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VOLUME 28 NUMBER 195

Washington, Saturday, October 5, 1963

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

PART 213—EXCEPTED SERVICE

Federal Power Commission

Effective upon publication in the FEDERAL REGISTER, paragraph (f) of § 6.325 is amended and paragraph (i) is added as set out below.

§ 6.325 **Federal Power Commission.**

* * * * *

(f) Two Technical Assistants to each Commissioner.

* * * * *

(i) The Assistant Executive Director.

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

Reorganization and revision of chapter. In the FEDERAL REGISTER for September 14, 1963, the Civil Service Commission published new regulations to become effective November 17, 1963, superseding the corresponding old regulations on that date. The first amendment of these new regulations was published in the FEDERAL REGISTER on September 17, 1963. Complete background information appears in the explanatory statements published with the new regulations and the first amendment respectively.

A fifteenth amendment of these new regulations is set out below, i.e., the new regulations published in the FEDERAL REGISTER on September 14, 1963, as amended, which are to become effective November 17, 1963, are further amended as follows:

Paragraph (f) of § 213.3329 is amended and paragraph (i) is added as set out below.

§ 213.3329 **Federal Power Commission.**

* * * * *

(f) Two Technical Assistants to each Commissioner.

* * * * *

(i) The Assistant Executive Director.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 3 CFR, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 63–10605; Filed, Oct. 4, 1963; 8:47 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

PART 213—EXCEPTED SERVICE

Housing and Home Finance Agency

Effective upon publication in the FEDERAL REGISTER, subparagraphs (45) and (46) are added to paragraph (a) of § 6.342 as set out below.

§ 6.342 **Housing and Home Finance Agency.**

(a) *Office of the Administrator.* * * *

(45) One Assistant Commissioner (Program Planning). Community Facilities Administration.

(46) One Assistant Commissioner (Operations and Standards), Community Facilities Administration.

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

Reorganization and revision of chapter. In the FEDERAL REGISTER for September 14, 1963, the Civil Service Commission published new regulations to become effective November 17, 1963, superseding the corresponding old regulations on that date. The first amendment of these new regulations was published in the FEDERAL REGISTER on September 17, 1963. Complete background information appears in the explanatory statements published with the new regulations and the first amendment respectively.

A sixteenth amendment of these new regulations is set out below, i.e., the new regulations published in the FEDERAL REGISTER on September 14, 1963, as amended, which are to become effective November 17, 1963, are further amended as follows:

Subparagraphs (35) and (36) are added to paragraph (a) of § 213.3344 as set out below.

§ 213.3344 **Housing and Home Finance Agency.**

(a) *Office of the Administrator.* * * *

(35) One Assistant Commissioner (Program Planning), Community Facilities Administration.

(36) One Assistant Commissioner (Operations and Standards), Community Facilities Administration.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 3 CFR, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 63–10606; Filed, Oct. 4, 1963; 8:47 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

PART 213—EXCEPTED SERVICE

Department of Labor

Effective upon publication in the FEDERAL REGISTER, subparagraph (1) of paragraph (d) of § 6.113 is amended as set out below.

§ 6.113 **Department of Labor.**

* * * * *

(d) *Bureau of Labor Statistics.*

(1) Part-time and intermittent employment for field survey and enumeration work in the Bureau of Labor Statistics. This authority is applicable to positions where the salary is equivalent to GS–5 and below. Employment within the Bureau of Labor Statistics under this authority, or a combination of this authority and any other authorities for excepted appointment, shall not exceed:

(i) 180 working days a year for positions at GS–5;

(ii) 130 working days a year for positions at GS–4 and below.

The total number of appointments at GS–5 shall not exceed 75. Appointments at the GS–3 and GS–4 grade levels are not limited in number.

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

Reorganization and revision of chapter. In the FEDERAL REGISTER for September 14, 1963, the Civil Service Commission published new regulations to become effective November 17, 1963, superseding the corresponding old regulations on that date. The first amendment of these new regulations was published in the FEDERAL REGISTER on September 17, 1963. Complete background information appears in the explanatory statements published with the new regulations and the first amendment respectively.

A fourteenth amendment of these new regulations is set out below, i.e., the new regulations published in the FEDERAL REGISTER on September 14, 1963, as amended, which are to become effective November 17, 1963, are further amended as follows.

Subparagraph (1) of paragraph (d) of § 213.3115 is amended as set out below.

§ 213.3115 **Department of Labor.**

* * * * *

(d) *Bureau of Labor Statistics.*

(1) Part-time and intermittent employment for field survey and enumeration work in the Bureau of Labor Statistics. This authority is applicable to positions where the salary is equivalent to GS–5 and below. Employment within the Bureau of Labor Statistics under this authority, or a combination of this au-

thority and any other authorities for excepted appointment, shall not exceed:

(i) 180 working days a year for positions at GS–5;

(ii) 130 working days a year for positions at GS–4 and below.

The total number of appointments at GS–5 shall not exceed 75. Appointments at the GS–3 and GS–4 grade levels are not limited in number.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 3 CFR, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 63–10607; Filed, Oct. 4, 1963; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. No. 64]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

PEANUTS

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1964 crop year in the following respects:

1. Paragraph (b) of § 401.3 of this chapter is amended effective beginning with the 1964 crop year by substituting the words "cotton, peanut, or tobacco" for the words "cotton or tobacco" wherever they appear therein.

2. That portion of the first sentence of section A of application Form FCI–12, March 1962, shown in paragraph (e) of § 401.3 of this chapter which reads "(for cotton and tobacco insurance, on his interest, sharecropper and share tenant interest, or both, as specified in paragraph B below)" is amended effective beginning with the 1964 crop year to read as follows: "(for cotton, peanut, and tobacco insurance, on his interest, sharecropper and share tenant interest, or both, as specified in paragraph B below)".

3. That portion preceding the colon in section B of the application Form FCI–12, March 1962, shown in paragraph (e) of § 401.3 of this chapter, is amended effective beginning with the 1964 crop year to read as follows:

B. Applicable only to cotton, peanuts, and tobacco:

4. That portion of the last sentence following the colon in section E of the application Form FCI–12, March 1962, shown in paragraph (e) of § 401.3 of this chapter is amended effective beginning with the 1964 crop year to read as follows: *"Provided, however,* That application for cotton, peanut, or tobacco insurance may not be made by an owner-operator or tenant-operator and a sharecropper or share tenant jointly."

5. That portion of the title of application Form FCI–812-Supplement shown in paragraph (f) of § 401.3 of this chapter which reads "in cotton and tobacco crops" is amended effective beginning with the 1964 crop year to read "in cotton, peanut, and tobacco crops".

6. Section 7 of the peanut endorsement shown in § 401.36 of this chapter is amended effective beginning with the 1964 crop year by adding the following subsections (c), (d), and (e) thereto:

(c) "Owner-operator" means a person who owns land and is responsible for farm management with respect to the production of peanuts on such acreage whether produced by his own or other person's labor. Land rented for cash or for a fixed commodity payment shall be considered owned by the lessee.

(d) "Tenant-operator" means a person who rents land from another person for a share of the peanut crop, or proceeds therefrom, produced on such land and is responsible for farm management with respect to the production of peanuts on such acreage whether produced by his own or other person's labor.

(e) "Sharecropper" or "share tenant" means a person other than an owner-operator or tenant-operator who works peanuts under supervision of a farm operator and is entitled to receive a share of the crop or proceeds therefrom and includes a person employed on the farm of an owner-operator or tenant-operator who receives for his labor the entire interest of such owner-operator or tenant-operator in the peanut crop, or proceeds therefrom, produced on a specified acreage of such farm (for the purpose of the contract the owner-operator or tenant-operator of the farm shall be considered to have an interest in such acreage).

7. The peanut endorsement shown in § 401.36 of this chapter is amended effective beginning with the 1964 crop year by adding a new section 10 to read as follows:

10. *Life of contract, cancellation, or termination thereof.* Notwithstanding section 15(b) of the policy, insurance may be provided in any crop year to any person who cancelled his contract for that crop year and who applies for insurance to cover (1) an interest (individual or sharecroppers') not covered by the cancelled contract, or (2) both the individual and sharecroppers' interest where only one such interest was covered under the cancelled contract.

8. The peanut endorsement shown in § 401.36 of this chapter is amended effective beginning with the 1964 crop year by adding a new section 11 to read as follows:

11. *Minimum support price per pound.* If in any crop year, the peanuts on any insurance unit are destroyed prior to the issuance of the support price per pound for the insured type for that crop year, the insured may elect that the provisions of this section 11 shall apply to his contract of insurance with respect to the insured production on such unit. In the event of such election, the references to the term "support price per pound for the insured type for the crop year under the peanut price support program administered by the United States Department of Agriculture" appearing in section 4 of this endorsement and to the term "support price per pound for the crop year under the peanut price support program for the insured type" appearing in the second sentence of subsection 6(b) of this endorsement shall both be deemed to be a reference to the minimum support price per pound for the insured type for the crop year under the peanut price support program administered by the United States Department of Agriculture.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on September 30, 1963.

[SEAL] EARLL H. NIKKEL,
Secretary,
Federal Crop Insurance Corporation.

Approved on: October 2, 1963.

CHARLES S. MURPHY,
Under Secretary.

[F.R. Doc. 63–10587; Filed, Oct. 4, 1963; 8:46 a.m.]

[Amdt. No. 63]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

COMBINED CROP

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1964 crop year in the following respects:

1. Section 4 of the combined crop endorsement shown in § 401.19 of this chapter is amended effective beginning with the 1964 crop year in the following respects: The reference to section 5(c) of the individual crop endorsement for corn is changed to section 6(a). The last sentence is deleted.

2. The combined crop endorsement shown in § 401.19 of this chapter is amended effective beginning with the 1964 crop year by deleting sections 5 and 6 and by redesignating sections 7 and 8 as sections 5 and 6, respectively.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on September 30, 1963.

[SEAL] EARLL H. NIKKEL,
Secretary,
Federal Crop Insurance Corporation.

Approved on: October 2, 1963.

CHARLES S. MURPHY,
Under Secretary.

[F.R. Doc. 63–10586; Filed, Oct. 4, 1963; 8:46 a.m.]

[Amdt. No. 61]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

RICE ENDORSEMENT

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1964 crop year in the following respects:

1. The rice endorsement, published in § 401.27 of this chapter, is amended effective beginning with the 1964 crop year to read as follows:

§ 401.27 The rice endorsement.

The provisions of the rice endorsement for the 1964 and succeeding crop years are as follows:

1. *Causes of loss insured against.* The insurance provided is against unavoidable loss of production due to wildlife, insect infestation, plant disease, earthquake, flood, hail, wind, frost, freeze, lightning, fire, excessive rain, snow, hurricane, tornado, and any other unavoidable cause of loss due to adverse weather conditions, subject however, to any exceptions, exclusions or limitations with respect to such causes of loss that are set forth in the county actuarial table: *Provided, however,* That any loss caused by drought, or the application of saline water, shall not be a cause of loss insured against.

2. *Insured crop.* Insurance shall not be considered to have attached on any acreage on which it is determined by the Corporation that the rice was (a) destroyed for the purpose of conforming with any other program administered by the United States Department of Agriculture, (b) seeded for the development of hybrid seed, (c) seeded on acreage which was seeded to rice for the two preceding crop years, (d) a second crop following a rice crop harvested in the same calendar year, (e) seeded on acreage on which a cotton crop was treated with calcium arsenate in the previous crop year, or (f) not seeded for harvest as grain.

3. *Pound guarantee, and price per pound.* (a) The provisions of section 3 of the policy with respect to guaranteed production and amounts of insurance per acre shall not be applicable under this endorsement. For each crop year of the contract the pound guarantee, and the price at which indemnities shall be computed shall be those established by the Corporation and shown on the county actuarial table.

(b) The pound guarantee per acre shown on the county actuarial table shall be increased by two hundred pounds for any acreage on which the amount threshed is two hundred pounds or more per acre.

At the time the application for insurance is made the applicant shall elect a price per pound at which indemnities shall be computed from among those shown on the county actuarial table. Any insured with a contract in force prior to the 1964 crop year may elect the price per pound to be in effect beginning with the 1964 crop year. If for the 1964 or any succeeding crop year any applicant, or insured, has not elected a price per pound, or has elected a price per pound not shown on the county actuarial table for the crop year, the price per pound election which shall be applicable under such contract, and which the insured is deemed to have elected, shall be the amount provided on the county actuarial table for such purposes.

For any crop year, any insured may change the price per pound which was in effect for a prior crop year and make a new election by notifying the county office in writing of such election before contracts are terminated for indebtedness for the crop year for which the election is to become effective. If no such change is made, the price per pound at which indemnities shall be computed shall be the price most recently in force under the contract: *Provided,* That if such price is not one shown on the county actuarial table for the crop year it shall be the price provided for such purpose on the county actuarial table.

4. *Insurance period.* Insurance on any insured acreage shall attach at the time the rice is seeded and shall cease upon threshing or removal from the field, whichever occurs first, but in no event shall insurance remain in effect later than October 31 of the calendar year in which the rice is normally harvested.

5. *Claims for loss.* (a) In lieu of subsection 11(c) of the policy, the following shall apply: Losses shall be determined separately for each insurance unit (hereafter called "unit"). The amount of loss with respect to any unit shall be determined by (1) multiplying the insured acreage of rice on the unit by the applicable pound guarantee per acre, which product shall be the pound guarantee for the unit, (2) subtracting therefrom the total production to be counted for the unit, (3) multiplying the remainder by the insured interest, and (4) multiplying this result by the applicable price per pound for computing indemnities: *Provided,* That if for the unit the insured fails to report all of his interest or insurable acreage the amount of loss shall be determined with respect to all of his interest and insurable acreage, but in such cases or otherwise, if the premium computed on the basis of the insurable acreage and interest exceeds the premium on the reported acreage and interest, or the acreage and interest when determined by the Corporation under section 2 of the policy, the amount of loss shall be reduced proportionately.

The total production to be counted for a unit shall be determined by the Corporation and, subject to the provisions hereinafter, shall include all threshed production and any appraisals made by the Corporation for unthreshed, or potential production, poor farming practices, uninsured causes of loss, or for acreage abandoned or put to another use without the consent of the Corporation: *Provided,* That on any acreage from which less than two hundred pounds per acre are threshed, the total production to be counted under the provisions of this section shall be that amount in excess of two hundred pounds per acre, except that the production to be counted for any acreage of rice which is abandoned or put to another use without the consent of the Corporation shall be the pound guarantee provided on the county actuarial table.

(b) In determining total production, volunteer rice growing with the seeded rice crop shall be counted as rice on a weight basis.

(c) The total production to be counted shall include any threshed production from acreage initially seeded for purposes other than for harvest as grain as determined by the Corporation.

(d) Notwithstanding any provisions of this section for determining production to be counted, in any case where the quality of any production of threshed rough rice is reduced solely by insured causes occurring within the insurance period to the extent that the value per pound, as determined by the Corporation, is less than 80 percent of the market price at the nearest mill center (at the time the loss is adjusted) for the same variety of rough rice grading U.S. No. 3 (determined in accordance with Official Grain Standards of the United States) with a milling yield per hundredweight of 55 pounds in the case of Nato and 48 pounds of heads for other varieties (whole kernels) and 68 pounds total milling yield (heads, second heads, screenings and brewers) and such rice, if properly handled, would not have a value equal to or greater than 80 percent of such market price, the number of pounds of such rice to be counted shall be adjusted by (1) dividing the value of the damaged rice per pound, as determined by the Corporation, by 80 percent of the market price per pound at the nearest mill center (at the time the loss is adjusted) for the same variety of rough rice grading U.S. No. 3 with a milling yield per hundredweight of 55 pounds in the case of Nato and 48 pounds of heads for other varieties (whole kernels) and 68 pounds total milling yield (heads, second heads, screenings and brewers), and (2) multiplying the result thus obtained by the number of pounds of production of such damaged rice.

6. *Meaning of terms.*

(a) "Insurance unit," notwithstanding section 21(g) of the policy, means the insurable acreage of rice in the county in which (1) one person at the time of planting has the entire interest in the crop, or (2) the same two or more persons at the time of planting have the entire interest in the crop: *Provided, however,* The Corporation and the insured may agree in writing before insurance attaches in any crop year to divide the insured's insurable acreage of rice in the county into two or more units, taking into consideration separate and distinct farm operations.

(b) "Mill center" means any location in which two or more mills are engaged in milling rough rice.

7. *Cancellation and termination for indebtedness dates.* For each year of the contract the cancellation date shall be the December 31 and the termination date for indebtedness shall be the March 31 immediately preceding the beginning of the crop year for which the cancellation or the termination is to become effective.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

Adopted by the Board of Directors on September 30, 1963.

[SEAL] EARLL H. NIKKEL,
Secretary,
Federal Crop Insurance Corporation.

Approved on: October 2, 1963.

CHARLES S. MURPHY,
Under Secretary.

[F.R. Doc. 63-10588; Filed, Oct. 4, 1963; 8:46 a.m.]

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

[Grapefruit Reg. 28]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.382 Grapefruit Regulation 28.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, 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 thereof 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; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on October 1, 1963, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750–51.783 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., October 7, 1963, and ending at 12:01 a.m., e.s.t., October 21, 1963, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any grapefruit, grown in the production area, which do not grade at least U.S. No. 1 Russet;

(ii) Any seeded grapefruit, grown in the production area, which are smaller than $3^{15}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit; or

(iii) Any seedless grapefruit, grown in the production area, which are smaller than $3^{9}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit.

