necessary, principal AF contractors associated with the selected systems, will be included in the "selected contractor" list participating in the expenditure management program to afford data for DEFM/SPO use. The DEFM will be responsible for providing the CEFM annually, no later than June 15th, a list of principal system contractors to be considered for inclusion in the list of selected AF contractors to participate in the AF expenditure management program for the ensuing year. Expenditure forecast coverage using DD Form 1097 reporting by selected prime contractor/contract will cover at least 70 percent of the annual system program in the central procurement area as reflected in the System Program Package. The DEFM is provided a copy of the monthly AF-C166 "Expenditure Report" reflecting actual expenditure experience. This data, provided according to the flow depicted in the Chart contained in § 1057.3712(f), provides information regarding AF expenditures by contractor/

contract. The DEFM will provide and maintain a recommended list of prime AF contractors for inclusion in Part 3 of the monthly AF-C166 report. This list will be forwarded to AFSC (to SCCA through ASXK-2) annually, no later than June 15th, with revisions being submitted as necessary to provide actual expenditure data required by the DEFM/SPO in performing forecast and analysis functions.

(5) Command Expenditure Forecast Monitor (CEFM). The CEFM will receive five copies of the completed AFPI form from the DEFMs covering each selected system and will prepare a summary total system expenditure forecast based thereon. The individual system expenditure forecasts will be reviewed for compliance with established policies and procedures and for conformity with like forecast data used in the development of the total AF expenditure forecast. A summary of the system expenditure forecasts will be prepared to reflect by system totals, the SPO forecast and the DEFM adjusted forecast together with pertinent comments by the CEFM. Copies of summary and individual system expenditure forecast reports, will be forwarded to AFSC (SCC) for completed Command Staff review, coordination, and transmittal to Hq USAF according to AFR 70-13 requirement (see § 1057.3712(d)).

#### § 1057.3708 Action and distribution of Air Force expenditure forecasts.

(a) Forecast of total AF expenditures in the central procurement area utilizing selected AF contractor DD Form 1097 report input data (see § 1057.3712(c)).

(1) ACO forecasts:

(i) The ACO prepares the initial AF expenditure forecast for selected contractors and provides same to the CEFM through the preparation and submission of AFPI Form 89.

(ii) Instructions for preparing and submitting AFPI Form 89.

(a) Sample and format of AFPI Form 89 is as indicated in figure 1, § 1057.3714.

(b) RCS: AF-C167 applies.

(c) Supply of forms: AFPI Form 89 will be obtained through normal publications distribution channels.

(d) Flow of AFPI Form 89 together with that of DD Form 1097 is shown in § 1057.3712(b).

(e) AFPI Form 89 to be completed for each "selected contractor" based upon contractor's DD Form 1097 "Summary" forecast.

(f) Completion of the AFPI Form 89 will be as follows:

(1) Completion of items appearing in the heading of form will be by the ACO.

(2) Columns (B) through (G) will be completed by the ACO as follows:

(i) Column B: The contractor's forecast, as reflected in item 17 on the DD Form 1097 Summary for the three months and seven quarters and amount to completion will be entered in column B. The ACO adjustments in columns C through F and the adjusted forecast in column G will be reflected against the appropriate segment of the Contractor forecast in column B.

(ii) Column C: The ACO's adjustment for the removal of funds other than P-3010/3020/3080/3600 or corresponding prior-year funds, included in the contractor's forecast is entered in column C. This adjustment is based upon ratio of funds to the total funds cited on contracts held by the contractor. The "Contract Financial Status Report" RCS: AFSC-C108 is acceptable as a source of information for the development of this ratio. The ratio or percentage developed should be applied against the contractor's total forecast to arrive at the dollar amount to be placed in column C. This adjustment will not be necessary where contractors have no "other funds" included in forecasts or voluntarily limit forecasts to just those items funded within the controlled area.

(iii) Column D: The adjustment required to convert a forecast of billing to a forecast of payments will be entered in column D. Selected contractors have the option to forecast either billings or payments, and it is necessary to convert all billings forecasts to forecasts of payments. This adjustment can be made by slipping the billings forecast forward based on the average time lag between billings and payments indicated by the contractor on the DD Form 1097 (item 14).

(iv) Column E: Any adjustments necessary to bring the forecast up to date with the latest directed and approved program will be entered in column E. All adjustments made by the ACO in this column should be identified by program document, program item, dollar amount, and reason for the adjustment on the reverse side of the form. ACOs will identify the production schedule on which the forecast is based. The amounts in the contractor's forecast for planning programs will be carefully reviewed and all unrealistic or unapproved planning programs removed from the forecast. The planning program will appear on some program release document (such as a WA/WM USAF Production Schedule or Procurement Authorization) to qualify for inclusion in the contractor's forecast.

(v) Column F: The net total of columns C, D, and E will be placed in Column F.

(vi) Column G: Enter amount of column B plus or minus amount of Column F.

(3) Columns (H) through (K) will be completed as necessary by the CEFM to reflect final forecast for the contractor.

(2) Command adjusted expenditure forecast: Upon receipt of selected contractor DD Form 1097 reports (summary and individual contract) together with ACO completed AFPI Form 89, the CEFM reviews and analyzes data submitted by selected contractor and makes adjustments based upon experience and other known factors to arrive at an adjusted expenditure forecast for each selected contractor and a total adjusted selected contractor forecast. To arrive at a total forecast for anticipated AF expenditures in the central procurement area, a forecast of AF expenditures to other than the "selected contractors" is prepared by the CEFM based upon application of experience and current trend factors. The sum

of the "selected contractors" adjusted forecast and the forecast covering "other than selected contractors" represents the adjusted Command/AF total expenditure forecast. A quarterly report (RCS: AF-C167), reflecting the individual selected contractor raw expenditure forecasts, the ACO adjusted forecasts and the Command adjusted selected contractor forecast together with the forecast for other than selected contractors is prepared according to requirements of AFR 70-13. This report is presented to the Hq AFCLC for Command review and coordination. Upon coordination by the AFCLC the report will be forwarded by the CEFM AFSC (SCC) for completion of Command Staff review, coordination, and transmittal to Hq USAF. In addition to the required quarterly report covering the total forecast of AF expenditures in the central procurement area, a report is also included according to provisions of AFR 70-13 which provides expenditure forecasts for each selected system utilizing input data provided by contractors through the DD Form 1097 reporting technique. Preparation of the selected system forecasts is defined in § 1057.3707(b) (4).

**§ 1057.3709 Instructions for review and submission of analysis of deviation reports (for expenditure management purpose).**

(a) ACOs (for selected contractors) and DEFMs (for selected systems) will prepare and submit in narrative form, a quarterly Analysis of Deviation Report (RCS: AF-C167) covering deviations between quarterly forecasts and actual AF expenditures for the quarter analyzed. Flow of these reports is indicated in § 1057.3712(e). The Analysis of Deviation Reports will contain as a minimum, the following information:

(1) For selected contractor forecasts:

(i) The ACO analysis of each of the applicable selected contractors will include:

(a) Comparison of the contractor's summary forecast and the ACO's forecast shown in the AFPI Form 89 with actual AF expenditures for the quarter. To the extent possible this comparison will include verification of actual AF expenditures with DD Form 1097 reported expenditures.

(b) An analysis of all deviations in excess of 3 percent (over or under) between actual expenditures and the contractor's summary forecast and between the ACO's forecast for the quarterly period. This analysis should show as a minimum the contract numbers and program items which are the cause of the deviation from forecast. The specific reason for the deviation should be spelled out, such as "nondefinitization of a contract in the month anticipated" by the contractor and ACO, or "delivery schedule slippage." Either of these constitutes satisfactory explanation of the contractor's inability to invoice and get paid as anticipated in his forecast. If the deviation is simply "fall out" due to overly optimistic forecasting by the contractor, it should be indicated. If the deviation at the end of the quarter indicates a trend, the anticipated cumulative effect of such a

trend, on the yearend forecast should be considered. Contractors' records, if in being, may be used by the ACO to assist in analysis. Under no circumstances, unless included in contractual coverage, will contractors be required to maintain special records to furnish data to prepare this report.

(c) At the close of each calendar quarter the ACO will, within 5 work days following receipt of actual expenditure data (see § 1057.3712(f)) forward one copy of the analysis report to CEFM and DEFM.

(2) For selected systems forecast:

(i) The DEFM's analysis for each system will include:

(a) Comparison of forecast per the "System Expenditure Forecast Report" for the quarter with actual expenditures for the quarter.

(b) An analysis of all deviations over 3 percent (over or under) between the total system forecast for the quarter and actual expenditures. This analysis should identify to maximum extent the contractor's contracts and program items which cause the deviation. Reasons for such deviations should be spelled out in clear, concise statements. If the deviation indicates a trend, the anticipated cumulative effect of such a trend on the annual forecast should be considered. Maximum use of contractor contract data available to the Air Force should be utilized in preparation of the analysis, however under no circumstances unless included in contractual coverage, will contractors be required to maintain special records to furnish data to prepare this report.

(c) DEFM analysis reports will be forwarded to reach the CEFM (one copy) by the 15th of the month following the close of each calendar quarter.

(3) "Analysis of Deviation" reports received from ACOs and from DEFMs will be reviewed and data analyzed by the CEFM and maintained for ready reference and use in response to request for such data by higher authority under provisions of AFR 70-13.

**§ 1057.3710 Actual expenditure reporting.**

Chart in § 1057.3712(f) depicts flow of actual expenditure data reported in the "Expenditure Data Report" (RCS: AF-C166). To facilitate use of uniform expenditure data for preparation of "Analysis of Deviation Reports," all activities will utilize actual expenditure data prepared and reported by the AF or other disbursing offices in the AF-C166 report. Due to the general geographical proximity of ACOs to the disbursing office, each ACO will obtain from the disbursing office (within one day following close of reporting period) actual expenditures reported to AFSC (SCCA) for AF-C166 report purposes by the disbursing office for the contractors/contracts for which the ACO is responsible. The disbursing office will cooperate in providing the required expenditure data. This action to obtain actual expenditure status by the ACO will be taken at least at the close of each calendar quarter for use in preparing the ACO "Analysis of Deviation Report." The monthly expenditure report AF-C166 will be pre-



## RULES AND REGULATIONS

NOTE: See § 1057.3710 for action and responsibility.

## § 1057.3713 Participation in Expenditure and Management Control Program.

Identification of selected AF contractors, selected systems and AFSC division contract management region expenditure forecast monitors currently included and associated with the Expenditure Management and Control Program.

## (a) AFSC Division Expenditure Forecast Monitors:

Division	Monitor	Symbol	Telephone extension	Address
ASD	C. W. Mitchell	ASCMB	2-8191	WPAFB, Ohio.
BSD	Maj. C. G. Curry	BSLPC	6451	Norton AFB, Calif.
ESD	V. Vartanian	ESCM	4459	L. G. Hanscom Field, Mass.
SSD	T/Sgt. A. W. Budney	SSCM	2306	Los Angeles, Calif.

## (b) CMR Expenditure Forecast Monitors:

CMR	Monitor	Symbol	Telephone extension	Address
Eastern	A. A. Intrieri	REAC	8-3244	Olmsted AFB, Pa.
Central	A. L. Kennedy	RCACB	5-3255	WPAFB, Ohio.
Western	J. R. Tarr	RWAC	437	Mira Loma AFS, Calif.

## (c) Systems selected for Expenditure Management:

## (1) ASD Systems:

RF-4J	F-4J	C-135	KC-135
F-105	T-38	C-141	C-130
B-58	GAM-77	GAM-87	T/GAM-83
GAM-83	Dynasoar	RS-70	F-111A TFX

## (2) BSD Systems:

SM-65	SM-68	SM-80	BMRS
MMREBM			

## (3) ESD Systems:

412L	416L	431L	465L	466L	474L	477L	480L
------	------	------	------	------	------	------	------

## (4) SSD Systems:

Titan III

## (d) Contractors selected for Expenditure Management:

Company and location	Admin. point	Responsible CMR
AC Spark Plug Division, GMC, Milwaukee, Wis.	MIAFCMD	CCMR
Aerojet General Corp., Sacramento, Calif.	AFPRO	WCMR
Airborne Instrument Laboratory, Deer Park, L.I., N.Y.	NYAFCMD	ECMR
Allison Division, GMC, Indianapolis, Ind.	INAFCMD	CCMR
American Machine & Foundry Co., Greenwich, Conn.	NYAFCMD	ECMR
Arma Division, American Bosch Arma Corp., Garden City, L.I., N.Y.	NYAFCMD	ECMR
Avco Corp., Everett and Wilmington, Mass.	BOAFCMD	ECMR
Bendix Radio Division, Bendix Corp., Towson, Md.	PAAFCMD	ECMR
Boeing Co., Seattle, Wash.	AFPRO	WCMR
Boeing Co., Wichita, Kans.	AFPRO	CCMR
Burroughs Corp., Detroit, Mich.	DEAFCMD	CCMR
Convair, Astro. Division, General Dynamics Corp., San Diego, Calif.	AFPRO	WCMR
Convair Division, General Dynamics Corp., San Diego, Calif.	AFPRO	WCMR
Douglas Aircraft Co., Inc., Long Beach and Santa Monica, Calif.	AFPRO	CCMR
General Dynamics Corp., Forth Worth, Tex.	AFPRO	CCMR
General Electric Co., Cincinnati, Ohio.	PAAFCMD	ECMR
General Electric Co., Philadelphia, Pa.	AFPRO	ECMR
General Electric Co., Syracuse, N.Y.	ROAFCMD	ECMR
General Electric Co., Utica, N.Y.	BOAFCMD	ECMR
General Electric Co., West Lynn, Mass.	PAAFCMD	ECMR
Hercules Powder Co., Wilmington, Del.	AFPRO	WCMR
Hughes Aircraft Co., Culver City, Calif. and Tucson, Ariz.	NYAFCMD	ECMR
International Business Machine Corp., Kingston, N.Y.	ROAFCMD	ECMR
International Business Machine Corp., Oswego, N.Y.	NEAFCMD	ECMR
ITT Communication Systems, Inc., Paramus, N.J.	NEAFCMD	ECMR
ITT Federal Laboratories Division of ITT Corp., Nutley, N.J.	BOAFCMD	ECMR
Laboratory for Electronics, Inc., Boston, Mass.	AFPRO	WCMR
Lockheed Aircraft Corp., Burbank, Calif.	AFPRO	ECMR
Lockheed Georgia Co., Marietta, Ga.	AFPRO	WCMR
Lockheed Missiles & Space Co., Sunnyvale, Calif.	LAAFCMD	WCMR
Marquardt Corp., Van Nuys, Calif. and Ogden, Utah.	PAAFCMD	ECMR
Martin Marietta Co., Baltimore, Md.	AFPRO	WCMR
Martin Marietta Co., Denver, Colo.	SLAFCMD	CCMR
McDonnell Aircraft Corp., St. Louis, Mo.	AFPRO	WCMR
North American Aviation Inc., Los Angeles, Canoga Park, and Downey, Calif.	AFPRO	WCMR
Northrop Corp., Hawthorne and Van Nuys, Calif.	SFAFCMD	WCMR
Philco Corp., Palo Alto, Calif.	BuNavyWeps	ECMR
Pratt & Whitney Aircraft Division, United Aircraft Corp., East Hartford, Conn.	PAAFCMD	ECMR
Radio Corp. of America, Camden and Moorestown, N.J.	AFPRO	ECMR
Republic Aviation Corp., Farmingdale, L.I., N.Y.	AFPRO	ECMR
Speery Gyroscope Co., Great Neck, L.I., N.Y.	AFPRO	ECMR
Thiokol Chemical Corp., Brigham City, Utah	OGAFCMD	WCMR
Western Electric Co., Inc., New York City, N.Y.	NYAFCMD	ECMR

§ 1057.3714 Figure No. 1, example of completed AFPI Form 89 "Analysis of DD Form 1097 expenditure forecast."

ANALYSIS OF DD FORM 1097 EXPENDITURE FORECAST							REPORTS CONTROL SYMBOL				
CONTRACTOR General Aviation Co.							AF-C167				
FACILITY LOCATION Los Angeles, Calif.							AS OF QUARTER ENDED 31 March 1962				
MONTH OR QUARTER	ACO ADJUSTMENT / FORECAST						CEFM ADJUSTMENT - FORECAST				
	CONTRACTOR'S FORECAST (DD 1097)	REMOVAL OF UNRECOVERABLE FUNDS	ADJUSTMENT OF BALANCE TO PAYMENTS	PROGRAM OR OTHER ADJUSTMENT	TOTAL ACO ADJUSTMENT	AS FORECAST	EXPERIENCE ADJUSTMENT	OTHER ADJUSTMENT	TOTAL ADJUSTMENT	CEFM FORECAST	
A	B	C	D	E	F	G	H	I	J	K	
(Dollars in millions to one decimal point)											
FY = 1962											
CUMULATIVE ACTUAL	202.3	-	-	-	-	202.3					
MONTH FORECAST											
MD INC	14.7	-0.7	-0.2	-1.0	-0.5	15.2					
FF CUM	217.0	-0.7	-0.2	-1.0	-0.5	217.5					
MD INC	31.4	-1.6	-0.4	-3.0	-0.6	32.0					
FF CUM	248.4	-2.3	-0.6	-4.0	-1.1	249.5					
MD INC	8.0	-0.4	-1.0	-2.0	-3.6	11.6					
FF CUM	256.4	-2.7	-0.4	-7.0	-4.7	261.1					
QUARTER TOTAL	54.1	-2.7	-0.4	-7.0	-4.7	58.8					
QUARTER FORECAST											
QTR INC	45.1	-2.3	-0.9	-0-	-3.2	41.9					
FF CUM	45.1	-2.3	-0.9	-0-	-3.2	41.9					
QTR INC	42.5	-2.1	-0.1	-0-	-2.0	40.5					
FF CUM	87.6	-4.4	-0.8	-0-	-5.2	82.4					
QTR INC	44.0	-2.2	-0.1	-0-	-2.3	41.7					
FF CUM	131.6	-6.6	-0.9	-0-	-7.5	124.1					
QTR INC	44.3	-2.2	-0.1	-0-	-2.1	42.2					
FF CUM	175.9	-8.8	-0.8	-0-	-9.6	166.3					
QTR INC	48.3	-2.4	-0.1	-0-	-2.5	45.8					
FF CUM	48.3	-2.4	-0.1	-0-	-2.5	45.8					
QTR INC	45.5	-2.3	-0.1	-0-	-2.2	43.3					
FF CUM	93.8	-4.7	-0-	-0-	-4.7	89.1					
QTR INC	47.1	-2.4	-0.1	-0-	-2.5	44.6					
FF CUM	140.9	-7.1	-0.1	-0-	-7.2	133.7					
TO COMPLETION	47.4	-2.4	-0-	-0-	-2.4	45.0					
ADJUSTMENT EXPLANATION (If necessary, continue on reverse)											
TYPED NAME AND ORGANIZATION SYMBOL OF ACO						SIGNATURE OF ACO					

rent and projected fiscal years forecast to be by contractor/contract utilizing contractor prepared DD Form 1097 forecast data with balance of total system forecast to be reflected as "All Other." Forecast will be prepared to reflect complete expenditure of a "system" program. FYs prior to current and "projected" FYs will be shown individually with subsequent fiscal years reflected as to a "to completion" total.

(viii) Security Classification: To maximum extent possible, reports will be unclassified, however, when necessary due to information content, care will be exercised to insure proper security classification and handling according to AF security regulations.

(2) Specific instructions—(Identified to item or column).

(i) Item 1 system number: Enter system identification symbol.

(ii) Item 2 System Title: Enter system code name.

(iii) Item 3 As of: Self-explanatory.

(iv) Item 4 Expenditure Forecast: Refer to column identification.

Note: Columns (A) through (L) and item 5 to be completed by SPO. Columns (F) through (L) will utilize DD Form 1097 when available. Columns (M) through (O) and item 6 will be completed by DEFM.

(v) Column (A), Contractor—Facility—Contract Number: Enter contractor name and facility followed by individual contract number listing. For current and projected years where new contract is planned and contract number has not been assigned insert "Planned." Contractors/contracts not individually listed will be grouped and reflected as "all other."

(vi) Column (B), Cost Categories: Opposite each contract in Column (A) insert applicable "Cost Category" code determined by contract product (hardware and/or service).

COST CATEGORY CODES

Aerospace systems	Missile/space systems	Support systems
A-1 Airframe/integrating.	M-1 Airframe/integrating.	Engineering/integrating.
A-2 Propulsion.	M-2 Propulsion.	S-2 Hardware (Incl-Trans.)
A-3 Guidance.	M-3 Guidance/navigation.	S-3 Construction.
A-4 Bomb/navigation.	M-4 Recovery vehicle.	S-4 Installation/testing.
A-5 Electronic components.	M-5 Electronic components.	S-5 Documentation.
A-6 Other.	M-6 Other.	S-6 Support.
		S-7 Management.
		S-8 Operation/maintenance.
		S-9 Other.

(vii) Column (C), Prior FY Cost Estimate: Prior fiscal years refers to all fiscal years preceding the current fiscal year. (Ref. to item 11, DD Form 1097.) Unless current and/or subsequent fiscal year funds are included in item 11 of DD Form 1097 enter amount of item 11. If item 11 includes other than prior year funds enter amount of prior funds in Column (C) and balance of item 11 in Columns (F), (I), and (K) as program cost estimate opposite each contract where applicable.

AFPI FORM NOV 62 89 PREVIOUS EDITIONS OF THIS FORM ARE OBSOLETE.

§ 1057.3715 "System Expenditure Forecast Report," AFPI Form 17. RCS: AF-C167.

(a) Instructions for completing AFPI Form 17 reports—(1) General instructions and guidance.

(i) Authorization: AFR 70-13, "Management and Control of Expenditures in Central Procurement Areas."

(ii) Purpose: To provide expenditure forecast data to aid in planning and forecasting military departmental expenditures. Objective is to provide AF and DOD elements maximum coverage of forecasted system expenditures on a timely basis with a high degree of accuracy.

(iii) Frequency: Prepared as of close of each calendar quarter (September 30th; December 31st; March 31st and June 30th). Reports to be transmitted to reach the CEFM within 60 days following close of calendar quarter.

(iv) Coverage: Selected systems under provisions of AFR 70-13. Selected systems identified in § 1057.3713(c). Funds area coverage will be limited to system cost in the central procurement area as defined in § 1057.3702.

(v) Prepared by: System program officer (SPO) under monitorship of AFSC DEFM. DEFM performs review and adjustment and transmits system reports to CEFM.

(vi) Data Source: Contractor prepared DD Forms 1097 (DD Form 1097 data to cover minimum of 70 percent of central procurement area annual program cost of the selected system); "Expenditure Report" RCS: AF-C166; System Program Documents; Experience.

(vii) Content: Individual selected system expenditure forecast reports will provide expenditure forecasts covering 100 percent of the annual system program cost in the central procurement area. Minimum of 70 percent of cur-

RULES AND REGULATIONS

(viii) Column (D), Prior FYs Actual Expenditures: Enter opposite each contract the total payments (all fiscal years) by the Government against the contract through the end of the last "Prior" fiscal year. (Ref. to item 10, DD Form 1097.)

(ix) Column (E) Prior Year Balance: Column (C) minus Column (D). This amount will represent the unexpended amount to be paid in the current or subsequent fiscal years and, for forecasting purposes will be considered as the first amount expended in the current and/or subsequent fiscal years.

(x) Column (F), Current FY-Program Cost Estimate: Enter opposite each contract, where applicable, the estimated amount total contract value has been or is to be increased during fiscal year.

(xi) Column (G), Current FY-Actual Expenditure: Enter actual cumulative fiscal year through end of fiscal quarter reported.

(xii) Column (H), Current FY-Forecast Expenditures: Enter forecast of expenditures (all fiscal years) for remainder of current fiscal year. Total of columns (G) and (H) will represent total current fiscal year forecast.

(xiii) Column (I), Projected FY-Program Cost Estimate: Enter the estimated amount the total contract value is to be increased during the projected fiscal

year or the amount planned for a new contract.

(xiv) Column (J), Projected FY-Expenditure Forecast: Enter opposite each contract or "planned" contract the estimate of AF expenditures (all fiscal years) during the projected fiscal year.

(xv) Column (K), To Completion-Program Cost Estimate: Enter estimated amount total contract value to be increased subsequent to "projected FY."

(xvi) Column (L) To Completion-Expenditure Forecast: Enter estimated expenditures to complete each contract.

(xvii) Columns (M), (N), and (O) DEFM Adjusted Forecast: DEFM will enter his forecasts opposite each contract or planned contract. DEFM forecast when at variance with SPO prepared forecasts, will be explained.

(xviii) Item 5, Forecast Totals:

(a) Program Total: Amount of planned system total cost as reflected in System Program Package under central procurement areas.

(b) Actual Expenditures: Enter date as of fiscal quarter. Actual Expenditures will be total AF expenditures in central procurement area through fiscal quarter (all fiscal years) for the system.

(c) Percent of Program: Actual expenditures divided by program total.

(xix) Item 5(A), Current Fiscal Year:

(a) Quarter Forecast—Enter actual expenditures by quarters, when applicable, and quarterly forecasts for each quarter for the balance of the current fiscal year. Total will agree with total of Columns (G) and (H).

(b) Monthly Forecast: Expenditure forecast by month for the current quarter forecast reflected under quarter forecast.

(xx) Item 5(B), Projected Fiscal Year: Quarter Forecast—Provides breakout by quarter of amount total reflected for Column (J).

(xxi) Item 5(C), To Completion: Amount Forecast—Provide annual fiscal year breakout of total forecast reflected for Column (L).

(xxii) Item 6, Adjusted Totals: To be completed by DEFM to reflect breakout of totals of Columns (M) through (O). Instructions for Item 5 are applicable.

NOTE: Contractor total will be inserted as subtotal in the "system" report for each column.

(xxiii) Item 7, Explanation of Adjustments and Comments: DEFM will provide comments pertaining to adjustments made to arrive at forecasts reflected in Columns (M) through (O) and in Item 6. Pertinent SPO comments will also be reflected.

(xxiv) Items 8 through 11: Self-explanatory.

§ 1057.3715(b) Figures 2 and 2a. Example of completed AFPI Form 17 "System Expenditure Forecast Report".

SYSTEM EXPENDITURE FORECAST REPORT													REPORTS CONTROL SYMBOL AF-C167					
1. SYSTEM NUMBER		2. SYSTEM TITLE						3. AS OF QUARTER ENDED			PAGE		OF		PAGES			
B-40		Bomber						31 March 1962										
4. EXPENDITURE FORECAST (Dollars in millions to one decimal point)																		
CONTRACTOR DATA / FORECAST (DD Form 1097)																		
CONTRACTOR - FACILITY CONTRACT NUMBER	COST CATE- GORY CODE	PRIOR FISCAL YEARS			CURRENT FY - 19 62						PROJECT FY - 19 63		TO COMPLETION			DIVISION MONITOR		
		PROGRAM COST ESTIMATE	ACTUAL EXPEN- DITURE	BALANCE	PROGRAM COST ESTIMATE	ACTUAL EXPEN- DITURE	EXPENDITURE FORECAST	PROGRAM COST ESTIMATE	EXPENDITURE FORECAST	PROGRAM COST ESTIMATE	EXPENDITURE FORECAST	PROGRAM COST ESTIMATE	EXPENDITURE FORECAST	CURRENT FISCAL YEAR	PROJECT FISCAL YEAR	TO COMPLETION	ADJUSTED FORECAST	
A	B	C	D	E	F	G	H	I	J	K	L	M	N	O				
General Avia- tion Co. Los Angeles, Calif. 33(600)32600	A-1																	
	A-1	660.0	561.1	98.9	-0-	41.7	12.7	5.2	32.0	-0-	17.7	11.4	28.8	22.2				
33(600)48191	A-1	260.0	44.7	215.3	-0-	120.6	29.4	10.3	60.6	-0-	15.0	26.5	54.5	24.0				
Planned Pro- gram	A-1	-0-	-0-	-0-	15.0	-0-	7.0	220.5	85.7	-0-	142.8	6.3	77.1	152.1				
Aeronautics Engine Co. Chicago, Ill. 33(600)33983	A-2	21.7	1.1	20.6	1.8	13.5	2.5	13.2	8.2	-0-	11.4	2.4	7.8	11.9				
	A-2	17.6	2.2	15.4	-0-	13.5	1.2	-0-	0.7	-0-	-0-	1.2	0.7	-0-				
All other		345.6	275.4	70.2	12.0	37.6	10.5	47.1	18.6	-0-	62.6	9.4	16.7	65.6				
SYSTEM TOTALS		1,304.9	884.5	420.4	28.8	226.9	63.3	296.3	205.8	-0-	249.5	57.2	185.6	275.8				

(Reverse of Form)

FORECAST TOTALS							
PROGRAM TOTAL \$1,630.0	CURRENT FISCAL YEAR A				PROJECTED FISCAL YEAR B		TO COMPLETION C
	QUARTERLY FORECAST		MONTHLY FORECAST (Current Quarter)		QUARTERLY FORECAST		ANNUAL FORECAST
	ACTUAL EXPENDITURE THRU (Date) 31 Mar 62	1st Qtr \$ 72.3	2nd Qtr \$ 86.7	3rd Qtr \$ 67.9	4th Qtr \$ 63.3	April \$ 23.4	May \$ 20.1
AMOUNT \$1,111.4	1st Qtr \$ 52.7	2nd Qtr \$ 49.7	3rd Qtr \$ 51.5	4th Qtr \$ 51.9	FY 19 64 \$ 220.5	FY 19 65 \$ 29.0	FY 19 \$
% OF PROGRAM 68.2%	FY TOTAL \$ 290.2	QTR TOTAL \$ 63.3		FY TOTAL \$ 205.8	FY 19 \$	FY 19 \$	FY 19 \$
ADJUSTED TOTALS							
	CURRENT FISCAL YEAR A				PROJECTED FISCAL YEAR B		TO COMPLETION C
	QUARTERLY FORECAST		MONTHLY FORECAST (Current Quarter)		QUARTERLY FORECAST		ANNUAL FORECAST
		1st Qtr \$ 72.5	2nd Qtr \$ 86.7	3rd Qtr \$ 67.9	4th Qtr \$ 57.2	April \$ 21.1	May \$ 18.2
	1st Qtr \$ 47.5	2nd Qtr \$ 44.8	3rd Qtr \$ 46.5	4th Qtr \$ 46.8	FY 19 64 \$ 198.9	FY 19 65 \$ 76.9	FY 19 \$
	FY TOTAL \$ 284.1	QTR TOTAL \$ 57.2		FY TOTAL \$ 185.6	FY 19 \$	FY 19 \$	FY 19 \$
7. EXPLANATION OF ADJUSTMENTS AND COMMENTS (Key to item and column identification. If additional space is required, attach separate sheet).							
Adjusted Gen. Aviation Co. forecast by 10% based on past forecast experience.							
* Aeronautics Co. forecast by 5% based on past forecast experience.							
** All other forecast by 10% based on past forecast experience.							
(Example)							
8. TYPED NAME AND ORGANIZATION SYMBOL OF RESPONSIBLE SPO OFFICIAL J. D. Doe ASKS				10. TYPED NAME AND ORGANIZATION SYMBOL OF DFM OR REPRESENTATIVE J. K. Ray ASKS			
9. SIGNATURE OF RESPONSIBLE SPO OFFICIAL /s/ J. D. Doe		DATE 24 May 1962		11. SIGNATURE OF DFM OR REPRESENTATIVE /s/ J. K. Ray		DATE 5 June 1962	

Figure 2a

**PART 1059—AIRCRAFT AND GFAE PROCUREMENT**

Subpart B is revised to read as follows:

**Subpart B—Use of Production Aircraft in Emergencies and Control of Test/Acceptance and Demonstration Flights**

- Sec. 1059.201 Use of production aircraft in emergencies.
- 1059.202 Control of test/acceptance and demonstration flights.

**AUTHORITY:** §§ 1059.201 and 1059.202 issued under sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314.

**§ 1059.201 Use of production aircraft in emergencies.**

(a) *Scope.* Outlines AF policy regarding the use of production aircraft for flight mission other than normal ferrying operations. Production aircraft are defined as follows: Any aircraft being manufactured for use in the operational inventory.

(1) *Preaccepted aircraft:* Any aircraft which has not been "accepted" (DD Form 250, "Material Inspection and Receiving Report," not signed) by the government representative at the contractor's facility, but for which the Government has assumed Flight Risk responsibilities.

(2) *Accepted aircraft:* Any aircraft which has been "accepted" by the Government representative (DD Form 250 signed but not yet delivered to the receiving service).

(b) *Applicability.* Applies to the AFSC, contract management regions, and cognizant government representatives (Air Force or Navy).

(c) *Policy.* (1) Contract management region commanders or their delegated government representatives may authorize the use of production aircraft for emergency flights. AFSC (SCMOO) will be notified of the circumstances involved upon the completion of a mission involving the use of production aircraft. Contract management region commander will also be notified if the emergency flight(s) is authorized by a delegated representative of the CMR commander.

(2) Care will be exercised in selecting aircraft for emergency missions, to avoid the necessity of performing a 25-hour or 50-hour check prior to arrival at the domestic destination designated in shipping instructions. Action will be taken to insure that no additional expense is borne by the contractor for maintenance or service of the aircraft as a result of such missions.

(3) Local flights by AF or contractor pilots for transition training in specific type production aircraft may be authorized by the local government representative.

(4) In any of the above cases, care will be exercised to select aircraft which have not been reported as available for delivery. Where the case is deemed to be of sufficient importance to warrant the use of aircraft previously reported available, immediate steps will be taken to cancel the availability notice and explain such cancellation.

**§ 1059.202 Control of test/acceptance and demonstration flights.**

(a) *Scope.* Sets forth the policy for control of test/acceptance and demonstration flights of production aircraft as well as test support and bailment aircraft.

(b) *Applicability.* Applies to flights of aircraft being produced for the Air Force by contractors and for which the Air Force has assumed liability for Flight Risks according to contractual provisions.

(c) *General.* In the interest of exercising every reasonable safety precaution in the performance of flying these aircraft, CMR, APRE, and APRFE commanders will establish and maintain procedures to assure positive supervision of the aircraft under their jurisdiction.

(d) *Policies and procedures.* (1) Support flights, not included in a test/acceptance flight program approved by the Government under a specific contract, may be made on authority of the CMR commander or his delegated government representative.

(2) Demonstration flights will be performed according to provisions of AFR 60-12 (Aerial Demonstrations).

(3) CMR, APRE, and APRFE commanders will assure that contractor flight crew personnel are professionally qualified according to current regulations.

(4) All flights will be conducted according to AF regulations.

(5) Normally, all test/acceptance flying will be conducted under VFR conditions during the hours of daylight.

However, CMR, APRE, and APRFE commanders may authorize test/acceptance flights under other conditions when deemed necessary to more effectively accomplish the AF mission.

(6) Formation take-offs are prohibited. Flight tests requiring low altitude flying will be performed over areas specifically approved for this purpose.

(7) CMR, APRE, and APRFE commanders will insure that all practicable crash/rescue equipment is available to insure safeguarding of life and property in the event of crash landings.

(e) *Responsibility for adequacy of airport and flying facilities.* CMR, APRE, and APRFE commanders will insure that the airport and its facilities are adequate for safe operation of the aircraft to be flown.

(f) *Flights requiring escorts.* It is AF policy that first flights of initial article production aircraft, plus such subsequent flights as deemed necessary, and all flights of any test aircraft which are of a suspected hazardous nature will be accompanied by an "observer" aircraft.

#### Subpart F—Special Procurements

In § 1059.604, revise paragraphs (c) (1) (ii), (c) (2) and (e), as follows:

§ 1059.604 Procurement of petroleum and chemical products for aircraft and missiles.

\* \* \* \* \*

(c) Procedure. \* \* \*

(1) \* \* \*

(ii) When it has been found feasible to furnish fuels and lubricants or chemicals and gases as GFP, facilities and other factors considered, consult the Assistant for Fuels and Lubricants, Directorate of Supply and Services (MAOR) Middletown Air Materiel Area, to ascertain the feasibility of supplying a particular contractor's requirements on a GFP basis and the approximate cost. When consulting MAAMA furnish the following information:

\* \* \* \* \*

(2) The PCO's decision that an item will be GFP or CFP will be reviewed by the chief of the appropriate buying division or WSPO in procurements by AMCASC or by the appropriate branch chief in other AMC procurement activities.

\* \* \* \* \*

(e) *GFP requirements:*

(1) In all contracts that specify supply of Category I materials as GFP, the PCO, upon distribution of the contracts, will submit the following information to MAAMA:

#### Subpart J—Funding of Supply Contract To Include Production Acceleration Capability and/or Production Compression Capability Projects

In § 1059.1002, revise paragraph (b) as follows:

§ 1059.1002 Definitions.

(a) \* \* \*

(b) "Production compression capability" applies to developing a capability

for maximum all-out production of strategic and air defense weapon systems during the initial phase of a general war (i.e., first 30 days).

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012. Interpret or apply secs. 2301-2314, 70A Stat. 127-133; 10 U.S.C. 2301-2314)

By order of the Secretary of the Air Force.

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

[F.R. Doc. 63-5205; Filed, May 17, 1963;  
8:45 a.m.]

## Title 7—AGRICULTURE

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

#### SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amdt. 16]

#### PART 730—RICE

#### Subpart—Regulations for the Determination of Rice Acreage Allotments for the 1959 and Subsequent Crops of Rice

##### APPLICATION FOR TRANSFER OF PRODUCER ALLOTMENTS

The amendment herein is issued under and in accordance with the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended. The purpose of this amendment is to provide that applications for transfer of rice acreage allotment and related history acreage filed after April 1 of the current year may be accepted for further consideration under certain conditions.

Rice of the 1963 crop is now being planted and producers need to know the provisions of this amendment immediately. Accordingly, compliance with the notice, procedure, and effective date provisions of section 4 of the Administrative Procedure Act (5 U.S.C. 1003) is hereby found to be impracticable and contrary to the public interest. Therefore, this amendment will become effective upon the date of filing with the Director, Office of the Federal Register.

Paragraph (a) of § 730.1025 is amended to read as follows:

(a)(1) If a producer dies or withdraws from the production of rice, his rice acreage allotment and related history acreages during the applicable base period may be transferred under the provisions of this section to another person or persons. A producer who withdraws in whole from the production of rice under the provisions of paragraph (b) (2) of this section, or who withdraws from the production of rice under the provisions of paragraph (b) (3) of this section, or who transfers his entire interest in the production of rice to the remaining partner(s) under the provisions of paragraph (b) (4) of this section when the partnership is dis-

solved, shall not be eligible for a producer rice acreage allotment for any year subsequent to such transfer, except to the extent that he may become eligible for an allotment on the basis of rice history acquired in a year (subsequent to the transfer) for which rice acreage allotments are not in effect.

(2) Each such transfer under this section shall be contingent upon the furnishing of certain information to the county committee, in writing, on or before April 1 of the current year in order to be considered for such year. Each such transfer will be subject to the approval of a representative of the State committee.

(3) If a producer failed to file an application for transfer of rice acreage allotment and related history acreage on or before April 1 because of (i) physical reasons beyond his control, (ii) an error on the part of an employee of the county or State committee, or (iii) failure of an employee of the county or State committee to furnish, upon request, full information relating to transfers, an application accompanied by his written certification giving his reasons for failure to file previously may be accepted for further consideration. Any application filed after April 1 of the current year shall be considered for approval in the same manner as applications for the allocation of producer allotment to farms filed under the provisions of paragraph (b) of § 730.1021.

(Secs. 353, 375, 52 Stat. 61, as amended, 66, as amended; 7 U.S.C. 1353, 1375)

Effective date: Upon date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., this 15th day of May 1963.

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

[F.R. Doc. 63-5367; Filed, May 17, 1963;  
8:51 a.m.]

### Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

[Valencia Orange Reg. 47]

#### PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

##### Limitation of Handling

§ 908.347 Valencia Orange Regulation 47.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908; 27 F.R. 10089), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said amended marketing agree-

ment and order, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 16, 1963.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., May 19, 1963, and ending at 12:01 a.m., P.s.t., May 26, 1963, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
  - (ii) District 2: 437,120 cartons;
  - (iii) District 3: Unlimited movement.
- (2) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

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

Dated: May 17, 1963.

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

[F.R. Doc. 63-5429; Filed, May 17, 1963;  
11:42 a.m.]

[Lemon Reg. 63]

## PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

### Limitation of Handling

#### § 910.363 Lemon Regulation 63.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 27 F.R. 8346), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 14, 1963.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., May 19, 1963, and ending at 12:01 a.m., P.s.t., May 26, 1963, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
  - (ii) District 2: 325,500 cartons;
  - (iii) District 3: Unlimited movement.
- (2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: May 15, 1963.

PAUL A. NICHOLSON,  
Deputy Director, Fruit and Veg-  
etable Division, Agricultural  
Marketing Service.

[F.R. Doc. 63-5360; Filed, May 17, 1963;  
8:50 a.m.]

[Avocado Reg. 2]

## PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

### Limitation of Shipments

#### § 915.302 Avocado Regulation 2.

(a) *Findings.* (1) Notice was published in the April 27, 1963, issue of the FEDERAL REGISTER (28 F.R. 4200) that consideration was being given to proposals regarding the establishment of grade and maturity regulations to be applicable to shipments of avocados pursuant to the provisions of the marketing agreement, as amended, and Order 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in south Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were submitted by the Avocado Administrative Committee (established pursuant to the said amended marketing agreement and order), it is hereby found that the regulation hereinafter set forth is in accordance with the provisions of the said amended marketing agreement and order and will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable, and contrary to the public interest to postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because, as hereinafter set forth, good cause exists for making the provisions hereof effective not later than May 20, 1963. This section establishes grade and maturity requirements designed to prevent the shipment of avocados which are immature or otherwise of poor quality; it is necessary that such requirements be made effective at the time and for the periods specified herein in order to effectuate the declared policy of the act; and compliance with this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a.m., e.s.t., June 3, 1963, and ending at 12:01 a.m., e.s.t., April 30, 1964, no handler shall handle any avo-

cados unless such avocados grade at least U.S. No. 2 grade;

(2) After the effective time of this section, except as otherwise provided in subparagraphs (9) and (10) of this paragraph, no avocados of the varieties listed in Column 1 of the following Table

I shall be handled prior to 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 2 of such table and thereafter each such variety shall be handled only in conformance with subparagraphs (3), (4), (5), and (6) of this paragraph.

by subparagraphs (2) through (7) of this paragraph shall not be handled except in accordance with the following terms and conditions:

(i) Such avocados shall not be handled prior to 12:01 a.m., e.s.t., September 16, 1963.

(ii) During the period beginning at 12:01 a.m., e.s.t., September 16, 1963, and ending at 12:01 a.m., e.s.t., October 14, 1963, the individual fruit in each lot of such avocados shall weigh at least 15 ounces.

(iii) During the period beginning at 12:01 a.m., e.s.t., October 14, 1963, and ending at 12:01 a.m., e.s.t., December 16, 1963, the individual fruit in each lot of such avocados shall weigh at least 13 ounces.

(9) Notwithstanding the provisions of subparagraphs (2) through (8) of this paragraph regarding the minimum weight or diameter for individual fruit, up to 10 percent, by count, of the individual fruit contained in each lot may weigh less than the minimum specified weight and be less than the minimum specified diameter: *Provided*, That such avocados weigh not more than two ounces less than the applicable specified weight for the particular variety as prescribed in Columns 3, 5, or 7 of Table I or in subparagraphs (7) and (8) of this paragraph. Such tolerances shall be on a lot basis, but not to exceed double such tolerances shall be permitted for an individual container in a lot.

(10) The provisions of subparagraphs (2) through (9) of this paragraph shall not apply to any variety, except the Linda variety, of avocados which, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color for that fruit when mature.

(c) Terms used in the amended marketing agreement and order, when used herein, have the same meaning as is given to the respective term in said marketing agreement and order; the term "diameter" shall mean the greatest dimension measured at right angles to a line from the stem to the blossom end of the fruit; and the term "U.S. No. 2" shall have the same meaning as set forth in the United States Standards for Florida Avocado (§§ 51.3050-51.3069 of this title).

(d) The provisions of this regulation shall become effective at 12:01 a.m., e.s.t., May 20, 1963.

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

Dated: May 14, 1963.

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

[F.R. Doc. 63-5323; Filed, May 17, 1963; 8:46 a.m.]

[Avocado Reg. 11]

## PART 944—FRUIT; IMPORT REGULATIONS

### § 944.3 Avocado Regulation 11.

(a) On and after the effective time of this section, the importation into the

TABLE I

Variety	Date	Minimum weight or (diameter)	Date	Minimum weight or (diameter)	Date	Minimum weight or (diameter)	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Arue	6-3-63	14 oz.	9-16-63				
Fuchs	6-17-63	14 oz. (3 $\frac{1}{16}$ in.)	6-24-63	12 oz. (3 $\frac{1}{16}$ in.)	7-15-63		
Pollock	7-15-63	18 oz. (3 $\frac{1}{16}$ in.)	8-12-63				
Simmonds	7-15-63	16 oz. (3 $\frac{1}{16}$ in.)	8-12-63				
Hardee	7-8-63	13 oz. (3 $\frac{1}{16}$ in.)	8-5-63				
Nadir	7-15-63	14 oz. (3 $\frac{1}{16}$ in.)	8-19-63				
Trapp	8-12-63	12 oz. (3 $\frac{1}{16}$ in.)	9-9-63				
Waldin	8-12-63	16 oz. (3 $\frac{1}{16}$ in.)	8-26-63	14 oz. (3 $\frac{1}{16}$ in.)	9-9-63	12 oz. (3 $\frac{1}{16}$ in.)	9-23-63
Peterson	8-19-63	12 oz. (3 $\frac{1}{16}$ in.)	9-16-63				
Catalina	8-19-63	18 oz.	9-30-63				
Pinelli	8-26-63	16 oz.	9-16-63				
Tonnage	8-26-63	14 oz. (3 $\frac{1}{16}$ in.)	9-2-63	12 oz. (3 $\frac{1}{16}$ in.)	9-9-63	10 oz. (2 $\frac{1}{16}$ in.)	9-16-63
Booth 8	9-9-63	16 oz. (3 $\frac{1}{16}$ in.)	9-23-63	15 oz. (3 $\frac{1}{16}$ in.)	10-7-63	13 oz. (3 $\frac{1}{16}$ in.)	10-21-63
Simpson	10-7-63	16 oz.	10-28-63				
B. Prince	9-30-63	do	10-21-63				
Lula	10-21-63	18 oz. (3 $\frac{1}{16}$ in.)	11-4-63	14 oz. (3 $\frac{1}{16}$ in.)	11-18-63		
Booth 7	10-14-63	16 oz. (3 $\frac{1}{16}$ in.)	10-28-63	14 oz. (3 $\frac{1}{16}$ in.)	11-11-63		
Vaca	10-7-63	16 oz. (3 $\frac{1}{16}$ in.)	10-28-63				
Hickson	10-7-63	15 oz. (3 $\frac{1}{16}$ in.)	10-28-63				
Collinson	9-30-63	16 oz. (3 $\frac{1}{16}$ in.)	10-28-63				
Avon	10-14-63	15 oz. (3 $\frac{1}{16}$ in.)	11-4-63				
Booth 5	10-7-63	16 oz. (3 $\frac{1}{16}$ in.)	10-28-63				
Blair	9-30-63	14 oz.	10-21-63				
Winslowson	10-14-63	18 oz. (3 $\frac{1}{16}$ in.)	11-4-63				
Monroe	10-21-63	24 oz.	11-18-63				
Hall	10-21-63	20 oz. (3 $\frac{1}{16}$ in.)	11-4-63				
Herman	10-21-63	16 oz. (3 $\frac{1}{16}$ in.)	11-18-63				
Booth 10	10-14-63	16 oz. (3 $\frac{1}{16}$ in.)	11-11-63				
Booth 11	10-14-63	16 oz.	11-4-63				
Ajax (B.7B)	10-28-63	18 oz. (3 $\frac{1}{16}$ in.)	11-18-63				
Booth 3	10-28-63	16 oz. (3 $\frac{1}{16}$ in.)	11-18-63				
Booth 1	10-28-63	16 oz. (3 $\frac{1}{16}$ in.)	11-18-63				
Taylor	10-28-63	14 oz. (3 $\frac{1}{16}$ in.)	11-18-63				
Choquette	10-21-63	24 oz.	11-18-63				
Linda	11-18-63	18 oz.	12-9-63				
Byars	11-18-63	16 oz.	12-9-63				
Nabal	11-18-63	14 oz.	12-9-63				
Wagner	12-9-63	12 oz.	12-30-63				
Schmidt	1-20-64						
Itzama	2-17-64						

(3) During the period from 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 2 of Table I and 12:01 a.m., e.s.t. of the date listed for the respective variety in Column 4 of such table, no handler shall handle any avocados of such variety unless the individual fruit weighs at least the ounces specified for the respective variety in Column 3 of such table or is of at least the diameter specified for such variety in said Column 3;

(4) During the period from 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 4 of Table I and 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 6 of such table, no handler shall handle any avocados of such variety unless the individual fruit weighs at least the ounces specified for the respective variety in Column 5 of such table or is of at least the diameter specified for such variety in said Column 5;

(5) During the period from 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 6 of Table I and 12:01 a.m., e.s.t., of the date listed for the respective variety in Column 8 of such table, no handler shall handle any avocados of such variety unless the individual fruit weighs at least the ounces specified for the respective variety in Column 7 of such table or is of at least the diameter specified for such variety in said Column 7;

(6) During the period beginning at 12:01 a.m., e.s.t., October 21, 1963, and ending at 12:01 a.m., e.s.t., November 11, 1963, no handler shall handle any avocados of the Booth 8 variety unless the individual fruit in each lot of such avocados weighs at least 11 ounces or is at least 3 $\frac{1}{16}$  inches in diameter;

(7) Except as otherwise provided in subparagraphs (9) and (10) of this paragraph, varieties of the West Indian type of avocados not listed in Table I shall not be handled except in accordance with the following terms and conditions:

(i) Such avocados shall not be handled prior to 12:01 a.m., e.s.t., June 24, 1963.

(ii) During the period beginning at 12:01 a.m., e.s.t., June 24, 1963, and ending at 12:01 a.m., e.s.t., July 8, 1963, the individual fruit in each lot of such avocados shall weigh at least 16 ounces.

(iii) During the period beginning at 12:01 a.m., e.s.t., July 8, 1963, and ending at 12:01 a.m., e.s.t., July 29, 1963, the individual fruit in each lot of such avocados shall weigh at least 14 ounces.

(iv) During the period beginning at 12:01 a.m., e.s.t., July 29, 1963, and ending at 12:01 a.m., e.s.t., September 16, 1963, the individual fruit in each lot of such avocados shall weigh at least 12 ounces.

(8) Except as otherwise provided in subparagraphs (9) and (10) of this paragraph, varieties of avocados not covered

United States of any avocados is prohibited unless such avocados are inspected and meet the following requirements:

(1) All avocados imported during the period beginning at 12:01 a.m., e.s.t., June 3, 1963, and ending at 12:01 a.m., e.s.t., April 30, 1964, shall grade not less than U.S. No. 2.

(2) Avocados of the Pollock variety shall not be imported (i) prior to 12:01 a.m., e.s.t., July 15, 1963, and (ii) during the period beginning at 12:01 a.m., e.s.t., July 15, 1963, and ending at 12:01 a.m., e.s.t., August 12, 1963, unless the individual fruit in each lot of such avocados weigh at least 18 ounces or measure at least  $3\frac{1}{16}$  inches in diameter.

(3) Avocados of the Catalina variety shall not be imported (i) prior to 12:01 a.m., e.s.t., August 19, 1963; and (ii) during the period beginning at 12:01 a.m., e.s.t., August 19, 1963, and ending at 12:01 a.m., e.s.t., September 30, 1963, unless the individual fruit in each lot of such avocados weigh at least 18 ounces.

(4) Avocados of the Trapp variety shall not be imported (i) prior to 12:01 a.m., e.s.t., August 12, 1963; and (ii) during the period beginning at 12:01 a.m., e.s.t., August 12, 1963, and ending at 12:01 a.m., e.s.t., September 9, 1963, unless the individual fruit in each lot of such avocados weigh at least 12 ounces or measure at least  $3\frac{1}{16}$  inches in diameter.

(5) Avocados of any variety not specified in paragraphs (2) through (4) hereof shall not be imported (i) prior to June 24, 1963; and (ii) during the period beginning at 12:01 a.m., e.s.t., June 24, 1963, and ending at 12:01 a.m., e.s.t., July 8, 1963, unless the individual fruit in each lot of such avocados weigh at least 16 ounces; (iii) during the period beginning at 12:01 a.m., e.s.t., July 8, 1963, and ending at 12:01 a.m., e.s.t., July 29, 1963, unless the individual fruit in each lot of such avocados weigh at least 14 ounces; and (iv) during the period beginning at 12:01 a.m., e.s.t., July 29, 1963, and ending at 12:01 a.m., e.s.t., September 16, 1963, unless the individual fruit in each lot of such avocados weigh at least 12 ounces: *Provided*, That the provisions of subparagraphs (2) through (5) of this paragraph shall not apply to any variety of avocados which, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color for that fruit when mature.

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

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of avocados that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of avocados, is required on all imports of avocados. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of avocados should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the avocados will be imported:

Ports	Office	Advance notice
All Texas points.	W. T. McNabb, 222 McClendon Bldg., Harlingen, Tex. (phone—Garfield 3-5644).	1 day.
	or	
	Norman E. Taylor, room 204, U.S. Courthouse, El Paso, Tex. (phone—Keystone 3-9351, Extension 340).	Do.
All New York points.	Edward J. Beller, 346 Broadway, room 306, New York 13, N.Y. (phone—Rector 2-8000, Extension 807).	Do.
All Arizona points.	R. H. Bertelson, room 202, Trust Bldg., Nogales, Ariz. (phone—Atwater 7-2902).	Do.
All Florida points.	Lloyd W. Boney, 1200 Northwest 21 Terrace, room 5, Miami, Fla. (phone—Franklin 1-6932).	Do.
	or	
	Hubert S. Flynt, 775 Warner Street, Orlando, Fla. (phone—Garden 2-2447).	Do.
All California points.	Carley D. Williams, 784 South Central Ave., room 294, Los Angeles 21, Calif. (phone—Madison 2-8756).	3 days.
All other points.	E. E. Conklin, Fruit and Vegetable Division, Agricultural Marketing Service, Washington 25, D.C. (phone—Dudley 8-5870).	Do.

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

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (7 CFR Part 51). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any avocados to be im-

ported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificate;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipments; and

(7) The following statement, if the facts warrant: Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended.

(f) Notwithstanding any other provisions of this regulation, any importation of avocados which, in the aggregate, does not exceed 55 pounds may be imported without regard to the restrictions specified herein.

(g) It is hereby determined, on the basis of the information currently available, that the requirements set forth in this regulation are comparable to the maturity and quality regulations applicable, prior to the effective time hereof, to shipments of avocados grown in south Florida.

(h) No provisions of this section shall supersede the restrictions or prohibitions on avocados under the Plant Quarantine Act of 1912.

(i) Nothing contained in this section shall be deemed to preclude any importer from reconditioning prior to importation any shipment of avocados for the purpose of making it eligible for importation.

(j) The terms relating to grade and diameter, if used herein, shall have the same meaning as when used in the United States Standards for Florida Avocados (7 CFR 51.3050-51.3069). Importation means release from custody of the United States Bureau of Customs.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to postpone the effective time of this regulation beyond that hereinafter specified (5 U.S.C. 1001-1011) in that (a) maturity and quality restrictions are being made applicable to shipments of avocados produced in south Florida and the requirements of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), make such import regulation mandatory; (b) such domestic and import restrictions should become effective at as near the same time as is reasonably practicable; (c) notice that this action was being considered was published in the FEDERAL REGISTER issue of April 26, 1963 (28 F.R. 4138); (d) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time hereof; (e) notice hereof in excess of 3 days, the minimum that is prescribed by said section 8e, is given with respect to this import regulation; and (f) such notice is hereby determined, under the circumstances, to be reasonable.

Dated, May 14, 1963, to become effective at 12:01 a.m., e.s.t., May 23, 1963. (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

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

[F.R. Doc. 63-5361; Filed, May 17, 1963;  
8:50 a.m.]

## Chapter XIV—Commodity Credit Corporation, Department of Agriculture

### SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regulations, 1963 Crop Oats Supp.]

## PART 1421—GRAINS AND RELATED COMMODITIES

### Subpart—1963 Crop Oats Loan and Purchase Agreement Program

The C.C.C. grain price support regulations governing price support for the 1963 and subsequent crops (28 F.R. 2890) issued by the Commodity Credit Corporation which contain regulations of a general nature with respect to price support operations are supplemented for the 1963-crop of oats as follows:

Sec.	Purpose.
1421.2601	Purpose.
1421.2602	Availability of price support.
1421.2603	Eligible oats.
1421.2604	Determination of quality.
1421.2605	Determination of quantity.
1421.2606	Warehouse receipts.
1421.2607	Warehouse charges.
1421.2608	Maturity of loans.
1421.2609	Support rates.

**AUTHORITY:** §§ 1421.2601 to 1421.2609 issued under sec. 4, 62 Stat. 1070 as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 105, 401, 63 Stat. 1051 as amended; 15 U.S.C. 714c, 7 U.S.C. 1421, 1441.

#### § 1421.2601 Purpose.

This supplement contains additional program provisions which, together with the applicable provisions of the general regulations governing price support for the 1963 and subsequent crops and any amendments thereto, apply to loans and purchase agreements for 1963-crop oats.

#### § 1421.2602 Availability of price support.

Price support will be available from harvest through January 31, 1964.

#### § 1421.2603 Eligible oats.

The oats must meet the requirements of this section in addition to other eligibility requirements of the program in order to be eligible for price support.

(a) *Grade requirements.* Oats when placed under loan, and oats under purchase agreement which are 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.

(1) The oats must grade No. 3 or better, or No. 4 on the factor of test weight only but otherwise No. 3 or better, may have the special grade designation

Garlicky, and in the States of Alaska and Maine only may have the special grade designation Tough under the conditions of subparagraph 3 below.

(2) Oats must not grade Smutty, Ergoty, Bleached, Thin or otherwise of distinctly low quality.

(3) Oats must not grade Weevily or Tough unless represented by a warehouse receipt accompanied by a supplemental certificate which provides that the warehouseman shall deliver oats which do not contain such designation(s) and which are otherwise of an eligible grade and quality. The grade, quality and quantity shown on the supplemental certificate shall be as provided in § 1421.2606(b).

(4) Notwithstanding the provisions of subparagraph (3) of this paragraph, if in the States of Alaska and Maine the State committee determines that oats containing more than 14 percent moisture can be safely stored, it may establish a maximum moisture limitation in excess of such amount but not to exceed 16 percent. If the maximum moisture limitation is less than 16 percent and the oats contain more than such limit but not more than 16 percent moisture, oats which otherwise comply with the terms of the program shall be eligible for price support if represented by a warehouse receipt accompanied by a supplemental certificate which provides that the warehouseman shall deliver oats which do not exceed the maximum moisture limitation and which are otherwise of an eligible grade and quality. The supplemental certificate shall contain the grade, quality, and quantity as specified in § 1421.2606(b).

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

(c) *Purchase agreements—pre-delivery inspection.* Except as provided in § 1421.23(b)(3), oats under purchase agreements stored in other than approved warehouse storage must meet the requirements of paragraph (a) and (b) of this section on the basis of a pre-delivery inspection.

#### § 1421.2604 Determination of quality.

The grade, grading factors and all other quality factors shall be based on the official grain standards of the United States for oats, whether or not the determination is made on the basis of an official inspection.

#### § 1421.2605 Determination of quantity.

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

(b) *On farm.* The quantity placed under farm-storage loan may be determined either by weight or by measurement. The quantity acquired under a farm-storage loan or a purchase agree-

ment shall be determined by weight. When the quantity is determined by weight, a bushel shall be 32 pounds of oats. In determining the quantity of sacked oats by weight, a deduction of  $\frac{3}{4}$  of a pound for each sack shall be made.

(1) *Adjustment for test weight.* When the quantity is determined by measurement, a bushel shall be 1.25 cubic feet of oats testing 32 pounds per bushel. The quantity determined for oats of a different test weight shall be adjusted by the applicable percentage in the following table:

Test weight (pounds per bushel):	Percent
40 or over.....	125
39 or over, but less than 40.....	121
38 or over, but less than 39.....	118
37 or over, but less than 38.....	115
36 or over, but less than 37.....	112
35 or over, but less than 36.....	109
34 or over, but less than 35.....	106
33 or over, but less than 34.....	103
32 or over, but less than 33.....	100
31 or over, but less than 32.....	96
30 or over, but less than 31.....	93
29 or over, but less than 30.....	90
28 or over, but less than 29.....	87
27 or over, but less than 28.....	84

(2) *Adjustment for pack factor.* The State committee shall determine if a pack factor is to be used to determine the quantity of oats eligible for a farm-storage loan. Where the State committee determines that a pack factor shall be used, the quantity of oats as determined above shall be multiplied by the pack factor of 1.15, unless the quantity exceeds 4,000 bushels and the height of the oats in the bin exceeds five feet, in which case such quantity shall be multiplied by the pack factor of 1.25.