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

Dated: October 3, 1963.

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

[F.R. Doc. 63–10636; Filed, Oct. 4, 1963; 8:49 a.m.]

[Orange Reg. 28]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.383 Orange Regulation 28.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, as hereinafter provided, will establish and maintain such minimum standards of quality and maturity and such grading and inspection requirements as will tend to effectuate such orderly marketing of Florida oranges as will be in the public interest; will tend to effectuate the declared policy of the act; and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under 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 thereof 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; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, including Temple oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on October 1, 1963; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; the provisions of the act require that the minimum standards of quality and maturity, as set forth herein, be made effective when the seasonal average price to growers for such oranges will exceed the parity level specified in section 2(1) of the act; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth, and at the commencement thereof, so as not to permit the unrestricted shipment thereafter of Florida oranges as such unrestricted shipment would not be conducive to the orderly marketing of such oranges as will be in the public interest and would not tend to effectuate the declared policy of the act; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1178 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., October 7, 1963, and ending at 12:01 a.m., e.s.t., October 21, 1963, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, including Temple oranges, grown in the production area, which do not grade at least U.S. No. 2 Russet;

(ii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than $2^{8}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos: *Provided,* That in determining the percentage of oranges in any lot which are smaller than $2^{8}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size $2^{1}4/_{16}$ inches in diameter or smaller; or

(iii) Any Temple oranges, grown in the production area, which are of a size smaller than $2^{8}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied

in accordance with the provisions for the application of tolerances specified in the aforesaid United States Standards for Florida Oranges and Tangelos.

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

Dated: October 3, 1963.

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

[F.R. Doc. 63–10637; Filed, Oct. 4, 1963; 8:49 a.m.]

[Tangerine Reg. 13]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.384 Tangerine Regulation 13.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, 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 thereof 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; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than October 7, 1963. The Growers Administrative Committee held an open meeting on October 1, 1963, to consider recommendations for a regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information regarding the provisions of the regulation recommended by the committees has been disseminated among shippers of tangerines grown in the production area, and this section, including the effective time thereof, is identical with the recommendation of the committee; it is necessary, in order to effectuate the declared policy of the act, to make this section effective on the date hereinafter set forth so as to provide for the regulation of the handling of tangerines, grown in the production area, at the start of this marketing season; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, and standard pack, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Tangerines (§§ 51.1810–51.1834 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., October 7, 1963, and ending at 12:01 a.m., e.s.t., October 21, 1963, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangerines, grown in the production area, which do not grade at least U.S. No. 1 Russet; or

(ii) Any tangerines, grown in the production area, which are of a size smaller than 2$^{6}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangerines smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Tangerines.

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

Dated: October 3, 1963.

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

[F.R. Doc. 63–10639; Filed, Oct. 4, 1963, 8:49 a.m.]

[Tangelo Reg. 13]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.385 Tangelo Regulation 13.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, 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 thereof 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; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than October 7, 1963. The committee held an open meeting on October 1, 1963, to consider recommendations for a regulation, in accordance with the said amended marketing agreement and order, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information regarding the provisions of the regulation recommended by the committee has been disseminated among shippers of tangelos, grown in the production area, and this section, including the effective time thereof, is identical with the recommendation of the committee; it is necessary, in order to effectuate the declared policy of the act, to make this section effective on the date hereinafter set forth so as to provide for the regulation of the handling of tangelos, grown in the production area, at the start of this marketing season; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relative to grade and diameter, as used herein, shall have the same meaning as is given to the respective term in the amended United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1178 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., October 7, 1963, and ending at 12:01 a.m., e.s.t., October 21, 1963, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangelos, grown in the production area, which do not grade at least U.S. No. 1 Russet; or

(ii) Any tangelos, grown in the production area, which are of a size smaller than 2$^{5}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos.

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

Dated: October 3, 1963.

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

[F.R. Doc. 63–10638; Filed, Oct. 4, 1963; 8:49 a.m.]

[Valencia Orange Reg. 67]

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

Limitation of Handling

§ 908.367 Valencia Orange Regulation 67.

(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 agreement 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 October 3, 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., October 6, 1963, and ending at 12:01 a.m., P.s.t., October 13, 1963, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 600,000 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 amended marketing agreement and order.

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

Dated: October 4, 1963.

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

[F.R. Doc. 63–10688; Filed, Oct. 4, 1963; 11:36 a.m.]

[Lemon Reg. 83]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.383 Lemon Regulation 83.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), 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 by tending to establish and maintain such orderly marketing conditions for such lemons as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under 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 October 1, 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., October 6, 1963, and ending at 12:01 a.m., P.s.t., October 13, 1963, are hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 162,750 cartons;

(iii) District 3: 45,190 cartons.

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

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

Dated: October 3, 1963.

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

[F.R. Doc. 63–10635; Filed, Oct. 4, 1963; 8:49 a.m.]

Chapter X—Agricultural Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order No. 67]

PART 1067—MILK IN OZARKS MARKETING AREA

Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Ozarks marketing area (7 CFR Part 1067), it is hereby found and determined that:

(a) The following provision of the order no longer tends to effectuate the declared policy of the Act for the month of October 1963:

In the table of § 1067.11(b) opposite the month of October, the following: "40".

(b) Notice of proposed rule making, public procedure thereon, and 30 days

notice of the effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This provision relates to the shipping requirement for a supply plant to maintain pool status for the month of October 1963.

(4) This action has been requested by a cooperative association in the market. The action will enable the cooperative to maintain pool status for its supply plant and thereby facilitate the orderly disposition of the market's reserve supply of milk which, as seems likely, will not be needed during the month of October 1963.

(5) A like suspension of this provision was issued for the months of August and September 1963. It appears that the conditions which necessitated such suspension for those months will continue to prevail during the month of October.

Therefore, good cause exists for making this order effective October 1, 1963.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended for the month of October 1963.

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

Effective date: October 1, 1963.

Signed at Washington, D.C., on October 1, 1963.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 63–10585; Filed, Oct. 4, 1963; 8:46 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 1—INVESTMENT SECURITIES REGULATION

Washington and Pennsylvania

§ 1.127 Washington State Public School Plant Facility Bonds and Public Buliding Bonds.

(a) *Request.* The Comptroller of the Currency has been requested to rule on the eligibility of the $25,750,000 Public School Plant Facilities Bonds, 1961 and the $10,000,000 Public Building Bonds, 1961, of the State of Washington for purchase, dealing in, underwriting, and unlimited holding by National Banks under Paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* (1) These bonds are to be issued by the State of Washington under acts which provide that the bonds are not to be general obligations of the state but are payable from the sales tax revenues of the state. The acts also provide, however, that the state undertakes to maintain such taxes so as to provide sufficient funds to pay the bonds and interest thereon.

(2) The Supreme Court of the State of Washington has held with respect to these bonds that if the state undertakes or agrees to provide any part of a fund from any general tax, be it excise or ad valorem, the securities issued upon the credit of the fund are likewise issued upon the credit of the state and are, in truth, debts of the state. It has also ruled, however, that these bonds are lawful and valid and shall be issued in accordance with the terms of the statutes authorizing them.

(c) *Ruling.* It is our conclusion that the Public School Plant Facilities Bonds, 1961, and the Public Building Bonds, 1961, of the State of Washington, are eligible for purchase, dealing in, underwriting, and unlimited holding by National Banks.

(Source: Comptroller's letter dated August 16, 1963)

§ 1.128 Commonwealth of Pennsylvania Tax Anticipation Notes.

(a) *Request.* The Comptroller of the Currency has been requested to rule that the $115,000,000 Commonwealth of Pennsylvania Tax Anticipation Notes, Series of 1963, are eligible for purchase, dealing in, underwriting, and unlimited holding by National Banks under Paragraph Seventh of 12 U.S.C. 24.

(b) *Opinion.* Stable current revenues of the Commonwealth of Pennsylvania, which, in accordance with official estimates, are expected to amount to more than five times the amount to be borrowed, are pledged for the repayment of these notes. The Commonwealth of Pennsylvania has thus made fully adequate provision from its tax revenues for the payment of these notes.

(c) *Ruling.* Following the principles applied in the ruling on the Georgia State Authorities, 12 CFR 1.111, it is our conclusion that the Tax Anticipation Notes, Series 1963, of the Commonwealth of Pennsylvania are eligible for purchase, dealing in, underwriting and unlimited holding by National Banks.

(Source: Comptroller's letter dated August 16, 1963)

Dated: October 1, 1963.

[SEAL] JAMES J. SAXON,
Comptroller of the Currency.

[F.R. Doc. 63–10582; Filed, Oct. 4, 1963; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63–CE–6]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zones and Designation of Transition Areas

On June 21, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 6404) stating that the Federal Aviation Agency proposed to alter the Battle Creek and Kalamazoo, Mich., control zones and designate transition areas at Battle Creek and Sturgis, Mich.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published, and for the reasons stated in the notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220–91, November 10, 1962) the following actions are taken:

a. The Battle Creek, Mich., control zone is amended to read:

Battle Creek, Mich.

Within a 5-mile radius of Kellogg Field, Battle Creek, Mich. (latitude 42°18′35″ N., longitude 85°14′55″ W.), within 2 miles each side of the Battle Creek VORTAC 050° and 215° radials, extending from the 5-mile radius zone to 8 miles NE and SW of the VORTAC, and within 2 miles each side of the Kellogg Field ILS localizer SW course, extending from the 5-mile radius zone to 5 miles SW of the approach end of Runway 4.

b. The Kalamazoo, Mich., control zone is amended to read:

Kalamazoo, Mich.

Within a 5-mile radius of Kalamazoo Municipal Airport (latitude 42°14′07″ N., longitude 85°33′10″ W.), within 2 miles each side of the Kalamazoo VOR 001°, 167° and 229° radials, extending from the 5-mile radius zone to 7 miles N, S and SW of the VOR, and within 2 miles each side of the Kalamazoo ILS localizer S course, extending from the 5-mile radius zone to the OM. This control zone is effective from 0700 to 2300 hours, local time, daily.

2. Section 71.181 (27 F.R. 220–139, November 10, 1962) is amended by adding the following:

Battle Creek, Mich.

That airspace extending upward from 700 feet above the surface within a 12-mile radius of Kellogg Field, Battle Creek, Mich., (latitude 42°18′35″ N., longitude 85°14′55″ W.), within 8 miles NW and 5 miles SE of the Battle Creek ILS localizer NE course, extending from the 12-mile radius area to 12 miles NE of the OM, within a 13-mile radius of Kalamazoo Airport (latitude 42°14′07″ N., longitude 85°33′10″ W.), within a 4-mile radius of Haines Field, Three Rivers, Mich., (latitude 41°57′30″ N., longitude 85°35′30″ W.), and within 8 miles NW and 5 miles SE of the 034° bearing from Haines Field, extending from Haines Field to 12 miles NE of the airport; and that airspace extending upward from 1,200 feet above the surface bounded on the N by latitude 42°38′00″ N., on the E by longitude 84°50′00″ W., on the S by latitude 41°40′00″ N., on the SW by a line extending from latitude 41°40′00″ N., longitude 85°37′25″ W., to latitude 42°08′-00″ N., longitude 86°00′00″ W., and on the W by longtitude 86°00′00″ W.

Sturgis, Mich.

That airspace extending upward from 700 feet above the surface within a 4-mile radius of Kirsch Airport, Sturgis, Mich., (latitude 41°48′50″ N., longitude 85°26′10″ W.), and within 8 miles NW and 5 miles SE of the 059° bearing from Kirsch Airport, extending from Kirsch Airport to 12 miles NE of the airport.

These amendments shall become effective 0001 e.s.t., December 12, 1963.

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

Issued in Washington, D.C., on September 30, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-10560; Filed, Oct. 4, 1963; 8:45 a.m.]

[Airspace Docket No. 63-SW-3]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Control Zone, Revocation of Control Area Extension and Transition Area, and Designation of Transition Area

On July 18, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 7353) stating that the Federal Aviation Agency proposed to alter the Clovis, N. Mex., control zone, revoke the Clovis control area extension and Texico, Tex., transition area and, designate the Clovis transition area.

Interested persons were afforded an opportunity to participate in the rule-making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published and for the reasons stated in the Notice, the following actions are taken:

1. In § 71.171 (27 F.R. 220-91, November 10, 1962), the Clovis, N. Mex., control zone is amended to read:

Clovis, N. Mex.

Within a 6-mile radius of Cannon AFB, Clovis, N. Mex. (latitude 34°23'01" N., longitude 103°18'58" W.); within 2 miles each side of the Cannon AFB TACAN 219° radial, extending from the 6-mile radius zone to 9 miles SW of the TACAN; within 2 miles each side of the Cannon AFB VOR 227° radial, extending from the 6-mile radius zone to 12 miles SW of the VOR; within 2 miles each side of the Cannon TACAN 232° radial, extending from the 6-mile radius zone to 9 miles SW of the TACAN, and within 2 miles each side of the Cannon VOR 242° radial, extending from the 6-mile radius zone to 8 miles SW of the VOR.

2. Section 71.165 (27 F.R. 220-59, November 10, 1962) is amended by revoking the following control area extension:

Clovis, N. Mex.

3. Section 71.181 (27 F.R. 220-139, November 10, 1962) is amended by revoking the following transition area:

Texico, Tex.

4. Section 71.181 (27 F.R. 220-139, November 10, 1962) is amended by adding the following:

Clovis, N. Mex.

That airspace extending upward from 700 feet above the surface within a 14-mile radius of Cannon AFB, Clovis, N. Mex. (latitude 34°23'01" N., longitude 103°18'58" W.); within 2 miles each side of the 217° bearing from the Cannon AFB RBN, extending from the 14-mile radius area to 12 miles SW of the RBN, and within 2 miles each side of the 225° bearing from the Cannon RBN, extending from the 14-mile radius area to 8 miles SW of the RBN; and that airspace extending upward from 1,200 feet above the surface within a 30-mile radius of Cannon AFB, extending clockwise from the Cannon VOR 051° radial to the Cannon VOR 190° radial; within a 37-mile radius of Cannon AFB, extending clockwise from the Cannon VOR 190° radial to the Cannon VOR 226° radial, thence via a line to latitude 34°01'-10" N., longitude 104°04'00" W., thence to latitude 34°09'55" N., longitude 104°03'40" W., thence to latitude 34°10'00" N., longitude 103°55'00" W., thence to latitude 34°42'15" N., longitude 103°55'00" W., thence to the point of beginning; that airspace E of Clovis within 10 miles N and 7 miles S of the Texico, Tex., VOR 093° and 273° radials, extending from the 30-mile radius area to 25 miles E of the VOR; within 5 miles each side of the Cannon VOR 084° radial, extending from the 30-mile radius area to 51 miles E of the VOR; and that airspace extending upward from 8,000 feet MSL NW of Clovis bounded by a line beginning at latitude 34°32'30" N., longitude 103°55'00" W., thence to latitude 34°28'30" N., longitude 104°05'15" W., thence to latitude 34°38'00" N., longitude 104°10'30" W., thence to latitude 34°46'40" N., longitude 104°05'25" W., thence to latitude 34°42'15" N., longitude 103°55'00" W., thence to the point of beginning. The portions of this transition area within R-5104 and R-5105 shall be used only after obtaining prior approval from the appropriate authority.

These amendments shall become effective 0001 e.s.t., January 9, 1964.

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

Issued in Washington, D.C., on September 30, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-10561; Filed, Oct. 4, 1963; 8:45 a.m.]

[Airspace Docket No. 61-NY-100]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Designation of Transition Areas and Alteration of Control Area Extension

On August 2, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 7913) stating that the Federal Aviation Agency proposed to alter the Boston, Mass., control area extension and designate the Boston, Mass., and Nantucket, Mass., transition areas.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. All comments received were favorable.

The substance of the proposed amendments having been published and for the reasons stated in the notice, the following actions are taken:

1. In § 71.165 (27 F.R. 220-59, November 10, 1962) the text of the Boston, Mass., control area extension is amended to read:

That airspace bounded by a line beginning at latitude 43°25'32" N., longitude 70°36'50" W., to latitude 43°21'30" N., longitude 70°-19'20" W., to latitude 43°15'00" N., longitude 70°30'00" W., to latitude 42°44'20" N., longitude 70°37'00" W., thence along a line 3 nautical miles from and parallel to the shoreline to latitude 42°35'00" N., longitude 70°34'45" W., thence to latitude 42°35'00" N., longitude 70°30'00" W., to latitude 42°-15'20" N., longitude 70°30'00" W., to latitude 42°03'00" N., longitude 69°18'00" W., to latitude 41°41'40" N., longitude 69°45'20" W., to latitude 41°19'10" N., longitude 70°-13'40" W., to latitude 41°13'40" N., longitude 70°43'00" W., to latitude 41°36'30" N., longitude 70°43'00" W., to latitude 41°42'20" N., longitude 71°19'10" W., to latitude 42°-35'00" N., longitude 71°58'30" W., to latitude 42°46'40" N., longitude 72°09'15" W., to latitude 43°03'40" N., longitude 71°41'15" W., to latitude 43°13'11" N., longitude 71°-34'33" W., to the point of beginning; and that airspace N and NW of Concord, N.H., within the arc of a 20-mile radius circle centered at the Concord, N.H., VOR; and that airspace outside of the continental control area extending upward from FL 240 to FL 300 inclusive within an 18-mile radius of the Pease, N.H., RBN. The portion of this control area extension which coincides with R-4901 is excluded. The portion of this control area extension at 3,000 feet MSL and below bounded on the N by latitude 43°01'30" N., on the E by W-103, on the S by latitude 42°59'03" N., and on the W by R-4901 is excluded during the time of designation of R-4901. The portion of this control area extension which coincides with R-4101, R-4103 and R-4106 shall be used only after obtaining prior approval from the appropriate authority.