#### § 1421.2606 Warehouse receipts.

Warehouse receipts tendered to CCC in connection with a loan or purchase agreements must meet the requirements of this section.

(a) A separate warehouse receipt must be submitted for each grade and class of oats.

(b) *Entries for weight and grade.* Each warehouse receipt, or the warehouseman's supplemental certificate properly identified with the warehouse receipt must show: (1) Net weight and bushels, (2) class, (3) grade (including special grades), (4) test weight, (5) any other grading factor(s) when such factor(s) and not test weight determine the grade. If the warehouse receipt indicates the oats are ineligible because of grading "Tough" or "Weevily" the warehouse receipt must be accompanied by a supplemental certificate as provided in § 1421.2603(a)(3) in order for the oats to be eligible for price support. The grade, grading factors and the quantity to be delivered must be shown on the supplemental certificate as follows: (i) When the warehouse receipt indicates "Weevily" and the oats have been conditioned to remove the "Weevily" designation, the supplemental certificate must show grade and grading factors as good as or better than those on the warehouse

receipt and the same quantity as on the warehouse receipt. (ii) When the warehouse receipt indicates "Tough" and the oats have been dried or processed, the supplemental certificate must show the grade, grading factors and quantity after drying or processing. (iii) The supplemental certificate must state that no lien for processing will be claimed by the warehouseman from Commodity Credit Corporation or any subsequent holder of the warehouse receipt. (iv) In the case of conditions (i) and (ii) above, the grade and grading factors and the quantity shown on the supplemental certificate shall supersede the entries for such items on the warehouse receipts.

(c) *Liens.* The warehouse receipts may be subject to liens for warehouse charges only to the extent indicated in the Section 1421.2607.

§ 141.2607 Warehouse charges.

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

(b) *Deduction of storage charges—UGSA warehouses.* The table shown below provides the deduction for storage charges to be made from the amount of the loan or purchase price in the case of oats stored in an approved warehouse operated under the Uniform Grain Storage Agreement. Such deduction shall be based on entries shown on the warehouse receipts. If written evidence is submitted with the warehouse receipt that all warehouse charges except receiving and loading out charges have been prepaid through the applicable loan maturity date, no storage deductions shall be made. If such written evidence is not submitted, the date to be used for computing the storage deduction on oats stored in warehouses operating under the Uniform Grain Storage Agreement shall be the latest of the following:

- (1) The date of deposit
- (2) The date storage charges start or
- (3) The day following the date through which the storage charges have been paid.

If none of the foregoing dates are shown the date of the warehouse receipt shall be used.

SCHEDULE OF DEDUCTIONS FOR STORAGE CHARGES BY MATURITY DATES

Feb. 9, 1964	Deduction (cents per bushel)	Apr. 30, 1964
<i>Storage start date</i> <sup>1</sup>		<i>Storage start date</i> <sup>1</sup>
	11	Prior to Apr. 29, 1963.
Prior to May 8, 1963.	10	Apr. 29–June 2, 1963.
May 8–June 11, 1963.	9	June 3–July 7, 1963.
June 12–July 16, 1963.	8	July 8–Aug. 11, 1963.
	7	Aug. 12–Sept. 15, 1963.
July 17–Aug. 20, 1963.	6	Sept. 16–Oct. 20, 1963.
Aug. 21–Sept. 24, 1963.	5	Oct. 21–Nov. 24, 1963.
Sept. 25–Oct. 29, 1963.	4	Nov. 25–Dec. 29, 1963.
Oct. 30–Dec. 3, 1963.	3	Dec. 30, 1963–Feb. 2, 1964.
Dec. 4, 1963–Jan. 7, 1964.	2	Feb. 3–Mar. 8, 1964.
Jan. 8–Feb. 29, 1964.	1	Mar. 9–Apr. 30, 1964.

<sup>1</sup> All dates inclusive.

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

§ 1421.2608 Maturity of loans.

Unless demand is made earlier, loans on oats stored in the States of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, North Carolina, Pennsylvania, South Carolina, Tennessee, Virginia, and West Virginia, mature on February 29, 1964, and loans on oats stored in all other States mature on April 30, 1964.

§ 1421.2609 Support rates.

Price support rates will be added by amendment at a later date.

Effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 15, 1963.

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

[F.R. Doc. 63-5368; Filed, May 17, 1963; 8:51 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Peace Corps

Effective upon publication in the FEDERAL REGISTER, paragraph (v) is added to § 6.368 as set out below.

§ 6.368 Peace Corps.

\* \* \* \* \*

(v) The Director, Division of Planning, Office of Planning and Evaluation. (R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

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

[F.R. Doc. 63-5347; Filed, May 17, 1963; 8:49 a.m.]

Chapter III—Foreign and Territorial Compensation

PART 301—ADDITIONAL COMPENSATION AND CREDIT GRANTED CERTAIN EMPLOYEES OF THE FEDERAL GOVERNMENT SERVING OUTSIDE THE UNITED STATES

EDITORIAL NOTE: Because Part 350 remains in effect in Chapter III, the Editorial Note published at page 4811 in the FEDERAL REGISTER dated May 15, 1963, should be corrected by deleting the last paragraph.

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 74—SCABIES IN SHEEP

Interstate Movement

Pursuant to the provisions of sections 1 through 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 4 through 7 of the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126), §§ 74.2 and 74.3 of Part 74, Subchapter C, Chapter I, Title 9, Code of Federal Regulations, as amended, are hereby amended to read, respectively, as follows:

§ 74.2 Designation of free and infected areas.

(a) Notice is hereby given that sheep in the following States, Territories, and District, or parts thereof as specified, are

not known to be infected with scabies, and such States, Territories, District, and parts thereof, are hereby designated as free areas:

(1) Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Idaho, Kansas, Louisiana, Maine, Maryland, Massachusetts, Montana, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Puerto Rico, Rhode Island, South Carolina, South Dakota, Texas, Utah, Vermont, Washington, Wisconsin, and Wyoming;

(2) The following counties in Nebraska: Arthur, Banner, Blaine, Box Butte, Brown, Chase, Cherry, Cheyenne, Dawes, Deuel, Dundy, Garden, Grant, Hooker, Keith, Keya Paha, Kimball, Loup, Morrill, Perkins, Rock, Sheridan, Sioux, Scotts Bluff, and Thomas;

(3) The following counties in Michigan: Alcona, Alger, Alpena, Antrim, Baraga, Benzie, Charlevoix, Cheboygan, Chippewa, Crawford, Delta, Dickinson, Emmet, Gogebic, Grand Traverse, Houghton, Iron, Kalkaska, Keweenaw, Leelanau, Luce, Mackinac, Manistee, Marquette, Menominee, Missaukee, Montmorency, Ontonagon, Oscoda, Otsego, Presque Isle, Roscommon, Schoolcraft, and Wexford;

(4) The following counties in Hawaii: Honolulu, Kauai, and Maui;

(5) All counties in Mississippi except Bolivar and Washington;

(6) St. John and St. Thomas Islands of the Virgin Islands of the United States;

(7) The following counties in Missouri: Jackson, Lafayette, Saline, Cooper, Moniteau, Cole, Osage, Gasconade, Franklin, St. Louis, and all Counties in the State of Missouri lying south thereof.

(b) Notice is hereby given also that sheep scabies exists in all States and Territories and parts of States not designated as free areas in paragraph (a) of this section, and they are hereby designated as infected areas.

#### § 74.3 Designation of eradication areas.

(a) Notice is hereby given that sheep in the following States, Territory, or parts thereof as specified, are being handled systematically to eradicate scabies in sheep, and such States, Territory, and parts thereof, are hereby designated as eradication areas:

(1) Illinois, Kentucky, Minnesota, New Jersey, Pennsylvania, Tennessee, and Virginia;

(2) All counties in Nebraska except Arthur, Banner, Blaine, Box Butte, Brown, Chase, Cherry, Cheyenne, Dawes, Deuel, Dundy, Garden, Grant, Hooker, Keith, Keya Paha, Kimball, Loup, Morrill, Perkins, Rock, Sheridan, Sioux, Scotts Bluff, and Thomas;

(3) All counties in Hawaii except Honolulu, Kauai, and Maui;

(4) The following counties in Michigan: Allegan, Arenac, Barry, Bay, Berrien, Branch, Calhoun, Cass, Clare, Clinton, Eaton, Genesee, Gladwin, Gratiot, Hillsdale, Huron, Ingham, Ionia, Iosco, Isabella, Jackson, Kalamazoo, Kent, Lake, Lapeer, Lenawee, Livingston, Macomb, Mason, Mecosta, Midland, Mon-

roe, Montcalm, Muskegon, Newaygo, Oakland, Oceana, Ogemaw, Osceola, Otawa, Saginaw, Sanilac, Shiawassee, St. Clair, St. Joseph, Tuscola, Van Buren, Washtenaw, and Wayne;

(5) The following counties in Mississippi: Bolivar and Washington;

(6) The following counties in West Virginia: Berkeley, Fayette, Grant, Greenbrier, Hampshire, Hardy, Jefferson, Mercer, Mineral, Monroe, Morgan, Nicholas, Pendleton, Pocahontas, Raleigh, Randolph, Summers, Tucker, Upshur, and Webster;

(7) St. Croix Island of the Virgin Islands of the United States.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126; 19 F.R. 74, as amended)

*Effective date.* The foregoing amendments shall become effective upon issuance.

The amendments add the entire State of Maryland, and Jackson, Lafayette, Saline, Cooper, Moniteau, Cole, Osage, Gasconade, Franklin, and St. Louis Counties and all counties in the State of Missouri lying south thereof, to the list of free areas and delete such State and specified counties from the list of infected and eradication areas as sheep scabies is no longer known to exist therein. Hereafter, the restrictions pertaining to the interstate movement of sheep from or into infected and eradication areas as contained in 9 CFR Part 74, as amended, will not apply to such State and specified counties. However, the restrictions in said Part 74 pertaining to the interstate movement of sheep from or into free areas will apply thereto.

The amendments relieve certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest, and the amendments may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 14th day of May 1963.

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

[F.R. Doc. 63-5363; Filed, May 17, 1963; 8:50 a.m.]

## PART 78—BRUCELLOSIS IN DOMESTIC ANIMALS

### Subpart D—Designation of Modified Certified Brucellosis Areas, Public Stockyards, Specifically Approved Stockyards, and Slaughtering Establishments

#### MODIFIED CERTIFIED BRUCELLOSIS AREAS

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code of

Federal Regulations, containing restrictions on the interstate movement of animals because of brucellosis, under sections 4, 5, and 13 of the Act of May 29, 1884, as amended; sections 1 and 2 of the Act of February 2, 1903, as amended; and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.13 of said regulations designating modified certified brucellosis areas is hereby amended to read as follows:

#### § 78.13 Modified certified brucellosis areas.

The following States, or specified portions thereof, are hereby designated as modified certified brucellosis areas:

*Alabama.* Baldwin, Barbour, Blount, Calhoun, Chambers, Cherokee, Clay, Cleburne, Coffee, Coosa, Covington, Cullman, Dale, De Kalb, Escambia, Etowah, Geneva, Henry, Houston, Jackson, Lauderdale, Lawrence, Lee, Limestone, Macon, Madison, Marion, Marshall, Morgan, Randolph, Russell, St. Clair, Talladega, Tallapoosa, and Winston Counties;

*Arizona.* The entire State;

*Arkansas.* The entire State;

*California.* The entire State;

*Colorado.* Alamosa, Archuleta, Baca, Chaffee, Clear Creek, Conejos, Costilla, Custer, Delta, Denver, Dolores, Eagle, Garfield, Gilpin, Gunnison, Hinsdale, Huerfano, Jefferson, Kit Carson, La Plata, Las Animas, Lincoln, Logan, Mesa, Mineral, Moffat, Montezuma, Montrose, Morgan, Ouray, Phillips, Pitkin, Pueblo, Rio Grande, Saguache, San Juan, San Miguel, Sedgwick, Washington, and Yuma Counties; and Southern Ute Indian Reservation and Ute Mountain Ute Reservation;

*Connecticut.* The entire State;

*Delaware.* The entire State;

*Florida.* Baker, Bay, Bradford, Calhoun, Columbia, Dixie, Escambia, Flagler, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Leon, Levy, Liberty, Madison, Nassau, Okaloosa, Santa Rosa, Suwannee, Taylor, Union, Wakulla, Walton, and Washington Counties;

*Georgia.* The entire State;

*Idaho.* The entire State;

*Illinois.* Alexander, Bond, Boone, Bureau, Calhoun, Carroll, Cass, Champaign, Christian, Clark, Clay, Clinton, Coles, Cook, Crawford, Cumberland, De Kalb, De Witt, Douglas, Du Page, Edgar, Edwards, Effingham, Fayette, Ford, Franklin, Gallatin, Greene, Grundy, Hamilton, Hancock, Hardin, Iroquois, Jackson, Jasper, Jefferson, Jersey, Jo Daviess, Johnson, Kane, Kankakee, Kendall, Knox, Lake, La Salle, Lawrence, Lee, Livingston, Logan, McHenry, McLean, Macon, Macoupin, Madison, Marion, Marshall, Mason, Massac, Menard, Mercer, Monroe, Montgomery, Morgan, Moultrie, Ogle, Peoria, Perry, Piatt, Pulaski, Putnam, Randolph, Richland, Rock Island, St. Clair, Saline, Sangamon, Scott, Shelby, Stark, Stephenson, Tazewell, Union, Vermilion, Wabash, Warren, Washington, Wayne, White, Whiteside, Will, Williamson, Winnebago, and Woodford Counties;

*Indiana.* The entire State;

*Iowa.* Audubon, Boone, Carroll, Clinton, Delaware, Dickinson, Emmet, Fayette, Greene, Hamilton, Lyon, Mitchell, Monona, O'Brien, Osceola, Palo Alto, Pocahontas, Polk, Sac, Scott, Shelby, Wapello, Warren, Winnebago, Woodbury, and Wright Counties;

*Kansas.* Allen, Anderson, Atchison, Barber, Barton, Brown, Butler, Chase, Chautauque, Cheyenne, Clark, Clay, Cloud, Coffey, Comanche, Decatur, Dickinson, Doniphan, Douglas, Edwards, Ellis, Finney, Ford, Franklin, Geary, Gove, Graham, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Haskell, Hodgeman, Jackson, Jefferson, Jewell, John-

son, Kearney, Kingman, Kiowa, Lane, Leavenworth, Lincoln, Linn, Logan, Lyon, Marion, Marshall, Meade, Miami, Mitchell, Morris, Morton, Nemaha, Neosho, Ness, Norton, Osage, Osborne, Ottawa, Pawnee, Phillips, Pottawatomie, Pratt, Rawlins, Reno, Rice, Riley, Rooks, Rush, Russell, Saline, Scott, Sedgwick, Seward, Shawnee, Sheridan, Sherman, Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wabaunsee, Wallace, Washington, Wichita, Wilson, Woodson, and Wyandotte Counties;

**Kentucky.** Adair, Allen, Anderson, Ballard, Barren, Bath, Bell, Boone, Boyd, Boyle, Bracken, Breathitt, Breckinridge, Bullitt, Butler, Caldwell, Calloway, Campbell, Carlisle, Carroll, Carter, Casey, Christian, Clay, Clinton, Crittenden, Cumberland, Daviess, Edmonson, Elliott, Estill, Fleming, Floyd, Franklin, Fulton, Gallatin, Grant, Graves, Grayson, Green, Greenup, Hancock, Hardin, Harlan, Harrison, Hart, Henderson, Henry, Hickman, Hopkins, Jackson, Jefferson, Johnson, Kenton, Knott, Knox, Larue, Laurel, Lawrence, Lee, Leslie, Letcher, Lewis, Lincoln, Livingston, Logan, Lyon, McCracken, McCreary, McLean, Magoffin, Marion, Marshall, Martin, Mason, Meade, Menifee, Mercer, Metcalfe, Monroe, Morgan, Muhlenberg, Nelson, Nicholas, Ohio, Oldham, Owen, Owsley, Pendleton, Perry, Pike, Powell, Pulaski, Robertson, Rockcastle, Rowan, Russell, Scott, Shelby, Simpson, Spencer, Taylor, Todd, Trigg, Trimble, Union, Warren, Washington, Wayne, Webster, Whitley, and Wolfe Counties;

**Louisiana.** Ascension, Assumption, Bienville, Claiborne, St. Helena, St. James, St. John the Baptist, Tangipahoa, Washington, and Webster Parishes;

**Maine.** The entire State;

**Maryland.** The entire State;

**Massachusetts.** The entire State;

**Michigan.** The entire State;

**Minnesota.** The entire State;

**Mississippi.** Alcorn, Amite, Attala, Benton, Choctaw, Clay, Covington, Forrest, Franklin, George, Greene, Hancock, Harrison, Itawamba, Jackson, Jasper, Jefferson Davis, Jones, Lamar, Lawrence, Leake, Lee, Lincoln, Lowndes, Marion, Monroe, Neshoba, Newton, Oktibbeha, Pearl River, Perry, Pike, Pontotoc, Prentiss, Simpson, Smith, Stone, Tallahatchie, Tippah, Tishomingo, Union, Walthall, Webster, Winston, and Yalobusha Counties;

**Missouri.** The entire State;

**Montana.** Beaverhead, Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Daniels, Dawson, Deer Lodge, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Granite, Hill, Jefferson, Judith Basin, Lake, Lewis and Clark, Liberty, Lincoln, McCone, Madison, Meagher, Mineral, Missoula, Musselshell, Park, Petroleum, Phillips, Pondera, Powell, Prairie, Ravalli, Richland, Roosevelt, Rosebud, Sanders, Sheridan, Silver Bow, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux, and Yellowstone Counties;

**Nebraska.** Adams, Banner, Boone, Burt, Butler, Cass, Cedar, Chase, Cheyenne, Clay, Colfax, Cuming, Dakota, Deuel, Dixon, Dodge, Douglas, Dundy, Fillmore, Franklin, Frontier, Furnas, Gage, Gosper, Hall, Hamilton, Harlan, Hayes, Hitchcock, Howard, Jefferson, Johnson, Kearney, Kimball, Lancaster, Madison, Merrick, Nance, Nemaha, Nuckolls, Otoe, Pawnee, Perkins, Phelps, Pierce, Platte, Polk, Richardson, Saline, Sarpy, Saunders, Seward, Stanton, Thayer, Thurston, Washington, Wayne, Webster, and York Counties;

**Nevada.** The entire State;

**New Hampshire.** The entire State;

**New Jersey.** The entire State;

**New Mexico.** The entire State;

**New York.** The entire State;

**North Carolina.** The entire State;

**North Dakota.** Adams, Barnes, Benson, Billings, Bottineau, Bowman, Burke, Cass, Cavalier, Divide, Dunn, Eddy, Emmons,

Foster, Golden Valley, Grand Forks, Grant, Griggs, Hettinger, Kidder, LaMoure, McHenry, McKenzie, McLean, Mercer, Morton, Mount-rail, Nelson, Oliver, Pembina, Pierce, Ramsey, Ransom, Renville, Richland, Rolette, Sargent, Sheridan, Slope, Stark, Steele, Stutsman, Towner, Traill, Walsh, Ward, Wells, and Williams Counties;

**Ohio.** Allen, Athens, Auglaize, Belmont, Butler, Carroll, Champaign, Clark, Clinton, Columbiana, Coshocton, Crawford, Cuyahoga, Darke, Defiance, Delaware, Fayette, Franklin, Fulton, Greene, Guernsey, Hancock, Hardin, Harrison, Henry, Hocking, Holmes, Huron, Jackson, Knox, Lake, Lawrence, Licking, Logan, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Meigs, Mercer, Miami, Monroe, Montgomery, Morgan, Morrow, Muskingum, Noble, Ottawa, Paulding, Perry, Pickaway, Pike, Portage, Preble, Putnam, Ross, Sandusky, Scioto, Seneca, Shelby, Stark, Summit, Tuscarawas, Union, Van Wert, Vinton, Warren, Washington, Wayne, Williams, Wood, and Wyandot Counties;

**Oklahoma.** Adair, Canadian, Choctaw, Cimarron, Delaware, Grant, Mayes, Noble, Nowata, Ottawa, Payne, and Pushmataha Counties;

**Oregon.** The entire State;

**Pennsylvania.** The entire State;

**Rhode Island.** The entire State;

**South Carolina.** The entire State;

**South Dakota.** Brookings, Buffalo, Butte, Campbell, Clark, Clay, Codington, Custer, Day, Deuel, Edmunds, Faulk, Grant, Hamlin, Hand, Harding, Jerauld, Lake, Lawrence, Lincoln, McCook, McPherson, Marshall, Miner, Minnehaha, Moody, Perkins, Roberts, Sanborn, Spink, Turner, Union, Walworth, and Ziebach Counties, and Crow Creek Indian Reservation;

**Tennessee.** The entire State;

**Texas.** Andrews, Armstrong, Bailey, Bandera, Baylor, Blanco, Borden, Brewster, Briscoe, Brown, Burnet, Callahan, Cameron, Castro, Childress, Cochran, Coke, Coleman, Comal, Comanche, Concho, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Eastland, Ector, Edwards, El Paso, Fisher, Gaines, Garza, Gillespie, Glasscock, Hardeman, Hartley, Haskell, Hays, Hidalgo, Howard, Hudspeth, Irion, Jeff Davis, Jones, Kendall, Kerr, Kimble, King, Kinney, Lampasas, Lipscomb, Llano, Loving, McCulloch, Martin, Mason, Menard, Midland, Mills, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Presidio, Reagan, Real, Reeves, Runnels, San Saba, Schleicher, Scurry, Shackelford, Sherman, Stephens, Sterling, Stonewall, Sutton, Swisher, Taylor, Terry, Throckmorton, Tom Green, Travis, Upton, Val Verde, Ward, Winkler, Yoakum, and Young Counties;

**Utah.** The entire State;

**Vermont.** The entire State;

**Virginia.** The entire State;

**Washington.** The entire State;

**West Virginia.** The entire State;

**Wisconsin.** The entire State;

**Wyoming.** Albany, Big Horn, Campbell, Crook, Fremont, Goshen, Hot Springs, Laramie, Niobrara, Park, Platte, Sweetwater, Teton, Uinta, Washakie and Weston Counties; and all of Lincoln County except that portion lying east of a line beginning at the southwest corner of Sublette County and running in a westerly direction to the Bear River Divide; thence running in a southerly direction along the Bear River Divide to U.S. Highway 30; thence running easterly along U.S. Highway 30 to its intersection with U.S. Highway 189; thence running in a southerly direction along U.S. Highway 189 to the Uinta County line;

**Puerto Rico.** The entire area; and **Virgin Islands of the United States.** The entire area.

(Secs. 4, 5, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, sec. 3, 33 Stat. 1265, as amended, sec 13, 65 Stat. 693; 21

U.S.C. 111-113, 114a-1, 120, 121, 125; 19 F.R. 74, as amended; 9 CFR 78.16)

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

The amendment adds the following additional areas to the list of areas designated as modified certified brucellosis areas because it has been determined that such areas comes within the definition of § 78.1(i): Winston County in Alabama; Hardin County in Illinois; Lyon, Ottawa, Saline, and Sumner Counties in Kansas; Bullitt and Caldwell Counties in Kentucky; Washington Parish in Louisiana; and Frontier County in Nebraska.

The amendment deletes Sioux County in North Dakota from the list of areas designated as modified certified brucellosis areas because it has been determined that such county no longer comes within the definition of § 78.1(i).

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and relieves certain restrictions presently imposed. It should be made effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public 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 May 1963.

E. E. SAULMON,  
Acting Director, Animal Disease  
Eradication Division, Agricultural  
Research Service,

[F.R. Doc. 63-5364; Filed, May 17, 1963; 8:51 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket 8536]

#### PART 13—PROHIBITED TRADE PRACTICES

##### Meyers Development Corp., et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*; § 13.30-75 *Textile Fiber Products Identification Act*; § 13.70 *Fictitious or misleading guarantees*; § 1375 *Free goods or services*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*; § 13.1185-80 *Textile Fiber Products Identification Act*. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition*; § 13.1845-70 *Textile Fiber Products Identification Act*; § 13.1852 *Formal regulatory and statutory requirements*; § 13.1852-70 *Textile Fiber Products Identification Act*. Subpart—Using misleading name—Goods: § 13.2280 *Composition*; § 13.2280-

70 Textile Fiber Products Identification Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 72 Stat. 1717; 15 U.S.C. 45, 70) [Cease and desist order, Meyers Development Corporation trading as Fashion Frocks, Inc., et al., Cincinnati, Ohio, Docket 8536, Apr. 25, 1963]

*In the Matter of Meyers Development Corporation, a Corporation, Formerly Fashion Frocks, Inc., Now Trading as Fashion Frocks, Inc., and Philip M. Meyers, Sidney Meyers, Charles H. Jennings, Joseph A. Segal, Arthur L. Ehrmantraut,<sup>1</sup> and Fred J. Schott, Individually and as Officers of Said Corporation*

Order requiring a Cincinnati retail mail order business to cease violating the Textile Fiber Products Identification Act by falsely labeling textile fiber products as to fiber content and by implying falsely on labels and on "style cards"—by use of such terms as "silicura", "linen weave", and otherwise—that certain fibers were present in the product; by failing to disclose on labels the true generic name of fibers present and the percentage thereof and the name of the manufacturer, etc.; by advertising which used terms connoting a fur-bearing animal and which used fiber trademarks improperly; by failing in other respects to comply with labeling and advertising requirements; and by using the word "free" and representing products as guaranteed without required qualification.

The order to cease and desist is as follows:

*It is ordered*, That respondents Meyers Development Corporation, a corporation, formerly Fashion Frocks, Inc., now trading as Fashion Frocks, Inc., and its officers, and Philip M. Meyers, Sidney Meyers, Charles H. Jennings, Arthur L. Ehrmantraut, erroneously named in the Complaint as Arthur L. Ehrmantraut, and Ferd J. Schott, individually and as officers of the said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, delivery for introduction, sale, advertising or offering for sale, in commerce, or the transportation or causing to be transported in commerce, or the importation into the United States, of any textile fiber product; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, of any textile fiber product which has been advertised or offered for sale in commerce; or in connection with the sale, offering for sale, advertising, delivery, transportation, or causing to be transported, after shipment in commerce, of any textile fiber product, whether in its original state or contained in other textile fiber products, as the terms "commerce" and "textile fiber product" are defined in the Textile Fiber Products Identification Act, do forthwith cease and desist from:

A. Misbranding textile fiber products by:

1. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products as to the name or amount of constituent fibers contained therein.

2. Falsely or deceptively stamping, tagging, labeling, invoicing, advertising or otherwise identifying such products by representing, either directly or by implication, that any fibers are present in a textile fiber product when such is not the case.

3. Failing to affix labels to such textile fiber products showing each element of information required to be disclosed by section 4(b) of the Textile Fiber Products Identification Act.

4. Using a fiber trademark on labels affixed to such textile fiber products without the generic name of the fiber appearing on the said label.

5. Using a generic name or fiber trademark on any label, whether required or nonrequired, without making a full and complete fiber content disclosure in accordance with the Act and Regulations the first time such generic name or fiber trademark appears on the label.

6. Using words, symbols, or depictions on labels attached to textile fiber products, which constitute or imply the name or designation of a fiber when such fiber is not present in the aforesaid product.

7. Failing to affix labels showing the respective fiber content and other required information to samples, swatches and specimens of textile fiber products subject to the aforesaid Act which are used to promote or effect sales of such textile fiber products.

B. Falsely and deceptively advertising textile fiber products by:

1. Making any representations, by disclosure or by implication, as to the fiber content of any textile fiber product in any written advertisement which is used to aid, promote, or assist, directly or indirectly, in the sale or offering for sale of such textile fiber product, unless the same information required to be shown on the stamp, tag, label or other means of identification under sections 4(b) (1) and (2) of the Textile Fiber Products Identification Act is contained in the said advertisement, except that the percentages of the fibers present in the textile fiber product need not be stated.

2. Using any name, word, depiction, descriptive matter, or other symbol, which connotes or signifies a fur-bearing animal, unless such products or parts thereof in connection with which the names, words, depictions, descriptive matter or other symbols are used, are furs or fur products within the meaning of the Fur Products Labeling Act; *Provided, however*, That where a textile fiber product contains the hair or fiber of a fur-bearing animal, the name of such animal, in conjunction with the word "fiber", "hair", or "blend" may be used.

3. Using a fiber trademark in advertisements without a full disclosure of the required content information in at least one instance in the said advertisement.

4. Using a fiber trademark in advertising textile fiber products containing more than one fiber without such fiber

trademark appearing in the required fiber content information in immediate proximity and conjunction with the generic name of the fiber in plainly legible type or lettering of equal size and conspicuousness.

5. Using a fiber trademark in advertising textile fiber products containing only one fiber without such fiber trademark appearing at least once in the advertisement, in immediate proximity and conjunction with the generic name of the fiber, in plainly legible and conspicuous type.

6. Using a generic name of a fiber in advertising textile fiber products in such a manner as to be false, deceptive or misleading as to fiber content or to indicate, directly or indirectly, that such textile fiber products are composed wholly or in part of such fiber when such is not the case.

7. Using nonrequired information and representations in said advertising in such a manner as to be false, deceptive or misleading as to the fiber content of the textile fiber products or so as to interfere with, minimize or detract from required information.

*It is further ordered*, That respondents Meyers Development Corporation, a corporation, formerly Fashion Frocks, Inc., now trading as Fashion Frocks, Inc., and its officers, and Philip M. Meyers, Sidney Meyers, Charles H. Jennings, Arthur L. Ehrmantraut, erroneously named in the Complaint as Arthur L. Ehrmantraut, and Ferd J. Schott, individually and as officers of said corporation, and Joseph A. Segal as an officer of said corporation but not individually and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of women's dresses and other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act do forthwith cease and desist from:

A. Using the term "free" or any other term of similar import or meaning, to designate, describe, or refer to wearing apparel, or other merchandise, furnished as compensation for services rendered, unless in close connection therewith all of the conditions, obligations and other prerequisites to the receipt and retention of said wearing apparel or other items of merchandise are clearly and conspicuously set forth.

B. Representing, directly or by implication, that wearing apparel or other merchandise is guaranteed unless the nature and extent of such guaranty and the manner in which the guarantor will perform thereunder are clearly and conspicuously set forth.

*It is further ordered*, That this proceeding be, and it hereby is, dismissed against Joseph A. Segal in his individual capacity.

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

*It is 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

<sup>1</sup> Erroneously named in the complaint as Arthur L. Ehrmantraut.

form in which they have complied with the order to cease and desist.

Issued: April 25, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 63-5359; Filed, May 17, 1963;  
8:50 a.m.]

## Title 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs

[T.D. 55893]

#### PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

#### PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

#### Posting of a Table of Fees in Customs Offices

Section 4a(21) of the Customs Simplification Act of 1956 (70 Stat. 947) repealed section 2635, as amended, Revised Statutes (19 U.S.C. 59), which provided for the posting of a table of certain fees in customs offices. To delete references in the Customs Regulations to former section 59 of title 19 and otherwise to conform the regulations as a result of that change, the regulations are amended as follows:

Section 4.98(a) is amended by substituting the following sentence for the first sentence: A table of navigation fees on customs Form 1010 shall be posted in customs offices.

Part 4 is amended by deleting footnote 137.

(R.S. 161, as amended, 251, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 66, 1624)

The citation of authority for § 24.12 is amended to read:

(Sec. 501, 65 Stat. 290, R.S. 2654, as amended, 4383, as amended, sec. 30, subsec. I, 41 Stat. 1002, as amended, sec. 524, 46 Stat. 741, as amended; 5 U.S.C. 140, 19 U.S.C. 58, 1524, 46 U.S.C. 333, 927)

Footnote 1 appended to § 24.12 is deleted.

(R.S. 161, as amended, 251, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 19 U.S.C. 66, 1624)

[SEAL] N. G. STRUB,  
Acting Commissioner of Customs.

Approved: May 9, 1963.

JAMES A. REED,  
Assistant Secretary of the  
Treasury.

[F.R. Doc. 63-5349; Filed, May 17, 1963;  
8:49 a.m.]

[T.D. 55892]

#### PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

#### Entry of Rented Automobiles Conditionally Free

The issuance of customs Form 4447 does not afford any substantial assist-

ance in the administration of the law authorizing residents of the United States to bring in rented automobiles under certain conditions. The requirement is, therefore, being discontinued.

Section 10.17(n) is accordingly amended to read as follows:

(n) *Rented automobiles.* Under the provisions of paragraph 1798(h), Tariff Act of 1930, as amended, an automobile rented by a resident of the United States while abroad may, without the payment of duty, be brought into the United States for a temporary period not to exceed 30 days by or on behalf of such resident for the transportation of such resident, his family and guests, and such incidental carriage of articles as may be appropriate to his personal use of the automobile. No entry or security for exportation shall be required.

(Secs. 201 (par. 1798), 624, 46 Stat. 683, as amended, 759; 19 U.S.C. 1201 (par. 1798), 1624)

[SEAL] PHILIP NICHOLS, Jr.,  
Commissioner of Customs.

Approved: May 10, 1963.

JAMES POMEROY HENDRICK,  
Acting Assistant Secretary  
of the Treasury.

[F.R. Doc. 63-5348; Filed, May 17, 1963;  
8:49 a.m.]

## Title 21—FOOD AND DRUGS

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

#### SUBCHAPTER B—FOOD AND FOOD PRODUCTS

#### PART 25—DRESSINGS FOR FOODS

#### Mayonnaise, French Dressing, and Salad Dressing; Order Amending Identity Standards

In the matter of amending the standards of identity for mayonnaise, french dressing, and salad dressing to permit the listing of dried egg yolks and dried whole eggs as optional ingredients:

The Commissioner of Food and Drugs has considered the comments received in response to the notice of proposed rule making in the above-referenced matter published in the FEDERAL REGISTER of February 2, 1963 (28 F.R. 1061), and has concluded that it will promote honesty and fair dealing in the interest of consumers to amend the definitions and standards of identity for the foods named, as set forth in the proposal. Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by 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 delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625): *It is ordered*, That the proposed amendments be adopted without change.

Any person who will be adversely affected by this order may at any time within 30 days from the date of its pub-

lication 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, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents should be filed preferably in quintuplicate.

*Effective date.* This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

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

Dated: May 10, 1963.

GEORGE P. LARRICK,  
Commissioner of Food and Drugs.

1. It is proposed to amend § 25.1(c) to read:

§ 25.1 Mayonnaise, mayonnaise dressing; identity; label statement of optional ingredients.

(c) The egg yolk-containing ingredients referred to in paragraph (a) of this section are: Liquid egg yolks, frozen egg yolks, dried egg yolks, liquid whole eggs, frozen whole eggs, dried whole eggs, or any one or more of the foregoing with liquid egg white or frozen egg white.

2. It is proposed to amend § 25.2(c) (2) to read:

§ 25.2 French dressing; identity; label statement of optional ingredients.

(c) (2) Liquid egg yolks, frozen egg yolks, dried egg yolks, liquid whole eggs, frozen whole eggs, dried whole eggs, or any one or more of these with liquid egg white or frozen egg white. For the purpose of this paragraph, the quantity of egg yolk-containing ingredient is calculated as the weight of the egg yolk solids contained therein.

3. It is proposed to amend § 25.3(c) to read:

§ 25.3 Salad dressing; identity; label statement of optional ingredients.

(c) The egg yolk-containing ingredients referred to in paragraph (a) of this section are: Liquid egg yolks, frozen egg yolks, dried egg yolks, liquid whole eggs, frozen whole eggs, dried whole eggs, or any one or more of the foregoing with liquid egg white or frozen egg white.

[F.R. Doc 63-5337; Filed, May 17, 1963;  
8:48 a.m.]

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

**Further Extensions of Effective Date of Public Law 86-139 As It Affects Section 408 of Federal Food, Drug, and Cosmetic Act**

Under the provisions of Public Law 86-139 (73 Stat. 388, as amended 75 Stat. 42; 7 U.S.C. 135 et seq.), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of

Health, Education, and Welfare (25 F.R. 8625), the Commissioner has further extended the effective date of this statute as it affects section 408 of the Federal Food, Drug, and Cosmetic Act for certain specified uses of nematocides, plant regulators, defoliants, or desiccants. The list previously published in § 120.37 (21 CFR 120.37) is amended by adding thereto the following new item:

**§ 120.37 Further extensions of effective date of Public Law 86-139 as it affects section 408 of the Federal Food, Drug, and Cosmetic Act.**

Product	Specified uses or restrictions	Effective date of statute extended to—
p-Chlorophenoxyacetic acid or its diethanolamine salt.	On tomato blossoms to increase fruit set.	June 30, 1964

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since extensions of time, under certain conditions, for the effective date of the Nematocide, Plant Regulator, Defoliant, and Desiccant Amendment of 1959 were contemplated by the statute as amended, as a relief of restrictions on the agricultural industry.

*Effective date.* This order shall become effective on the date of signature. (Public Law 86-139 (73 Stat. 388 as amended 75 Stat. 42; 7 U.S.C. 135 et seq.))

Dated: May 10, 1963.

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

[F.R. Doc. 63-5327; Filed, May 17, 1963; 8:46 a.m.]

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

**PART 121—FOOD ADDITIVES**

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

**TOLERANCES FOR RESIDUES OF INORGANIC BROMIDES (CALCULATED AS BR) FROM SOIL TREATMENT WITH 1,2-DIBROMO-3-CHLOROPROPANE**

1. A petition was jointly filed with the Food and Drug Administration by Shell Chemical Company, Division of Shell Oil Company, 110 West Fifty-first Street, New York 20, New York, and Dow Chemical Company, Midland, Michigan, requesting the establishment of tolerances for residues of inorganic bromides (calculated as Br) from soil treatment with the nematocide 1,2-dibromo-3-chloropropane in or on the following raw agricultural commodities:

130 parts per million in or on endive (escarole), field corn fodder, lettuce, popcorn fodder, sweet corn fodder.

100 parts per million in or on bananas.

75 parts per million in or on beans (dry and succulent), carrots, celery, figs,

okra, parsnips, peas (dry and succulent), radishes, soybeans (dry and succulent), turnips.

50 parts per million in or on broccoli, brussels sprouts, cabbage, cauliflower, eggplants, melons (including cantaloup, honeydew melons, muskmelons, watermelons), peanuts, peppers, pineapples, pumpkins, tomatoes, winter squash.

25 parts per million in or on blackberries, boysenberries, cottonseed, cucumbers, dewberries, grapes, loganberries, raspberries, summer squash, sweet corn (green ears in husks).

10 parts per million in or on strawberries, walnuts (English).

5 parts per million in or on apricots, citrus (including citrus citron, grapefruit, lemons, oranges, tangerines), field corn kernels, nectarines, peaches, popcorn kernels, sweet corn kernels.

Subsequently, corn, peanuts, peas, pumpkins, soybeans, watermelons, winter squash, and all forage crops were withdrawn from the petition. Tolerance requests for bananas and beans were revised.

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

After consideration of the data submitted in the petition and other relevant material which show that the tolerances established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (2), 68 Stat. 512 as amended; 21 U.S.C. 346a(d) (2)) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR Part 120) are amended by adding to Subpart C a new section reading as follows:

**§ 120.197 Inorganic bromides resulting from soil treatment with 1,2-dibromo-3-chloropropane; tolerances for residues.**

Tolerance for residues of inorganic bromides (calculated as Br) in or on raw agricultural commodities grown in soil

treated with the nematocide 1,2-dibromo-3-chloropropane are established as follows:

130 parts per million in or on endive (escarole), lettuce.

125 parts per million in or on bananas (of which residue not more than 75 parts per million shall be in the pulp after the peel is removed and discarded).

75 parts per million in or on carrots, celery, figs, okra, parsnips, radishes, snap beans, turnips.

50 parts per million in or on broccoli, brussels sprouts, cabbage, cantaloups, cauliflower, eggplants, honeydew melons, muskmelons, peppers, pineapples, tomatoes.

25 parts per million in or on blackberries, boysenberries, cottonseed, cucumbers, dewberries, grapes, loganberries, raspberries, summer squash.

10 parts per million in or on English walnuts, strawberries.

5 parts per million in or on apricots, citrus fruits, nectarines, peaches.

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

2. A petition was filed by Shell Chemical Company, Division of Shell Oil Company, proposing an amendment of the food additive regulations to provide for the following tolerances for residues of inorganic bromides (calculated as Br) in the following processed foods as a result of concentration of residues in the raw agricultural commodities grown in soil treated with the nematocide 1,2-dibromo-3-chloropropane:

	<i>Parts per million</i>
Dried apricots.....	25
Dried peaches.....	30
Raisins.....	105
Dried figs.....	250
Concentrated tomato products.....	250

The petition was later amended to lower the requested level for raisins to 100 parts per million and to raise the requested level for peaches to 50 parts per million.

The Commissioner of Food and Drugs, having evaluated the data submitted in the petition and other relevant material, has concluded that the following regulations should issue with respect to residues of inorganic bromides present in concentrated tomato products, dried figs, raisins, dried peaches, and dried apricots. (Tolerances are already established on certain of these processed foods, among others, for inorganic bromides, calculated as Br, from fumigation with methyl bromide as follows: Dried figs, 150 parts per million; raisins, 50 parts per million; dried apricots, 30 parts per million; dried peaches, 30 parts per million.) Such residues have been shown to occur from application of the pesticide chemical to the raw agricultural commodities, under agricultural uses provided for by a concurrent regulation under section 408 of the act. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c) (4), 72 Stat. 1786; 21 U.S.C. 348(c) (4)), and under authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.1020 is revised to read as follows:

§ 121.1020 Inorganic bromide.

The food additive inorganic bromide may be present as a residue in certain processed foods in accordance with the following conditions:

(a) The food additive is present as a result of the use of either methyl bromide as a fumigant, or 1,2-dibromo-3-chloropropane as a nematocide in the soil in which the growing crop was produced, or both.

(b) The residues of inorganic bromide (calculated as Br) shall not exceed the following levels:

(1) 250 parts per million in or on concentrated tomato products and dried figs.

(2) 100 parts per million in or on dried dates and raisins.

(3) 50 parts per million in or on dried peaches.

(4) 30 parts per million in or on dried apples, dried apricots, and dried pears.

(5) 20 parts per million in or on dried prunes.

(c) Where tolerances are established under both sections 408 and 409 of the act, on the raw agricultural commodities and processed foods made therefrom, respectively, the total residues of inorganic bromide in or on the processed food shall not be greater than that designated in paragraph (b) of this section.

(Sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4))

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.

(Secs. 408, 409, 68 Stat. 512 as amended; 72 Stat. 1786; 21 U.S.C. 346a, 348)

Dated: May 10, 1963.

GEO. P. LARRICK,

Commissioner of Food and Drugs.

[F.R. Doc. 63-5338; Filed, May 17, 1963; 8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Animal Feed or Animal-Feed Supplements

CHLORTETRACYCLINE IN MEDICATED CHICKEN FEED

No formal comments were received on the proposal published in the FEDERAL

REGISTER of February 20, 1963 (28 F.R. 1591), with reference to amending § 121.208(d), table 1, item 12 by changing "as calcium sulfate" in the "Limitations" column to read "with calcium sulfate as the added calcium." Based upon a further evaluation of the proposal, it has been concluded that for clarification the regulation should be changed as set forth below.

Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic

Act (secs. 409, 701, 52 Stat. 1055 as amended et seq., 72 Stat. 1785; 21 U.S.C. 348, 371), and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.208(d), table 1, item 12 is amended to read as follows:

§ 121.208 Chlortetracycline.

\* \* \* \* \*  
(d) \* \* \*

TABLE 1—CHLORTETRACYCLINE IN FINISHED CHICKEN AND TURKEY FEEDS

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
***	***	***	***	***	***
12. Chlortetracycline	400	-----	-----	For turkey poults not over 4 weeks of age; in low calcium feed containing 1 percent total calcium with not less than 0.45 percent calcium from calcium sulfate; as chlortetracycline hydrochloride.	Aid in reducing mortality due to paratyphoid caused by <i>Salmonella typhimurium</i> .

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.

(Secs. 409, 701, 52 Stat. 1055 as amended et seq., 72 Stat. 1785; 21 U.S.C. 348, 371)

Dated: May 10, 1963.

GEO. P. LARRICK,

Commissioner of Food and Drugs.

[F.R. Doc. 63-5328; Filed, May 17, 1963; 8:45 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Animal Feed or Animal-Feed Supplements

NITROFURAZONE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Hess and Clark, Division of Richardson-Merrell, Inc., Seventh and Orange Streets, Ashland, Ohio, has concluded that the food additive regulations should be amended to permit the addition of nitrofurazone to mink 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 by adding to Subpart C the following new section:

§ 121.248 Nitrofurazone.

Nitrofurazone may be safely used in animal feed when incorporated therein in accordance with the following conditions:

(a) The additive is the chemical 5-nitro-2-fur aldehyde semicarbazone (C<sub>5</sub>H<sub>4</sub>N<sub>2</sub>O<sub>3</sub>).

(b) It is used or intended for use as prescribed in the following table:

Principal ingredient	Grams per ton	Combined with—	Grams per ton	Limitations	Indications for use
1. Nitrofurazone	100-200 (0.011%-0.022%)	-----	-----	For mink; 100 gm. per ton for 3 days, then 200 gm. per ton for 21 days; do not repeat (amount of active ingredient calculated on feed before water added). Discard unused mixed feed every 24 hours.	Treatment of gray diarrhea.
2. Nitrofurazone	100 (0.011%)	-----	-----	For mink; feed continuously during susceptible period not to exceed 90 days (amount of active ingredient calculated on feed before water added). Discard unused mixed feed every 24 hours.	Control of gray diarrhea.

(c) To assure safe use, the label and labeling of the additive and any intermediate premix shall bear, in addition to the other information required by the act, the following:

- (1) The name of the additive.
- (2) A statement of the quantity of the additive contained therein.
- (3) Adequate directions and warnings for use.

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: May 10, 1963.

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

[F.R. Doc. 63-5329; Filed, May 17, 1963; 8:47 a.m.]

**PART 121—FOOD ADDITIVES**

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

**LUBRICANTS WITH INCIDENTAL FOOD CONTACT**

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 994) filed by Humble Oil and Refining Company, Houston 1, Texas, and other relevant material, has concluded that the food additive regulations (21 CFR 121.2553; 27 F.R. 8920) should be amended as hereinafter provided, 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).

In § 121.2553(a), subparagraph (3) is amended by inserting alphabetically four new items in the list of substances. As amended, subparagraph (3) reads as follows:

**§ 121.2553 Lubricants with incidental food contact.**

- (a) \* \* \*

(3) Substances identified in this subparagraph.

Substances	Limitations
BHA	
BHT	
Castor oil	Addition to food not to exceed 10 parts per million.
Fatty acids derived from animal or vegetable sources, and the hydrogenated forms of such fatty acids.	
12-Hydroxystearic acid	
Mineral oil	Addition to food not to exceed 10 parts per million.
Polybutene (minimum average molecular weight 80,000).	Do.
Polyethylene	Do.

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: May 10, 1963.

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

[F.R. Doc. 63-5330; Filed, May 17, 1963; 8:47 a.m.]

**PART 121—FOOD ADDITIVES**

**Subpart C—Food Additives Permitted in Animal Feed or Animal-Feed Supplements**

**TECHNICAL WHITE MINERAL OIL**

In the matter of prescribing safe conditions of use for the food additive technical white mineral oil:

The Commissioner of Food and Drugs has reviewed the comment received in response to the notice of proposed rule making in the above-reference matter published in the FEDERAL REGISTER of March 13, 1963 (28 F.R. 2454), together with other relevant data, and *It is ordered*, That the amendment proposed be adopted, with the following changes:

1. The proposed new section is numbered § 121.246 *Technical white mineral oil*.

2. A new subparagraph (3) is inserted in paragraph (b).

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetics Act (secs. 409, 701, 52 Stat. 1055, as amended, 72 Stat. 1785; 21 U.S.C. 348, 371), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625).

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.

(Secs. 409, 701, 52 Stat. 1055, as amended, 72 Stat. 1785; 21 U.S.C. 348, 371)

Dated: May 10, 1963.

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

**§ 121.246 Technical white mineral oil.**

Technical white mineral oil may be safely used in animal feed, subject to the provisions of this section.

(a) Technical white mineral oil, for the purposes of this section, is the hydrocarbon oil obtained from petroleum oil or shale oil by refining to produce a product tasteless and odorless and nearly colorless, Saybolt color 20 minimum (color by method in ASTM standards, Part 7, D-156-53T (1961)).

(b) It is used in animal feeds for the following purposes:

(1) To reduce dustiness of feeds or mineral supplements.

(2) To serve as a lubricant in the preparation of pellets, cubes, or blocks and to improve resistance to moisture of such pellets, cubes, or blocks.

(3) To prevent the segregation of trace minerals in mineralized salt.

(c) The quantity of technical white mineral oil used in animal feed shall not exceed 3.0 percent in mineral supplements, nor shall it exceed 0.06 percent of the total ration when present in feed or feed concentrates.

[F.R. Doc. 63-5339; Filed, May 17, 1963; 8:49 a.m.]

## Title 29—LABOR

### Chapter V—Wage and Hour Division, Department of Labor

#### PART 677—PAPER, PAPER PRODUCTS, PRINTING, AND PUBLISHING INDUSTRY IN PUERTO RICO

##### Wage Order

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), and by means of Administrative Order No. 571 (28 F.R. 726), the Secretary of Labor appointed and convened Industry Committee No. 61-B. Administrative Order No. 571 referred to Industry Committee No. 61-B the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the paper, paper products, printing, and publishing industry in Puerto Rico, as defined in that Order, and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Excluded from the matters referred to Industry Committee No. 61-B were activities described in 29 CFR 677.2 (a) and (b). The minimum rates for these activities equal the rates prescribed in section 6(a) (1) of the Act.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 61-B are hereinafter published in this revision of 29 CFR Part 677.

Effective June 3, 1963, 29 CFR Part 677 is hereby revised to read as follows:

- Sec.  
677.1 Definition.  
677.2 Wage rates.  
677.3 Notices.

**AUTHORITY:** §§ 677.1 to 677.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

##### § 677.1 Definition.

The paper, paper products, printing, and publishing industry in Puerto Rico is defined as follows:

The manufacture of pulp from wood, rags, bagasse, and other fibers; the conversion of such pulp into paper, paperboard, and building board; the manufacture of paper, paperboard, and pulp into bags, boxes, containers, tags, cards, envelopes, pressed and molded pulp goods, and all other converted paper products; the printing performed on the foregoing and on allied products; the printing or publishing of newspapers, books, periodicals, maps, and music; and all manufacturing and service operations performed by typesetters, advertising typographers, electrotypers, stereotypers, photoengravers, steel and copper plate

engravers, commercial printers, lithographers, gravure printers, private printing plants of concerns engaged in other business, binderies, and news syndicates: *Provided, however,* That the industry shall not include any product or activity included in the leather, leather goods, and related products industry, as defined in the wage order for that industry in Puerto Rico (Part 602 of this chapter).

##### § 677.2 Wage rates.

The paper, paper products, printing, and publishing industry in Puerto Rico is divided into four classifications. Wages at rates not less than those prescribed below shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce. Such classifications and minimum rates shall be:

(a) (1) Pulp, paper, and paperboard, paper bag, daily newspaper and news syndicate, photoengraving, filing cards and indexes, fototype letters, paper for sanitary use, and commercial printing by the silk screen process classification: \$1.15 an hour.

(2) This classification is defined as the manufacture of pulp, paper, paperboard, and building board from wood, waste paper, rags, bagasse, and other materials and the collection and sorting of waste paper, bagasse, and other materials to be used in the manufacture of the pulp, paperboard, building paper, and/or building board; the manufacture of paper bags; and the printing, publishing, and related activities of daily newspapers, the collection and dissemination of news by news syndicates, the processing and preparing of photoengraved plates (half-tones and line cuts), the manufacture of Kardex pockets, the assembling of fototype letters, the manufacture of sanitary napkins, and commercial printing by the silk screen process.

(b) (1) Paper box and paper box partition classification: \$1.15 an hour.

(2) This classification is defined as the manufacture of paper boxes, paper box partitions made of paper, and all paper box component parts made of paper.

(c) (1) General classifications: \$1.06 an hour.

(2) This classification is defined as all products and all activities in the industry except those included in the other classifications of this industry.

(d) (1) New coverage classification: \$.78 an hour.

(2) This classification is defined as all activities in the industry covered by section 6 of the Fair Labor Standards Act only by reason of the Fair Labor Standards amendments of 1961.

##### § 677.3 Notices.

Every employer subject to the provisions of § 677.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 677.2 are working

such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 15th day of May 1963.

CLARENCE T. LUNDQUIST,  
Administrator.

[F.R. Doc. 63-5356; Filed, May 17, 1963;  
8:49 a.m.]

#### PART 678—STONE, CLAY, GLASS, CEMENT, AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

##### Wage Order

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), and by means of Administrative Order No. 571 (28 F.R. 726), the Secretary of Labor appointed and convened Industry Committee No. 61-C. Administrative Order No. 571 referred to Industry Committee No. 61-C the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the stone, clay, glass, cement, and related products industry in Puerto Rico, as defined in that Order, and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Excluded from the matters referred to Industry Committee No. 61-C were activities formerly described in 29 CFR 678.2 (a), (d), and (e). The minimum rates for these activities already equal the rates prescribed in section 6(a) (1) of the Act.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 61-C are hereinafter published in this revision of 29 CFR Part 678.

Effective June 3, 1963, 29 CFR Part 678 is hereby revised to read as follows:

- Sec.  
678.1 Definition.  
678.2 Wage rates.  
678.3 Notices.

**AUTHORITY:** §§ 678.1 to 678.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

##### § 678.1 Definition.

The stone, clay, glass, cement, and related products industry in Puerto Rico is defined as follows: The mining, quarrying, or other extraction and the further processing of all minerals (other than metal ores, chemical and fertilizer minerals, coal, petroleum, or natural gases) and the manufacture of products

from such minerals, including, but without limitation, structural clay products, china, pottery, tile, and other ceramic products and refractories; glass and glass products (except lenses); dimension and cut stone; crushed stone, sand and gravel; hydraulic cement; abrasives; lime, concrete, gypsum, mica, plaster, and asbestos products; and the manufacture of products from bone, horn, ivory, shell, and similar natural materials: *Provided, however*, That the industry shall not include any product or activity included in the button, jewelry, and lapidary work industry as defined in 29 CFR Part 616; the construction, business service, motion picture, and miscellaneous industry as defined in 29 CFR Part 672; the metal, machinery, transportation equipment, and allied products industry as defined in 29 CFR Part 604; or the chemical, petroleum, and related products industry as defined in 29 CFR Part 670.

#### § 678.2 Wage rates.

The stone, clay, glass, cement, and related products industry in Puerto Rico is divided into nine classifications. Wages at rates not less than those prescribed below shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any work-week is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce. Such classifications and minimum rates shall be:

(a) (1) Abrasive products, cement, dry cement mixes, glass and glass products, hot asphaltic plant mix, ready-mix concrete, concrete block and tile, concrete pipe, precast concrete construction components, structural clay products, and ceramic floor and wall tile classification: \$1.15 an hour.

(2) This classification is defined as the manufacture of abrasive products including abrasive grinding wheels of natural or synthetic materials; abrasive sticks, stones, bricks, paper, and cloth; abrasive grains, natural or manufactured; buffing and polishing wheels, hydraulic cement (including the extraction of raw materials therefor), dry cement mixes; glass and glass products; hot asphaltic plant mix; ready-mixed concrete; concrete pipe or conduit; concrete blocks and concrete tiles; precast concrete construction components; structural clay products (including the extraction of raw materials therefor); and ceramic floor and wall tile.

(b) (1) Asbestos cement products, high purity silicon, and crushed stone, sand, and gravel classification: \$1.15 an hour.

(2) This classification is defined as the manufacture of asbestos cement products, including asbestos cement sheets, corrugated sheets, and molded products; the manufacture of high purity silicon; and the quarrying or other extraction of sand and gravel including, but without limitation, common sand and gravel, and the quarrying or other extraction preparing, screening, crushing, grinding,

pulverizing, washing and drying of granite, slate, marble, sandstone, limestone (except for the extraction of limestone for the manufacture of lime and lime products), and other types of stone.

(c) (1) Artificial teeth classification: \$1.15 an hour.

(2) This classification is defined as the manufacture of artificial teeth and dentures.

(d) (1) Vitreous and semivitreous china food utensils classification: \$.95 an hour.

(2) This classification is defined as the manufacture of vitreous and semivitreous china table and kitchen articles for use in households and hotels, restaurants and other commercial institutions for preparing, serving or storing food or drink, except that this classification does not include products in the art pottery classification.

(e) (1) Art pottery classification: \$.72 an hour.

(2) This classification is defined as the manufacture of hand-decorated pottery.

(f) (1) Mica classification: \$.925 an hour.

(2) This classification is defined as the processing of mica and the manufacture of mica parts for radio, television, and other electronic tubes and components, or for other products.

(g) (1) General classification: \$1.06 an hour.

(2) This classification is defined as all products and activities included in the Stone, Clay, Glass, Cement, and Related Products Industry in Puerto Rico except those included in other classifications of this industry.

(h) (1) Terrazzo and marble tiles new coverage classification: \$1.00 an hour.

(2) This classification is defined as the manufacture of terrazzo and marble tiles by employees covered by the Act only by reason of the Fair Labor Standards Amendments of 1961.

(i) (1) General new coverage classification: \$.75 an hour.

(2) This classification is defined as all activities of employees covered by section 6 of the Act only by reason of the Fair Labor Standards Amendments of 1961, except those included in the terrazzo and marble tiles new coverage classification.

#### § 678.3 Notices.

Every employer subject to the provisions of § 678.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 678.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 15th day of May 1963.

CLARENCE T. LUNDQUIST,  
Administrator.

[F.R. Doc. 63-5357; Filed, May 17, 1963; 8:50 a.m.]

## Title 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter IV—Saint Lawrence Seaway Development Corporation

#### PART 402—TARIFF OF TOLLS

##### Schedule for Transit of Seaway

###### Correction

In § 402.6(a)1, appearing in the (amendment to the St. Lawrence Seaway Tariff of Tolls published in the FEDERAL REGISTER on Tuesday, April 23, 1963 (28 F.R. 3975) the word "compromising" is incorrect and the word "comprising" should have been used.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION,  
[SEAL] JOSEPH H. McCANN,  
Administrator.

[F.R. Doc. 63-5321; Filed, May 17, 1963; 8:46 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

#### SUBCHAPTER A—CIVIL AIR REGULATIONS

[Regulatory Docket No. 1755; Regulation No. SR-456]

#### PART 60—AIR TRAFFIC RULES

##### Special Civil Air Regulation; Civil Aircraft of Cuban Registry Engaged in Overflight Across United States Territory

Civil aircraft of Cuban registry operate in overflights across United States territory, subject, however, to the right of the United States to designate the routes to be followed and to require landing in the case of nonscheduled flights.

In accordance with section 1202 of the Federal Aviation Act of 1958 (49 U.S.C. 1522), I have determined that civil aircraft of Cuban registry engaged in overflights across United States territory shall be operated in controlled airspace and in accordance with clearances and instructions issued by Federal Aviation Agency air traffic control facilities. The instructions issued by the Agency will provide for the coordinated routing of the aircraft and, in the case of nonscheduled flights, will include instructions to land at an international airport so that a search of the aircraft may be conducted by United States authorities. The Agency aeronautical publications will include information on the international airports at which landings will be required and the airway routings to be employed for these operations.

This action is taken consistent with applicable International Conventions and Agreements. In accordance with section 4 of the Administrative Procedure Act, 5 U.S.C. 1003, I find that notice and public procedure hereon are imprac-

licable, and that good cause exists for making this regulation effective upon its issuance.

In consideration of the foregoing, the following Special Civil Air Regulation is adopted:

No person may operate a civil aircraft of Cuban registry within the United States except in controlled airspace and in accordance with air traffic clearances or air traffic control instructions which may require use of specific airways or routes and landings at specific airports.

This regulation becomes effective immediately.

(Secs. 306, 307, 1202, 49 U.S.C. 1347, 1348, 1522; 61 Stat. 1180; 59 Stat. 1693)

Issued in Washington, D.C., on May 17, 1963.

N. E. HALABY,  
Administrator.

[F.R. Doc. 63-5454; Filed, May 17, 1963;  
6:14 p.m.]

#### SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-WE-35]

### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

### PART 73—SPECIAL USE AIRSPACE [NEW]

#### Alteration of Restricted Area and Continental Control Area

The purpose of these amendments to §§ 71.151 and 73.25 of the Federal Aviation Regulations is to alter the description of the El Centro, Calif., Restricted Area R-2510 to reflect joint use by adding a controlling agency and to include the restricted area in the description of the continental control area.

In order to facilitate the implementation of area positive control in the Los Angeles, Calif., area, R-2510 is designated herein as a joint use area with the Los Angeles ARTC Center as the controlling agency. Further, to provide for maximum flexibility in the positive control environment, this restricted area is being included as part of the continental control area. The Department of Navy has concurred in these actions.

Since these amendments impose no additional burden on the public, notice and public procedure hereon are unnecessary and they may be made effective immediately.