2. Section 71.181 (27 F.R. 220-139, November 10, 1962) is amended by adding:

Boston, Mass.

That airspace extending upward from 20,000 feet MSL to FL 300 inclusive E of Boston bounded by a line beginning at latitude 42°24'30" N., longitude 70°15'30" W., to latitude 42°27'50" N., longitude 70°04'00" W., to latitude 42°25'30" N., longitude 70°04'00" W., to latitude 42°24'30" N., longitude 69°46'00" W., to latitude 42°21'30" N., longitude 69°30'00" W., to point of beginning.

Nantucket, Mass.

That airspace extending upward from 2,000 feet MSL NE of Nantucket bounded on the NE by the arc of 29-mile radius circle centered at the Nantucket VORTAC, on the SE by Control 1144, and on the NW by Control 1143; SE of Nantucket bounded on the SE by the arc of a 13-mile radius circle centered on the Nantucket CONSOLAN (Monitor site at latitude 41°15'35" N., longitude 70°09'19" W.), on the N by Control 1144, and on the SW by Control 1145; and that airspace from FL 240 to FL 300 inclusive SW of Nantucket, bounded on the N by Control 1169, on the east by Control 1145, and on the S and W by the arc of a 10.2-mile radius circle centered on the Nantucket CONSOLAN station.

These amendments shall become effective 0001 e.s.t., December 12, 1963.

(Secs. 307(a), and 1110, 72 Stat. 749 and 800; 49 U.S.C. 1348 and 1510, and Executive Order 10854, 24 F.R. 9565)

Issued in Washington, D.C., on September 30, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-10563; Filed, Oct. 4, 1963; 8:45 a.m.]

[Airspace Docket No. 62-PC-15]

PART 73—SPECIAL USE AIRSPACE [NEW]

Alteration of Restricted Area

On July 18, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 7360) stating

that the Federal Aviation Agency proposed to alter the Schofield-Makua, Oahu, Hawaii, Restricted Area R–3109 and the Dillingham, Hawaii, Restricted Area R–3102.

Interested persons were afforded an opportunity to participate in the rule making through submission of comments. Due consideration was given to all relevant matter presented.

The State of Hawaii, Department of Transportation, Airports Division, objected to the proposal, stating that the proposed alterations would restrict rather than facilitate ingress and egress for general aviation aircraft operating at Dillingham. However, the proposed alteration to R–3102 would restrict flight operations at the Dillingham Airport only when R–3102 is in use by the using agency. The Department of Army has stated that the area will be used approximately 45 days per year, 4 hours per day. The existing restricted area boundaries restrict operations at Dillingham whenever R–3109 is in use, which is estimated to be 10 hours per day throughout the year. Therefore, the proposed alteration would greatly increase the availability of the airport for general aviation use.

No other comments were received.

The substance of the proposed amendment having been published, therefore, for the reasons stated herein and in the Notice, the following action is taken:

1. In § 73.31 *Hawaii* (28 F.R. 19–18 January 26, 1963), R–3109 Schofield-Makua, Oahu, Hawaii is amended to read:

R–3109 Schofield-Makua, Oahu, Hawaii.

Boundaries. Beginning at latitude 21°30'-29" N., longitude 158°04'09" W.; to latitude 21°29'25" N., longitude 158°05'00" W.; to latitude 21°27'28" N., longitude 158°05'55" W.; to latitude 21°29'11" N., longitude 158°-07'35" W.; to latitude 21°31'00" N., longitude 158°14'00" W.; to latitude 21°32'30" N., longitude 158°14'30" W.; to latitude 21°-33'30" N., longitude 158°15'30" W.; to latitude 21°34'51" N., longitude 158°17'30" W.; to latitude 21°35'00" N., longitude 158°15'-24" W.; to latitude 21°32'14" N., longitude 158°05'12" W.; to point of beginning.

Designated altitudes. The area southeast of a line between latitude 21°28'35" N., longitude 158°07'00" W., and latitude 21°29'25" N., longitude 158°05'00" W., surface to 8,000 feet MSL. The area northwest of this line, surface to 29,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency, Honolulu Flight Service Station.

Using agency. Commanding General, U.S. Army Hawaii, Schofield Barracks, Hawaii.

2. In § 73.31 *Hawaii* (28 F.R. 19–18 January 26, 1963), R–3102 Dillingham, Hawaii is amended to read:

R–3102 Dillingham, Hawaii.

Boundaries. Beginning at latitude 21°-35'02" N., longitude 158°11'02" W.; to latitude 21°35'00" N., longitude 158°15'24" W.; to latitude 21°34'51" N., longitude 158°17'-30" W.; to latitude 21°35'23" N., longitude 158°19'40" W.; thence three (3) nautical miles from the shoreline to latitude 21°37'-42" N, longitude 158°09'24" W.; to point of beginning.

Designated altitudes. Surface to 29,000 feet MSL.

Time of designation. 0700 to 1700 Hawaiian standard time. Monday through Friday.

Controlling agency. Federal Aviation Agency, Honolulu Flight Service Station.

Using agency. Commanding General, U.S. Army Hawaii, Schofield Barracks, Hawaii.

This amendment shall become effective 0001 e.s.t. December 12, 1963.

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

Issued in Washington, D.C., on September 30, 1963.

CLIFFORD P. BURTON,
Acting Director,
Air Traffic Service.

[F.R. Doc. 63–10562; Filed, Oct. 4, 1963; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C–578]

PART 13—PROHIBITED TRADE PRACTICES

Bramson, Inc.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods;* § 13.30–30 *Fur Products Labeling Act;* § 13.155 *Prices;* § 13.155–70 *Percentage savings.* Subpart—Concealing, obliterating or removing law required and informative marking: § 13.512 *Fur products tags or identification.* Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely;* § 13.1108–45 *Fur Products Labeling Act.* Subpart—Misbranding or mislabeling: § 13.1185 *Composition;* § 13.1185–30 *Fur Products Labeling Act;* § 13.1212 *Formal regulatory and statutory requirements;* § 13.-1212–30 *Fur Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition;* § 13.1845–30 *Fur Products Labeling Act;* § 13.1852 *Formal regulatory and statutory requirements;* § 13.-1852–35 *Fur Products Labeling Act;* § 13.-1865 *Manufacture or preparation;* § 13.1865–40 *Fur Products Labeling Act;* § 13.1900 *Source or origin;* § 13.1900–40 *Fur Products Labeling Act;* § 13.1900–40 (a) *Maker or seller;* § 13.1900–40(b) *Place.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Bramson, Inc., Chicago, Ill., Docket C–578, Sept. 11, 1963]

Consent order requiring Chicago retail furriers to cease violating the Fur Products Labeling Act by failing, on labels and invoices and in advertising, to show the true animal name of furs; failing on invoices and in advertising to show when fur was artificially colored and the country of origin of imported furs; failing to use the term "natural" on labels and invoices of furs not artificially colored; failing to show the Commission's registered identification on labels; labeling and advertising furs falsely as "Broadtail"; advertising fur products as on sale at "savings of ⅓ to ½ and more", and failing to set forth the term "Dyed Broadtail-processed Lamb" as required in advertising; failing to maintain adequate records as a basis for pricing claims; substituting non-conforming labels for those originally affixed to fur products; and failing in other respects to comply with requirements of the Act.

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

It is ordered, That respondent Bramson, Inc., a corporation, and its officers and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution, in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Failing to affix labels to fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

2. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form on labels affixed to fur products.

3. Failing to set forth the term "Natural" as part of the information required to be disclosed on labels under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

4. Affixing to fur products labels that do not comply with the minimum size requirements of one and three-quarter inches by two and three-quarter inches.

5. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder mingled with non-required information on labels affixed to fur products.

6. Failing to completely set out information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations thereunder on one side of the labels affixed to fur products.

7. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting on labels affixed to fur products.

8. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder on labels in the sequence required by Rule 30 of the aforesaid rules and regulations.

9. Failing to set forth separately on labels attached to fur products composed of two or more sections containing different animal fur the information re-

quired under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder with respect to the fur comprising each section.

10. Failing to set forth on labels the item number or mark assigned to a fur product.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Setting forth on invoices pertaining to fur products any false or deceptive information with respect to the name or designation of the animal or animals that produced the fur contained in such fur product.

3. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

4. Failing to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

5. Failing to set forth the term "Natural" as part of the information required to be disclosed on invoices under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

6. Failing to set forth on invoices the item number or mark assigned to fur products.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Falsely or deceptively identifies any such fur product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

3. Fails to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

4. Fails to set forth the term "Natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

5. Represents directly or by implication through percentage savings claims that prices of fur products are reduced to afford purchases of respondent's fur products the percentage of savings stated when the prices of such fur products are not reduced to afford to purchasers the percentage of savings stated.

6. Misrepresents in any manner the savings available to purchasers of respondent's fur products.

7. Falsely or deceptively represents in any manner that prices of respondent's fur products are reduced.

D. Making claims and representations of the types covered by subsections (a), (b), (c) and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondent full and adequate records disclosing the facts upon which such claims and representations are based.

It is further ordered, That respondent Bramson, Inc., a corporation, and its officers and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, sale, advertising or offering for sale, in commerce or the processing for commerce, of fur products; or in connection with the selling, advertising, offering for sale, or processing of fur products which have been shipped and received in commerce, do forthwith cease and desist from misbranding fur products by substituting for the labels affixed to such fur products pursuant to section 4 of the Fur Products Labeling Act labels which do not conform to the requirements of the aforesaid Act and the rules and regulations promulgated thereunder.

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

Issued: September 11, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-10572; Filed, Oct. 4, 1963; 8:45 a.m.]

[Docket No. C-577]

PART 13—PROHIBITED TRADE PRACTICES

H. Greenblatt Company, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices;* § 13.155-70 *Percentage savings.* Subpart—Concealing, obliterating or removing law required and informative marking: § 13.512 *Fur products tags or identification.* Subpart—Invoicing products falsely: § 13.-1108 *Invoicing products falsely;* § 13.-1108-45 *Fur Products Labeling Act.* Subpart—Misbranding or mislabeling: § 13.1185 *Composition;* § 13.1185-30 *Fur Products Labeling Act;* § 13.1212 *Formal regulatory and statutory requirements;* § 13.1212-30 *Fur Products Labeling Act;* § 13.1325 *Source or origin;* § 13.1325-70 *Place;* § 13.1325-70(e) *Fur Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition;* § 13.-1845-30 *Fur Products Labeling Act;* § 13.1852 *Formal regulatory and statutory requirements;* § 13.1852-35 *Fur Products Labeling Act;* § 13.1865 *Manufacture or preparation;* § 13.1865-40 *Fur Products Labeling Act;* § 13.1886 *Quality, grade or type;* § 13.1900 *Source or origin;* § 13.1900-40 *Fur Products Labeling Act;* § 13.1900-40(b) *Place.* Subpart—Using misleading name—Goods: § 13.2280 *Composition;* § 13.2280-30 *Fur Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, H. Greenblatt Company, Inc., et al., South Bend, Ind., Docket C-577, Sept. 11, 1963]

In the Matter of H. Greenblatt Company, Inc., a Corporation Trading as Greenblatts Brazy Brothers Furriers and Sylvia Brazy, Lee Brazy, and Simon Brazy, Individually and as Officers of the Said Corporation

Consent order requiring retail furriers in South Bend, Ind., to cease violating the Fur Products Labeling Act by removing required labels prior to delivery of fur products to the ultimate consumers, and by substituting non-conforming labels for those originally attached; failing, on labels and invoices and in advertising, to name the country of origin of imported furs and to use the term "natural" for furs not artificially colored; and labeling imported furs as products of the United States; failing, on tags and invoices, to give the true animal name of the fur, to disclose on labels that fur products contained cheap or waste fur, and labeling "Blue Fox" as "Fox"; failing on invoices to disclose when fur was artificially colored and to set forth the term "Dyed Mouton Lamb" as required, and invoicing "Japanese Mink" as "Mink"; advertising fur products as "up to 70 percent off" when prices were not reduced in such percentage; failing to maintain adequate records to maintain pricing claims; and failing in other respects to conform with requirements of the law.

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

It is ordered, That respondents H. Greenblatt Company, Inc., a corporation, trading as Greenblatts Brazy Brothers Furriers or under any other trade name and its officers, and Sylvia Brazy, Lee Brazy and Simon Brazy, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution, in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Falsely or deceptively labeling or otherwise identifying any such fur prod-

uct as to the country of origin of furs contained in such fur product.

2. Falsely or deceptively labeling or otherwise identifying any such product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

3. Failing to affix labels to fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

4. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form on labels affixed to fur products.

5. Failing to set forth the term "Natural" as part of the information required to be disclosed on labels under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

6. Failing to disclose on labels that fur products are composed in whole or in substantial part of paws, tails, bellies, sides, flanks, gills, ears, throats, heads, scrap pieces or waste fur.

7. Failing to completely set out information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations thereunder on one side of the labels affixed to fur products.

8. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder on labels in the sequence required by Rule 30 of the aforesaid rules and regulations.

9. Failing to set forth separately on labels attached to fur products composed of two or more sections containing different animal fur the information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder with respect to the fur comprising each section.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

3. Failing to set forth the term "Dyed Mouton Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

4. Failing to set forth separately information required under section 5(b)(1) of the Fur Products Labeling Act and rules and regulations promulgated thereunder with respect to each section of fur products composed of two or more sections containing different animal furs.

5. Setting forth on invoices pertaining to fur products any false or deceptive information with respect to the name or designation of the animal or animals that produced the fur contained in such fur product.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Fails to set forth the term "Natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

3. Represents directly or by implication through percentage savings claims that prices of fur products are reduced to afford purchasers of respondents' fur products the percentage of savings stated when the prices of such fur products are not reduced to afford to purchasers the percentage of savings stated.

4. Misrepresents in any manner the savings available to purchasers of respondents' fur products.

5. Falsely or deceptively represents in any manner that prices of respondents' fur products are reduced.

D. Making claims and representations of the types covered by subsections (a), (b), (c) and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

It is further ordered, That respondents H. Greenblatt Company, Inc., a corporation, trading as Greenblatts Brazy Brothers Furriers or under any other trade name and its officers, and Sylvia Brazy, Lee Brazy and Simon Brazy individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, do forthwith cease and desist from removing, or causing or participating in the removal of, prior to the time any fur product subject to the provisions of the Fur Products Labeling Act is sold and delivered to the ultimate consumer, any label required by the said Act to be affixed to such fur product.

It is further ordered, That respondents H. Greenblatt Company, Inc., a corporation, trading as Greenblatts Brazy Brothers Furriers or under any other trade name and its officers, and Sylvia Brazy, Lee Brazy and Simon Brazy individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, sale, advertising or offering for sale, in commerce, or the processing for commerce, of fur products; or in connection with the selling, advertising, offering for sale, or processing of fur products which have been shipped and received in commerce, do forthwith cease and desist from misbranding fur products by substituting for the labels affixed to such fur products pursuant to section 4 of the Fur Products Labeling Act labels which do not conform to the requirements of the aforesaid Act and the rules and regulations promulgated thereunder.

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

Issued: September 11, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-10573; Filed, Oct. 4, 1963; 8:45 a.m.]

[Docket Nos. C-573—C-575]

PART 13—PROHIBITED TRADE PRACTICES

H & D Grossman Corp. et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely:* § 13.1108-45 *Fur Products Labeling Act.* Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements;* § 13.1212-30 *Fur Products Labeling Act;* § 13.1255 *Manufacture or preparation;* § 13.1255-30 *Fur Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements;* § 13.1852-35 *Fur Products Labeling Act;* § 13.1865 *Manufacture or preparation;* § 13.1865-40 *Fur Products Labeling Act;* § 13.1900 *Source or origin;* § 13.1900-40 *Fur Products Labeling Act;* § 13.1900-40 (a) *Maker or seller.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist orders: H & D Grossman Corporation, New York, N.Y., Docket C-573, Sept. 10, 1963, Jo Copeland Furs Inc., et al., New York, N.Y., Docket C-574, Sept. 10, 1963, Harry & Dan Grossman Furs Inc., New York, N.Y., Docket C-575, Sept. 10, 1963]

In the Matters of: H & D Grossman Corporation, a Corporation; Jo Copeland Furs Inc., a Corporation Formerly Doing Business Under the Corporate Name of Brody Grossman Corporation and Harry Grossman and Dan Grossman, Individually and as Officers of the Said Corporation; and Harry & Dan Grossman Furs Inc., a Corporation

Consent orders requiring three affiliated manufacturing and wholesaling furriers in New York City to cease violating the Fur Products Labeling Act by labeling and invoicing artificially colored fur products as natural and failing to disclose on labels and invoices that certain furs were bleached, dyed, etc.; and additionally requiring respondents in Docket C-575 to cease setting forth required information in abbreviated form on invoices.