In consideration of the foregoing, the following actions are taken:

1. In § 73.25 (28 F.R. 19-8 dated January 26, 1963), R-2510 El Centro, Calif., "Using agency. Commanding Officer, Marine Corps Auxiliary Air Station, Yuma, Arizona." is deleted and "Controlling Agency. Federal Aviation Agency, Los Angeles ARTC Center.

Using Agency. Commanding Officer, Marine Corps Auxiliary Air Station, Yuma, Arizona." is substituted therefor.

No. 98—5

2. In the text of § 71.151 (27 F.R. 220-54 dated November 10, 1962), the following is added:

R-2510 El Centro, Calif.

These amendments shall become effective upon the date of publication in the FEDERAL REGISTER.

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

Issued in Washington, D.C., on May 13, 1963.

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

[F.R. Doc. 63-5305; Filed, May 17, 1963;  
8:45 a.m.]

[Airspace Docket No. 63-SW-36]

### PART 73—SPECIAL USE AIRSPACE

#### Alteration of Restricted Areas

The purpose of this amendment to § 73.51 of the Federal Aviation Regulations is to change the controlling agency from the "Federal Aviation Agency, El Paso ARTC Center" to the "Federal Aviation Agency, Albuquerque ARTC Center" of the following restricted areas:

R-5103A McGregor, N. Mex.  
R-5103B McGregor, N. Mex.  
R-5106 Orogrande, N. Mex.  
R-5107A White Sands Proving Grounds, N. Mex.  
R-5110 McGregor, N. Mex.

The Federal Aviation Agency will phase out the El Paso Air Route Traffic Control Center and assign the El Paso control area to adjacent centers in a consolidation designed for safer and more efficient use of the nation's airspace. Effective June 22, 1963, the Albuquerque ARTC Center will assume responsibility for that part of the El Paso control area in which the above restricted areas are located. Therefore, action is taken herein to amend the controlling agency of these restricted areas effective concurrently with the transfer of this control area to the Albuquerque ARTC Center.

Since this amendment imposes no additional burden on the public, notice and public procedure hereon is unnecessary.

In consideration of the foregoing § 73.51 (28 F.R. 19-31, January 26, 1963), is amended as follows:

In R-5103A McGregor, N. Mex., R-5103B McGregor, N. Mex., R-5106 Orogrande, N. Mex., R-5107A White Sands Proving Grounds, N. Mex., and R-5110, McGregor, N. Mex., "Controlling agency. Federal Aviation Agency, El Paso ARTC Center." is deleted and "Controlling agency. Federal Aviation Agency, Albuquerque ARTC Center." is substituted therefor.

This amendment shall become effective 0001 m.s.t., June 22, 1963.

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

Issued in Washington, D.C., on May 14, 1963.

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

[F.R. Doc. 63-5304; Filed, May 17, 1963;  
8:45 a.m.]

## Chapter II—Civil Aeronautics Board

### SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-381]

### PART 223—TARIFFS OF AIR CARRIERS: FREE AND REDUCED-RATE TRANSPORTATION

#### Issuance of Passes

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of May 1963.

The Board published in the FEDERAL REGISTER, 27 F.R. 12777, and circulated to the industry, EDR-50, Docket 14221, dated December 20, 1962, notice of proposed rule making, proposing an amendment to Part 223 of the Board's Economic Regulations (14 CFR Part 223) which would require air carriers to issue passes, except in certain emergencies, to all persons accorded free or reduced-rate transportation by the carrier.

Several comments were filed in response to the notice. The majority of these comments requested that the proposal be modified so as not to require carriers to issue passes for free transportation to flight personnel traveling in the performance of their official duties. In brief, it is contended that such a requirement would place an undue administrative burden upon the carriers. In the light of these comments, the Board has modified the final rule so as to exclude flight personnel traveling on official duty from the requirements of § 223.3.

Comments were received requesting clarification of the proposal with respect to the issuance of passes to Government personnel who are accorded free transportation pursuant to Parts 224 and 233 of the Board's Economic Regulations. In the interest of clarity, appropriate language has been added specifically excluding such persons from the requirements of § 223.3.

Finally, one carrier filed comments objecting to the proposal insofar as it would apply to the reduced-rate transportation it furnishes to the employees of other carriers pursuant to reciprocal agreements. Currently, it issues such employees regular ticket stock for which it maintains no register. The carrier argues that if it is required to issue passes in such cases, it would mean the cancellation of all such agreements and the revamping of its entire reduced-rate procedure.

The Board is not persuaded by this argument. In this regard, the carrier can continue to issue tickets as passes pursuant to § 223.4. The only additional requirement imposed as a result of the amendment to § 223.3 is that the carrier must maintain a register of such tickets.

In consideration of the foregoing, the Board hereby amends § 223.3 of Part 223 of the Board's Economic Regulations (14 CFR Part 223), effective June 17, 1963, as follows:

By amending § 223.3 to read:

#### § 223.3 Passes to be issued.

No carrier shall furnish any free or reduced-rate transportation unless a pass

## RULES AND REGULATIONS

therefor has been issued, except that passes need not be issued:

(a) For necessary free transportation of the carrier's own flight personnel in the performance of their official duties;

(b) For free or reduced-rate transportation of persons injured in aircraft accidents or physicians and nurses attending such persons, or with the object of providing relief in cases of general epidemic, pestilence or other calamitous visitation;

(c) For the free transportation of persons pursuant to Parts 224 or 233 of this subchapter.

(Sec. 204 of the Federal Aviation Act of 1958, 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply secs. 403 and 404, 72 Stat. 758, 759, 760; 49 U.S.C. 1373, 1374)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
*Secretary.*

[F.R. Doc. 63-5345; Filed, May 17, 1963;  
8:49 a.m.]

# Proposed Rule Making

## POST OFFICE DEPARTMENT

[ 39 CFR Part 201 ]

### PROPOSED RULES OF PROCEDURE BEFORE THE BOARD OF CONTRACT APPEALS

#### Effective Date

In Federal Register Document 63-5137, appearing at pages 4794-4796, of the issue for Tuesday, May 14, 1963, the effective date of the proposed "Rules of Procedure before the Board of Contract Appeals" is amended to read "July 1, 1963."

LOUIS J. DOYLE,  
General Counsel.

[F.R. Doc. 63-5320; Filed, May 17, 1963;  
8:45 a.m.]

## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[ 7 CFR Part 1032 ]

### MILK IN THE SUBURBAN ST. LOUIS MARKETING AREA

#### Notice of Proposed Suspension of Certain Provisions of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the suspension of certain provisions of the order regulating the handling of milk in the Suburban St. Louis marketing area is being considered.

The provisions proposed to be suspended are:

- (1) In § 1032.7 the following: "or a dairy farmer for other markets"; and
- (2) All of § 1032.10, relating to dairy farmers for other markets.

This action has been requested by the principal cooperative association in the market. The action would enable the milk of its producer members supplying its Breese, Illinois, plant to be producer milk under the Suburban St. Louis order in the event that the plant again should qualify as a pool plant under that order rather than the St. Louis order due to greater route sales in the marketing area. This plant was until very recently a pool plant under the Suburban St. Louis order.

All persons who desire to submit written data, views, or arguments in connection with the proposed suspension should file the same with the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., not later than three days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

Signed at Washington, D.C., on May 15, 1963.

CLARENCE H. GIRARD,  
Deputy Administrator,  
Regulatory Programs.

[F.R. Doc. 63-5362; Filed, May 17, 1963;  
8:50 a.m.]

## DEPARTMENT OF HEALTH, EDU- CATION, AND WELFARE

Food and Drug Administration

[ 21 CFR Part 121 ]

### FOOD ADDITIVES PERMITTED IN ANI- MAL FEED OR ANIMAL-FEED SUP- PLEMENTS

#### Proposed Definitions and Interpreta- tions Applicable to Subpart C

For a number of years efforts have been made by the feed industry and State and Federal feed control officials to develop workable definitions of terms used to describe various types of feeds and feed ingredients. Much progress has been made, but there still exists some uncertainty about the meaning of a number of terms, particularly in the medicated-feed area, that require established definitions for the purpose of proper interpretation of food additive regulations. It is not the intent of the following proposal that the definitions necessarily apply to the terms as used in the labeling of feeds.

Pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a)), and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), it is proposed that the food additive regulations (21 CFR Part 121) be amended by adding to Subpart C the following new section:

#### § 121.200 Definitions and interpreta- tions applicable to Subpart C.

(a) Regulations prescribing conditions under which additives may be safely used in animal feed, animal-feed supplements, or in medications for animals intended for food use shall not be construed to relieve the use of such additives from the provisions of sections 505 and 507 of the act, where applicable, and §§ 121.7 and 121.9.

(b) For the purposes of Subpart C:

(1) A "complete feed" is an article that may be safely administered as the sole ration to an animal.

(2) A "feed supplement" is an article intended to be fed, unchanged, as a supplement to other rations in the diet of an animal. It contains, among other things, one or more additives at levels higher than those in a complete feed, and it may be unsafe when fed as the sole ration.

(3) A "feed concentrate" is an article intended to be further diluted to produce a complete feed. It contains, among other things, one or more additives at levels higher than those in a complete feed, but if inadvertently fed as the sole ration to the animal is not unsafe.

(4) A "premix" is an article that must be diluted for safe use in a feed concentrate, a feed supplement, or a complete feed. It contains, among other things, one or more additives at levels for which safety to the animal has not been demonstrated, and/or which may result in residues in excess of those established in this Part when fed undiluted.

(5) In feeding chickens:

(i) "Broiler chickens" are chickens raised for meat purposes only.

(ii) "Replacement chickens" are chickens being raised for the purpose of egg production.

(iii) "Laying chickens" are chickens producing eggs for food.

(iv) "Breeding chickens" are chickens producing eggs used for hatching.

(6) In feeding swine:

(i) "Starter ration" is a complete feed administered up to approximately 5 weeks of age.

(ii) "Grower ration" is a complete feed administered from approximately 5 weeks of age to approximately 13 weeks of age.

(iii) "Finisher ration" is a complete feed administered from approximately 13 weeks of age to market weight.

The Commissioner hereby offers an opportunity to any interested person to submit views and comments on this proposal within 30 days from the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be submitted in triplicate and addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C.

Dated: May 10, 1963.

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

[F.R. Doc. 63-5326; Filed, May 17, 1963;  
8:46 a.m.]

[ 21 CFR Part 130 ]

### BIPHENAMINE HYDROCHLORIDE

#### Proposed Exemption From Prescrip- tion-Dispensing Requirements

Notice is given that the Commissioner of Food and Drugs, as provided in the Federal Food, Drug, and Cosmetic Act (secs. 503(b)(3), 505(c), 701(a), 52 Stat. 1052, 1055, as amended 65 Stat. 648, 76 Stat. 784, 785; 21 U.S.C. 353(b)(3), 355(c), 371(a)) and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625) hereby offers an opportunity to all

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 71 [New] ]

[Airspace Docket No. 63-SO-35]

### CONTROL ZONES

#### Proposed Temporary Alteration and Designation

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Department of the Air Force has requested the following temporary airspace actions for the protection of aircraft participating in the military exercise known as "Operation Swift Strike III." This exercise will include approximately 900 military aircraft of all categories.

1. Alter the Kinston, N.C., control zone, which is presently designated within a 5-mile radius of Stallings Field (latitude 35°19'40" N., longitude 77°37'05" W.), effective from 0700 to 2330 hours, local time, daily, by changing the effective hours of operation to 24 hours, daily, August 1, 1963, through August 18, 1963. This would provide protection for military aircraft executing prescribed instrument approach procedures at Stallings Field. Communications and weather service would be provided by Department of the Air Force personnel.

2. Designate the Hoffman, N.C., control zone as that airspace within a 5-mile radius of Mackall AAF (latitude 35°02'15" N., longitude 79°29'55" W.) to be effective from July 20, 1963, through August 23, 1963. This would provide protection for military aircraft executing prescribed instrument arrival and departure procedures at Mackall AAF. Communications and weather service would be provided by Department of the Air Force personnel.

3. Designate the Maxton, N.C., control zone as that airspace within a 5-mile radius of the Laurinburg-Maxton Airport (latitude 34°47'25" N., longitude 79°21'55" W.), effective from July 9, 1963, through August 23, 1963. This would provide protection for military aircraft executing prescribed instrument arrival and departure procedures at the Laurinburg-Maxton Airport. Communications and weather service would be provided by Department of the Air Force personnel.

Circumstances have prevented the Department of the Air Force from determining, in time sufficient to provide a normal comment period of 45 days, the precise requirements for the temporary alteration of the Kinston control zone and the temporary designation of the Maxton and Hoffman control zones. Therefore, in order to make the necessary airspace assignments prior to beginning operations at these airports, the comment period on this notice has been reduced to 15 days.

It is noted that the Kinston, N.C., control zone presently is designated as the Kinston, N.C., control zones; correction of this discrepancy would be accomplished in the final rule.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 20636, Atlanta 20, Georgia. 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 Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on May 16, 1963.

H. B. HELSTROM,  
Acting Chief,  
Airspace Utilization Division.

[F.R. Doc. 63-5369; Filed, May 17, 1963;  
8:51 a.m.]

[ 14 CFR Part 71 [New] ]

[Airspace Docket No. 63-CE-2]

### CONTROL ZONE

#### Proposed Withdrawal of Designation

In a notice of proposed rule making published in the FEDERAL REGISTER as Airspace Docket No. 63-CE-2 on February 19, 1963 (28 F.R. 1556), it was stated that the Federal Aviation Agency (FAA) proposed to designate a part-time control zone at Clinton, Iowa.

In response to the notice, several comments were received from interested persons stating that reliable communications do not exist on the Clinton Municipal Airport surface. The FAA has verified these reports. Therefore, based on the absence of adequate communications, the FAA has determined that the Clinton Municipal Airport does not qualify for the designation of a control zone. Accordingly, the notice is being withdrawn.

In consideration of the foregoing, notice is hereby given that the proposal contained in Airspace Docket No. 63-CE-2 is withdrawn.

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

interested persons to submit their views in writing to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., within 30 days from the date of publication of this notice in the FEDERAL REGISTER on the proposed amendment set forth below:

It is proposed to amend paragraph (a) of § 130.102 *Exemption for certain drugs limited by new-drug applications to prescription sale* by adding the following new subparagraph:

(27) Biphenamine hydrochloride ( $\beta$ -diethylaminoethyl-3-phenyl-2-hydroxybenzoate hydrochloride) preparations meeting all the following conditions:

(i) The biphenamine hydrochloride is prepared in a form suitable for use as a shampoo and contains no drug limited to prescription sale under the provisions of section 503(b)(1) of the act.

(ii) The biphenamine hydrochloride meets its professed standards of identity, strength, quality, and purity.

(iii) If the preparation is a new drug, an application pursuant to section 505(b) of the act is approved for it.

(iv) The preparation contains not more than 1 percent of biphenamine hydrochloride.

(v) The preparation is labeled with adequate directions for use for the temporary relief of itching and scaling due to dandruff.

(vi) The label bears a conspicuous warning to keep the drug out of the reach of children.

The proposed amendment will remove the drug mentioned therein from the prescription-dispensing requirements of the Federal Food, Drug, and Cosmetic Act (sec. 503(b)(1)(C), 52 Stat. 1052, as amended 65 Stat. 648, 76 Stat. 785, 21 U.S.C.A. 353(b)(1)(C)). This drug was previously limited by its new-drug application to use under professional supervision because the scientific data establishing the toxic potential of the drug and its intended use showed only that it was safe if used under professional supervision.

Pursuant to the regulations in § 130.101(b), a petition has been submitted to remove the prescription restriction from this drug. Evidence now available through investigation and marketing experience shows that the drug is safe and effective for use in self-medication as directed in the proposed labeling. The restriction to prescription sale is no longer necessary for the protection of the public health.

This action in removing the prior restriction limiting this drug to prescription sale is taken under the authority of the Federal Food, Drug, and Cosmetic Act (secs. 503(b)(3), 505(c), 52 Stat. 1052, as amended 65 Stat. 648, 76 Stat. 784, 785; 21 U.S.C.A. 353(b)(3), 355(c)), which provides for and requires the removal of such restrictions if they are not necessary for the protection of the public health.

Dated: May 10, 1963.

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

[F.R. Doc. 63-5336; Filed, May 17, 1963;  
8:48 a.m.]

Issued in Washington, D.C., on May 14, 1963.

H. B. HELSTROM,  
Acting Chief,  
Airspace Utilization Division.

[F.R. Doc. 63-5302; Filed, May 17, 1963;  
8:45 a.m.]

[ 14 CFR Part 71 [New] ]

[Airspace Docket No. 63-CE-15]

**CONTROL ZONE AND TRANSITION  
AREA**

**Proposed Alteration**

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Scottsbluff, Nebr., control zone is presently designated within a 5-mile radius of the Scottsbluff Municipal Airport, within 2 miles either side of the Scottsbluff radio range southeast and northwest courses extending from the 5-mile radius zone to 10 miles southeast of the radio range, and within 2 miles either side of the Scottsbluff VORTAC 259° and 079° radials extending from the 5-mile radius zone to 12 miles northeast of the VORTAC.

The Scottsbluff transition area is presently designated as that airspace extending upward from 1,200 feet above the surface within 7 miles northwest and 10 miles southeast of the Scottsbluff VORTAC 211° and 031° radials, extending from 20 miles southwest to 9 miles northeast of the VORTAC, excluding the airspace within Federal airways.

To complete the implementation of the provisions of CAR Amendments 60-21 and 60-29 in the Scottsbluff terminal area, the Federal Aviation Agency has under consideration the following airspace actions:

1. Redesignate the Scottsbluff control zone as that airspace within a 5-mile radius of the Scottsbluff Municipal Airport (latitude 41°52'30" N., longitude 103°35'40" W.), and within 2 miles each side of the Scottsbluff VORTAC 260° True radial, extending from the 5-mile radius zone to the VORTAC. This would provide protection for aircraft executing prescribed instrument approach and departure procedures at the Scottsbluff Municipal Airport. The present control zone extension based on the Scottsbluff radio range and the control zone extension east of the VORTAC are no longer required for air traffic control purposes and would be revoked.

2. Redesignate the Scottsbluff transition area as that airspace extending upward from 700 feet above the surface within 5 miles northwest and 8 miles southeast of the Scottsbluff VORTAC 211° and 031° True radials, extending from 7 miles northeast to 13 miles southwest of the VORTAC; within 5 miles south and 8 miles north of the Scottsbluff VORTAC 260° and 080° radials, extending from 4 miles west to 13 miles

east of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within a 20-mile radius of the Scottsbluff VORTAC. This would provide protection for aircraft executing the prescribed arrival, departure, missed approach and holding procedures in the Scottsbluff terminal area. The 700-foot floor portion of the transition area, in addition to providing protection for aircraft executing portions of the prescribed instrument approach procedures conducted beyond the limits of the control zone, would provide protection for aircraft departing for destinations southwest and west of Scottsbluff during climb in a holding pattern southwest of the VORTAC to 1,200 feet above the surface. It would also permit aircraft to conduct instrument approaches from the holding pattern east of Scottsbluff without executing a procedure turn. The 20-mile, 1,200-foot floor radius area is being proposed in place of a minimum 15-mile radius area to preclude future designation of relatively short fragments of airway segments with floors of 1,200 feet above the surface, to provide for climbs to minimum en route altitude, upon application of the provisions of CAR Amendment 60-21 to the airway structure beyond the Scottsbluff terminal area.

The exclusion of Federal airways contained in the present description of the Scottsbluff transition area would no longer be required with the action proposed herein and would be deleted.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Central Region, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City 10, Mo. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation

Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on May 13, 1963.

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

[F.R. Doc. 63-5303; Filed, May 17, 1963;  
8:45 a.m.]

**INTERSTATE COMMERCE  
COMMISSION**

[ 49 CFR Part 139 ]

[No. 10122]

**STANDARD TIME ZONE BOUNDARIES**

**Standard Time Zone Investigation**

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 25th day of April A.D. 1963.

Upon consideration of the petition filed February 25, 1963, by the Chamber of Commerce of the city of Lemmon, South Dakota, for reopening of the above-entitled proceeding so as to extend the United States standard central time zone westward to include the entire State of South Dakota;

*It is ordered,* That the said proceeding be, and it is hereby, reopened for further consideration to determine whether the orders of the Commission entered herein defining the boundary line between the United States standard central and mountain time zones, particularly that of November 2, 1929, should be further modified so that that portion of the States of North Dakota and South Dakota now included in the United States standard mountain time zone should be included within the United States standard central time zone.

*It is further ordered,* That pursuant to section 4 of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1003), anyone wishing to make representations in favor of or against the changes proposed may do so through the submission of written data, views, or arguments. No consideration will be given to statements supporting a change in the Standard Time Act, 15 U.S.C. 261-265, which confines the authority of this Commission to a determination of the standard zone limits. The original and five copies of such submission shall be filed with the Commission on or before June 25, 1963.

*And it is further ordered,* That copies of this order and the attached proposed modification of the boundary line be

served upon the petitioner, the Governors, the Attorneys General, and the Public Service Commissions of the States of North Dakota, South Dakota, Montana, Wyoming, Nebraska, and Kansas, upon the county court clerks of Adams, Bowman, and Slope Counties, North Dakota, and upon the county court clerks of all the counties in South Dakota that are now in the United States standard mountain time zone, and upon the railroads, bus lines, and air lines engaged in interstate commerce, serving in whole or in part, North Dakota and South Dakota; and that notice to the general public shall be given by depositing a copy hereof for public inspection in the Office of the Secretary of this Commission in Washington, D.C., and by filing copies of the said order with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] HAROLD D. McCoy,  
Secretary.

In § 139.5 *Boundary line between central and mountain zones*:

1. Paragraphs (a) and (b) amended to read as follows:

(a) *North Dakota*. Beginning on the boundary line between the United States and Canada at the intersection of the boundary line between North Dakota and Montana, thence south along the west border of North Dakota to the southwest corner of North Dakota.

(b) *South Dakota*. From the southwest corner of the State of North Dakota, thence south along the west line of the State of South Dakota with its offset to the southwestern corner of South Dakota, thence easterly along the southern border of South Dakota, to the southeastern corner of Todd County and the third guide meridian, west.

2. Paragraph (f) *Operating exceptions*.

Subparagraph (1) *Lines east of the boundary excepted from the central zone*: Cancel the exception of the Chicago, Milwaukee, St. Paul & Pacific Railroad from the North Dakota-South Dakota State line to New England, North Dakota, and add the following new exceptions:

Railroad	From	To
Chicago, Milwaukee, St. Paul & Pacific.	North Dakota-Montana State line east of Dodge, Mont.	Marmarth, N. Dak.
Chicago, Burlington & Quincy.	South Dakota-Wyoming State line, northwest of Dewey, S. Dak.	South Dakota-Nebraska State line, south of Ardmore, S. Dak.

Subparagraph (2) *Lines west of boundary included in central zone*. The following portions of the lines of railroad shall, for operating purposes only, be excepted from the United States standard mountain time zone and be included within the United States standard central zone:

Railroad	From	To
Chicago & North Western.	South Dakota-Wyoming State line, northwest of Belle Fourche, S. Dak.	Bentonite, Wyo.
Chicago & North Western.	South Dakota-Nebraska State line, north of Wayside, Nebr.	Chadron, Nebr.

[F.R. Doc. 63-5334; Filed, May 17, 1963; 8:47 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 3 ]

[Docket No. 14419 (RM-268) ]

### RADIO BROADCAST SERVICES

#### Proposed Order Relating to Hours of Operation of Standard Broadcast Stations

On May 7, 1963, two petitions for extension of time in which to file reply comments in this proceeding were filed: (1) "Motion for Extension of Time to File Reply Comments", filed by Association on Broadcasting Standards, Inc., and joined in by the Daytime Broadcasters Association, Columbia Broadcasting System, Inc., and various legal and engineering firms on behalf of their clients; and (2) "Request for Extension of Time Within Which to File Reply Comments", filed on behalf of the licensees of two daytime-only stations. Both petitions request an extension of time from May 16 to July 15, 1963.

Because of the volume of comments filed on May 1, 1963, it appears that additional time for replies is warranted beyond that now provided; but that grant of the time requested—some 60 days—is both unnecessary and would unduly delay the expeditious resolution of this matter. A grant of approximately 30 days appears sufficient for proper presentations by all interested parties and will not unduly delay the conclusion of this proceeding.

In view of the foregoing: *It is ordered*, This 14th day of May 1963, that the time for filing reply comments herein is extended to and including June 17, 1963: *And it is further ordered*, That the petitions referred to above are granted, to that extent and in all other respects are denied. Authority for the action taken herein is contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and in § 0.241(d) (8) of the Commission's rules.

Released: May 15, 1963.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] BEN F. WAPLE,  
Acting Secretary.

[F.R. Doc. 63-5355; Filed, May 17, 1963; 8:49 a.m.]

# Notices

## DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

### Notice of Filing of Plat of Survey and Order Providing for Opening of Public Lands

MAY 13, 1963.

1. Plat of survey of omitted Island described below will be officially filed in the Anchorage Land Office, Anchorage, Alaska, effective at 10:00 a.m., June 3, 1963.

SEWARD MERIDIAN

T. 17 N., R. 1 E.,  
Sec. 5: Lot 7.

Containing 1.03 acres.

2. This is an island located in Cottonwood Lake containing scattered birch and spruce timber, with an undergrowth of willow and buck brush. The soil is sandy loam, over gravel subsoil.

3. Subject to any existing valid rights, the provisions of existing withdrawals, and the requirements of applicable law, the above described land is hereby opened to filing applications, selections and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws may be presented to the Manager, Anchorage Land Office, beginning on the date of this order. Such applications, selections and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications and selections under the nonmineral public land laws presented prior to 10:00 a.m. on June 3, 1963 will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing. The lands will also be open to mining location at that date and hour.

4. Persons claiming preference rights based upon valid settlement, statutory preference or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claim. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

5. Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in

accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations.

6. Inquiries concerning these lands shall be addressed to the Manager, Anchorage Land Office, Anchorage, Alaska.

WARNER T. MAY,  
Manager.

[F.R. Doc. 63-5317; Filed, May 17, 1963;  
8:45 a.m.]

ALASKA

### Notice of Filing of Plat of Survey and Order Providing for Opening of Public Lands

MAY 13, 1963.

1. Plat of extension survey of the lands described below will be officially filed in the Anchorage Land Office, Anchorage, Alaska, effective at 10:00 a.m., June 3, 1963.

SEWARD MERIDIAN

T. 18 N., R. 2 W.,  
Sec. 11: S½;  
Tract A.

Containing 8,906.96 acres.

2. The land is hilly, situated on the south slope of the Talkeetna Range. The timber consists of birch and spruce. The soil is sandy loam covered with forest mold.

3. Subject to any existing valid rights, the provisions of existing withdrawals, and the requirements of applicable law, the above described land is hereby opened to filing applications, selections and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws may be presented to the Manager, Anchorage Land Office, beginning on the date of this order. Such applications, selections and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications and selections under the nonmineral public land laws presented prior to 10:00 a.m. on June 3, 1963 will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing. The lands will also be

open to mining location at that date and hour.

4. Persons claiming preference rights based upon valid settlement, statutory preference or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claim. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

5. Applications for these lands, which shall be filed in the Land Office at Anchorage, Alaska, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations to the extent such regulations are applicable. Applications under the homestead and homesite laws shall be governed by the regulations contained in Parts 64, 65 and 166 of Title 43 of the Code of Federal Regulations.

6. Inquiries concerning these lands shall be addressed to the Manager, Anchorage Land Office, Anchorage, Alaska.

WARNER T. MAY,  
Manager.

[F.R. Doc. 63-5318; Filed, May 17, 1963;  
8:45 a.m.]

National Park Service

[Order No. 18, Amdt. 3]

PURCHASING AGENT

### Delegation of Authority Regarding Purchase Orders

Delegation of Authority Order No. 18 is amended by addition of section 2 to grant authority to the Purchasing Agent to issue purchase orders for supplies, equipment or services.

SEC. 2. The Purchasing Agent, Division of Property Management and General Services, may issue purchase orders not in excess of \$2,500 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of allotted funds.

(205 DM 11.1; 26 F.R. 11748)

Dated: May 13, 1963.

CONRAD L. WIRTH,  
Director.

[F.R. Doc. 63-5319; Filed, May 17, 1963;  
8:45 a.m.]

## DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[Amdt. 4]

MAINE

### Notice of Establishment of Areas of Venue for Marketing Quota Review Committee Panels

Pursuant to section 3(a)(1) of the Administrative Procedure Act (60 Stat.

238; 5 U.S.C. 1002) which requires that the field organization be published in the FEDERAL REGISTER and § 711.12 of the Marketing Quota Review Regulations (26 F.R. 10204, 27 F.R. 4831, 6539, 28 F.R. 3913) which provides for establishment of areas of venue for marketing quota review committee panels, notice is hereby given that the areas of venue established for the following State (28 F.R. 236, 460, 3891, 4464) have been revised and established by the ASC State Committee as follows:

## MAINE

Counties of:

Area I—All counties in State.

(Sec. 3, 60 Stat. 238; 5 U.S.C. 1002; Sec. 363, 52 Stat. 63, as amended; 7 U.S.C. 1363)

Effective date: May 10, 1963.

Signed at Washington, D.C., on May 15, 1963.

H. D. GODFREY,  
Administrator, Agricultural Sta-  
bilization and Conservation,  
Service.

[F.R. Doc. 63-5365; Filed, May 17, 1963;  
8:51 a.m.]

[Amdt. 5]

## VERMONT

### Notice of Establishment of Areas of Venue for Marketing Quota Review Committee Panels

Pursuant to section 3(a)(1) of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1002) which requires that the field organization be published in the FEDERAL REGISTER and § 711.12 of the Marketing Quota Review Regulations (26 F.R. 10204, 27 F.R. 4831, 6539, 28 F.R. 3913) which provides for establishment of areas of venue for marketing quota review committee panels, notice is hereby given that the areas of venue established for the following State (28 F.R. 236, 460, 3891, 4464) have been revised and established by the ASC State Committee as follows:

## VERMONT

Counties of:

Area I—All counties in State.

(Sec. 3, 60 Stat. 238; 5 U.S.C. 1002; Sec. 363, 52 Stat. 63, as amended; 7 U.S.C. 1363)

Effective date: May 14, 1963.

Signed at Washington, D.C., on May 15, 1963.

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

[F.R. Doc. 63-5365; Filed, May 17, 1963;  
8:51 a.m.]

## DEPARTMENT OF COMMERCE

Office of the Secretary

GEORGE A. SANDS

### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Pro-

duction 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: The Carpenter Steel Company.

B. Additions: no change.

This statement is made as of May 8, 1963.

GEORGE A. SANDS.

MAY 8, 1963.

[F.R. Doc. 63-5335; Filed, May 17, 1963;  
8:47 a.m.]