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

It is ordered, That respondent Harry & Dan Grossman Furs Inc., a corporation, and its officers, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

1. Representing directly or by implication on labels that the fur contained in any fur product is natural when the fur contained therein is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

2. Failing to affix labels to fur products showing in words and in figures plainly legible all of the information required to be disclosed by each of the subsections of section 4(2) of the Fur Products Labeling Act.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Representing directly or by implication on invoices that the fur contained in fur products is natural when such fur is pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

It is further ordered, That respondents in Docket C–575 are additionally required to cease:

3. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

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

Issued: September 10, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63–10574; Filed, Oct. 4, 1963; 8:45 a.m.]

[Docket No. C–579]

PART 13—PROHIBITED TRADE PRACTICES

K. & W. Fur Co., Inc., et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely;* § 13.1108–45 *Fur Products Labeling Act.* Subpart—Misrepresenting oneself and goods— Goods: § 13.1745 *Source or origin;* § 13.1745–70 *Place;* § 13.1745–70(b) *Foreign, in general.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition;* § 13.1845–30 *Fur Products Labeling Act;* § 13.1852 *Formal regulatory and statutory requirements;* § 13.1852–35 *Fur Products Labeling Act;* § 13.1865 *Manufacture or preparation;* § 13.1865–40 *Fur Products Labeling Act;* § 13.1900 *Source or origin;* § 13.1900–40 *Fur Products Labeling Act;* § 13.1900–50(b) *Place.* Subpart—Using misleading name— Goods: § 13.2280 *Composition;* § 13.2280–30 *Fur Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, K. & W. Fur Co., Inc., et al., New Haven, Conn., Docket C–579, Sept. 11, 1963]

In the Matter of K. & W. Fur Co., Inc., a Corporation, Doing Business as Kresel & Wolf, and George M. Dermer, and Herman Katz, Individually and as Officers of Said Corporation

Consent order requiring retail furriers in New Haven, Conn., to cease violating the Fur Products Labeling Act by failing, on invoices and in advertising, to show the true animal name of fur and when fur was artificially colored, to use the word "natural" for fur that was not bleached etc., and the term "Dyed Broadtail" improperly; failing, on invoices, to show the country of origin of imported furs and to use the term "Persian Lamb" where required; invoicing furs from S.W. Africa as from Russia and using the name of another animal than that which produced a fur; failing to keep adequate records as a basis for pricing claims; and failing in other respects to comply with requirements of the Act.

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

It is ordered, That respondents K. & W. Fur Co., Inc., a corporation doing business as Kresel & Wolf, and its officers, and George M. Dermer and Herman Katz, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution, of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as the terms "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Misrepresenting in any manner, directly or by implication, the country of origin of the fur contained in fur products.

3. Setting forth on the invoices pertaining to fur products the name or names of any animal or animals other than the name of the animal producing the fur contained in the fur product as specified in the Fur Products Name Guide, and as prescribed by the rules and regulations.

4. Setting forth on invoices pertaining to fur products any false or deceptive information with respect to the name or designation of the animal or animals that produced the fur contained in such fur product.

5. Failing to set forth the term "Persian Lamb" in the manner required where an election is made to use that term instead of the word "Lamb".

6. Failing to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

7. Failing to set forth the term "Natural" as part of the information required to be disclosed on invoices under the Fur Products Labeling Act and rules and regulations promulgated thereunder to described fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

8. Failing to set forth separately information required under section 5(b)(1) of the Fur Products Labeling Act and rules and regulations promulgated thereunder with respect to each section of fur products composed of two or more sections containing different animal furs.

9. Failing to set forth on invoices the item number or mark assigned to fur products.

B. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of any fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Falsely or deceptively identifies any such fur product as to the name or designation of the animal or animals that produced the fur contained in the fur product.

3. Fails to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

4. Fails to set forth the term "Natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

C. Making claims and representations of the types covered by subsections (a), (b), (c) and (d) of Rule 44 of the rules

and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

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

Issued: September 11, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-10575; Filed, Oct. 4, 1963; 8:46 a.m.]

[Docket No. C-580]

PART 13—PROHIBITED TRADE PRACTICES

Model Home Furniture Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections;* § 13.15-195 *Nature;* § 13.70 *Fictitious or misleading guarantees;* § 13.125 *Limited offers or supply;* § 13.235 *Source or origin;* § 13.-235-35 *History;* § 13.235-60 *Place;* § 13.-235-60(a) *Domestic products as imported.* Subpart—Using misleading name—Vendor: § 13.2425 *Nature, in general.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Model Home Furniture Corporation, et al., Washington, D.C., Docket C-580, Sept. 11, 1963]

In the Matter of Model Home Furniture Corporation, a Corporation, and Evan Sax, and Audrey Sax, Individually and as Officers of Said Corporation.

Consent order requiring retail furniture dealers in Washington, D.C., to cease representing falsely, through use of their corporate name and in advertising, that their principal business was that of decorating and furnishing model homes and apartments and that furniture offered for sale had been obtained from model homes; and to cease representing falsely in newspaper advertising that excessive amounts were regular retail prices or "original cost", that certain furniture was "Danish" and "completely guaranteed", and that merchandise was limited in quantity and as to time on sale.

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

It is ordered, That respondents Model Home Furniture Corporation, a corporation, and its officers, and Evan Sax and Audrey Sax, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of furniture, home furnishings or other merchandise to persons or firms other than bona fide exhibitors of model homes or apartments, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

a. Using the words "Model Home Furniture" or any other word or words of similar import or meaning as a part of respondents' trade or corporate name.

b. Representing in any other manner, that respondents' principal business is that of decorating and furnishing model homes and apartments.

It is further ordered, That respondents Model Home Furniture Corporation, a corporation, and its officers, and Evan Sax and Audrey Sax, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of furniture, home furnishings or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

a. Representing, directly or by implication, that furniture or home furnishings offered for sale have been withdrawn or obtained from model homes or apartments: *Provided, however,* That it shall be a defense, hereunder, for respondents to establish the truth of such representations.

b. Representing, directly or by implication, through the use of the words "Compare with groups sold in stores for" or other words or terms of similar import or meaning, or in any other manner, that respondents' merchandise is of a value comparable to any other merchandise retailing at a higher price unless respondents' merchandise is at least of like grade and quality in all material respects as the merchandise with which it is compared and such other merchandise is generally available for purchase at the comparative price in the same trade area or areas where the representation is made.

c. Representing, directly or by implication, that any saving is afforded in the purchase of respondents' merchandise, as compared to the purchase of another's merchandise, unless respondents' merchandise is at least of like grade and quality in all material respects as the merchandise with which it is compared and such other merchandise is generally available for purchase at the comparative price in the same trade area or areas in which the representation is made.

d. Using the words "original cost" or any other words of similar import or meaning, to refer to any amount which is in excess of the price at which such merchandise has been usually and regularly sold by respondents at retail in the recent, regular course of their business; or otherwise misrepresenting the respondents' usual and customary retail selling price of such merchandise.

e. Using the words "worth", "Stores sell this group for" or any other words of similar import or meaning, to refer to any amount which is in excess of the price or prices at which such merchandise is usually and customarily sold in the trade area where the representation is made; or otherwise misrepresenting the usual and customary retail selling price or prices of such merchandise in the trade area.

f. Representing in any manner that, by purchasing any of their merchandise, customers are afforded savings amounting to the difference between respondents' stated selling price and any other price used for comparison with their selling price, unless the comparative price used represents the price at which the merchandise is usually and customarily sold at retail in the trade area involved, or is the price at which such merchandise has been usually and regularly sold by respondents at retail in the recent regular course of their business.

g. Representing, directly or by implication, through the use of the words "Danish Modern", "Danish" or any other terms or words of similar import or meaning, or in any other manner, that domestically manufactured furniture is manufactured in the country of Denmark; or misrepresenting in any other manner the country of origin of respondents' merchandise.

h. Representing, directly or by implication, that merchandise is guaranteed unless the nature and extent of the guarantee, the identity of the guarantor, and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

i. Representing, directly or by implication, that the quantity of any merchandise is limited or that said merchandise must be purchased within a limited time, where an adequate supply is available.

j. Misrepresenting in any manner the source, price, value, or availability of any item of merchandise or the savings resulting to purchasers thereof.

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

Issued: September 11, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-10576; Filed, Oct. 4, 1963; 8:46 a.m.]

[Docket No. C-576]

PART 13—PROHIBITED TRADE PRACTICES

Pariseau Corp. et al.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices;* § 13.155-40 *Exaggerated as regular and customary;* § 13.155-70 *Percentage savings.* Subpart—Concealing, obliterating or removing law required and informative marking: § 13.512 *Fur products tags or identification.* Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely;* § 13.1108-45 *Fur Products Labeling Act.* Subpart—Misbranding or mislabeling: § 13.1212 *Formal regulatory and statutory requirements;* § 13.1212-30 *Fur Products Labeling Act.*

Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1845 *Composition;* § 13.1845–30 *Fur Products Labeling Act;* § 13.1852 *Formal regulatory and statutory requirements;* § 13.1852–35 *Fur Products Labeling Act;* § 13.1865 *Manufacture or preparation;* § 13.1865–40 *Fur Products Labeling Act;* § 13.1886 *Quality, grade or type;* § 13.1900 *Source or origin;* § 13.1900–40 *Fur Products Labeling Act;* § 13.1900–40(a) *Maker or seller.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, The Pariseau Corp. (Manchester, N.Y.), et al., Docket C–576, Sept. 10, 1963]

In the Matter of The Pariseau Corp., Rooks, Inc., and Rooks, Inc. of Lynn, Corporations, and Alexander Rooks, Individually and as an Officer of Said Corporations, and George Younger, and Isadore Rooks, Individually and as Officers of The Pariseau Corp., and Jack Younger, Individually and as Manager of the Fur Department of The Pariseau Corp.

Consent order requiring a Massachusetts wholesaler and two New Hampshire retailers of furs to cease violating the Fur Products Labeling Act by failing on labels and invoices and in advertising, to describe as "natural" fur products that were not artificially colored; failing, in invoicing and advertising, to show the country of origin of imported furs and to disclose that certain furs were bleached, etc.; failing on invoices, to show the true animal name of fur and when the product contained cheap or waste fur; failing to use the term "Persian Lamb" in advertising; representing prices falsely as reduced from so-called regular prices which were, in fact, fictitious, and "25 to 30% off" and reduced "up to 50% and more"; failing to maintain adequate records as a basis for pricing claims; substituting non-conforming labels on fur products for those affixed by the manufacturer, etc., and failing in other respects to comply with labeling, invoicing and advertising requirements.

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

It is ordered, That respondents The Pariseau Corp., and Rooks, Inc. and Rooks, Inc. of Lynn, corporations and their officers and Alexander Rooks, individually and as an officer of said corporations and George Younger and Isadore Rooks, individually and as officers of The Pariseau Corp. and Jack Younger, individually and as manager of the fur department of The Pariseau Corp., and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce as "commerce", "fur", and "fur product" are defined in the Fur Products Labeling Act do forthwith cease and desist from:

A. Misbranding fur products by:

1. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form on labels affixed to fur products.

2. Failing to set forth the term "Dyed Broadtail-processed Lamb" on labels in the manner required where an election is made to use that term in lieu of the term "Dyed Lamb".

3. Failing to set forth the term "Natural" as part of the information required to be disclosed on labels under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed, or otherwise artificially colored.

4. Setting forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in handwriting on labels affixed to fur products.

5. Failing to set forth information required under section 4(2) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder on labels in the sequence required by Rule 30 of the aforesaid rules and regulations.

B. Falsely or deceptively invoicing fur products by:

1. Failing to furnish invoices to purchasers of fur products showing in words and figures plainly legible all the information required to be disclosed in each of the subsections of section 5(b)(1) of the Fur Products Labeling Act.

2. Misrepresenting in any manner, directly or by implication, the country of origin of the fur contained in fur products.

3. Setting forth information required under section 5(b)(1) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

4. Failing to set forth the term "Persian Lamb" in the manner required where an election is made to use that term instead of the word "Lamb".

5. Failing to set forth the term "Natural" as part of the information required to be disclosed on invoices under the Fur Products Labeling Act and rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

6. Failing to set forth on invoices the item number or mark assigned to fur products.

C. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist directly or indirectly, in the sale, or offering for sale of any fur product, and which:

1. Fails to set forth in words and figures plainly legible all the information required to be disclosed by each of the subsections of section 5(a) of the Fur Products Labeling Act.

2. Falsely or deceptively advertising any fur product with respect to the name or designation of the animal or animals that produced the fur contained in such fur product.

3. Sets forth information required under section 5(a) of the Fur Products Labeling Act and the rules and regulations promulgated thereunder in abbreviated form.

4. Fails to set forth the term "Dyed Broadtail-processed Lamb" in the manner required where an election is made to use that term instead of the words "Dyed Lamb".

5. Fails to set forth the term "Natural" as part of the information required to be disclosed in advertisements under the Fur Products Labeling Act and the rules and regulations promulgated thereunder to describe fur products which are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

6. Represents, directly or by implication, that any price, when accompanied or unaccompanied by any descriptive language, was the price at which the merchandise advertised was usually and customarily sold at retail by the respondents unless such advertised merchandise was in fact usually and customarily sold at retail at such price by respondents in the recent past.

7. Represents directly or by implication through percentage savings claims that prices of fur products are reduced to afford purchasers of respondents' fur products the percentage of savings stated when the prices of such fur products are not reduced to afford to purchasers the percentage of savings stated.

8. Misrepresents in any manner the savings available to purchasers of respondents' fur products.

9. Falsely or deceptively represents in any manner that prices of respondents' fur products are reduced.

10. Falsely or deceptively represents directly or by implication that the prices of fur products are at or below cost.

D. Making claims and representations of the types covered by subsections (a), (b), (c) and (d) of Rule 44 of the rules and regulations promulgated under the Fur Products Labeling Act unless there are maintained by respondents full and adequate records disclosing the facts upon which such claims and representations are based.

It is further ordered, That respondents The Pariseau Corp., and Rooks, Inc. and Rooks, Inc. of Lynn, corporations and their officers and Alexander Rooks, individually and as an officer of said corporations and George Younger and Isadore Rooks, individually and as officers of The Pariseau Corp. and Jack Younger, individually and as manager of the fur department of The Pariseau Corp., and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction, sale, advertising or offering for sale, in commerce, or the processing for commerce, of fur products; or in connection with the selling, advertising, offering for sale, or processing of fur products which have been shipped and received in commerce, do forthwith cease and desist from misbranding fur products by substituting

for the labels affixed to such fur products pursuant to section 4 of the Fur Products Labeling Act labels which do not conform to the requirements of the aforesaid Act and the rules and regulations promulgated thereunder.

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

Issued: September 10, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-10577; Filed, Oct. 4, 1963; 8:46 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER A—GENERAL

PART 8—COLOR ADDITIVES

Subpart D—Listing of Color Additives for Food Use Exempt From Certification

TAGETES MEAL

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 706(b)(1), 74 Stat. 399; 21 U.S.C. 376(b)(1)), and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the Commissioner of Food and Drugs, based on a petition filed by Dawe's Laboratories, Inc., 4800 South Richmond Street, Chicago, Illinois, and other relevant material, finds that tagetes meal when used in accordance with the conditions prescribed in this order is safe for use in or on foods and that certification is not necessary for the protection of the public health. *Therefore, it is ordered,* That Part 8 be amended by adding to Subpart D the following new section:

§ 8.306 Tagetes (Aztec marigold) meal.

(a) *Identity.* The color additive tagetes (Aztec marigold) meal is the dried, ground flower petals of the Aztec marigold (Tagetes erecta L.) mixed with not more than 0.3 percent ethoxyquin.

(b) *Specifications.* Tagetes (Aztec marigold) meal is free from admixture with other plant material from Tagetes erecta L. or from plant material or flowers of any other species of plants.

(c) *Uses and restrictions.* The color additive tagetes (Aztec marigold) meal may be safely used in chicken feed in accordance with the following prescribed conditions:

(1) The color additive is used to enhance the yellow color of chicken skin and eggs.

(2) The quantity of the color additive incorporated in the feed is such that the finished feed:

(i) Is supplemented sufficiently with xanthophyll and associated carotenoids so as to accomplish the intended effect described in subparagraph (1) of this paragraph; and

(ii) Meets the tolerance limitation for ethoxyquin in animal feed prescribed in § 121.202 of this chapter.

(d) *Labeling requirements.* The label and labeling of the color additive and any premixes prepared therefrom shall bear, in addition to the other information required by the act, and other regulations in this chapter:

(1) The name of the color additive.

(2) A statement of the concentrations of xanthophyll and ethoxyquin contained therein.

(3) Adequate directions to provide a final product complying with the limitations prescribed in paragraph (c) of this section.

(e) *Exemption from certification.* Certification of this color additive is not necessary for the protection of the public health, and therefore batches thereof are exempt from the certification requirements of section 706(c) of the act.

Any person who will be adversely affected by the foregoing order may 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, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be acompanied by a memorandum or brief in support thereof. All documents shall 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.

(Sec. 706(b)(1), 74 Stat. 399; 21 U.S.C. 376(b)(1))

Dated: October 1, 1963.

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

[F.R. Doc. 63-10610; Filed, Oct. 4, 1963; 8:47 a.m.]