## DEPARTMENT OF HEALTH, EDU- CATION, AND WELFARE

Food and Drug Administration

### E. I. DU PONT DE NEMOURS AND CO., INC.

#### Notice of Filing of Petition Regarding Food Additives Surface Lubricants

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 1074) has been filed by E. I. du Pont de Nemours and Company, Inc., Wilmington 98, Delaware, proposing that paragraph (c) of § 121.2531 *Surface lubricants used in the manufacture of metallic articles* be amended by inserting in the list of substances the new items "Cetyl alcohol" and "Stearyl alcohol."

Dated: May 13, 1963.

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

[F.R. Doc. 63-5324; Filed, May 17, 1963;  
8:46 a.m.]

### SOCONY MOBILE OIL CO., INC.

#### Notice of Filing of Petition Regarding Food Additives Surface Lubricants

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 1076) has been filed by Socony Mobile Oil Company, Inc., 150 East 42d Street, New York 17, New York, proposing that paragraph (c) of § 121.2531, *Surface lubricants used in the manufacture of metallic articles* be amended by inserting in the list of substances the new item "Methyl esters of fatty acids (C<sub>16</sub>-C<sub>18</sub>) derived from animal and vegetable fats and oils."

Dated: May 13, 1963.

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

[F.R. Doc. 63-5325; Filed, May 17, 1963;  
8:46 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 14504; Order E-19584]

### DELTA AIR LINES, INC.

#### Order of Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of May 1963.

Open-jaw group fares proposed by Delta Air Lines, Inc., Docket No. 14504.

Delta Air Lines, Inc. (Delta) has filed a tariff,<sup>1</sup> to become effective May 18, 1963, proposing a 25 percent reduction in jet coach fares for open-jaw group tour travel from New York/Newark to Las Vegas and return from Los Angeles, San Diego, or San Francisco; to Los Angeles, San Diego, or San Francisco and return from Las Vegas; to Los Angeles, San Diego, or San Francisco and return from Los Angeles, San Diego, or San Francisco.

Tickets must be purchased at least 14 days prior to departure from point of origin, for at least ten passengers traveling in connection with a fully prepaid advertised air tour. All members of the group must commence travel on the same flight from the point of origin or from the intermediate point Atlanta, Georgia, and travel only in the coach or economy compartment of flights operated with jet aircraft. An advertised air tour consists of (1) open-jaw air transportation between the above points, (2) lodgings in at least two noncontiguous cities, (3) sightseeing trips, and (4) transportation between points at the open-jaw end of trip. The total price of the tour for each passenger must be not less than the applicable fare named in the tariff plus \$100. Transportation is limited to specific dates and days of the week. The tariff establishes that the return portion of a ticket is valid for passage any day of the week but not earlier than ten days nor later than thirty days in addition to date of departure from point of origin. The tariff is marked to expire with December 31, 1963. No complaints have been filed against the proposed tariff.

The proposed fares present essentially the same issues of justness and reasonableness, discrimination, preference, and prejudice that we noted in regard to similar fares recently filed by American Airlines, Inc., and Trans World Airlines, Inc.,<sup>2</sup> and should be investigated. To facilitate the investigation, we will expect Delta to keep adequate records of traffic, revenues, and costs associated with the promotional fares here in issue. We will not suspend the effectiveness of the proposed fares, for they do not appear prima facie unreasonably low, are experimental, are for a limited period of time, and may tend to equalize seasonal traffic fluctuations and promote travel to the West. We reach this conclusion notwithstanding our earlier holding in the

<sup>1</sup> Delta Air Lines, Inc., Local Group Passenger Tariff No. G-5, C.A.B. No. 73, filed Apr. 17, 1963.

<sup>2</sup> Order E-18838, Sept. 28, 1962.

Tour Basing Fares case<sup>3</sup> in the light of the financial situation of the industry and the need at this time to develop additional traffic and revenues. Our action in this regard is consistent with our decisions in the recent past to permit to become effective for an experimental period fares in which similar issues of discrimination are present.<sup>4</sup>

Accordingly, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, particularly sections 204(a), 403, 404, and 1002 thereof:

*It is ordered that:*

1. An investigation be instituted to determine whether the fares and provisions in Delta Air Lines, Inc., Local Group Passenger Tariff No. G-5, C.A.B. No. 73, including subsequent revisions and reissues thereof, are, or will be, unjust or 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. This investigation will be set for hearing before an examiner of the Board at a time and place hereafter to be designated;

3. A copy of this order shall be filed with the aforesaid tariff and shall be served upon Delta Air Lines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 63-5343; Filed, May 7, 1963;  
8:49 a.m.]

[Docket No. 14503; Order E-19583]

### SLICK CORP.

#### Order of Investigation and Suspension

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 15th day of May 1963.

"Parcel Post" Freight Rates Proposed by The Slick Corporation, Docket No. 14503.

By tariff marked to become effective May 18, 1963, The Slick Corporation (Slick) proposes new, low airport-to-airport general commodity rates and charges on "parcel post" traffic, i.e., shipments consigned to the U.S. Post Office Department and bearing postage affixed by the shipper for onward carriage in U.S. Postal Service beyond the air destination. The proposed rates are to expire January 20, 1964.

Slick proposes an eastbound rate from Los Angeles to Indianapolis, and westbound rates from New York to Dallas, Fort Worth, Indianapolis, Los Angeles, San Francisco, and Oakland. Slick supports the proposed rates by stating (1) that the eastbound rate to Indianapolis is established at the same level as the Chicago rate inasmuch as both are in the same parcel post zone from Los

Angeles (Zone 7); and (2) that the westbound rates are set at the same level as the eastbound rates in recognition of the absence of directionality now existing in surface parcel post rates.

American Airlines, Inc., Braniff Airways, Inc., The Flying Tiger Line Inc., and Trans World Airlines, Inc. have filed complaints requesting investigation and suspension of these proposals. In summary, the complaints variously allege (1) that Slick, by setting its westbound rates at the same level as current eastbound rates follows the pattern initially proposed by Continental Air Lines and subsequently suspended by the Board,<sup>1</sup> primarily because the application of the backhaul theory to westbound traffic would establish an undesirable precedent; (2) that westbound traffic can pay a higher rate than eastbound; (3) that such "parcel post" traffic should be transported on a space-available basis after the accommodation of mail, express, and other freight (including deferred freight), although not subject to release times as in deferred service; and (4) that while common-rating Los Angeles-Indianapolis with Chicago may be warranted because of surface parcel post rate equalization, the lower minimum weight (1,000 pounds) proposed by Slick for Indianapolis, as compared to 5,000 pounds to Chicago, will divert traffic from Chicago as a break-bulk point.

Slick's answer to complaints concerns itself extensively with a pending filing by Flying Tiger on similar westbound "parcel post" rates for effectiveness May 24, 1963, but which are not in issue here. Otherwise, Slick reiterates its predication of air freight rates on the non-directionality of surface parcel post rates, and does not controvert the Board's previously stated views as to the directionality of air freight rates.

The Slick proposals involve rates yielding from 8.01 cents to 8.98 cents per ton-mile, with one rate (New York to Indianapolis) at 12 cents, and represent reductions of 42 to 63 percent below regular (prime service) general commodity rates, 18 to 27 percent below Economy Service,<sup>2</sup> and generally 14 to 34 percent below Deferred Service.<sup>3</sup>

Upon consideration of the complaint and other matters of record, the Board finds that the westbound rates proposed by Slick may be unjust or unreasonable, or unjustly discriminatory or unduly preferential or unduly prejudicial and should be investigated. Eastbound, air freight rates have traditionally been on a relatively low level because they have been based on the added costs of return hauls opposite to the direction of the predominant traffic flow. It follows that the rates and revenues from carrying freight in both directions must be geared to the total costs of the round-trip operation. The rates here proposed are substantially below fully allocated cost. Slick relies upon the non-directionality

of surface parcel post rates as justification for its proposals. However, no data or information as to the directionality, or absence of same, in surface parcel post traffic has been furnished. In any event, we are more concerned with the directionality of air freight traffic generally. Slick's proposal would extend the application of the current backhaul rate to apply in the westbound direction in these markets. Such extension would establish an undesirable precedent that could lead to numerous rate cuts on existing traffic and unnecessary diminution of revenue for all carriers. Furthermore, an analysis of the proposed rates, on a total charge basis, indicates that combined air service (including airline pick-up and delivery) plus postage beyond would typically be less than through surface parcel post charges. The Board is of the opinion that there is little justification for offering the speed and facility of air service at rates lower than surface transportation. We note further that these rates are below Slick's rates for inferior services.

The Board has therefore concluded to suspend the proposed parcel post rates westbound and defer their use pending investigation.

With respect to the eastbound rate from Los Angeles to Indianapolis of which only Flying Tiger complains, we are not persuaded that any significant diversion of Los Angeles-Chicago traffic will result, nor that such diversion, if any, would warrant denying Slick its proposed rate. The complaint thereon will be dismissed. In view of the low level of this rate, however, and its experimental nature, we believe it is essential to ascertain data on the traffic and revenue experience. We have therefore instructed our staff to arrange for appropriate reporting procedures. This will enable the Board to monitor the results on a reasonably current basis and, in addition, have data available upon which to consider possible extension of this rate beyond the present expiry date.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204(a) and 1002 thereof: *It is ordered, that:*

1. An investigation is instituted to determine whether the rates and provisions via the routing "SL" from New York, N.Y. to Dallas, Tex., Fort Worth, Tex., Indianapolis, Ind., Los Angeles, Calif., and San Francisco-Oakland, Calif., appearing on 5th Revised Page 4 of Agent J. Aniello's C.A.B. No. 26, are, or will be, unjust or unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and if found to be unlawful, to determine and prescribe the lawful rates and provisions.

2. Pending hearing and decision by the Board, the rates and provisions described in ordering paragraph 1. above are suspended and their use deferred to and including August 15, 1963, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission of the Board.

3. The complaints of American Airlines, Inc. in Docket 14471, Braniff Air-

<sup>1</sup> Docket 14287, Order E-19204, dated Jan. 17, 1963.

<sup>2</sup> Economy Service is 12 hours faster than Deferred Service and at slightly higher rates.

<sup>3</sup> New York to Indianapolis is again an exception at 1 percent above the Deferred Service rate.

<sup>4</sup> 14 C.A.B. 257 (1951).

<sup>5</sup> Order E-18790, Sept. 17, 1962. See also Order E-15050, Mar. 29, 1960, and Order E-15215, May 10, 1960.

ways, Inc. in Docket 14470, The Flying Tiger Line Inc. in Docket 14462, and Trans World Airlines, Inc. in Docket 14469 be denied except to the extent granted herein and are dismissed.

4. The proceeding ordered herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated.

5. A copy of this order shall be filed with the tariff and a copy shall be served upon American Airlines, Inc., Braniff Airways, Inc., The Flying Tiger Line Inc., The Slick Corporation, and Trans World Airlines, Inc. which are hereby made parties to this proceeding.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 63-5344; Filed, May 17, 1963;  
8:49 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15074, 15075; FCC 63M-558]

### AUTOMATED ELECTRONICS, INC., AND CAPITAL BROADCASTING CO.

#### Order Scheduling Hearing

In re applications of Automated Electronics, Inc., Arlington, Va., Docket No. 15074, File No. BPCT-3064; Capital Broadcasting Company, Washington, D.C., Docket No. 15075, File No. BPCT-3122; for construction permits for New Television Broadcast Stations (Channel 20).

*It is ordered*, This 14th day of May 1963, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 15, 1963, in Washington, D.C.: *And, it is further ordered*, That a prehearing conference in the proceeding will be convened by the presiding officer on June 17, 1963.

Released: May 14, 1963.

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

[F.R. Doc. 63-5350; Filed, May 17, 1963;  
8:49 a.m.]

[Docket No. 15073]

### JAMES C. S. DACUS

#### Order To Show Cause

In the matter of James C. S. Dacus, Hot Springs, Arkansas, Docket No. 15073, order to show cause why there should not be revoked the license for Radio Station 9Q1515 in the Citizens Radio Service.

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the above-captioned station;

It appearing, that, pursuant to section 308(b) of the Communications Act of 1934, as amended, the above-named licensee was requested to furnish information concerning the subject radio station in communications dated December 6, 1962, and February 28, 1963, and sent to the licensee's address of record, but no response thereto has been received; and

It further appearing, that, in view of the foregoing, the licensee has repeatedly violated section 308(b) of the Communications Act of 1934, as amended, and § 1.76 of the Commission's rules:

*It is ordered*, This 15th day of May 1963, pursuant to section 312(a)(4) and (c) of the Communications Act of 1934, as amended, and § 0.291(b)(8) of Part 0 of the Commission's rules, that said licensee show cause why the license for the above-captioned radio station should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

*It is further ordered*, That the Acting Secretary send a copy of this Order by Certified Mail—Return Receipt Requested to the said licensee at his last known address at 215 Centerview Street, Hot Springs, Arkansas.

Released: May 15, 1963.

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

[F.R. Doc. 63-5351; Filed, May 17, 1963;  
8:49 a.m.]

[Docket Nos. 14739; 14740; FCC 63M-554]

### EDINA CORP. AND TEDESCO INC.

#### Order Scheduling Hearing

In re applications of Edina Corporation, Edina, Minnesota, Docket No. 14739, File No. BP-14018; Tedesco, Inc., Bloomington, Minnesota, Docket No. 14740, File No. BP-15272; for construction permits.

The Hearing Examiner having under consideration certain agreements reached and rulings made during a hearing session of May 10, 1963, which properly should be formalized by order:

*It is ordered*, This 13th day of May 1963, that:

(1) Hearing on the direct case of Tedesco, Inc. on the issues added by Orders of the Review Board released on January 7 and February 27, 1963, shall resume on June 18, 1963;

(2) In the event any party wishes to adduce evidence in rebuttal of Tedesco's direct case, hearing thereon shall commence on June 26, 1963; and,

(3) In the event any party proposes to present a rebuttal case, it shall give notice to all other parties hereto and the Hearing Examiner of the identity of the witnesses it proposes to offer on or before June 19, 1963.

Released: May 14, 1963.

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

[F.R. Doc. 63-5352; Filed, May 17, 1963;  
8:49 a.m.]

[Docket No. 14638; FCC 63M-555]

### HUGH JORDAN STOCK

#### Order Scheduling Hearing

In re application of Hugh Jordan Stock, Riverton, Wyoming, Docket No. 14638, File No. BP-14184; for construction permit.

As a result of agreements reached on the record of a prehearing conference held this date in the above-entitled matter: *It is ordered*, This 13th day of May 1963, that:

1. Exhibits (if any) shall be exchanged on or before June 17, 1963,

2. Rebuttal exhibits (if any) shall be exchanged on or before July 10, 1963, and

3. The hearing (heretofore postponed indefinitely) is scheduled to commence at 10:00 a.m., July 25, 1963, in the Commission's offices in Washington, D.C.

Released: May 14, 1963.

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

[F.R. Doc. 63-5353; Filed, May 17, 1963;  
8:49 a.m.]

[Docket No. 15069-15072; FCC 63M-557]

### TELEPROMPTER TRANSMISSION OF KANSAS, INC.

#### Order Scheduling Hearing

In re applications of Teleprompter Transmission of Kansas, Inc., File No. 1375-C1-P-62, for a construction permit to establish additional facilities at licensed station KLF92, a facility in the Domestic Public Point-to-Point Microwave Radio Service near Spearman, Texas; File No. 1376-C1-P-62, for a construction permit to establish additional facilities at licensed station KLF93, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Hoghland, Texas; File No. 4232-C1-P-62, for a construction permit to establish a new radio station in the Domestic Public Point-to-Point Microwave Radio Service at Liberal, Kansas; Docket No. 15069, File No. 265-C1-R-63, for renewal of the license for station KLF92, a facility in the Domestic Public Point-to-Point Microwave Radio Service near Spearman, Texas; Docket No. 15070, File No. 266-C1-R-63, for renewal of the license for station KLF93, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Hoghland, Texas; Docket No. 15071, File No. 1375-C1-MP-62, for a modification of construction permit to authorize the provision of a third channel of service to Liberal, Kansas; Docket No. 15072, File No. 1376-C1-MP-62, for a modification of construction permit to authorize the provision of a third channel of service to Liberal, Kansas.

*It is ordered*, This 14th day of May 1963, that Arthur A. Gladstone will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 15, 1963, in Washington, D.C.: *And, it is further ordered*, That a prehearing conference in the pro-

ceeding will be convened by the presiding officer on June 21, 1963.

Released: May 14, 1963.

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

[F.R. Doc. 63-5354; Filed, May 17, 1963;  
8:49 a.m.]

**FEDERAL MARITIME COMMISSION**

**ALASKA TERMINAL AND STEVEDORING CO. ET AL.**

**Notice of Agreements Filed for Approval**

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

Agreement No. 8905-1, between Alaska Terminal and Stevedoring Company (Company) and the Alaska Steamship Company (Alaska) modifies the basic agreement between the Port of Seattle (Port) and the Company which provides for the lease of certain pier and terminal property in Seattle, Washington, to be operated in the conduct of a general steamship terminal stevedoring and related warehouse business and for the maintenance and repair of vessels of Alaska. The purpose of the modification is to transfer, assign and convey to Alaska all of the Company's interest in the basic agreement.

Agreement No. 8905-2, between the Port of Seattle (Port) and Alaska Steamship Company (Alaska) modifies the above described basic agreement. The purpose of the modification is to provide for the review and approval by the Port of certain charges established in Alaska's terminal tariff.

Interested parties may inspect these agreements 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 agreements and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

MAY 15, 1963.

[F.R. Doc. 63-5340; Filed, May 17, 1963;  
8:49 a.m.]

**W. J. BYRNES & COMPANY OF LOS ANGELES, INC., ET AL.**

**Notice of Agreements Filed for Approval**

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Ship-

ping Act, 1916, as amended. All parties involved were registered under our former General Order 72, have applied for license pursuant to section 44 of the Shipping Act, 1916, and are therefore eligible to operate as independent ocean freight forwarders.

The following agreements have similar terms:

- W. J. Byrnes & Co. of L.A., Inc., Los Angeles, Calif., and W. J. Byrnes & Co., San Francisco, Calif. FF-174
- Seaport Shipping Co. (Portland), Portland, Oreg., and Dyson Shipping Co., Inc. FF-176
- Maier & Co., New Orleans La., and Gulf Florida Terminal Co., Tampa, Fla. FF-175
- J. T. Steeb & Co., Inc. Seattle, Wash., and R. W. Smith & Co., Houston, Tex. FF-186
- J. E. Lowden & Co., San Francisco, Calif., and Seaport Shipping Co., Portland, Oreg. FF-194
- Sea-Lanes Shipping Co., Inc., New York, and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La. FF-195

They are nonexclusive, cooperative working arrangements under which the parties may perform forwarding services for each other. Forwarding and service fees are subject to negotiation and agreement on each transaction. Ocean freight brokerage is to be divided between the parties as agreed.

F. L. Kraemer & Co. of New York, N.Y. is party to the following agreements, the terms of which are identical. The other parties are:

- Loretz & Co., San Francisco, Calif. FF-168
- Geo. Wm. Rueff, Inc., New Orleans, La. FF-169

They are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight brokerage is to be divided between the parties as agreed.

Seaport Shipping Co. (Seattle), Seattle, Wash., is party to the following agreements, the terms of which are identical. The other parties are:

- Glaessel Shipping Corp., New York. FF-173
- Universal Transport Corp., New York. FF-187
- Sopac Transport Corp., New York. FF-188
- J. W. Allen & Co., Inc. FF-189
- J. E. Lowden & Co., San Francisco, Calif. FF-190
- Inge & Co., Inc., New York. FF-191

They are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight brokerage is to be divided between the parties as agreed.

D. C. Andrews & Co., Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

- Maier & Co., Houston, Tex. FF-177
- Arthur J. Fritz & Co., Honolulu, Hawaii. FF-178
- Jay International, Inc., Philadelphia, Pa. FF-179
- John S. James, Savannah, Ga. FF-180
- Anderson Shipping Co., Savannah, Ga. FF-181

- N. D. Cunningham & Co., Inc. FF-182
- W. M. Stone & Co., Inc., Norfolk, Va. FF-183
- M. E. Dey & Co., Inc., Milwaukee, Wis. FF-184
- Chas. Kurz Co., Philadelphia, Pa. FF-185

They are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight brokerage is to be divided between the parties as agreed.

Seaport Shipping Co. (Portland), Portland, Oreg., is party to the following agreements, the terms of which are identical. The other parties are:

- Natural Nydegger Transport Corp., New York. FF-196
- A. E. Nydegger & Co., Inc., New York. FF-197

They are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight brokerage is to be divided between the parties as agreed.

W. J. Byrnes & Co. of New York, Inc., New York, is party to the following agreements, the terms of which are identical. The other parties are:

- Southern Shipping Co., Inc., Charleston, S.C. FF-170
- W. J. Byrnes & Co., San Francisco, Calif. FF-192
- John A. Conkey & Co., Boston, Mass. FF-193

They are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding service fees as agreed on each transaction. Ocean freight brokerage is to be divided between the parties as agreed.

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., or at the Commission's field offices at:

45 Broadway,  
New York 4, N.Y.

180 New Montgomery Street,  
San Francisco, Calif.

Room 333, Federal Office Building South,  
600 South Street,  
New Orleans 12, La.

Mail address:  
P.O. Box 30550,  
Lafayette Station,  
New Orleans 30, La.

They may submit to the Secretary, Federal Maritime Commission, Washington, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Commission.

Dated: May 15, 1963.

THOMAS LISI,  
Secretary.

[F.R. Doc. 63-5341; Filed, May 17, 1963;  
8:49 a.m.]

**H. L. ZIEGLER, INC., ET AL.**

**Notice of Agreements Filed for Approval**

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended. All parties involved were registered under our former General Order 72, have applied for licenses pursuant to section 44 of the Shipping Act, 1916, and are therefore eligible to operate as independent ocean freight forwarders.

Agreement FF-122 between H. L. Ziegler, Inc., Houston, Tex., and J. D. Smith Inter-Ocean Inc., New York, is a nonexclusive, cooperative working arrangement under which the parties may perform freight forwarder services for each other, dividing forwarding and service fees as agreed. Ocean freight brokerage is to be divided equally (50%-50%) between the parties.

W. J. Byrnes & Co. of L.A., Inc., Los Angeles, Calif., is party to the following agreements, the terms of which are identical. The other parties are:

- W. J. Byrnes & Co. of New York, Inc., New York----- FF-124
- M. E. Day & Co., Inc., Milwaukee, Wis----- FF-125
- Jessie M. Paxton, San Diego, Calif----- FF-126
- Tom J. Watts, Brownsville, Tex----- FF-127
- J. T. Steeb & Co., Inc. of Oregon, Portland, Oreg----- FF-128
- W. J. Byrnes & Co., Seattle, Wash----- FF-129
- Anderson Shipping Co., Savannah, Ga----- FF-130
- W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La----- FF-131

They are nonexclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other dividing forwarding and service fees as agreed on each transaction. Ocean freight brokerage is to be divided between the parties as agreed.

Inter-Maritime Forwarding Co., Inc., New York, N.Y., is party to the following agreements, the terms of which are identical. The other parties are:

- John A. Steer Co., Philadelphia, Pa----- FF-132
- Loretz & Co., Los Angeles, Calif----- FF-133
- Carmichael Forwarding Service Inc., Los Angeles, Calif----- FF-134
- L. E. Coppersmith, Inc., Los Angeles, Calif----- FF-135
- James Loudon & Co., Inc., Los Angeles, Calif----- FF-136
- Paul A. Boulo, Mobile, Ala----- FF-137
- Samuel Shapiro & Co., Inc., Baltimore, Md----- FF-138
- Williams Export Co., Portland, Oreg----- FF-139
- Maher & Co., New Orleans, La----- FF-140
- South Ports Forwarding Co., Houston, Tex----- FF-141
- W. C. Auger & Co., San Francisco, Calif----- FF-142

They are nonexclusive, cooperative working arrangements under which the parties may perform forwarding services for each other. Forwarding fees and ocean freight brokerage will be divided as agreed on each shipment.

All of the following agreements have similar terms.

- J. P. Harle Forwarding Co., Houston, Tex., and Footner & Co., Inc----- FF-144
- J. Cortina, Tampa, Fla., and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La----- FF-145
- Glen Shipping Co., New York, and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La----- FF-149
- Seaport Shipping Co. (Seattle), Seattle, Wash., and Silvey Shipping Co., Inc----- FF-54
- Wolf & Gerber, Inc., New York, and R. G. Hobelmann & Co., Inc., Toledo, Ohio----- 9097
- Wolf & Gerber, Inc., New York, and Stewart-Henderson Co., Philadelphia, Pa----- 9098
- Gallagher & Ascher Co., Chicago, Ill., and Jung Forwarding Co., Inc., New York----- 9043

They are nonexclusive, cooperative working arrangements under which the parties may perform forwarding services for each other, dividing forwarding and service fees and ocean freight brokerage as agreed.

Seaport Shipping Co. (Seattle), Seattle, Wash., is party to the following agreements, the terms of which are identical. The other parties are:

- A. E. Nydegger & Co., Inc., New York----- FF-146
- Natural, Nydegger Transport Corp., New York----- FF-147
- Wolf & Gerber, Inc., New York----- FF-148

They are nonexclusive, cooperative working agreements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight brokerage is to be divided between the parties as agreed.

Agreement 9112 between F. L. Kraemer & Co., New York, N.Y., and E. J. Edwards International, Chicago, Ill., is a nonexclusive, cooperative working arrangement under which covers export shipments of, clients of, clients of F. L. Kraemer & Co., shipped via E. J. Edwards International, by vessel from Chicago to ports in England. Forwarding and service fees shall be divided: two-thirds for E. J. Edwards International, one-third for F. L. Kraemer & Co. Ocean freight brokerage shall be divided: two-thirds for F. L. Kraemer & Co., one-third for E. J. Edwards International.

Agreement 9163 between Silvey Shipping Co., Inc., New York, N.Y., and Palmetto Shipping Co., Inc., Charleston, S.C., is a nonexclusive, cooperative working arrangement under which the parties may perform forwarding serv-

ices for each other. Forwarding and service fees are \$3.00 per shipment and special services remain subject to negotiation and agreement on each transaction. All ocean freight brokerage is given to Silvey Shipping.

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C., or at the Commission's field offices at:

- 45 Broadway, New York 4, N.Y.
- 180 New Montgomery Street, San Francisco, Calif.
- Room 333, Federal Office Building, South, 600 South Street, New Orleans 12, La.

Mail address:  
P.O. Box 30550,  
Lafayette Station,  
New Orleans 30, La.

They may submit to the Secretary, Federal Maritime Commission, Washington, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their approval, disapproval, or modification, together with request for hearing should such hearing be desired.

By order of the Federal Maritime Commission.

Dated: May 15, 1963.

THOMAS LIST,  
Secretary.

[F.R. Doc. 63-5342; Filed, May 17, 1963; 8:49 a.m.]

**CIVIL SERVICE COMMISSION**  
**ACCOUNTANTS, AUDITORS, AND**  
**INTERNAL REVENUE AGENTS**

**Notice of Increase in Minimum Rates of Pay**

1. Under authority of section 504 of the Federal Salary Reform Act of 1962 and Executive Order 11073, the Civil Service Commission has increased the minimum salary rates and the rate ranges for internal revenue agents and accountants and auditors at grades GS-5 through GS-9. The revised rates for these grades together with a listing of the occupational categories to which they apply are as follows:

PER ANNUM RATES

Grade	1	2	3	4	5	6	7	8	9	10
GS-5	\$5,525	\$5,685	\$5,845	\$6,005	\$6,165	\$6,325	\$6,485	\$6,645	\$6,805	\$6,965
GS-6	5,885	6,055	6,225	6,395	6,565	6,735	6,905	7,075	7,245	7,415
GS-7	6,280	6,465	6,660	6,835	7,020	7,205	7,390	7,575	7,760	7,945
GS-8	6,705	6,910	7,115	7,320	7,525	7,730	7,935	8,140	8,345	8,550
GS-9	7,125	7,350	7,575	7,800	8,025	8,250	8,475	8,700	8,925	9,150

Coverage is statewide in California. The occupational categories to which the rates apply are as follows:

Positions in the Internal Revenue Agent Series, GS-512-0, and positions in the Accounting Series, GS-510-0.

2. The increased rates will be effective on the first day of the first pay period which begins on or after July 1, 1963.

3. As of the effective date, all agencies will process a pay adjustment to increase the pay of current employees in the af-

ected occupational classes. An employee who is receiving basic compensation immediately prior to the effective date at one of the rates of Compensation Schedule I shall receive compensation at the corresponding numbered rate authorized by this action on and after such date.

UNITED STATES CIVIL SERVICE COMMISSION,  
MARY V. WENZEL,  
*Executive Assistant to  
the Commissioners.*

[F.R. Doc. 63-5346; Filed, May 17, 1963;  
8:49 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. CP61-302]

### FLORIDA GAS TRANSMISSION CO.<sup>1</sup>

#### Notice of Amendment to Application and Date of Hearing

MAY 10, 1963.

Coastal Transmission Corporation, now Florida Gas Transmission Company (Applicant), filed an application for a certificate of public convenience and necessity in the above-captioned proceeding on May 29, 1961, as supplemented on May 14, 1962. Notice of the filing of this application as supplemented was issued on July 27, 1962, and published in the FEDERAL REGISTER on August 7, 1962 (27 F.R. 8813). This notice described the sale as then proposed, fixed August 27, 1962, as the date on or before which protests and petitions to intervene might be filed, and scheduled a hearing to commence on September 6, 1962. On August 20, 1962, the Public Service Commission of the State of New York filed a notice of intervention. By notice of the Secretary issued August 27, 1962, the hearing scheduled to commence on September 6, 1962, was postponed to a date to be fixed by further notice.

On November 27, December 3, 1962, and January 21, 1963, Applicant filed supplements to its application which changed the proposal in substantial and material respects. In an effort to dispose of gas paid for but not taken, and dispose of temporary excess gas supplies, Applicant has recently renegotiated the terms of an existing short-term, surplus gas sales contract with Texas Eastern Transmission Corporation (Texas Eastern). Applicant has agreed to reduce the price of the gas from 17 cents to 14.5 cents per Mcf<sup>2</sup> and Texas Eastern has agreed to purchase minimum daily volumes of 15,000 Mcf for the remaining term of the contract.<sup>3</sup> Applicant states

that, absent this sale, it would have to forfeit approximately \$539,000 in prepayments for gas that it would be unable to take. In contrast, the apparent revenue deficiency that would be generated from the proposed sale would be approximately \$78,000. Applicant has been granted temporary authority to render the service as proposed and amended.

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 June 5, 1963 at 10 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 noncontested 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.

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 May 31, 1963. 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 immediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 63-5308; Filed, May 17, 1963;  
8:45 a.m.]

[Docket No. G-2864 etc.]

### LONDON GAS CO. ET AL.

#### Notice of Applications and Date of Hearing

MAY 9, 1963.

London Gas Company, et al. (formerly Ray London and D. E. London), Docket No. G-2864; Dixon Management Corporation (formerly Lloyd H. Smith, Inc.), Docket Nos. G-3556, G-3557; (formerly Lloyd H. Smith, Inc.), Docket No. G-3558; (formerly Lloyd H. Smith, Inc.), Docket No. G-3560; (formerly Lloyd H. Smith, Inc.), Docket No. G-3561; (formerly Lloyd H. Smith, Inc.), Docket No. G-3563; Murphy Corporation, et al., Docket No. G-4709; Murphy Corporation, et al., Docket No. G-4710; Gulf Oil Corporation, Operator, Docket No. G-7160; Texaco Inc., Docket No. G-12455; Sunray DX Oil Company, Docket Nos. G-12901 (G-17545); The Atlantic Refining Company, Docket No. G-13674; Davon Drilling Company (Operator), Docket No. G-13798; N. Bruce Calder & Curtis E. Calder, Jr. d.b.a. Horizon Oil & Gas Company, Docket Nos. G-13886 (G-19397); Sunset International Petroleum Corporation (Operator), et al. (successor to McRae Oil and Gas Corporation (Operator), et al. (successor to Davidor and Davidor), Docket Nos.

G-14129 (G-8470); Davidor and Davidor, Docket Nos. G-14285 (G-8470); London Gas Company, et al. (formerly D. E. London, et al.), Docket No. G-14568; London Gas Company, et al. (formerly D. E. London, et al.), Docket No. G-15138; Sunray DX Oil Company, Docket No. G-16104; London Gas Company, et al. (formerly D. E. London, et al.), Docket No. G-17476; Kerr-McGee Oil Industries, Inc., Docket No. G-18017; D. E. London, et al. (successor to Thomas W. Poore), Docket Nos. G-18730 (G-6396); William G. Webb, Docket No. G-19109; Cities Service Production Company, Docket No. G-19707; Tidewater Oil Company, Docket No. G-19719; Continental Oil Company, Docket No. G-19838; The Atlantic Refining Company, Docket No. G-20020; Associated Oil & Gas Co. (Operator), et al., Docket No. G-20058.

Hunt Oil Company (successor to H. L. Hunt, and Estate of Lyda Bunker Hunt, Deceased), Docket No. CI60-10, (G-14450), (G-14451); William A. Hudson and Edward R. Hudson, et al. (successor to Hudson & Hudson, Inc., et al.), Docket No. CI60-103, (G-15093); William A. Hudson and Edward R. Hudson (Operator), et al. (successor to Hudson & Hudson, Inc. (Operator), et al.), Docket No. CI60-104, (G-8747); C. M. Paul and Josephine Bay Paul, Docket No. CI60-179; Southland Royalty Company, Docket No. CI60-226; Union Texas Petroleum, a Division of Allied Chemical Corporation (Operator), et al., Docket No. CI60-276; Producing Properties, Inc., et al. (successor to Shoreline Petroleum Corporation), Docket No. CI60-520, (CI61-953); Petroleum Exploration, Inc. of Texas, Docket No. CI60-739; Graham-Michaelis Drilling Company (Operator), et al., Docket No. CI61-2, (CI61-325); Gas Transmissions, Inc., Docket No. CI61-147; Cabot Corporation (SW), Docket No. CI61-148; Lloyd V. Youmans (Operator), et al., Docket No. CI61-200; Petroleum Management, Inc. (Operator), et al., Docket No. CI61-347; Helmerich & Payne, Inc. (Operator), et al., Docket No. CI61-481; Frank A. Schultz, Docket No. CI61-817; John J. Eisner, Docket No. CI61-1129; London Gas Company, et al., Docket No. CI61-1378; Gulf Oil Corporation, Docket No. CI62-322; Marathon Oil Company (formerly The Ohio Oil Company) (successor to Kinney-Coastal Oil Company), Docket No. CI62-453, (G-5249); Robert F. White (Operator), et al. (successor to Henry's Inc.), Docket No. CI62-497, (G-7557); Atlas Corporation (successor to The Hidden Spendor Mining Company), Docket No. CI62-501, (CI60-49); Earl C. Brookover, Docket No. CI62-626; Pan American Petroleum Corporation, Docket No. CI62-628; Pan American Petroleum Corporation, Docket No. CI62-630; Odessa Natural Gasoline Co. (Operator), et al., Docket No. CI62-707; Tenneco Corporation (Operator), et al., Docket No. CI62-895; Tenneco Corporation, Docket No. CI62-896; Mayflo Oil Company, Docket No. CI62-967; Kerr-McGee Oil Industries, Inc., Docket No. CI62-989; P. G. Lake, Inc., Docket No. CI62-1185; Del-

<sup>1</sup> Coastal Transmission Corporation was the original applicant in this proceeding. On August 3, 1962, the Commission authorized Florida Gas Transmission Company to merge Coastal Transmission Corporation and directed that the name Florida Gas Transmission Company be substituted for that of Coastal Transmission Corporation in all pending proceedings.

<sup>2</sup> Volumes expressed at 60° F. and 14.73 psia.

<sup>3</sup> The contract terminate June 30, 1962.

## NOTICES

bert Goff, Docket No. CI62-1188; Pioneer Petroleum, Inc., Docket No. CI62-1191; Harry A. Kalish, et al., Docket No. CI62-1194; Ridgeway & Morrison, Docket No. CI62-1195; Arthur L. Nicholson d.b.a. Falls Church Oil & Gas Company, Docket No. CI62-1198; Gulf Oil Corporation, Docket No. CI62-1203.

Alice M. Vandergrift d.b.a. Rainbow Oil and Gas Company, Docket No. CI62-1207; Pan American Petroleum Corporation, Docket No. CI62-1219; W. H. Mossor d.b.a. Tyson Oil and Gas Company, Docket No. CI62-1229; A. M. Carlson d.b.a. Tower Service Company, Docket No. CI62-1230; R. J. Braden, d.b.a. Long Run Development Company, Docket No. CI62-1231; M. J. Moran, Agent for C. A. Tulley Lease, Docket No. CI62-1232; Texas Pacific Coal and Oil Company, Docket No. CI62-1234; Texas Pacific Coal and Oil Company, Docket No. CI62-1234; Texas Pacific Coal and Oil Company (Operator), et al., Docket No. CI62-1237; Cities Service Oil Company (formerly Cities Service Petroleum Company), Docket No. CI62-1240; Gulf States Development Corporation (Operator), et al., Docket No. CI62-1256; Gulf States Development Corporation, Docket No. CI62-1257; Philip Lemon, et al., Docket No. CI62-1262; Dorothea Webber d.b.a. Jack E. Webber, et al., Docket No. CI62-1263; Olin B. Wetzel, et al., Docket No. CI62-1266; A. T. Carr, et al. d.b.a. A. T. Carr Drilling Company, Docket No. CI62-1271; John B. Crawford d.b.a. Blackwell and Pope, Docket No. CI62-1272; Robert Mosbacher (Operator), et al., Docket No. CI62-1288; Logue and Patterson, et al., Docket No. CI62-1295; Robbins Petroleum Corporation (Operator), et al., Docket No. CI62-1313; Shell Oil Company, Docket No. CI62-1318; Thomas J. Blaho, Jr. d.b.a. Blaho Oil and Gas Company, Docket No. CI62-1319; Toto Gas Company (Operator), et al., Docket No. CI62-1322; J. C. Trahan, Drilling Contractor, Inc. (Operator), et al., Docket No. CI62-1327; Kirby Royalties, Inc. (Operator and Agent), et al., Docket No. CI62-1336; Douglas Whitaker (Operator), et al., Docket No. CI62-1342; Texas Pacific Coal and Oil Company, Docket No. CI62-1344; J. Ray McDermott & Co., Inc. (Operator), et al., Docket No. CI62-1345; Sinclair Oil & Gas Company, Docket No. CI63-603; Tenneco Corporation, Docket No. CI63-753.

Take notice that each of the above Applicants has filed 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 natural gas in interstate commerce, or for the amendment of an outstanding certificate authorization, or for the amendment of a pending application for certificate authorization, all as more fully described in the respective applications (and any supplements or amendments thereto, as indicated) which are on file with the Commission and open to public inspection.

The Applicants herein produce and propose to sell natural gas for transportation in interstate commerce for resale as indicated below:

Docket No. and filing date	Field and location	Purchaser	Initial price per Mcf and psia pressure base	Related rate schedule	
				Number	Supplement
G-2864 (C-3/23/61) <sup>1</sup>	Asphaltum Field, Jefferson County, Okla.	Lone Star Gas Co.	16.8 cents <sup>2</sup> at 14.65.	1	1-3
	do	do	11.0 cents at 14.65.	2	1-3
	Asphaltum Field, Stephens County, Okla.	do	16.8 cents <sup>2</sup> at 14.65.	3	1-3
G-3556 (8/18/59)	(Change of name)				
G-3557 (8/18/59)	(Change of name)				
G-3557 (C-8/18/59)	Additional 160 acres, Mack Field, Wharton County, Tex.	Tennessee Gas Transmission Co.		5	6
G-3558 (8/18/59)	(Change of name)				
G-3560 (8/18/59)	do				
G-3561 (8/18/59)	do				
G-3563 (8/18/59)	do				
G-4709 (C-3/20/61)	Additional 35.57 acres in section 19, T17N, R5W, Bienville Parish, La.	Southern Natural Gas Co.		10	7
G-4710 (D-3/30/61)	Delete 35.57 acres covered by preceding application.	Texas Eastern Transmission Corp.		16	12
G-5249	(See CI62-453)				
G-6386	(See G-18730)				
G-7160 (C-11/13/61)	Alice Paddock Lease, Blinberry and Tubb Gas Pools, Lea County, N. Mex.	Northern Natural Gas Co.		15	23 and 24
G-7557	(See CI62-497)				
G-8470	(See G-14129 and G-14285)				
G-8747	(See CI60-104)				
G-12455 (D-4/6/62)	Taylor Lease, Beaver County, Okla. (filing made in CI62-1195).	Panhandle Eastern Pipe Line Co.			
G-12901 (C-11/17/58) <sup>3</sup>	Embry Field, Edwards County, Kans.	Northern Natural Gas Co.	13.5 cents <sup>4</sup> at 14.65.	141	3
G-13674 (C-3/26/62)	Mesa Verde Formation, Ignacio-Blanco Field, La Plata County, Colo.	El Paso Natural Gas Co.		180	7
G-13798 (A-11/25/57)	do	do		180	8
G-13798 (B-3/26/59) <sup>6</sup>	Florence Field, Grant and Alfalfa Counties, Okla.	Cities Service Gas Co.	12.0 cents at 14.65.	1	
G-13798 (B-10/14/60)	do	do	do	1	1
G-13886 (C-9/4/59) <sup>7</sup>	Hansford Field, Hansford County, Tex.	Cities Service Gas Co.	16.5 cents at 14.65 <sup>8</sup> .	2	
G-14129 (A-9/12/58) <sup>9</sup>	SW. Mt. Vernon and Victor Fields, Lincoln County, Okla.	do	11.0 cents at 14.65.	2	
G-14285 (7b-1/17/58)	(Application to abandon sale which is subject of Sunset International Petroleum's application in Docket No. G-14129).				
G-14450	(See CI60-10)				
G-14451	do				
G-14568 (C-3/23/61) <sup>4</sup>	Asphaltum Field, Jefferson County, Okla.	Lone Star Gas Co.	11.0 cents at 14.65.	5	1-5
G-15093 (C-3/23/61) <sup>5</sup>	(See CI60-103)				
G-15138 (C-3/23/61) <sup>5</sup>	Asphaltum Field, Stephens County, Okla.	Lone Star Gas Co.	11.0 cents at 14.65.	4	1-4
G-16104 (A-8/22/58)	Guymon-Hugoton Field, Texas County, Okla.	Northern Natural Gas Co.	12.0 cents at 14.65.	166	
G-17476 (C-3/23/61) <sup>4</sup>	Asphaltum Field, Jefferson County, Okla.	Lone Star Gas Co.	16.8 cents at 14.65. <sup>4</sup>	6	1-3
G-17545 (See G-12901)	do	do	do		
G-18017 (D-5/21/62) (see CI62-989)	Fincham No. 2-27, Unit, North Carthage Field, Texas County, Okla.	Colorado Interstate Gas Co.		62	6
G-18730 (A-6/5/59) <sup>10</sup>	Asphaltum Field, Jefferson County, Okla.	Lone Star Gas Co.	11.0 cents at 14.65.	7	1-4
G-19109 (C-1/30/61)	Acreage in San Juan and/or Rio Arriba Counties, N. Mex.	El Paso Natural Gas Co.		3	6
	do	do		3	6
	do	do		3	7
	do	do		3	8
	do	do		3	9
	do	do		3	9
	do	do		3	11

Filing code: A—Initial service certificate application.  
B—Application to amend pending certificate application.  
C—Application to amend certificate by adding acreage.  
D—Application to amend certificate by deleting acreage.

See footnotes at end of table.

Docket No. and filing date	Field and location	Purchaser	Initial price per Mcf and psia pressure base	Related rate schedule		Docket No. and filing date	Field and location	Purchaser	Initial price per Mcf and psia pressure base	Related rate schedule	
				Number	Supplement					Number	Supplement
G-19397 G-19707 11 (A-10/12/59)	(See G-18886) Grand Isle Area, offshore La.	Tennessee Gas Trans- mission Co.	19.0 cents at 15.025.	12		CI61-817 (C-4/23/62)	Basin Dakota Field, San Juan and Rio Arriba Counties, N. Mex.	El Paso Natural Gas Co.	12.0 cents at 15.025.	7	7 and 8
(B-11/30/61)	do	do	do	12	1	(C-5/8/62)	do	do	do	7	9
(B-2/8/62)	do	do	do	12	2	CI61-853	do	do	do	1	
(B-5/21/62)	do	do	do	12	3	CI61-1129 (A-1/26/61)	Mocane Field, Beaver County, Okla.	Panhandle Eastern Pipe Line Co.	17.0 cents at 14.65.	1	
G-19719 11 (A-10/14/59)	do	do	19.0 cents at 15.025.	107	4	(B-11/21/61)	do	do	do	1	5
(B-5/11/62)	do	do	do	107		CI61-1378 (A-10/12/61)	do	do	do	1	
G-19838 11 (A-10/19/59)	do	do	19.0 cents at 15.025.	183	5	CI62-322 (C-4/3/62)	Northwest Wynoka Pool, Woods County, Okla.	Cities Service Gas Co.	13.0 cents at 14.65.	226	1
(B-5/21/62)	do	do	do	183		CI62-453 (A-10/26/61) 10	do	do	do	61	
G-20020 11 (A-10/26/62)	do	do	19.0 cents at 15.025.	230	3	(B-8/17/62) 11	Hugoton Field, Stevens County, Kans.	Panhandle Eastern Pipe Line Co.	11 cents, 14 cents, 10 cents at 14.65.		
(B-5/28/62)	do	do	do	230		CI62-497 (A-11/9/61) 21	do	do	do	3	
G-20058 (D-4/27/62) 12	Tom Graham Field, Jim Wells County, Tex.	Ben Bolt Gathering Co.		7	3	CI62-501 (A-11/9/61) 22	McKinney Field, Clark County, Kans.	Northern Natural Gas Co.	12.5 cents at 14.65.	5	1-3
CI60-10 (A-1/4/60) 13	Victor Field, Lincoln County, Okla.	Jernigan and Morgan Transmission Co.	9.01 cents at 14.65.	51		(B-10/26/62) 24	do	do	do	31	
CI60-49 (A-2/26/60)	do	do	do	2	1	CI62-626 (A-12/11/61)	Hugoton and Panama Council Grove Fields, Grant County, Kans.	Kansas-Colorado Utili- ties, Inc.	10.0 cents at 14.65.		
CI60-103 (A-1/29/60) 14	Emperor Field, Winkler County, Tex.	West Texas Gathering Co.	16.0 cents at 14.65.	3	6	CI62-628 (A-12/11/61)	do	do	do	323	
CI60-104 (A-1/29/60) 15	Emumont Field, Lea Coun- ty, N. Mex.	Northern Natural Gas Co.	10.7688 cents at 15.025.	2		CI62-630 (A-12/11/61)	NE Gate Lake Field, Harper County, Okla.	Northern Natural Gas Co.	17.0 cents at 14.65.	324	
CI60-179 (C-3/26/62)	Acreage in San Juan Coun- ty, N. Mex. (Dakota formation).	El Paso Natural Gas Co.	13.0 cents at 15.025.	1	1	CI62-707 (C-3/26/62)	Six-Mile Field, Beaver County, Okla.	Phillips Petroleum Co.	17.0 cents at 14.65.	5	1
CI60-226 (B-4/28/61)	Laverne Field, Harper County, Okla.	Michigan-Wisconsin Pipe Line Co.	17.0 cents at 14.65.	18		CI62-895 (A-2/6/62)	Lane Field, Upton County, Tex.	Lone Star Gas Co.	12.04 cents at 14.65.	134	
CI60-276 (A-3/3/60)	Moore Field, Cleveland County, Okla.	Cities Service Gas Co.	11.0 cents at 14.65.	56		CI62-896 (A-2/6/62)	Katie Field, Garvin County, Okla.	Cities Services Gas Co.	8.0 cents at 14.65.	135	
(B-12/30/60)	do	do	do	56	1	CI62-967 (A-2/19/62)	SW Wakita Field, Grant County, Okla.	do	do	15	1 and 2
CI60-320 (C-8/25/61) 16	Hugoton Field, Seward County, Kans.	Cities Service Gas Co.	16.0 cents at 14.65.	55		CI62-989 (A-2/29/62)	Camrick Pool, Harper County, Okla.	Northern Natural Gas Co.	15.0 cents at 14.65.	15	
CI60-739 (A-6/13/60)	Acreage in Ochiltree Coun- ty, Tex.	Northern Natural Gas Co.	16.5 cents at 14.65.	5		(B-5/21/62) (see G-18017)	North Carthage Field, Texas County, Okla.	Panhandle Eastern Pipe Line Co.	16.0 cents at 14.65.	75	1
CI61-2 (C-8/61/60) 17	Camrick Field, Beaver County, Okla.	Kansas-Nebraska Nat- ural Gas Co., Inc.	16.6 cents at 14.65. 16	40	2	CI62-1185 (A-4/6/62)	North Carthage Field, Texas County, Okla.	do	do	75	2
(C-10/27/62) 18	do	do	do	40		CI62-1188 (A-4/3/62)	Acreage in Woods County, Okla.	Cities Service Gas Co.	13.0 cents at 14.65.	7	
CI61-147 (A-7/29/60)	North School Creek Field, Cowley County, Kans.	Cities Service Gas Co.	10.0 cents at 14.65.	1	1	CI62-1189 (A-4/3/62)	Glenville District, Glimmer County, W. Va.	Equitable Gas Co.	25.0 cents at 15.325.	10	
CI61-148 (A-7/29/60)	West Panhandle Field, Carson County, Tex.	Natural Gas Pipeline Company of America.	13.5 cents at 14.65.	57		CI62-1191 (A-4/5/62)	Hackers Creek District, Lewis County, W. Va.	Hope Natural Gas Co.	25.0 cents at 15.325.	2	
CI61-200 (A-8/8/60)	Acreage in Cowley County, Kans.	Gas Transmissions, Inc.	8.0 cents at 14.65.	1		CI62-1194 (A-4/6/62)	Washington District, Cal- houn County, W. Va.	do	do	1	
CI61-325 (A-9/2/60)	Acreage in Cowley County, Kans.	Gas Transmissions, Inc.	8.0 cents at 14.65.	3		CI62-1195 (A-4/6/62) (de- letes acreage from G-12455).	Taylor Lease, Beaver County, Okla.	Panhandle Eastern Pipe Line Co.	16.0 cents at 14.65.	5	5
CI61-481 (A-9/26/60)	North School Creek Field, Cowley County, Kans.	do	8.0 cents at 14.65.	30		CI62-1198 (A-4/6/62)	Murphy District, Ritchie County, W. Va.	Hope Natural Gas Co.	25.0 cents at 15.325.	2	

Filing code: A—Initial service certificate application.  
 B—Application to amend pending certificate application.  
 C—Application to amend certificate by adding acreage.  
 D—Application to amend certificate by deleting acreage.

See footnotes at end of table.

Docket No. and filing date	Field and location	Purchaser	Initial price per Mcf and psia pressure base	Related rate schedule	
				Number	Supplement
CI62-1207 (A-4/10/62)	Murphy District, Ritchie County, W. Va.	Hope Natural Gas Co.	25.0 cents at 15.325.	13	
CI62-1219 (A-4/16/62)	Laverne Gas Area, Harper County, Okla.	Michigan Pipe Line Co.	17.0 cents at 14.65.	331	1-3
(B-9/24/62)	do	do	do	331	4-5
CI62-1223 (A-4/18/62)	Freemans Creek District, Lewis County, W. Va.	Hope Natural Gas Co.	25.0 cents at 15.325.	51	
(B6-26/62)	do	do	do	51	1
CI62-1230 (A-4/18/62)	Troy District, Gilmer County, W. Va.	do	25.0 cents at 15.325.	13	
(B-6/1/62)	do	do	do	13	1
(B-10/12/62)	do	do	do	10	
CI62-1231 (A-4/18/62)	Murphy District, Ritchie County, W. Va.	do	25.0 cents at 15.325.	10	
CI62-1232 (A-4/18/62)	Court House District, Lewis County, W. Va.	do	25.0 cents at 15.325.	11	
CI62-1234 (A-4/18/62)	Amesker Tippett, South Field, Upson County, Tex.	Phillips Petroleum Co.	12.04 cents at 14.65.	61	
CI62-1237 (A-4/19/62)	Jalnet Field, Lea County, N. Mex.	El Paso Natural Gas Co.	9.0 cents at 14.65.	62	
(B-12/3/62)	do	do	do	62	1
CI62-1240 (A-4/20/62)	Acresage in Clark County, Kans.	Northern Natural Gas Co.	16.0 cents at 14.65.	157	
(B-4/8/63)	do	do	do	157	1
CI62-1256 (A-4/27/62)	Tom Graham Field, Jim Wells County, Tex.	The Altex Corp.	13.8452 cents at 14.65.	3	
CI62-1257 (A-4/27/62)	Murphy District, Ritchie County, W. Va.	Hope Natural Gas Co.	25.0 cents at 15.325.	14	
CI62-1262 (A-4/27/62)	Centerville District, Tyler County, W. Va.	Hope Natural Gas Co.	25.0 cents at 15.325.	4	
(B-3/21/63)	do	do	do	4	1
CI62-1266 (A-4/30/62)	Cove District, Doddridge County, W. Va.	do	25.0 cents at 15.325.	10	
CI62-1271 (A-4/30/62)	Troy District, Gilmer County, W. Va.	do	25.0 cents at 15.325.	4	
CI62-1272 (A-4/30/63)	West Union District, Doddridge County, W. Va.	do	25.0 cents at 15.325.	2	
CI62-1288 (A-5/3/62)	North Texana Field, Jackson County, Tex.	Tennessee Gas Transmission Co.	15.0 cents at 14.65.	21	1
CI62-1295 (A-5/4/62)	South Weesatche Field, Gollad County, Tex.	United Gas Pipe Line Co.	12.1536 cents at 14.65.	6	1 and 2
CI62-1313 (A-5/8/62)	Danville Field, Rusk and Gregg Counties, Tex.	Lone Star Gas Co.	14.49 cents at 14.65.	1	

1 Filing originally designated Docket No. CI61-1378, which will be cancelled.  
 2 Involved in rate proceeding Docket No. R161-112.  
 3 Erroneously assigned Docket No. G-17545 by letter dated January 20, 1959; pending Docket No. G-17545 will be cancelled.  
 4 Involved in rate proceeding Docket No. R162-519.  
 5 Supra.  
 6 Filing originally designated Docket No. G-18164, which has been cancelled by letter.  
 7 Filing originally designated Docket No. G-19397, which will be cancelled.  
 8 Involved in rate proceeding Docket No. R162-403.  
 9 Application to succeed McRae Oil and Gas Corporation (Operator), et al., which filed application in this docket on December 23, 1957, to succeed Davidor and Davidor, certificate holder in G-8470.  
 10 Application to succeed Thomas W. Poore, certificate holder in G-8386.  
 11 Served from rate proceeding by order issued December 21, 1962, Docket Nos. G-11024, et al.  
 12 Filing originally designated Docket No. CI62-1257, which will be cancelled.  
 13 Terminates authorization in Docket Nos. G-14450 and G-14451.  
 14 Application to succeed Hudson & Hudson, Inc., et al., Docket No. G-15063.  
 15 Application to succeed Hudson & Hudson, Inc. (Operator), et al., Docket No. G-8747.  
 16 Filing originally designated Docket No. CI61-953, which will be cancelled.  
 17 Filing originally designated Docket No. CI61-325, which will be cancelled.  
 18 Involved in rate proceeding Docket No. R162-349.  
 19 Filing originally designated Docket No. CI61-654, which will be cancelled.  
 20 Application by The Ohio Oil Company to succeed Kinney-Coastal Oil Company, Docket No. G-5249.  
 21 Application by Marathon Oil Company to succeed The Ohio Oil Company as Applicant, Docket No. CI62-463.  
 22 Application by Robert F. White (Operator), et al. to succeed Henry's Inc. (Operator) et al., Docket No. G-7557.  
 23 Application by The Hidden Splendor Mining Company covering a sale previously authorized to Hidden Splendor's predecessor, Mid-Continent Exploration Company, in Docket No. CI60-49, which will be terminated.  
 24 Involved in rate proceeding Docket No. R162-388.  
 25 Application by Atlas Corporation to succeed Hidden Splendor as Applicant in Docket No. CI62-501.  
 26 Temporary certificate authorization was granted on May 16, 1962, for the sales covered by the pending application in Docket No. CI62-1263. The filing of March 21, 1963, requests permission to abandon the subject sales because of decline in gas supply available for delivery.

Filing code: A—Initial service certificate application.  
 B—Application to amend pending certificate application.  
 C—Application to amend certificate by adding acreage.  
 D—Application to amend certificate by deleting acreage.

Each of the Applicants in this consolidated proceeding has filed a rate schedule for the related proposed service as indicated in the preceding tabulation.

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 June 11, 1963, 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 noncontested 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 May 31, 1963. 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. 63-5220; Filed, May 17, 1963;  
8:45 a.m.]

[Docket No. CP63-278]

### CITIES SERVICE GAS CO.

#### Notice of Application and Date of Hearing

MAY 10, 1963.

Take notice that on April 18, 1963, Cities Service Gas Company (Applicant), P.O. Box 1995, Oklahoma City, Oklahoma, filed in Docket No. CP63-278 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 certain facilities, and the sale and delivery of natural gas to The Gas Service Company (Gas Service) for resale and distribution to customers in and about sections 19, 20, 29, 30, 31 and 32, Township 12 South, Range 16 East; sections 25 and 36, Township 12 South, Range 15 East; sections 1 and 12, Township 13 South, Range 15 East; and sections 5, 6, 7 and 8, Township 13 South, Range 16 East; all in Shawnee County, Kansas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant seeks authorization to tap its existing Forbes 8-inch pipeline and construct and operate a meter setting with appurtenant regulator equipment in Shawnee County, Kansas, and to sell

natural gas through such facilities to Gas Service for resale and distribution in and about said area.

The estimated third year peak day and annual natural gas requirements for said area which Gas Service proposes to serve under this application is 2,501 Mcf and 153,405 Mcf, respectively.

The estimated cost of the proposed facilities required for such service is \$3,220.00, which cost will be financed from treasury cash.

The proposed sales will be made under Applicant's F-2, C-2 and I-2 FPC gas rate schedules.

Gas Service has received a certificate of convenience and authority from the Kansas State Corporation Commission to serve said area.

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 June 20, 1963, 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 matter involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested 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 June 7, 1963. 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. 63-5306; Filed, May 17, 1963;  
8:45 a.m.]

[Docket Nos. G-15811, G-16105]

### COLORADO INTERSTATE GAS CO. AND EL PASO NATURAL GAS CO.

#### Notice of Applications

MAY 13, 1963.

Take notice that on August 4, 1958, as supplemented on August 20, 1958, November 30, 1959, January 5, 1961, June 13, 1961, and February 11, 1963, Colorado Interstate Gas Company (CIG), P.O. Box 1087, Colorado Springs, Colorado, filed in Docket No. G-15811 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 facili-

ties and the short-term sale of natural gas to El Paso Natural Gas Company in Moore County, Texas, to relieve a temporary oversupply of gas, at a point where CIG's 20-inch line running northwest from its Fourway Station intersects the 30-inch line of Northern Natural Gas Company (Northern) extending from Dumas, Texas, all as more fully set forth in the application, as supplemented, which is on file with the Commission and open to public inspection.

Take further notice that on August 22, 1958, El Paso Natural Gas Company (El Paso), P.O. Box 1492, El Paso, Texas, filed in Docket No. G-16105 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the delivery of natural gas to be obtained from CIG under the authorization requested in Docket No. G-15811 to Northern at the aforementioned location, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

El Paso originally proposed to take-or-pay for a minimum daily volume of 125,000 Mcf from the expected date of original certification to May 4, 1959, and thereafter a minimum daily volume of 175,000 Mcf through December 31, 1959, plus additional 50,000 Mcf per day on a best-efforts basis. El Paso proposes to use the gas so obtained in substitution for a portion of the quantities of gas which it is delivering to Northern on an exchange basis at El Paso's Dumas Compressor Station. The exchange with Northern has been authorized in Docket Nos. G-2134 and G-12135. Both CIG and El Paso requested and received temporary authorization for the proposed construction and operation of facilities and the sale and delivery of gas on October 1, 1958. Since the granting of the first temporary authorization, the application has been amended and further requests for temporary authorization have been filed. Letter orders granting temporary authorization were issued on February 4, 1960, February 16, 1961, July 6, 1961, and March 6, 1963. The final temporary authorization terminated on April 30, 1963. The Applicants have agreed that volumes to be sold and delivered under the final temporary authorization should average 75,000 Mcf per day, and that any gas remaining to be made up on May 1, 1963, could be used by El Paso at any time prior to January 1, 1965.

In order for CIG to make the required deliveries to Northern for El Paso's account, CIG estimated that it was necessary to construct facilities costing \$47,441, to be financed from current working funds.

Several notices of intervention and petitions to intervene have been filed in the subject dockets.

Protests, requests for hearing, 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 June 10, 1963.

JOSEPH H. GUTRIDE,  
*Secretary.*

[F.R. Doc. 63-5307; Filed, May 17, 1963;  
8:45 a.m.]

[Docket No. RI63-414]

**HUMBLE OIL & REFINING CO. ET AL.****Order Providing for Hearing on and Suspension of Proposed Change in Rate**

MAY 10, 1963.