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

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

Subpart D—Food Additives Permitted in Food for Human Consumption

FOOD ADDITIVES FOR USE IN MILK-PRODUCING ANIMALS

1. The Commissioner of Food and Drugs, having evaluated the data submitted by the Surgets Company, Inc., Spring Valley, Minnesota, and other relevant material, has concluded that salicylic acid is safe and effective for use in milk-producing animals and that § 121.249 should be amended to prescribe conditions of use for this food additive. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.249 is amended by adding thereto the following new paragraph (b):

§ 121.249 Food additives for use in milk-producing animals.

* * * * *

(b) It is used or intended for use for the removal of scar tissue in the teat canal of milk-producing cows.

(1)(i) It contains in each dose 0.55 gram of salicylic acid (in gum arabic and dextrin vehicle).

(ii) Each dose is incorporated upon a device (teat dilator) suitable for insertion into and subsequent removal from the teat canal.

(iii) It bears labeling which directs the user to:

(*a*) Treat lactating cows initially by inserting dosage and removal of the device;

(*b*) Insert second dose and permit device to remain in canal until the next milking; and

(*c*) Insert one dose following each milking for not more than 2 days.

(iv) Milk that has been drawn from animals within 48 hours of such treatment may not be used for food.

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

2. Based upon an evaluation of the data before him and proceeding under the authority of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), the Commissioner of Food and Drugs has further concluded that where animals producing milk for food are treated with formulations containing salicylic acid, a zero tolerance is required to assure that such milk is safe for food. Therefore Part 121 is amended by adding to Subpart D a new section, as follows:

§ 121.1140 Salicylic acid.

A tolerance of zero is established for residues of salicylic acid in milk from dairy animals.

(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.

(Sec. 409(c)(1), (4), 72 Stat. 1786; 21 U.S.C. 348(c)(1), (4))

Dated: October 1, 1963.

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

[F.R. Doc. 63-10611; Filed, Oct. 4, 1963; 8:47 a.m.]

SUBCHAPTER C—DRUGS

PART 146b—CERTIFICATION OF STREPTOMYCIN (OR DIHYDROSTREPTOMYCIN) AND STREPTOMYCIN- (OR DIHYDROSTREPTOMYCIN-) CONTAINING DRUGS

Streptomycin Tablets; Dihydrostreptomycin Tablets

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463 as amended; 21 U.S.C. 357) and delegated to the Commissioner of Food and Drugs by the Secretary (25 F.R. 8625), the regulations for the certification of streptomycin (or dihydrostreptomycin) and streptomycin- (or dihydrostreptomycin-) containing drugs are amended as follows:

In § 146b.104 *Streptomycin tablets; dihydrostreptomycin tablets,* the minimum potency requirement for the tablets is changed from 50 milligrams per tablet to 37.5 milligrams per tablet by changing the third sentence in paragraph (a) to read: "The potency of each tablet is not less than 50 milligrams, except if it is intended solely for veterinary use the potency of each tablet is not less than 37.5 milligrams."

Notice and public procedure and delayed effective date are not necessary prerequisites to the promulgation of this order, and I so find, since the amendment in this order merely relaxes existing requirements.

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

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

Dated: October 1, 1963.

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

[F.R. Doc. 63-10612; Filed, Oct. 4, 1963; 8:47 a.m.]

Title 28—JUDICIAL ADMINISTRATION

Chapter I—Department of Justice

[Parole Board Directive No. 2]

PART 2—PAROLE, RELEASE, SUPERVISION, AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

Revocation of Parole or Mandatory Release

Under and by virtue of the authority vested in the United States Board of Parole and the Youth Correction Division thereof by Title 18 of the United States Code, particularly Chapter 311 and Part IV, and Subpart T of Part O of Chapter I of Title 28 of the Code of Federal Regulations, §§ 2.40 and 2.41 of Part 2 of Title 28 of the Code of Federal Regulations (Parole Board Directive No. 1, 27 F.R. 8487) are hereby amended to read as follows:

§ 2.40 Revocation by the Board.

A prisoner who is retaken pursuant to a warrant issued by the Board or a Member thereof, shall, while being held in custody under authority of such warrant awaiting possible return to a federal institution, be afforded a preliminary interview by an official designated by the Board. Following receipt of a summary or digest of the preliminary interview, the Board shall afford the prisoner an opportunity to appear before the Board, a Member thereof, or an Examiner designated by the Board. If the prisoner requests a local hearing prior to return to a federal institution in order to facilitate the retention of counsel or the production of witnesses, and if he has not been convicted of a crime committed while under community supervision, he shall be afforded a local revocation hearing reasonably near the place of the alleged violation (or one of the alleged violations if more than one is alleged). Otherwise, he shall be given a revocation hearing after he is returned to a federal institution. Following the revocation hearing, the Board may then or at any time within its discretion revoke and terminate the order of parole or mandatory release or modify the terms and conditions thereof. Whenever a parole or mandatory release is thus revoked, the prisoner may be required to serve all or any part of the remainder of the term for which he was sentenced, less such good time as he may earn following his recommitment.

§ 2.41 Same; legal counsel and witnesses at preliminary interviews and revocation hearings.

Each alleged parole or mandatory release violator shall be advised that he may be represented by counsel and that voluntary witnesses who have information relevant and material may testify at the preliminary interview or the revocation hearing, or both, authorized by § 2.40: *Provided,* That the alleged violator arranges for the appearance of counsel and witnesses in accordance with procedures prescribed by the Board.

The amendments made by this directive shall be effective as of October 7, 1963.

RICHARD A. CHAPPELL,
Chairman,
United States Board of Parole.

JAMES A. CARR, Jr.,
Chairman, Youth Correction Division, United States Board of Parole.

[F.R. Doc. 63-10678; Filed, Oct. 4, 1963; 10:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 13—DEPARTMENT OF VETERANS BENEFITS, CHIEF ATTORNEYS

Miscellaneous Amendments

1. In § 13.58(b), subparagraph (2) is amended to read as follows:

§ 13.58 Legal custodian.

* * * * *

(b) *Payment to.* Veterans Administration benefits may be paid to a legal custodian subject to the following conditions:

* * * * *

(2) The proposed legal custodian is qualified to administer the benefits payable and will agree to:

(i) Apply the benefits paid for the best interests of the beneficiary,

(ii) Invest surplus funds as provided by Veterans Administration regulations,

(iii) Provide adequate safeguards for the estate, and

(iv) Establish upon request compliance with agreement and the existence of funds agreed to be saved.

2. In § 13.59(b), subparagraph (8) is revoked.

§ 13.59 Guardian.

* * * * *

(b) *Chief Attorney's authority.* * * *

(8) [Revoked]

3. Section 13.66 is revoked.

§ 13.66 Legal custodian and custodian-in-fact may be required to furnish bond. [Revoked]

4. Section 13.100 is revised to read as follows:

§ 13.100 Supervision of fiduciaries.

(a) In any case where a fiduciary fails to render a satisfactory account or has collected or paid, or is attempting to collect or pay, fees, commissions, or allowances that are illegal or inequitable or in excess of those allowed by law, or has failed to use Veterans Administration funds for the benefit of the ward or his

dependents, or has otherwise failed or neglected to properly execute the duties of his trust, the Chief Attorney will take effective action to protect the interests of the beneficiary.

(b) (1) In any such case he may have all Veterans Administration benefits suspended.

(2) In guardianship cases he may appear in the court of appointment or in any court having original, concurrent, or appellate jurisdiction, and make proper presentation relating to the foregoing matters. His authority includes but is not limited to:

(i) Petitioning the court to cite a guardian to account;

(ii) Filing exceptions to accountings;

(iii) Requiring guardians to file bonds or make any necessary adjustments;

(iv) Requiring investments;

(v) Filing petitions to vacate or modify court orders;

(vi) Appearing or intervening in any State court as attorney for the Administrator of Veterans Affairs in litigation instituted by the Administrator or otherwise affecting money paid to such fiduciary by the Veterans Administration;

(vii) Incurring necessary court costs and other expenses, including witness fees, appeal bonds, advertising in any newspaper or other publication, preparing briefs or transcripts, purchase of records of trial or other records;

(viii) Instituting any other action necessary to secure proper administration of the estate of a Veterans Administration beneficiary, such as filing petitions for the removal of guardians and certifying successor fiduciaries;

(ix) Taking appropriate action to recover funds improperly disbursed.

(3) In custodianship cases he may require an accounting, formal or informal as he deems necessary, of Veterans Administration benefits paid, terminate recognition of the legal custodian, institute proceedings for the appointment of a guardian and render legal services for such guardian in any action against the custodian necessary to the protection of the ward's interests.

(c) Unless a trial is de novo, no appeal shall be taken to an appellate court and no costs incurred in connection therewith without the prior approval of the Chief Benefits Director or his designee.

(d) When the evidence shows a prima facie case of misappropriation, embezzlement or violation of the Federal statutes, the Chief Attorney shall refer the case to the United States Attorney.

5. Section 13.101 is revised to read as follows:

§ 13.101 Management and use of estates of minors.

Veterans Administration benefits payable in behalf of minors should be used for their benefit. Such funds should be expended only to the extent the person or persons responsible for their needs are unable to provide for them, except those derived from payments under 38 U.S.C. ch. 35.

6. Section 13.102 is revised to read as follows:

§ 13.102 Accountability of legal custodians.

Compliance with the agreement as to benefit use and any authorized modifications due to changed need, proof of existence of funds surplus to immediate needs and proper investment thereof, if appropriate, will be established upon home contact, normally at triennial intervals. Periodic written accountings will not be required.

7. Section 13.103 is revised to read as follows:

§ 13.103 Investments by legal custodians.

Veterans Administration benefits paid legal custodians in a beneficiary's behalf may be invested only in United States Savings Bonds, or in interest or dividend paying accounts in state or federally insured banks, building and loan associations, or savings and loan associations, whichever is to the beneficiary's advantage. When funds are invested in bonds, they will be registered in this form: ----------, a minor, under custodianship by designation of the Veterans Administration. ----------.
(Ward's Name) (Ward's Address)

8. Section 13.104 is revised to read as follows:

§ 13.104 Accounts of guardians.

(a) The Chief Attorney will require accountings from guardians as provided by State law, but in no event less frequently than once every three years. Arrangements will be made with the courts whereby notices of filing of all petitions, accounts, etc., and of hearings on same, relative to guardianship cases wherein the Veterans Administration is interested, will be sent to the Chief Attorney. If this is done, the court will be notified in due time whether the Veterans Administration has any objections to offer.

(b) Accounts will not be required, in the discretion of the Chief Attorney, in cases when the fiduciary and ward permanently reside in a jurisdiction other than a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico or the Republic of the Philippines, and the fiduciary appointment was made in said jurisdiction.

(c) Accountings normally will not be required in cases involving incompetent adults other than veterans.

9. In § 13.105, paragraph (e) is revoked.

§ 13.105 Surety bonds.

* * * * *

(e) [Revoked]

(72 Stat. 1114; 38 U.S.C. 210)

These Veterans Administration Regulations are effective the date of approval.

Approved: October 1, 1963.

By direction of the Administrator.

[SEAL] A. H. MONK,
Acting Deputy Administrator.

[F.R. Doc. 63-10595; Filed, Oct. 4, 1963; 8:46 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–WE–43]

TRANSITION AREA

Proposed Designation

Notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of a transition area at Dubois, Idaho. The proposed transition area would extend upward from 700 feet above the surface within a 5-mile radius of Dubois Municipal Airport (latitude 44°09'45'' N., longitude 112°12'50'' W.), and within 2 miles each side of the Dubois VOR 354° True radial, extending from the 5-mile radius area to the VOR. In addition it would be designated to extend upward from 1,200 feet above the surface within 11 miles east and 7 miles west of the Dubois VOR 170° and 350° True radials, extending from 10 miles north to 20 miles south of the VOR. The airway segments and the portion of the Idaho Falls, Idaho, control area extension which would be within the lateral limits of the proposed transition area would have floors coincident with the floor of the transition area.

No instrument approaches were recorded at Dubois during calendar years 1960, 1961 and 1962. However, the FAA plans to retain the Dubois VOR instrument approach procedure for possible emergency usage.

The proposed transition area would provide protection for aircraft executing prescribed en route instrument holding procedures at the Dubois VOR and for aircraft executing instrument approach and departure procedures at the DuBois Airport.

Certain revisions to the VOR instrument approach procedure would accompany the actions proposed herein. Specific details of these changes may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Western Region, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles, Calif., 90009.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles, Calif., 90009. 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, D.C., 20553. 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, D.C., 20553. 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 September 30, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–10566; Filed, Oct. 4, 1963; 8:45 a.m.]

[14 CFR Part 73 [New]]

[Airspace Docket No. 63–CE–100]

RESTRICTED AREA

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering an amendment to § 73.42 of the Federal Aviation Regulations, the substance of which is stated below.

The Oscoda, Mich. (Wurtsmith AFB), Restricted Area/Military Climb Corridor, R–4204 is described as follows:

R–4204 Oscoda, Mich. (Wurtsmith AFB), Restricted Area/Military Climb Corridor.

Boundaries. The area based on the 266° radial of the Wurtsmith AFB, VOR, extending from 5 miles W of the airbase (latitude 44°27'05'' N., longitude 83°23'40'' W.) to 32 miles W of the airbase, having a width of 1 mile N and 2.3 miles S of the 266° radial at the beginning and a width of 2.3 miles on either side of the 266° radial at the outer extremity.

Designated altitudes. 2,600 feet MSL to 15,600 feet MSL from 5 miles W of the airbase to 6 miles W of the airbase. 2,600 feet MSL to flight level 246 from 6 to 7 miles W of the airbase. 2,600 feet MSL to flight level 270 from 7 to 10 miles W of the airbase. 6,600 feet MSL to flight level 270 from 10 to 15 miles W of the airbase. 10,600 feet MSL to flight level 270 from 15 to 20 miles W of the airbase. 15,600 feet MSL to flight level 270 from 20 to 25 miles W of the airbase. 19,600 feet MSL to flight level 270 from 25 to 32 miles W of the airbase.

Time of designation. Continuous.

Using agency. Wurtsmith AFB Approach Control.

The Federal Aviation Agency is considering a request by the Department of the Air Force to redesignate R–4204 as follows:

R–4204 Oscoda, Mich. (Wurtsmith AFB), Restricted Area/Military Climb Corridor.

Boundaries. Beginning at latitude 44°25'30'' N., longitude 83°27'10'' W. (2 nautical miles SW of the SW end of runway 24), the area, centered on a bearing of 238°, extending to a point 30 nautical miles SW, having a width of 1 nautical mile at the beginning and expanding uniformly to a width of 6 nautical miles at the outer extremity.

Designated altitudes. Surface to flight level 270 from the point of beginning to 3 nmi SW. 2,000 feet MSL to flight level 270 from 3 nmi to 6 nmi SW. 5,000 feet MSL to flight level 270 from 6 nmi to 11 nmi SW. 10,000 feet MSL to flight level 270 from 11 nmi to 15 nmi SW. 14,000 feet MSL to flight level 270 from 15 nmi to 20 nmi SW. 17,000 feet MSL to flight level 270 from 20 nmi to 25 nmi SW. 20,000 feet MSL to flight level 270 from 25 nmi to 30 nmi SW.

Time of designation. Continuous.

Using agency. Wurtsmith AFB Approach Control.

Due to the capability of the latest fighter/interceptor aircraft to reach high speed and high rates of climb in a short time after take-off, the Federal Aviation Agency has revised the criteria for establishing restricted area/military climb corridors for use by these aircraft. The Air Force request for modification of R–4204 is consistent with the new criteria. Altered as proposed R–4204 will provide protection for air defense aircraft and other air traffic operating in the vicinity of Wurtsmith Air Force Base, during the initial climb phase of air defense missions. The using agency would authorize aircraft to operate within R–4204 when not in use by active air defense aircraft.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Central Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Avenue, Kansas City, Mo., 64110. 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, D.C., 20553. 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, D.C., 20553. An in-

formal 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 September 30, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-10565; Filed, Oct. 4, 1963; 8:45 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 1992]

DOUGLAS MODEL DC-8 SERIES AIRCRAFT

Proposed Airworthiness Directive

The Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive for Douglas Model DC-8 Series Aircraft. There have been several failures due to cracking of the wing flap drive link assembly and in some instances these failures have resulted in an asymmetric flap condition due to jamming of the flap actuating mechanism. To correct this unsafe condition, this AD requires inspection of the wing flap drive link assembly and rework or replacement of any parts found cracked.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Council: Attention Rules Docket, Room A-103, 1711 New York Avenue NW., Washington, D.C., 20553. All communications received on or before November 5, 1963, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

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

DOUGLAS. Applies to all Model DC-8 Series aircraft (except Model DC-8F-54).

Compliance required as indicated.

There have been several failures due to cracking of the wing flap drive link assemblies at Wing Station $X_w=97.906$ and $X_f=219.498$. In some instances these failures have resulted in an asymmetric flap condition due to jamming of the flap actuating mechanism. To correct this unsafe condition, the flap drive link assemblies set forth in paragraph (a) having the grease fitting located on the outer periphery of the flap drive link, shall, unless already accomplished, be reworked or replaced in accordance with the requirement of paragraph (b).

(a) Wing Station $X_w=97.906$; inboard flap drive link assembly P/N's 5644642-501 and -505 P/N 5714890, or P/N 5767588.

Wing Station $X_f=219.498$; midwing flap drive link assembly P/N 5644644-501, P/N 5714888, or P/N 5767489.

(b) Within the next 500 hours' time in service after the effective date of this AD on flap drive links having 5,500 or more hours' time in service as of the effective date of this AD and prior to the accumulation of 6,000 hours' time in service on flap drive links having less than 5,500 hours' time in service as of the effective date of this AD, accomplish the following:

(1) Remove attach bolt P/N 2713573, and sleeve bushing P/N 2766396, located at the flap compensating link attachment to the flap drive links and conduct a close visual inspection on the inside of the flap drive link lug for any evidence of cracks around the area of the lubrication hole.

(2) If no cracks are found as a result of the inspection per (1), or if cracks are found that do not exceed the ⅜ inch diameter back-spotface dimension shown in Figure (1) of DC-8 Service Bulletin No. 27-137, rework the flap drive link lubrication hole in accordance with the instructions outlined in paragraph 2B(1) of Service Bulletin No. 27-137, or FAA approved equivalent. If cracks are found that exceed the limits specified herein, the part shall be replaced with an undamaged part before further flight.

(3) Subsequent to the rework outlined in (2) and prior to return of the flap link to service, visually reinspect the back-spotfaced area around the lubrication hole to insure that all damaged material has been removed. If cracks still exist upon completion of the lubrication hole rework per (2), the part shall be replaced with an undamaged part before further flight.

(4) Reidentify flap drive links that have been reworked per (2).

(Douglas DC-8 Service Bulletin No. 27-137, Reissue No. 2, dated May 30, 1963, covers this same subject.)

Issued in Washington, D.C., on October 1, 1963.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 63-10564; Filed, Oct. 4, 1963; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 26]

WHEAT GRAIN STANDARDS

Notice of Change in Location of Hearing

A proposed revision of the Official Grain Standards of the United States for Wheat was published in the FEDERAL REGISTER on August 3, 1963 (28 F.R. 7949). The proposed revision stated that an informal public hearing would be held at 9:30 a.m., October 11, 1963, in the City Library Auditorium, Toledo, Ohio.

Notice is hereby given that the above-mentioned public hearing will be held on the scheduled time and date in the Grand Ballroom of the Commodore Perry Hotel, Jefferson and Superior Streets, Toledo, Ohio, and not in the City Library Auditorium.

Dated at Washington, D.C., this 1st day of October 1963.

ROY W. LENNARTSON,
Associate Administrator.

[F.R. Doc. 63-10584; Filed, Oct. 4, 1963; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 270]

[Released 40-3776]

TRANSACTIONS WITH AFFILIATED PERSONS

Proposed Exemptions

Notice is hereby given that the Securities and Exchange Commission has under consideration the amendment of § 270.17a-6 (Rule 17a-6) under the Investment Company Act of 1940 ("Act") to provide certain additional exemptions from the requirements of section 17(a) of the Act. The Commission proposes to rescind the present § 270.17a-6 and to adopt an amended § 270.17a-6 pursuant to sections 6(c) and 38(a) of the Act.

It is proposed that the exemptions from section 17(a) of the Act provided by the present § 270.17a-6 be broadened (a) to include exemptions for certain additional types of transactions with respect to which the nature of the affiliation between the parties is limited to that which the present rule requires as a condition for exemption and (b) to provide exemptions for such transactions with any registered investment company.

The present § 270.17a-6 exempts from the prohibitions of section 17(a)(1) and 17(a)(3) of the Act, subject to certain conditions, the sale of securities or other property to, and the borrowing of money or other property from, a registered investment company which is a small business investment company licensed under the Small Business Investment Act of 1958 (SBIC) where such transactions are prohibited solely because of an affiliation created through the owning, controlling or holding with power to vote, by the SBIC of voting securities of a small business concern. The exemption is not available if any person having an affiliate, promoter or principal underwriter relationship with the SBIC also has a direct or indirect financial interest in the small business concern.

The proposed amended § 270.17a-6 would not be limited to transactions with SBIC's, and would extend the exemptions provided by the present rule to any type of transaction between (1) an affiliated company of a registered investment company, or an affiliated person of such affiliated company and (2) the registered investment company or any company controlled by the registered investment company, provided that the transaction would be prohibited by section 17(a) only because (a) the registered investment company controls the affiliated company or (b) the registered

investment company directly or indirectly owns, controls or holds with power to vote five per centum or more of the securities of the affiliated company.

The proposed amended rule would provide that an exemption under the rule is unavailable if any affiliated person, promoter or principal underwriter of the registered investment company, or an affiliated person of (i) such promoter or principal underwriter, (ii) any person directly or indirectly owning, controlling, or holding with power to vote, 5 percent or more of the outstanding voting securities of the registered investment company, (iii) any person directly or indirectly controlling or under common control with the registered investment company, (iv) any officer, director, or employee of the registered investment company, and (v) any investment adviser or depositor of the registered investment company, has a direct or indirect financial interest (with limited exceptions) in the affiliated company, in any controlled company of the registered investment company involved in the transaction, or in any affiliated person of such affiliated or controlled company.

In addition, the proposed amended rule would adopt as a condition for an exemption under the rule a requirement that the outstanding securities (other than short-term paper) of any party to the transaction other than the registered investment company be beneficially owned by not more than one hundred persons.

The basic purpose of the amended rule would be substantially the same as that of the existing rule, i.e., to eliminate filing and processing applications in circumstances in which there appears to be no likelihood that the statutory finding for a specific exemption under section 17(b) could not be made.

Section 17(b) of the Act provides that the Commission shall exempt a proposed transaction from the prohibitions of section 17(a) if evidence establishes that the terms thereof are reasonable and fair and do not involve overreaching on the part of any person concerned and that the the proposed transaction is consistent with the policy of each registered investment company concerned and with the general purposes of the Act. Section 6(c) of the Act provides that the Commission by rule, regulation or order may exempt any person or transaction or any class of persons or transactions from any provision of the Act if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act. Section 38(a) of the Act authorizes the Commission to issue such rules as are necessary or appropriate to the exercise of the powers conferred upon the Commission in the Act.

The proposed § 270.17a–6 includes conditions to the availability of an exemption which are intended to assure that the exemption will be available only where there appears to be no likelihood of overreaching of the investment company. Moreover, the proposed rule includes a condition to assure that the exemption will not be available for transactions which might involve overreaching of other groups of public investors. Under the terms of the proposed rule, where the outstanding securities of any party to the transaction, other than the registered investment company, are beneficially owned by more than one hundred persons, no exemption from the provisions of section 17(a) is provided by the rule. (Of course, an application for exemption of such a transaction may be filed pursuant to section 17(b). Under the standards of section 17(b), the Commission will issue an order exempting the transaction if it is reasonable and fair and does not involve overreaching on the part of any person concerned.)

Illustrative of the type of transaction involving the sale and purchase of securities or other property, by an affiliated company or an affiliated person thereof to or from a registered investment company or a controlled company thereof, which would be exempt under the proposed rule, provided all of its conditions are met, are the following:

a. The conversion of convertible securities or exercise of options issued by an affiliated company. (If its conditions are met, § 270.17a–4 may also exempt such transactions.)

b. A material revision of the terms of securities issued by an affiliated company, or a loan agreement with respect thereto, e.g., to extend the maturity date or interest rate of a loan or to provide for subordination in respects not previously agreed to.

c. A reorganization of the capital structure of an affiliated company, or a merger of an affiliated company and a controlled company.

The present § 270.17a–6 requires that the pertinent details of each transaction for which exemption is claimed under the rule shall be reported by the investment company in its next annual report to its stockholders and in a report filed with the Commission within 30 days after the end of each semi-annual accounting period of the investment company. The proposed rule does not contain such a requirement. Instead, the Commission intends to give consideration to an amendment to Form N–30A–1 (listed and described, § 274.101) and Form N–5R (§ 274.5), used in filing annual reports to the Commission, to include therein a specific item calling for the pertinent details of transactions exempt pursuant to § 270.17a–6. As an alternative to including this information in the annual report to the Commission, consideration is also being given to a requirement that a registered investment company keep a separate record of all transactions exempt pursuant to § 270.17a–6 in which such company or a controlled company thereof participates, which record would be maintained for a stated period of time and would show the pertinent details of each such transaction and the bases upon which it is claimed that the requirements of the rule are met. The Commission invites comments on these or other alternatives to the reporting requirements of present § 270.17a–6.

The text of the proposed amended § 270.17a–6 (Rule 17a–6) reads as follows:

§ 270.17a–6 Exemption of transactions with certain affiliated persons.

A transaction with a registered investment company, or any company controlled by a registered investment company, shall be exempt from the provisions of section 17(a) of the Act, provided all of the following conditions are met:

(a) The other party to the transaction is an affiliated company of a registered investment company, or an affiliated person of such affiliated company.

(b) The sole bases upon which the affiliated company is affiliated with the registered investment company are that the registered investment company (1) controls the affiliated company or (2) directly or indirectly owns, controls or holds with power to vote five per centum or more of the outstanding voting securities of the affiliated company.

(c) (1) No affiliated person or promoter of or principal underwriter for the registered investment company, and no affiliated person of—

(i) Such promoter or principal underwriter,

(ii) Any person directly or indirectly owning, controlling, or holding with power to vote, 5% or more of the outstanding voting securities of the registered investment company,

(iii) Any person directly or indirectly controlling or under common control with the registered investment company,

(iv) Any officer, director, or employee of the registered investment company, and

(v) Any investment adviser or depositor of the registered investment company,

has a direct or indirect financial interest in the affiliated company or in any affiliated person thereof, or in the controlled company of the registered company, or in any affiliated person of such controlled company, if the transaction is with such controlled company.

(2) The term "financial interest" as used in subparagraph (1) of this paragraph shall not include (i) usual and ordinary fees for services as a director; (ii) any interest through ownership of securities issued by the registered investment company; (iii) any interest held by a wholly-owned subsidiary of the registered investment company; or (iv) an interest acquired in a transaction described in paragraph (d) (3) of § 270.17d–1 (Rule 17d–1) under the Act.

(d) The outstanding securities (other than short-term paper) of any party to the transaction other than the registered investment company are beneficially owned by not more than one hundred persons. For the purpose of this paragraph, beneficial ownership by a company shall be deemed to be beneficial ownership by one person; except that, if a company other than the registered investment company owns 10 per centum or more of the outstanding voting securities of the issuer, the beneficial ownership shall be deemed to be that of the holders of such company's outstanding securities (other than short-term paper).

All interested persons are invited to submit views and comments on the proposed amended § 270.17a–6. Written statements of views and comments in respect of the proposed amended Rule should be submitted to the Securities and Exchange Commission, Washington, D.C., 20549, on or before October 31, 1963. All such communications will be available for public inspection.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

SEPTEMBER 27, 1963.

[F.R. Doc. 63–10581; Filed, Oct. 4, 1963; 8:46 a.m.]

Notices

DEPARTMENT OF AGRICULTURE

Office of the Secretary

GREAT PLAINS CONSERVATION PROGRAM

Colorado

Designation of counties within the Great Plains Area of the Ten Great Plains States where the Great Plains Conservation Program is specifically applicable:

For the purpose of making contracts based upon an approved plan of farming operations pursuant to the Act of August 7, 1956 (70 Stat. 1115, 16 USC 590p (b)), as amended, the following counties in the following State are designated as susceptible to serious wind erosion by reason of their soil types, terrain, and climatic and other factors.

COLORADO

Alamosa.
Costilla.
Rio Grande.

Done at Washington, D.C., this 30th day of September 1963.

JOHN A. BAKER,
Assistant Secretary.

[F.R. Doc. 63-10618; Filed, Oct. 4, 1963; 8:48 a.m.]

DEPARTMENT OF THE TREASURY

Internal Revenue Service

RELIEF FROM EXCESS PROFITS TAX BECAUSE OF INADEQUATE EXCESS PROFITS CREDIT

Allowance During Fiscal Year Ended June 30, 1963

Subchapter E of Chapter 2 of the 1939 Internal Revenue Code imposes an excess profits tax on corporations for taxable years beginning after December 31, 1939. Under the provisions of this subchapter excess profits are measured by comparing the earnings for the current taxable year with a statutory excess profits credit.

Section 722 of Subchapter E reflects the recognition by Congress of the desirability and necessity of granting relief in meritorious cases to corporations which bear an excessive burden because of an inadequate excess profits credit. This section provides for the recomputation of excess profits tax on the basis of a reconstructed excess profits credit.

As required by section 6105 of the 1954 Internal Revenue Code the following list, containing the cases arranged alphabetically by Internal Revenue districts, shows the name and address of each corporation to which relief has been allowed, business, taxable years involved, excess profits credit before allowance of relief, increase in excess profits credit claimed, increase in excess profits credit allowed, decrease in excess profits tax, and increase in income tax. Allowances pursuant to decisions entered by the Tax Court of the United States have been made in seven docketed cases. These are included in the list with appropriate notations.

In order to determine the relief granted and the relevant data required to be published, intermediate computations of the excess profits tax and the income tax showing the amounts of taxes which would have been due without the benefits of section 722 were made. Comparison of the pertinent items and figures appearing in the application for relief and the tax computations after allowance of relief with those appearing in the intermediate tax computations developed the required data.

Explanations of certain items, as displayed in their respective column headings of the list, and the data evolved follow:

Business in which engaged, Column 2. The business in which taxpayer is engaged is that reported in the income tax return of the corporation for the taxable year or years involved; therefore, it does not necessarily correspond with the business during the base period. Moreover, since the nature of business shown usually represents a general description of the predominant business activity, it does not necessarily represent or reflect the business activity with respect to which an inadequate excess profits credit was established.

Excess profits credit before allowance of relief, Column 4. The excess profits credit before allowance of relief is the credit originally claimed by the taxpayer, as corrected, whether based on income or invested capital.

Increase in the amount of excess profits credit claimed by taxpayer, Column 5. The increase in the amount of excess profits credit claimed by taxpayer is the excess of the credit based on the constructive income claimed by the taxpayer over the credit before allowance of relief shown in column 4.

Increase in the amount of excess profits credit allowed, Column 6. This increase in the amount of excess profits credit allowed is the excess of the recomputed credit based on constructive income finally allowed over the credit before allowance of relief shown in column 4.

Gross reduction in the excess profits tax, Column 7—Gross increase in the income tax, Column 8. The gross reduction in the excess profits tax and the gross increase in the income tax resulting from the operation of section 722 are the difference between the gross taxes which would have been due without the benefits of section 722 and the gross taxes due after relief has been granted. The gross excess profits tax is the tax due prior to the deferment under section 710(a)(5), the foreign tax credit under section 729, the credit for debt retirement under section 783, the ten per cent credit under section 784, and the adjustment under section 734. The gross income tax is the tax prior to the foreign tax credit under section 131.

The changes in the income and excess profits taxes shown reflect the effect of the increase attributable to section 722 in the unused excess profits credit carried forward from prior taxable years as well as the effect of the increase in unused excess profits credit carried back from subsequent years to the extent that claims with respect to unused credit carry-overs and carry-backs determined under section 722 were allowed within the same fiscal year.

While the decrease in excess profits tax is directly related to the increase in excess profits credit allowed, a number of factors serve to invalidate a comparison of the relationship of these two items applicable to a corporation for different taxable years or to different corporations for the same taxable year. Among the most important factors affecting this comparison are (1) increase in excess profits tax rates, (2) changes in rate structure from a graduated to a flat rate system, (3) effect of unused excess profits credits of prior and subsequent years attributable to section 722, (4) variations of provisions applicable to fiscal years, (5) limitation of excess profits tax to the amount by which 80 percent of net income exceeds the income tax, applicable to certain taxable years, (6) relation of excess profits before the application of section 722 to the increase in excess profits credit allowed, and (7) reduction in excess profits net income due to change from invested capital method to income credit method.

For taxable years beginning after December 31, 1940, a portion of the amount by which the excess profits tax is reduced by reason of the application of section 722 is offset by an increase in income tax. This offset arises from the provisions which permit the deduction of the income subject to excess profits tax (or excess profits tax in certain taxable years) in arriving at income subject to income tax.