Humble Oil & Refining Company (Operator), et al. (Humble)<sup>1</sup> tendered for filing a proposed change in its presently effective rate schedule<sup>2</sup> 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 filings:

Description: Notice of change, dated March 26, 1963, and amendatory agreement, dated October 26, 1959.<sup>3</sup>

Purchaser and producing area: El Paso Natural Gas Company (Midland County, Texas) (R.R. District No. 8).

Rate schedule designation: Supplement No. 44 to Humble's FPC Gas Rate Schedule No. 5.

Effective date: May 11, 1963.<sup>4</sup>

Amount of annual increase: \$5.991.

Effective rate: 10.096 cents per Mcf.

Proposed rate: 17.2295 cents per Mcf.

Pressure base: 14.65 psia.

In its notice of change, Humble submits that the period of suspension should be a maximum of one day with respect to its proposed rate filing. Good cause has not been shown for limiting to one day the suspension period for Humble's aforementioned rate filing and such request should be denied as hereinafter ordered.

Humble's proposed increased rate and charge exceeds the area price level for increased rates in Texas Railroad District No. 8 as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Chapter I, Part 2, § 2.56).

The proposed changed rate and charge 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. 44 to Humble's FPC Gas Rate Schedule No. 5 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Humble's request that the suspension period be limited to one day with respect to Supplement No. 44 to its FPC Gas Rate Schedule No. 5 is hereby denied.

(B) 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 regula-

tions under the Natural Gas Act (18 CFR, Chapter I), a public hearing shall 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. 44 to Humble's FPC Gas Rate Schedule No. 5.

(C) Pending such hearing and decision thereon, Supplement No. 44 to Humble's FPC Gas Rate Schedule No. 5 is hereby suspended and the use thereof deferred until October 11, 1963, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) 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.

(E) 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 June 26, 1963.

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-5309; Filed, May 17, 1963;  
8:45 a.m.]

[Docket No. CP63-229]

**KANSAS-NEBRASKA NATURAL GAS CO.****Notice of Application and Date of Hearing**

MAY 10, 1963.

Take notice that Kansas-Nebraska Natural Gas Company, Inc., a Kansas Corporation, address Phillipsburg, Kansas, filed on February 15, 1963, an application in Docket CP63-229 for a Certificate of Public Convenience and Necessity, pursuant to section 7 of the Natural Gas Act, authorizing the purchase and gathering of gas in the Syracuse Area, Kansas, the construction and operation of necessary gathering facilities to deliver natural gas from the Syracuse area in Hamilton and Greeley Counties, Kansas, to Applicant's Scott City, Kansas compressor station and the construction and operation of pipeline enlargements in Northern Nebraska.

Kansas-Nebraska proposes to purchase and gather gas in the Syracuse Area, Kansas, to construct field gathering facilities necessary to connect all wells becoming available to it prior to July 1, 1964, to construct a 1,000 horsepower field compressor station in the Syracuse Area, plus 48.0 miles of line for delivery of new gas reserves to its main transmission system at Scott City, Kansas, which facilities are estimated to cost \$2,241,000. Kansas-Nebraska also proposes to construct or relocate approximately 43.4 miles of 8" pipeline, 17.5 miles of 6" pipeline, 3.5 miles of 4" pipeline, and 9.5 miles of 3" pipeline to assure more adequate pressure and improved service to a number of towns on Applicant's North-eastern Nebraska system, which facilities are estimated to cost \$826,500.

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 June 18, 1963, at 9:30 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c)(1) 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 June 7, 1963. 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 therefore is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-5310; Filed, May 17, 1963;  
8:45 a.m.]

[Docket No. CP63-267]

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

MAY 13, 1963.

Take notice that on March 27, 1963, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska, filed in Docket No. CP63-267 an application pursuant to section 7 of the Natural Gas Act for: (1) A certificate of public convenience and necessity authorizing (a) the construction and operation of a new 5,940 horsepower station replacing the existing Grayco Compressor Station, Gray County, Texas, (b) the installation of an additional 1,100 horsepower at the Tate Station, Kearny County, Kansas, (c) the installation of an additional 2,000 horsepower at the Holcomb Station, Finney County, Kansas, and (d) the construction and operation of a side tap near the Pembroke Station, Upton County, Texas; and (2) permission and approval to abandon said Pembroke Compressor Station. Applicant's proposals are more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that the obsolescence and inefficiency of the present Grayco Station has resulted in abnormally high operating and maintenance expense and makes the continued operation of the station extremely hazardous. Four of the 1,320 horsepower units presently at the Pembroke Station will be relocated and installed at the new Grayco Station and a new 660 horsepower unit will be installed to make up the total proposed horsepower of 5,940.

The application indicates that the additional horsepower proposed for the Tate and Holcomb Stations will permit Applicant to accept its gas supply requirements and commitments in the Kansas-Hugoton Field and will result in more efficient operations. Applicant will relocate and install two 550 horsepower units presently installed at the Pembroke Station to supply the proposed additional horsepower at Tate. A new 2,000 horsepower unit will be installed at Holcomb.

Applicant states that upon transfer of the horsepower from Pembroke to the Grayco and Tate Stations, Pembroke Station will be retired. Due to depletion of gas supply in the general area of the Pembroke Station, the volumes formerly compressed at said station will be compressed at the Plymouth Compressor Station also located in Upton County.

Applicant's proposed 2-inch side tap near the Pembroke Station will be utilized to furnish compressor fuel to Phillips Petroleum Company at the latter's Pembroke Gasoline Plant.

Applicant states that none of the subject proposals will result in the abandonment or interruption of any service.

The application shows the total estimated cost for all facilities is \$2,348,680. However, due to the reuse of materials and sale of salvageable material the total estimated out of pocket cost is \$1,456,000, which cost will be financed from cash on hand and retained earnings.

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 June 18, 1963, at 9:30 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 7, 1963. 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. 63-5311; Filed, May 17, 1963;  
8:45 a.m.]

[Docket No. CP63-234]

## PANHANDLE EASTERN PIPE LINE CO.

### Notice of Application and Date of Hearing

MAY 10, 1963.

Take notice that on February 19, 1963, Panhandle Eastern Pipe Line Company (Applicant), filed an application in Docket No. CP63-234, pursuant to section 7(c) of the Natural Gas Act, requesting authority to establish a delivery point near Boody, Illinois to supply gas to Illinois Power Company (Illinois Power) for its resale for residential and commercial and space heating purposes in Boody. Authority is also requested to construct the metering and regulating facilities necessary to establish the new delivery point. Applicant states that no change in its rates or Illinois Power's contract demand will result from granting the application which involves a total sale of 8,002 Mcf in the third year of operations with an estimated peak day of 105 Mcf.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held on June 19, 1963, at 9:30 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 6, 1963. 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. 63-5312; Filed, May 17, 1963;  
8:45 a.m.]

[Docket No. RI63-362]

## PETROLEUM, INC., ET AL.

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

MAY 10, 1963.

In the order providing for hearing on and suspension of proposed change in

rate, issued March 8, 1963 and published in the FEDERAL REGISTER on March 15, 1963 (F.R. Doc. 63-2715; 28 F.R. 2543): Delete all reference to Supplement No. 5 and substitute Supplement No. 6 in lieu thereof.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-5313; Filed, May 17, 1963;  
8:45 a.m.]

[Docket No. E-6999]

## UNITED STATES DEPARTMENT OF THE INTERIOR; SOUTHEASTERN POWER ADMINISTRATION

### Notice of Request for Approval of a Rate Schedule

MAY 13, 1963.

Notice is hereby given that the Secretary of the Interior, on behalf of the Southeastern Power Administration, has filed with the Federal Power Commission for confirmation and approval, pursuant to the Flood Control Act of 1944 (58 Stat. 887), proposed long-term Wholesale Power Rate Schedule OHC-1 applicable to the power sold to the Tennessee Valley Authority from the Old Hickory and Cheatham projects. A copy of the rate schedule is set out below. Approval of this rate schedule is requested for the five-year period beginning July 1, 1963 and ending June 30, 1968. The Commission by order issued December 19, 1961 in this docket approved a rate schedule for the sale of Old Hickory-Cheatham power for the period beginning July 1, 1961 and ending June 30, 1963. The rates and charges contained in the proposed long-term rate schedule OHC-1 are identical to those contained in the above-mentioned rate schedule.

#### WHOLESALE POWER RATE SCHEDULE OHC-1

*Availability.* This rate schedule shall be available to the Tennessee Valley Authority.

*Applicability.* This rate schedule shall be applicable to the total power and energy generated at the Old Hickory and Cheatham projects less the power and energy required by the Department of the Army in connection with the operation of the projects.

*Character of service.* The electric power and accompanying energy sold hereunder will be three-phase alternating current at a nominal frequency of 60 cycles per second at the outgoing terminals of the project switchyards.

*Rates.* The payments to the Department of the Interior by TVA hereunder for availability of capacity and deliveries of power and energy are estimated to produce over a period of years an average annual payment of \$2,400,000, which amount is hereinafter referred to as the basic annual charge.

The basic annual charge shall be the applicable annual charge for each year (ending June 30) in which the average unregulated flow of water into the Wolf Creek Reservoir as determined hereinafter is between 8,500 and 9,250 c.f.s. To determine the applicable annual charge in other years, the basic annual

charge shall be adjusted in accordance with variations in said flow of water, as follows: For each 750 c.f.s. or fraction thereof by which the said flow of water for the year is greater than 9,250 c.f.s., the applicable annual charge shall be greater by \$75,000; for each 500 c.f.s. or fraction thereof by which the said flow of water for the year is less than 8,500 c.f.s., the applicable annual charge shall be less by \$75,000; provided that the applicable annual charge for any year shall be not less than \$2,100,000 nor more than \$2,700,000.

Unless otherwise mutually agreed, the annual unregulated flow of water into the Wolf Creek Reservoir will be established from a consideration of the unadjusted discharge registered at Rowena gauging station as determined by the U.S. Geological Survey, adjusted for changes in storage at all reservoirs upstream from said station, in accordance with capacity ratings by the owners thereof, and for other possible factors which may be mutually agreed upon by the parties.

The proposed Wholesale Power Rate Schedule OHC-1 is on file with the Commission for public inspection. Any person desiring to make comments or suggestions for Commission consideration with respect to the proposed rate schedule should submit the same in writing on or before June 1, 1963 to the Federal Power Commission, Washington 25, D.C.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-5314; Filed, May 17, 1963;  
8:45 a.m.]

[Docket No. CP63-224]

## TOWN OF POSEYVILLE, IND.

### Notice of Application

MAY 10, 1963.

Take notice that on February 14, 1963, the Town of Poseyville, Indiana (Applicant) filed in Docket No. CP63-224 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Texas Eastern Transmission Corporation (Texas Eastern) to establish physical connection of its transmission facilities with the proposed facilities of and to sell natural gas to Applicant for resale and distribution in Poseyville and environs, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant will construct and operate a lateral transmission line from the town northward to a point of connection on Texas Eastern's transmission line and a natural gas distribution system in said town.

The application shows Applicant's estimated third year peak day and annual natural gas requirements to be 495 Mcf and 54,300 Mcf, respectively.

The total estimated cost of the proposed project is \$230,000, which cost will be financed by the issuance of gas revenue bonds.

On March 7, 1963, Texas Eastern filed an answer to the subject application

stating that it will abide by whatever decision the Commission may make in this proceeding.

Protests, petitions to intervene or requests for hearing in this proceeding 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 June 3, 1963.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-5315; Filed, May 17, 1963;  
8:45 a.m.]

[Docket No. CP63-256]

## UNITED GAS PIPE LINE CO.

### Notice of Application and Date of Hearing

MAY 10, 1963.

Take notice that on March 15, 1963, United Gas Pipe Line Company with its principal place of business in Shreveport, Louisiana, filed in Docket No. CP63-256 a petition for a declaratory order disclaiming jurisdiction over facilities it proposes to construct, or in the alternative, 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 certain new pipeline facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes specifically to construct approximately 64.0 miles of 20" pipeline beginning at the downstream side of its Lafayette Compressor Station in Section 26, Township 10 South, Range 4 East, Lafayette Parish, Louisiana, and extending in a general westerly direction to the tie-in to its 20" Iowa Field to Cities Service line in Section 11, Township 9 South, Range 7 West, Calcasieu Parish, Louisiana. The purpose of the proposed facilities is to augment and reinforce the supply of natural gas available to Applicant's customers in the area of Lake Charles, Louisiana, and to permit it to deliver increasing volumes of gas into the area.

Applicant estimates that the total cost of the proposed facilities will be \$6,328,334 to be financed out of current working funds.

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 June 18, 1963, 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 noncontested 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 June 6, 1963. 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 request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-5316; Filed, May 17, 1963;  
8:45 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-VII]

### CHICAGO REGIONAL AREA

#### Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 8), 28 F.R. 3228, the following authority is hereby redelegated to the Deputy Regional Director and to the specific positions as indicated herein:

A. *Size determinations* (delegated to the positions as indicated below). To make original determinations and determinations upon the reconsideration thereof as to which concerns are small business within the meaning of the Small Business Size Standards Regulation, as amended, but not in cases which involve questions of dominance, questions relating to cooperatives, and questions involving franchise, license or other contractual agreements, unless otherwise authorized. This authorization does not permit the issuance of Small Business Certificates.

B. *Eligibility determinations* (delegated to the positions as indicated below). To determine eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division* (and Assistant Chief, if assigned).

1. Item IA. (Size Determinations for Financial Assistance only.)

2. Item IB. (Eligibility Determinations for Financial Assistance only.)

3. To approve the following—

a. Business loans:

1. Direct not exceeding \$50,000.

2. Participation not exceeding \$150,000.

b. Disaster loans:

1. Direct not exceeding \$50,000.

2. Participation not exceeding \$100,000.

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business loan and disaster loan participation agreements with banks.

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

(Name), Administrator.

By \_\_\_\_\_,

(Name)

(Title of person signing.)

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

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

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

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. 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 any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

D. Chief, Loan Administration Section.

1. To approve amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item IC 12. Only the authority for servicing, administration, and collection, including subitems a and b.

E. Chief, Loan Liquidation Section.

Item IC12. Only the authority for liquidation, including collateral purchased, and subitems a and b.

F. Chief, Loan Processing Section.

1. Item IC3.

2. To decline:

a. Limited loan participation and disaster loans not exceeding \$15,000.

b. Disaster loans in any amount.

3. Items IC 6 through 10.

4. Item IA. (Size Determinations for Financial Assistance only.)

5. Item IB. (Eligibility Determinations for Financial Assistance only.)

G. Chief, Investment Division.

1. To extend the disbursement period of Section 502 loan authorizations or undisbursed portions of Section 502 loans.

2. To cancel wholly or in part undisbursed balances of partially disbursed Section 502 loans.

3. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of Section 502 loans.

4. To substitute, add, or change the collateral requirements of any loan authorization where such change will not adversely affect the credit aspects of the loan. (Section 502 loans only.)

5. Item IA. (Size Determinations for Section 502 loans only.)

6. Item IB. (Eligibility Determinations for Section 502 loans only.)

H. Chief, Procurement and Technical Assistance.

1. Item IA. (Size Determinations on P&TA activities only.)

2. Item IB. (Eligibility Determinations on P&TA activities only.)

I. Regional Counsel and Branch Counsel. To disburse approved loans.

J. Administrative Officer.

1. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$50 in any one object class in any one instance but not more than \$100 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance.

2. In connection with the establishment of disaster loan offices to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

K. The following authority is hereby redelegated to the Branch Managers at Des Moines, Iowa; Indianapolis, Indiana; and Madison, Wisconsin:

1. To approve the following:

a. Direct loans not exceeding \$15,000.

b. Participation loans not exceeding \$100,000.

c. Simplified Bank Participation loans not exceeding \$150,000.

d. Simplified Early Maturities Participation loans not exceeding \$150,000.

e. Direct disaster loans not exceeding \$50,000.

f. Participating disaster loans not exceeding \$100,000.

2. To decline as follows:

a. Business loans not exceeding \$200,000.

b. Disaster loans in any amount.

3. To disburse approved loans.

4. Items IC 6 through 11.

5. Item IC 12. Only the authority for servicing, administration and collection, including subitems a and b.

6. Item IG 1 through 4.

7. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of \$25 in any one object class in any one instance but not more than \$50 in any one month for total purchases in all object classes; (b) make purchases not in excess of \$10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; and (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed \$25 in any one instance.

8. Items IJ 2 and 3.

9. Item IA (Size Determinations for Financial Assistance only).

10. Item IB (Eligibility Determinations for Financial Assistance only).

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All authority previously delegated by the Regional Director and other officials in this region is hereby rescinded without prejudice to actions taken under such delegations prior to the date hereof.

Effective date: April 22, 1963.

RICHARD E. LASSAR,  
Regional Director,  
Chicago Regional Office.

[F.R. Doc. 63-5322; Filed, May 17, 1963;  
8:46 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 803]

### MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 15, 1963.

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

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by

petitioners must be specified in their petitions with particularity.

No. MC-FC 65689. By order of May 7, 1963, the Transfer Board approved the transfer to Charles H. Waldron, doing business as Gartland Motor Lines, Poughkeepsie, N.Y., of certificate in No. MC 64828, MC 64828 (Sub No. 1), MC 64828 (Sub No. 4), MC 64828 (Sub No. 6), MC 64828 (Sub No. 7), MC 64828 (Sub No. 9) and MC 64828 (Sub No. 10) thereunder, issued February 21, 1942, November 9, 1942, August 30, 1948, January 9, 1950, August 29, 1955, March 12, 1958, and September 17, 1959, respectively to John J. Gartland, doing business as Gartland Motor Lines, Poughkeepsie, N.Y., and the "grandfather" operating rights claimed by transferor in docket in No. MC 64828 (Sub No. 11), authorizing the transportation of: general commodities with the usual exceptions including household goods and commodities in bulk, and various specified commodities, from, to, or between specified points in New York. John J. Gartland, Jr., 45 Market Street, Poughkeepsie, N.Y., attorney for applicants.

No. MC-FC 65836. By order of May 10, 1963, the Transfer Board approved the transfer to Marie K. Johnson and Arthur Johnson, a partnership, doing business as Johnson Truck Line, Mansfield, Pa., of the operating rights in certificate in No. MC 15423, issued November 5, 1945, to S. M. Johnson, doing business as Johnson's Truck Lines, Mansfield, Pa., authorizing the transportation, over irregular routes, of seed, fruit, raw and pasteurized milk, cream, butter, powdered milk, condensed and superheated milk, ice-cream mixtures, cheese, casein, skim milk, empty milk and creamery products containers, and machinery, equipment, materials, and supplies used in the operations and maintenance of creameries, from, to, and between specified points in Pennsylvania, New York, Maryland, New Jersey, and the District of Columbia, varying as to the commodity transported. Edward H. Owlett, 19 Central Avenue, Wellsboro, Pa., attorney for applicants.

No. MC-FC 65855. By order of May 8, 1963, the Transfer Board approved the transfer to Dan's Express, Inc., Staten Island 1, N.Y., of certificate in No. MC 11616, issued January 19, 1953, to Tillie Abramovitz, doing business as Dan's Express, Staten Island, N.Y., authorizing the transportation of wearing apparel and cut materials and trimmings for wearing apparel, over regular routes, between New York, N.Y., and Elizabeth, N.J., and the intermediate points of Hoboken and Newark, N.J. Sigel & Lipcon,

1303 Clove Road, Staten Island 1, N.Y., attorneys for applicants.

No. MC-FC 65874. By order of May 8, 1963, the Transfer Board approved the transfer to Keith Botkins, Moberly, Mo., of certificates in Nos. MC 124202 and MC 124202 (Sub No. 1) both issued October 8, 1962, to Maurice Wayne Forbis, Centralia, Mo., authorizing the transportation of: Animal and poultry feeds, in bags, and agricultural fertilizer, in bags, from East St. Louis, Ill., to Centralia, Mo., and points within 12 miles thereof; and animal fertilizer, in bags, from Fort Madison, Iowa, to Centralia, Mo. Thomas P. Rose, Jefferson Building, Jefferson City, Mo., attorney for applicants.

No. MC-FC 65880. By order of May 8, 1963, the Transfer Board approved the transfer to Craft Refrigerated Service, Inc., Pittsburgh, Pa., of certificate in No. MC 110719, issued August 27, 1962, to William Begenwald, Donald Hohman, Dan DeFalle and Joseph Graner, a partnership, doing business as Craft Express Co., Pittsburgh, Pa., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Pittsburgh, Pa., on the one hand, and, on the other, points within 15 miles of Pittsburgh, Pa., except points on that part of U.S. Highway 19, extending southwesterly from Pittsburgh; and packinghouse products and meat, from Pittsburgh, Pa., to points in that part of Pennsylvania, south of U.S. Highway 422 and west of U.S. Highway 219, including points on the indicated portions of the highways specified. Jerome Solomon, 1325 Grant Building, Pittsburgh 19, Pa., attorney for applicants.

No. MC-FC 65909. By order of May 8, 1963, the Transfer Board approved the transfer to Elmer G. Bruns and Raphael H. Bruns, a partnership, doing business as Bruns Bros., Enco Service, Fargo, N. Dak., of certificate in No. MC 124051, issued June 27, 1962, to Broadway Pure Oil Co., Inc., Fargo, N. Dak., authorizing the transportation, over irregular routes, of: Wrecked, disabled, repossessed or stolen motor vehicles, except trailers designed to be drawn by passenger automobiles, and trailers for replacement or wrecked or disabled tractors, between points in North Dakota, South Dakota, and a specified portion of Minnesota. Lyle W. Selbo, 504 Black Building, Fargo, N. Dak., attorney for applicants.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 63-5333; Filed, May 17, 1963; 8:47 a.m.]

#### FOURTH SECTION APPLICATION FOR RELIEF

MAY 15, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 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. 38317: *Liquefied chlorine gas from Evans City, Ala.* Filed by O. W. South, Jr., agent (No. A4309), for interested rail carriers. Rates on liquefied chlorine gas, in tank-car loads, from Evans City, Ala., to Johnsonville, Tenn. Grounds for relief: Market competition.

Tariff: Supplement 78 to Southern Freight Association, Agent, tariff I.C.C. S-194.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 63-5332; Filed, May 17, 1963; 8:47 a.m.]

#### Now Available

### CODE OF FEDERAL REGULATIONS (As of January 1, 1963)

The following revised books are now available:

Title 12	-----	\$4.75
Title 29	-----	2.50

A cumulative checklist of CFR issuances for 1963 appears in the first issue of each month under Title 1.

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

## FEDERAL REGISTER

Telephone

WORTH 3-3261

prescribed by the Administrative Committee  
Superintendent of Documents, Government

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

CUMULATIVE CODIFICATION GUIDE—MAY

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

<b>3 CFR</b>	Page	<b>7 CFR—Continued</b>	Page	<b>14 CFR—Continued</b>	Page
<b>PROCLAMATIONS:</b>		<b>PROPOSED RULES—Continued</b>		<b>PROPOSED RULES—Continued</b>	
3534.....	4275	1016.....	4452	67 [New].....	4851
3535.....	4277	1030.....	4463	71 [New].....	4359,
3536.....	4279	1032.....	4665, 5021	4360, 4463, 4582, 4583, 4622, 4722—	
3537.....	4659	1047.....	4305	4725, 4772, 4796, 4853—4857, 4916—	
3538.....	4809	1048.....	4846	4919, 5022, 5023.	
<b>EXECUTIVE ORDERS:</b>		1049.....	4901	73 [New].....	4796, 4857
July 15, 1875.....	4444	1062.....	4665	143 [New].....	4851
Apr. 25, 1876.....	4444	1067.....	4665	224.....	4722
July 18, 1891.....	4442	1068.....	4463	375.....	4850
Jan. 24, 1914.....	4356	1097.....	4512, 4956	507.....	4306, 4516, 4517, 4584
Sept. 5, 1914.....	4356	1102.....	4512, 4956		
1296.....	4675	1108.....	4512, 4956		
2242.....	4677	1126.....	4796		
6910.....	4444	1135.....	4765		
7270.....	4444	1137.....	4765		
7441.....	4444				
7655.....	4441				
<b>PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:</b>		<b>8 CFR</b>		<b>15 CFR</b>	
Memorandum, Feb. 9, 1962.....	4539	103.....	4896	368.....	4436
Memorandum, May 2, 1963.....	4539			371.....	4436
		<b>9 CFR</b>		380.....	4436
		27.....	4699	385.....	4436
		74.....	4346, 4661, 4788,	399.....	4437
		78.....	5010		
		<b>PROPOSED RULES:</b>		<b>16 CFR</b>	
		27.....	4768	13.....	4294,
		94.....	4768	4349, 4350, 4437, 4555, 4788,	5011
				118.....	4896
		<b>10 CFR</b>		<b>17 CFR</b>	
		<b>PROPOSED RULES:</b>		200.....	4446, 4842
		30.....	4770	201.....	4350
		40.....	4621, 4770		
		<b>12 CFR</b>		<b>18 CFR</b>	
		521.....	4838	<b>PROPOSED RULES:</b>	
		525.....	4838	2.....	4360
		541.....	4838	156.....	4360
		545.....	4838	157.....	4360
		563.....	4841	250.....	4360
		<b>PROPOSED RULES:</b>		260.....	4365
		563.....	4518		
		<b>14 CFR</b>		<b>19 CFR</b>	
		1.....	4945	4.....	5013
		3.....	4945	6.....	4350
		4b.....	4945	10.....	5013
		6.....	4945	14.....	4507
		7.....	4945	24.....	5013
		40.....	4945	<b>20 CFR</b>	
		41.....	4945	404.....	4494
		42.....	4945	<b>21 CFR</b>	
		43.....	4434, 4945	19.....	4508
		46.....	4945	25.....	5013
		60.....	5018	36.....	4556
		71 [New].....	4347,	42.....	4615
		4348, 4434, 4435, 4506, 4507, 4552,		120.....	4615, 4897, 5014
		4609—4611, 4661, 4699, 4700, 4752,		121.....	4295,
		4753, 4896, 4897, 4945, 5019.		4508, 4509, 4615, 4700, 4946—4949,	
		73 [New].....	4435,	5014—5016.	
		4436, 4507, 4553, 4611, 4753,	5019	<b>PROPOSED RULES:</b>	
		75 [New].....	4348, 4553, 4612, 4700, 4946	120.....	4516
		223.....	5019	121.....	4768, 5021
		249.....	4294	130.....	5021
		385.....	4553, 4811	146.....	4382, 4411
		507.....	4507, 4554, 4612, 4662, 4811	148.....	4411
		609.....	4812, 4822	148a—148z.....	4411
		610.....	4613	148b.....	4846
		<b>PROPOSED RULES:</b>		148c.....	4846
		4b.....	4958	148e.....	4382
		40.....	4471, 4958	148i.....	4382, 4769, 4846
		41.....	4471, 4958	148j.....	4382, 4769
		42.....	4471, 4958	148o.....	4382
		61 [New].....	4851		
		63 [New].....	4851	<b>22 CFR</b>	
		65 [New].....	4851	202.....	4789
				<b>24 CFR</b>	
				203.....	4438
				213.....	4438
				234.....	4439

<b>25 CFR</b>	Page	<b>35 CFR</b>	Page	<b>43 CFR—Continued</b>	Page
43a	4662	4	4439, 4440, 4558	<b>PUBLIC LAND ORDERS—Continued</b>	
221	4439	<b>CANAL ZONE ORDERS:</b>		3053	4443
<b>PROPOSED RULES:</b>		61	4439	3054	4443
15	4620	62	4440	3055	4444
221	4620	63	4440	3056	4444
		64	4558	3057	4445
<b>26 CFR</b>		<b>36 CFR</b>		3058	4445
1	4786, 4949	7	4440, 4954	3059	4445
48	4331	251	4440	3060	4445
701	4345	311	4300	3061	4561
<b>PROPOSED RULES:</b>		<b>PROPOSED RULES:</b>		3062	4561
1	4765, 4846	7	4620	3063	4561
				3064	4562
<b>29 CFR</b>		<b>38 CFR</b>		3065	4707
20	4557	1	4897	3066	4707
677	5017	6	4791	3067	4754
678	5017	8	4791	3068	4755
<b>PROPOSED RULES:</b>		21	4954	3069	4755
597	4621			3070	4755
		<b>39 CFR</b>		3071	4756
<b>32 CFR</b>		4	4754	3072	4756
1	4881	22	4754	3073	4757
2	4882	33	4754	3074	4757
3	4882	37	4754	3075	4757
4	4885	<b>PROPOSED RULES:</b>		3076	4757
5	4885	201	4794, 5021	3077	4758
6	4885			3078	4758
7	4885	<b>41 CFR</b>		3079	4758
8	4888	2-1	4558	3080	4899
9	4891	5-1	4559, 4954		
10	4891	8-1	4561	<b>46 CFR</b>	
12	4891	8-3	4561	10	4836
16	4892	8-7	4561	25	4792
17	4893	50-202	4898	402	4664, 4758
30	4895			510	4300
139	4700	<b>42 CFR</b>		<b>PROPOSED RULES:</b>	
537	4951	<b>PROPOSED RULES:</b>		Ch. IV	4307, 4519
715	4831	73	4674		
756	4298	<b>43 CFR</b>		<b>47 CFR</b>	
862	4790	115	4791	0	4842
887	4791	166	4355	1	4758, 4792
1001	4701	232	4355	2	4899
1003	4702	<b>PUBLIC LAND ORDERS:</b>		3	4618, 4707, 4793, 4843
1006	4702	243	4561	11	4899
1009	4702	649	4445	<b>PROPOSED RULES:</b>	
1012	4953	845	4445	2	4920
1013	4350	1012	4758	3	4594, 4797, 4920, 5024
1015	4353, 4953	1420	4445	7	4622
1016	4353	2460	4357	8	4622
1030	4702	2713	4355		
1053	4989	2867	4442	<b>49 CFR</b>	
1054	4991	2904	4357	10	4302
1055	4994	2919	4442	71-78	4495
1057	4994	2945	4443	95	4618
1059	5003	2968	4441	120	4562
		2989	4442	155	4304
<b>32A CFR</b>		3041	4355	<b>PROPOSED RULES:</b>	
OIA (Ch. X):		3042	4356	123	4623
OI Reg. 1	4953	3043	4356	127	4585
		3044	4356	139	5023
<b>33 CFR</b>		3045	4357	206	4623
90	4753	3046	4357	301	4623
202	4783	3047	4441		
203	4785	3048	4441	<b>50 CFR</b>	
204	4783, 4842	3049	4442	16	4954
206	4663	3050	4442	33	4357, 4358
207	4783, 4842	3051	4442	301	4562
211	4357	3052	4443	<b>PROPOSED RULES:</b>	
402	5018			10	4305, 4359
				32	4673