Lists containing the cases in which relief has been allowed for prior fiscal years have been published in the various issues of the FEDERAL REGISTER as follows:

Fiscal year ended	Volume	Number	Date
June 30, 1942	9	194	Sept. 28, 1944
June 30, 1943	9	194	Sept. 28, 1944
June 30, 1944	9	219	Nov. 2, 1944
June 30, 1945	10	224	Nov. 15, 1945
June 30, 1946	11	196	Oct. 8, 1946
June 30, 1947	12	197	Oct. 8, 1947
June 30, 1948	13	206	Oct. 21, 1948
June 30, 1949	14	201	Oct. 18, 1949
June 30, 1950	15	205	Oct. 21, 1950
June 30, 1951	16	211	Oct. 30, 1951
June 30, 1952	17	175	Sept. 6, 1952
June 30, 1953	18	164	Aug. 21, 1953
June 30, 1954	19	185	Sept. 23, 1954
June 30, 1955	20	219	Nov. 9, 1955
June 30, 1956	21	183	Sept. 20, 1956
June 30, 1957	22	173	Sept. 6, 1957
June 30, 1958	23	168	Aug. 27, 1958
June 30, 1959	24	175	Sept. 5, 1959
June 30, 1960	25	181	Sept. 16, 1960
June 30, 1961	26	165	Aug. 26, 1961
June 30, 1962	27	187	Sept. 26, 1962

EXCESS PROFITS TAX RELIEF GRANTED UNDER SECTION 722 OF THE INTERNAL REVENUE CODE BY THE COMMISSIONER OF INTERNAL REVENUE, FISCAL YEAR ENDED JUNE 30, 1963

Name and address of taxpayer (arranged by Internal Revenue districts in which excess profits tax returns were filed)	Business in which engaged	Taxable year ended	Excess profits credit before allowance of relief	Increase in the amount of excess profits credit claimed by taxpayer	Increase in the amount of excess profits credit allowed	Gross reduction in the excess profits (subchapter E) tax resulting from the operation of section 722	Gross increase in the income (chapter 1) tax resulting from the operation of section 722
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Boston							
The Gillette Co., Formerly: Gillette Razor Blade Co., Gillette Park, Boston, Mass.	Manufacturer of safety razor blades and other shaving accessories.	[1] 12-31-43	$3,521,229.95	$2,178,945.00	$121,199.91	$290,744.22	$110,371.88
Chicago							
Superior Packing Co., 2103-25 Wabash Avenue, St. Paul, Minn., Formerly: 4111-19 South Union Avenue, Chicago, Ill.	Manufacturing meat products.	10-31-41	56,725.63	269,261.08	9,489.37	2,816.81	[3]
		[1] 10-31-42	68,221.42	257,665.34	12,528.58	6,635.75	3,105.06
		[1] 10-31-43	74,295.64	251,591.12	6,454.36	5,808.93	2,581.75
		[1] 10-31-44	74,868.24	251,018.52	5,881.76	2,581.75	2,581.75
		[1] 10-31-45	74,295.64	251,591.12	6,454.36	6,131.65	2,581.74
Indianapolis							
Benson Hotel Corp., c/o Washington Hotel, Indianapolis, Ind.	Hotel	[2] 5-31-43	9,102.00	63,908.03	9,898.00	14,885.83	6,032.62
		[2] 5-31-44	10,020.92	62,989.11	7,979.08	7,346.87	2,823.71
		[2] 5-31-45	11,500.43	61,509.60	5,999.57	6,337.86	2,534.71
		[2] 5-31-46	12,086.86	60,923.17	5,413.14	3,288.20	1,355.54
Manhattan							
General Aniline & Film Corp., Successor to Ozalid Corp., 111 West 50th Street, New York 20, N.Y.	Manufacturers of dyestuffs, etc.	[1] 9-30-40	70,033.61	95,446.50	29,716.39	6,950.41	[3]
		12-31-42	2,656,481.00	243,519.00	98,519.00	88,667.10	39,407.60
		12-31-43	2,656,483.00	243,517.00	98,517.00	88,665.30	39,406.80
		12-31-45	2,656,482.99	98,517.01	98,517.01	93,591.17	39,407.81
Newark							
Ciba Pharmaceutical Products, Inc., Lafayette Park, Summit, N.J.	Manufacture of pharmaceutical specialties.	[2] 12-31-40	279,423.10	829,675.03	826.90	248.07	[3]
		[2] 12-31-41	341,456.07	767,642.06	38,923.93	19,321.61	5,989.69
		[2] 12-31-42	341,456.07	767,642.06	38,923.93	35,031.54	15,569.56
		[2] 12-31-43	341,456.07	767,642.06	38,923.93	35,031.54	15,569.57
		[1] 12-31-44	490,527.11	767,642.06	38,923.93	36,977.73	15,569.57
Omaha							
Northern Natural Gas Co., 2223 Dodge Street, Omaha 1, Nebr.	Natural gas pipe line.	[1] 12-31-43	3,771,172.94	1,570,714.02	690,955.63	158,604.35	70,490.82
		[1] 12-31-44	3,732,814.55	1,609,378.75	729,620.36	217,747.21	91,683.03
		[1] 12-31-45	3,706,603.85	1,635,632.86	755,874.47	286,089.92	120,458.91
Pittsburgh							
Kennametal, Inc., Latrobe, Pa.	Manufacturer of carbide cutting tools and specialties.	[1] 6-30-44	75,318.55	2,045,024.45	67,181.45	74,469.42	32,207.74

[1] Allowance in accordance with a decision of the Tax Court of the United States based on agreed settlement of parties. No previous allowance by the Commissioner.
[2] Allowance in accordance with a decision of the Tax Court of the United States after hearing on the merits. No previous allowance by the Commissioner.
[3] None.

[SEAL]

MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

[F.R. Doc. 63-10537; Filed, Oct. 4, 1963; 8:45 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Redelegation Order 1, Amdt. 14]

PORTLAND AREA OFFICE

Redelegation of Authority With Respect to Credit Matters

Order 1, as amended, is further amended as hereinafter indicated:

1. Section 2.120, under the heading "Functions Relating to Credit Matters" of Part 2, is amended to read as follows:

PART 2—AUTHORITY OF SUPERINTENDENTS, SCHOOL SUPERINTENDENT, PROJECT ENGINEER, AND ASSISTANT SUPERINTENDENT, UMATILLA SUBAGENCY

FUNCTIONS RELATING TO CREDIT MATTERS

SEC. 2.120 *Loan agreements and modifications.* The approval of applications for and modifications of loans to individuals, except loans for educational purposes, pursuant to declarations of policy and plans of operation approved by the Commissioner or his authorized representative; provided that the amounts and conditions of loans shall be consistent with and shall not exceed the limitations as set forth in sections 120 and 121 of Bureau Order 551, Amendment 82 (28 F.R. 4206).

2. Part 3, Authority of Specifically Designated Employees, of Order 1 is comprised of sec. 3.120 and sec. 3.360. The provisions of sec. 3.120 are superseded by the amendment in Item 1, above. Section 3.360 pertains to the Klamath Tribe of Indians over which Federal supervision has been terminated and is no longer in force and effect. Therefore, Part 3 is revoked.

JOHN O. CROW,
Deputy Commissioner.

SEPTEMBER 30, 1963.

[F.R. Doc. 63-10578; Filed, Oct. 4, 1963; 8:46 a.m.]

National Park Service

[Order No. 1]

MOUNT McKINLEY NATIONAL PARK, ALASKA

Project Supervisor and Supervisory Park Ranger; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

1. *Project Supervisor.* The Project Supervisor may execute and approve contracts not in excess of $750 for supplies, equipment or services, in conformity with applicable regulations and statutory authority, and subject to the availability of appropriations, for accomplishing the construction phases of the work under his supervision in Katmai National Monument. This authority is limited to construction accounts.

2. *Supervisory Park Ranger.* The Supervisory Park Ranger may execute and approve contracts not in excess of $500 for supplies, equipment or services, in conformity with applicable regulations and statutory authority, and subject to the availability of appropriations. This authority may be exercised in management, protection, interpretation and operation of Katmai National Monument.

(National Park Service Order No. 14; 39 Stat. 535; 16 U.S.C., sec. 2. Western Region Order No. 3, 21 F.R. 1495)

Dated: June 11, 1963.

OSCAR T. DICK,
Superintendent,
Mount McKinley National Park.

[F.R. Doc. 63-10597; Filed, Oct. 4, 1963; 8:46 a.m.]

[Order No. 1]

DEATH VALLEY NATIONAL MONUMENT, CALIFORNIA

Procurement and Property Management Assistant; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

1. The Procurement and Property Management Assistant may execute and

approve contracts not in excess of $2,500 for supplies, equipment, or services, in conformity with applicable regulations and statutory authority, and subject to availability to appropriations. This authority may be exercised by the procurement and Property Management Assistant in behalf of any coordinated area.

(National Park Service Order No. 14; 39 Stat. 535; 16 U.S.C., Sec. 2. Western Region Order No. 3, 21 F.R. 1495)

JOHN A. AUBUCHON,
Superintendent,
Death Valley National Monument.

JUNE 4, 1963.

[F.R. Doc. 63-10598; Filed, Oct. 4, 1963; 8:46 a.m.]

[Order No. 1]

LAVA BEDS NATIONAL MONUMENT, CALIFORNIA

Administrative Assistant; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

1. The Administrative Assistant may execute and approve contracts not in excess of $2500 for supplies, equipment, or services, in conformity with applicable regulations and statutory authority, and subject to availability of appropriations. This authority may be exercised by the Administrative Assistant in behalf of any coordinated area.

(National Park Service Order No. 14; 39 Stat. 535; 16 U.S.C., sec. 2. Western Region Order No. 3, 21 F.R. 1495)

Dated: July 2, 1963.

IRVIN D. KERR,
Superintendent,
Lava Beds National Monument.

[F.R. Doc. 63-10599; Filed, Oct. 4, 1963; 8:46 a.m.]

[Order No. 1]

PINNACLES NATIONAL MONUMENT, CALIFORNIA

Clerk; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

1. The Clerk may execute and approve contracts not in excess of $200 for supplies, equipment, or services, in conformity with applicable regulations and statutory authority, and subject to availability to appropriations. This authority may be exercised by the Clerk in behalf of any coordinated area.

(National Park Service Order No. 14; 39 Stat. 535; 16 U.S.C. sec. 2. Western Region Order No. 3, 21 F.R. 1495)

DELYLE R. STEVENS,
Acting Superintendent,
Pinnacles National Monument.

JULY 18, 1963.

[F.R. Doc. 63-10600; Filed, Oct. 4, 1963; 8:46 a.m.]

[Order No. 4]

SEQUOIA AND KINGS CANYON NATIONAL PARKS, CALIFORNIA

Assistant Superintendent et al.; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

1. The Assistant Superintendent and the Administrative Officer may execute and approve contracts not in excess of $200,000 for construction, supplies, equipment, or services, in conformity with applicable regulations and statutory authority, and subject to availability of appropriations. This authority may be exercised by the Assistant Superintendent and the Administrative Officer on behalf of any coordinated area.

2. The Procurement and Property Management Officer may execute and approve contracts not in excess of $50,000 for construction, supplies, equipment, or services, in conformity with applicable regulations and statutory authority, and subject to availability of appropriations. This authority may be exercised by the Procurement and Property Management Officer on behalf of any coordinated area.

3. The Procurement Agent may execute and approve contracts not in excess of $10,000 for construction, supplies, equipment, or services, in conformity with applicable regulations and statutory authority, and subject to availability of appropriations. This authority may be exercised by the Procurement Agent on behalf of any coordinated area.

4. The Property and Supply Supervisor and the Warehouseman may execute and approve contracts not in excess of $500 for supplies and equipment in conformity with applicable regulations and statutory authority, and subject to availability of appropriations. This authority may be exercised by the Property and Supply Supervisor and the Warehouseman on behalf of any coordinated area.

5. Revocation. This order supersedes Order No. 3, issued January 18, 1960.

(National Park Service Order No. 14; 39 Stat. 535; 16 U.S.C., sec. 2. Western Region Order No. 3 (21 F.R. 1495))

Dated: June 13, 1963.

JOHN M. DAVIS,
Superintendent, Sequoia and
Kings Canyon National Parks.

[F.R. Doc. 63-10601; Filed, Oct. 4, 1963; 8:46 a.m.]

[Order No. 1]

FORT CAROLINE NATIONAL MEMORIAL, FLORIDA

Administrative Assistant; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

1. Administrative Assistant. The Administrative Assistant may execute and approve contracts not in excess of $500.00 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

(National Park Service Order No. 14 (19 F.R. 8824): 39 Stat. 535, 16 U.S.C., sec. 2; Southeast Region Order No. 3 (21 F.R. 1493))

Dated: September 16, 1963.

JOHN R. DE WEESE,
Superintendent,
Fort Caroline National Memorial.

[F.R. Doc. 63-10602; Filed, Oct. 4, 1963; 8:47 a.m.]

[Order No. 1]

FORT VANCOUVER NATIONAL HISTORIC SITE, WASHINGTON

Administrative Assistant; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

1. *Administrative Assistant.* The Administrative Assistant may execute and approve contracts not in excess of $1,000.00 for supplies, equipment, or services, in conformity with applicable regulations and statutory authority, and subject to availability of appropriations. This authority may be exercised by the Administrative Assistant in behalf of any coordinated area.

(National Park Service Order No. 14; 39 Stat. 535; 16 U.S.C., sec. 2. Western Region Order No. 3, 21 F.R. 1495)

Dated: June 3, 1963.

WILLIAM R. SAMPSON,
Acting Superintendent, Fort
Vancouver National Historic Site.

[F.R. Doc. 63-10603; Filed, Oct. 4, 1963; 8:47 a.m.]

[Order No. 1]

WHITMAN MISSION NATIONAL HISTORIC SITE, WASHINGTON

Administrative Assistant; Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment, or Services

1. The Administrative Assistant may execute and approve contracts not in excess of $1,000 for supplies, equipment, or services, in conformity with applicable regulations and statutory authority, and subject to availability of appropriations. This authority may be exercised by the Administrative Assistant in behalf of any coordinated area.

(National Park Service Order No. 14; 39 Stat. 535; 16 U.S.C., sec. 2. Western Region Order No. 3, 21 F.R. 1495).

Dated: May 31, 1963.

WILLIAM J. KENNEDY,
Superintendent, Whitman Mission
National Historic Site.

[F.R. Doc. 63-10604; Filed, Oct. 4, 1963; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

AMERICAN CYANAMID CO.

Notice of Filing of Petition Regarding Food Additive Sulfaethoxypyridazine

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 946) has been filed by American Cyanamid Company, Post Office Box 400, Princeton, New Jersey, proposing the issuance of a regulation to provide for the safe use of sulfaethoxypyridazine in the drinking water and feed of swine, and as a 25 percent solution for intraperitoneal administration for bacterial scours, salmonella enteritis, pneumonia enteritis complex, bronchitis, septicemia, and shipping fever (pasteurellosis).

Dated: September 30, 1963.

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

[F.R. Doc. 63-10608; Filed, Oct. 4, 1963; 8:47 a.m.]

SCHERING CORP.

Notice of Filing of Petition Regarding Food Additives for Use in Milk-Producing Animals

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 1163) has been filed by Schering Corporation, Bloomfield, New Jersey, proposing the the amendment of § 121.249 *Food additives for use in milk-producing animals* to provide for the safe use of a formulation for the treatment of bovine mastitis, containing prednisone acetate, procaine penicillin G, and dihydrostreptomycin, in a vehicle which is dispensed from pressurized containers.

Dated: September 30, 1963.

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

[F.R. Doc. 63-10609; Filed, Oct. 4, 1963; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 14684]

FLYING TIGER; OKINAWA TARIFF

Notice of Prehearing Conference

Delayed-release cargo charter rate from Okinawa to California points proposed by The Flying Tiger Line Inc.

Notice is hereby given that a prehearing conference on the above-entitled application is assigned to be held on October 17, 1963, at 10:00 a.m. (e.d.s.t.) in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Walter W. Bryan.

Dated at Washington, D.C., October 1, 1963.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 63-10615; Filed, Oct. 4, 1963; 8:47 a.m.]

[Docket 12837 etc.]

UNITED AIR LINES, INC.; COMPETITIVE SERVICE INVESTIGATION

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument on the above-entitled matter is assigned to be heard on November 6, 1963, at 10 a.m., e.s.t., in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., October 2, 1963.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 63-10616; Filed, Oct. 4, 1963; 8:48 a.m.]

[Docket 14785]

SURVAIR, LTD.

Notice of Hearing

Application of Survair, Ltd. for a foreign air carrier permit, issued pursuant to section 402 of the Federal Aviation Act of 1958, as amended, to perform operations of a casual, occasional or infrequent nature, in common carriage, into the United States.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing on the above-entitled application is assigned to be held on October 10, 1963, at 10 a.m., eastern daylight saving time, in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D.C., October 3, 1963.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 63-10651; Filed, Oct. 4, 1963; 8:49 a.m.]

FEDERAL MARITIME COMMISSION

MEMBER LINES OF AMERICAN WEST AFRICAN FREIGHT CONFERENCE

Notice of Filing of Agreement

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

Agreement No. 7680-13, between the member lines of the American West African Freight Conference, operating in the trade between Atlantic and St. Lawrence ports of Canada/United States Atlantic and Gulf ports and West African ports (South of the southerly border of Rio de Oro, Spanish Sahara and north of the northerly border of Southwest Africa), including the Atlantic Islands of Azores, Madeira, Canary, and Cape Verdes, and the Islands of Fernando Po, Principe and San Thome in the Gulf of Guinea, modifies Agreement 7680 so as to extend the termination date of the Neutral Body provisions to November 30, 1963.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 5 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: October 2, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-10593; Filed, Oct. 4, 1963; 8:46 a.m.]

UNITED STATES ATLANTIC AND GULF-SANTO DOMINGO CONFERENCE

Notice of Filing of Agreement

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

Agreement No. 6080-9, between the member lines of the United States Atlantic and Gulf-Santo Domingo Conference, modifies the approved agreement of that conference (Agreement 6080, as amended) covering the trade between U.S. Atlantic and Gulf of Mexico ports and ports in the Dominican Republic. The purpose of this modification is to (1) eliminate the provision in the approved conference agreement which permits the payment of freight charges in currency of the United States, or its equivalent in other currency, and (2) amend the conference rules and regulations to (a) provide that all freight charges, both southbound and northbound, shall be payable in currency of the United States, and (b) revise the terms and conditions under which the member lines may extend credit to shippers and/or consignees, as presently set forth in said rules and regulations.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the

offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: October 2, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-10594; Filed, Oct. 4, 1963; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP64-24]

EMMITSBURG GAS CO.

Notice of Application and Date of Hearing

SEPTEMBER 30, 1963.

Take notice that on July 23, 1963, as supplemented on August 26 and September 3, 1963, Emmitsburg Gas Company (Applicant) filed in Docket No. CP64-24 an application pursuant to subsections (a) and (c) of section 7 of the Natural Gas Act for an order:

1. Directing Manufacturers Light & Heat Company to establish physical connection with Applicant's facilities hereinafter described, and directing Manufacturers to sell to Applicant a peak-day volume of 626 Mcf of natural gas;

2. Granting a certificate of public convenience and necessity authorizing Applicant to construct and operate a 6" OD lateral extending from a point of connection with Manufacturers transmission facilities in Adams County, Pennsylvania, 5.7 miles south to Emmitsburg, Maryland.

The application states that the estimated cost of the facilities is $213,300, to be financed by a cash advance of $141,300 from Applicant's parent, Penn Fuel Gas, Inc., and a cash advance from a customer, the Sisters of Charity of St. Joseph's Central House (St. Joseph's) an educational institution. The $72,000 will be repaid by a credit of 3 cents per Mcf of gas taken by said customer. St Joseph's has estimated its initial maximum requirement at 500 Mcf per day, and has agreed to purchase its fuel requirements from Applicant to the extent that Applicant can fill them.

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 November 5, 1963 at 9:30 a.m. (e.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 October 25, 1963. Failure of any party to appear at and participate in the hearing shall be construed as a 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. 63-10567; Filed, Oct. 4, 1963; 8:45 a.m.]

[Docket No. CP63-174]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Hearing Date

SEPTEMBER 30, 1963.

Notice of application and date of hearing in this case was issued July 2, 1963 (28 F.R. 7044). Notice of postponement of hearing was issued July 29, 1963 (28 F.R. 7964).

A public hearing on the issues presented by the application in this case will be held in a hearing room of the Federal Power Commission, 441 G Street NW., Washington 25, D.C., commencing October 21, 1963 at 10 a.m. (e.d.t.).

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-10568; Filed, Oct. 4, 1963; 8:45 a.m.]

[Docket No. CP64-18]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Postponement of Hearing

SEPTEMBER 30, 1963.

Take notice that the hearing in the above-entitled matter scheduled by notice issued September 4, 1963, published in the FEDERAL REGISTER on September 11, 1963 (28 F.R. 9891), to be held in Washington, D.C., on October 3, 1963, is hereby postponed to a date to be hereafter fixed, due to the timely filing of petitions to intervene in opposition to the granting of the application herein.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-10569; Filed, Oct. 4, 1963; 8:45 a.m.]

[Docket No. CP63-222]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Date of Hearing

SEPTEMBER 30, 1963.

Take notice that the hearing in the above-entitled proceeding originally scheduled to be held on September 18, 1963, in Washington, D.C., by notice issued August 13, 1963, and published in the FEDERAL REGISTER on August 20, 1963 (28 F.R. 9170) and by notice issued September 3, 1963 and published in the FEDERAL REGISTER on September 10, 1963 (28 F.R. 9852), postponed to a date to be thereafter fixed is hereby set to begin on October 29, 1963 at 10:00 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-10570; Filed, Oct. 4, 1963; 8:45 a.m.]

[Docket No. E-7127]

UTAH POWER & LIGHT CO.

Order Providing for Hearing and Suspension of Proposed Rate Schedule Changes

SEPTEMBER 30, 1963.

Utah Power & Light Company (Utah Power), Salt Lake City, Utah, on September 3, 1963,[1] tendered for filing, pursuant to section 205 of the Federal Power Act, proposed changes in its filed rate schedules purporting to increase, as of October 4, 1963, its present rates and charges for wholesale electric service to seventeen municipal and rural electric cooperative customers in the State of Utah: Kaysville City, Price City, Helper City, Strawberry Water Users Association, Brigham City, Logan City, Bountiful City, Heber Light & Power Board, Nephi City, Provo City, Monticello City, Hyrum City, Lehi City, Blanding City, Morgan City, Mexican Hat Association, and Murray City. The proffered rate schedules have been tentatively designated in the files of the Commission as follows[2]: Utah Power's Rate Schedule FPC No. 71, Rate Schedule FPC No. 72, Rate Schedule FPC No. 73, Supplement No. 3 to Rate Schedule FPC No. 37, Supplement No. 2 to Rate Schedule FPC No. 39, Supplement No. 2 to Rate Schedule FPC No. 40, Supplement No. 2 to Rate Schedule FPC No. 44, Supplement No. 3 to Rate Schedule FPC No. 45, Supplement No. 1 to Rate Schedule FPC No. 50, Supplement No. 2 to Rate Schedule FPC No. 51, Supplement No. 1 to Rate Schedule FPC No. 57, Supplement No. 1 to Rate Schedule FPC No. 59, Supplement

[1] Although the revised rates were originally submitted on May 16, 1963, the filings were not completed until September 3, 1963, the date that the Company requested as the filing date.

[2] Applicable to the municipalities and rural electric cooperatives in the order as previously listed.

No. 1 to Rate Schedule FPC No. 60, Supplement No. 1 to Rate Schedule FPC No. 61, Supplement No. 1 to Rate Schedule FPC No. 62, Supplement No. 1 to Rate Schedule FPC No. 66, and Supplement No. 1 to Rate Schedule FPC No. 70.

The proffered rates and charges would increase Utah Power's present rates to the aforesaid municipalities and rural electric cooperatives by approximately $136,657 per annum, or 7.1 percent, based upon deliveries of power and energy for the 12-month period ended June, 1963. For that 12-month period Utah Power's revenues from these customers aggregated $1,927,021. Applying the proffered supplemental rate schedules, Utah Power's operating revenues for service to those customers would be increased to $2,063,678. Utah Power is not proposing any other rate increases.

On March 15, 1963, Utah Power began serving the 15 former wholesale customers of Telluride Power Company (Telluride at the rates proposed herein to Utah Power's heretofore designated 17 wholesale customers in Utah.[3] With respect to these customers Utah Power filed an aggregate of eight initial rate schedules, including newly negotiated contracts, five on May 16, 1963, two on July 25, and one on September 17, and then made seven initial filings containing rate schedules only on September 19, 1963, for the seven remaining former customers of Telluride. These initial filings embody rates identical to those proposed herein to Utah Power's 17 aforesaid wholesale customers in Utah. These initial rate filings have been designated in the files of the Commission as follows: Utah Power's Rate Schedule FPC No. 74, California-Pacific Utilities Co., Rate Schedule FPC No. 75, Kanosh City; Rate Schedule FPC No. 76, Levan City; Rate Schedule FPC No. 77, Manti City; Rate Schedule FPC No. 78, Spring City; Rate Schedule FPC No. 79, Oak City; Rate Schedule FPC No. 80, Monroe City; Rate Schedule FPC No. 81, Holden City; Rate Schedule FPC No. 82, Fillmore City; Rate Schedule FPC N. 83, Beaver City; Rate Schedule FPC No. 84, Meadow City; Rate Schedule FPC No. 85, Mount Pleasant City; Rate Schedule FPC No. 86, Flowell Electric Association, Inc., Rate Schedule FPC No. 87, Garkane Power Association; and Rate Schedule FPC No. 88, Ephraim City.

Protests have been received from seven of Utah's wholesale customers, namely, Lehi City, Morgan City, Logan City, Provo City, Monticello City, Heber Light and Power Board and Bountiful City, as well as Intermountain Consumer Power Association, representing 24 municipalities and four cooperatives. Protestants generally oppose the proposed rate increases, asserting inter alia that Utah Power's rates are second highest in the nation, that the rate increase is unwarranted in view of fuel costs available to Utah Power, and that Utah Power discriminates between wholesale customers with generating facilities and those without generating sources regarding terms and conditions of service. On September 19, 1963, Utah Power filed an answer to the aforementioned individual protests.

Utah Power's aforementioned filed rate schedules as proposed to be changed have not been shown to be justified; may result in excessive rates or charges; may place an undue burden upon ultimate customers; and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful within the meaning of the Federal Power Act. Unless suspended by order of the Commission, the proposed supplemental rate schedules would become effective as of October 4, 1963, to the extent and in the manner provided in section 205 of the Federal Power Act and the Commission's regulations under that Act.

Examination of the proposed supplemental rate schedules and other data currently before the Commission indicates that the rates and charges embodied therein, among other things, may produce an excessive return on Utah Power's net investment properly allocated as a rate base to its service to these 17 wholesale customers; may be based in part upon test year cost allocations that have not been shown to be reasonable or representative; and may reflect preferential or discriminatory rates as to terms and conditions of service to wholesale customers with generating sources and those without generating facilities.

The Commission further finds: In view of the foregoing, it is necessary and appropriate for the purposes of the Federal Power Act that the Commission, pursuant to the authority of that Act, particularly sections 205, 206, 308 and 309 thereof, enter upon a hearing concerning (1) the lawfulness of Utah Power's aforementioned filed rate schedules as proposed to be supplemented in the manner provided in its proffered Rate Schedule FPC No. 71, Rate Schedule FPC No. 72, Rate Schedule FPC No. 73, Supplement No. 3 to Rate Schedule FPC No. 37, Supplement No. 2 to Rate Schedule FPC No. 39, Supplement No. 2 to Rate Schedule FPC No. 40, Supplement No. 2 to Rate Schedule FPC No. 44, Supplement No. 3 to Rate Schedule FPC No. 45, Supplement No. 1 to Rate Schedule FPC No. 50, Supplement No. 2 to Rate Schedule FPC No. 51, Supplement No. 1 to Rate Schedule FPC No. 57, Supplement No. 1 to Rate Schedule FPC No. 59, Supplement No. 1 to Rate Schedule FPC No. 60, Supplement No. 1 to Rate Schedule FPC No. 61, Supplement No. 1 to Rate Schedule No. 62, Supplement No. 1 to Rate Schedule FPC No. 66, and Supplement No. 1 to Rate Schedule FPC No. 70, and the objections thereto and the lawfulness of Utah Power's rate schedules for service to its other interstate wholesale customers; (2) that the Commission's staff undertake an examination of all of Utah Power's interstate rates and charges, utility operations and system costs, and (3) that the operation or effectiveness of the seventeen proposed supplemental rate schedules set forth in (1) above under the Federal Power Act be suspended and the use thereof deferred, all as hereinafter provided.

The Commission orders:

(A) A public hearing be held concerning the lawfulness of Utah Power's seventeen proffered supplemental rate schedules, all as designated in finding paragraph (1) above, and the lawfulness of Utah Power's other interstate wholesale rate schedules on file with this Commission and the objections raised to the aforesaid proposed supplemental rate schedules, at a time and place to be specified by notice of the Secretary.

(B) ,Pending such hearing and decision thereon, the operation under the Federal Power Act of the proffered rate schedule supplements set forth in finding paragraph (1) above, hereby is suspended and the use thereof deferred until October 5, 1963. On that date the proffered rate schedule supplements shall take effect in the manner prescribed by the Federal Power Act, subject to further order of the Commission, unless this proceeding has been disposed of at a date previous thereto.

(C) During the period of suspension Utah Power's currently effective Rate Schedule FPC No. 21 and Supplements Nos. 1 and 2 thereto, Rate Schedule FPC No. 30 and Supplement No. 1 thereto, Rate Schedule FPC No. 31 and Supplement No. 1 thereto, Rate Schedule FPC No. 37 and Supplements Nos. 1 and 2 thereto, Rate Schedule FPC No. 39 and Supplement No. 1 thereto, Rate Schedule FPC No. 40 and Supplement No. 1 thereto, Rate Schedule FPC No. 44 and Supplement No. 1 thereto, Rate Schedule FPC No. 45 and Supplement No. 2 thereto, Rate Schedule FPC No. 50, Rate Schedule FPC No. 51 and Supplement No. 1 thereto, Rate Schedule FPC No. 57, Rate Schedule FPC No. 59, Rate Schedule FPC No. 60, Rate Schedule FPC No. 61, Rate Schedule FPC No. 62, Rate Schedule FPC No. 66, and Rate Schedule FPC No. 70 for service to the seventeen aforesaid wholesale customers in Utah now on file with the Commission shall remain and continue in effect.

(D) Unless otherwise ordered by the Commission, Utah Power shall not change the terms or provisions of its seventeen proffered supplemental rate schedules referred to in paragraph (A) above or those of its currently effective rate schedules and supplements thereto on file with the Commission for service to those seventeen wholesale customers and referred to in paragraph (C) above, until this proceeding has been disposed of or until the period of suspension has expired.

(E) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37) on or before October 31, 1963.

By the Commission. Chairman Swidler and Commissioner Black dissent to limiting the suspension to one day, on the ground that the circumstances of this case warranted and in the exercise of reasonable discretion required suspension of the proposed increases in

[3] By order issued January 21, 1963, Utah Power & Light Company, 29 FPC 128, the Commission authorized Utah Power's acquisition and merger of the facilities of Telluride with its own facilities pursuant to section 203 of the Federal Power Act.

rates for the full statutory period of five months.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-10571; Filed, Oct. 4, 1963; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4165]

GEORGIA POWER CO.

Notice of Proposed Issuance and Sale of $30,000,000 Principal Amount of First Mortgage Bonds and 70,000 Shares of Preferred Stock at Competitive Bidding

OCTOBER 1, 1963.

Notice is hereby given that Georgia Power Company ("Georgia"), 270 Peachtree Street, Atlanta, Georgia, 30303, an exempt holding company and an electric utility subsidiary company of The Southern Company, a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 6(b) of the Act as applicable to the proposed transactions. All interested persons are referred to the application, on file at the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

Georgia proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, $30,000,000 principal amount of First Mortgage Bonds, __ percent Series due 1993. The interest rate of the new bonds (which will be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be paid to Georgia (which will be not less than 99 percent nor more than 102¾ percent of the principal amount thereof) will be determined by the competitive bidding. The new bonds will be issued under the Indenture dated as of March 1, 1941, between Georgia and Chemical Bank New York Trust Company, successor to The New York Trust Company, as Trustee, as heretofore supplemented by various indentures and as to be further supplemented by a Supplemental Indenture to be dated as of November 1, 1963.

Georgia also proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, 70,000 shares of its cumulative preferred stock, without par value. The dividend rate of the new preferred stock (which will be a multiple of $0.04) and the price, exclusive of accrued dividends, to be paid to Georgia (which will be not less than $100 nor more than $102.75 per share) will be determined by the competitive bidding. Georgia's charter will be amended to allow for and to establish the terms of the new preferred stock.

The application states that Georgia intends to use the proceeds from the issuance and sale of the new bonds and new preferred stock, together with other available funds, for the construction or acquisition of permanent improvements, extensions, and additions to its property and for the payment of short-term bank loans made for such purposes. Georgia's 1963 construction expenditures are estimated to aggregate $86,636,000, and the company expects to finance the balance of these costs by issuing approximately $3,500,000 short-term notes to banks prior to the end of 1963.

The issuance and sale of the new bonds and the new preferred stock have been expressly authorized by the Georgia Public Service Commission, the State commission of the State in which Georgia is organized and doing business. The application states that no Federal commission, other than this Commission, has jurisdiction over the transactions proposed. Estimates of fees and expenses to be incurred in connection with the proposed transactions are to be filed by amendment.

Notice is further given that any interested person may, not later than October 21, 1963, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 63-10579; Filed, Oct. 4, 1963; 8:46 a.m.]

[File No. 24NY-5338]

TELESCRIPT-CPS, INC.

Order Vacating Temporary Suspension of Exemption

SEPTEMBER 30, 1963.

On December 23, 1960, Telescript-CPS, Inc., filed a notification and offering circular, and subsequently filed amendments thereto, for the purpose of obtaining an exemption from the registration provisions of the Securities Act of 1933, pursuant to section 3(b) and Regulation A thereunder, with respect to a public offering, at $5 per share, of 60,000 shares of its common stock, 1 cent par value.

On July 12, 1961, the Commission temporarily suspended the exemption pursuant to Rule 261 of Regulation A, and hearings were held to determine whether to vacate the order of temporary suspension or to enter an order permanently suspending the exemption. Thereafter, the hearing examiner submitted a recommended decision, exceptions and briefs were filed, and the Commission heard oral argument.

The Commission has this day issued its findings and opinion, and on the basis thereof:

It is ordered, Pursuant to Rule 261 of Regulation A under the Securities Act of 1933, that the Commission's order of July 12, 1961 temporarily suspending the exemption from registration with respect to the offering of securities by Telescript-CPS, Inc., be, and it is hereby, vacated.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 63-10580; Filed, Oct. 4, 1963; 8:46 a.m.]

FEDERAL RESERVE SYSTEM

ATLANTIC TRUST CO. AND ATLANTIC NATIONAL BANK OF JACKSONVILLE

Notice of Applications for Approval of Acquisition of Shares of a Bank

Notice is hereby given that applications have been made to the Board of Governors of the Federal Reserve System pursuant to section 3(a)(2) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842), by Atlantic Trust Company and The Atlantic National Bank of Jacksonville, both of which are bank holding companies located in Jacksonville, Florida, for the prior approval of the Board of the acquisition by Applicants of up to 35,000 of the 36,000 voting shares of the Daytona Atlantic Bank, Daytona Beach, Florida, a proposed new bank.

In determining whether to approve an application submitted pursuant to section 3(a)(2) of the Bank Holding Company Act, the Board is required by that Act to take into consideration the following factors: (1) The financial history and condition of the company and the bank concerned; (2) their prospects; (3) the character of their management; (4) the convenience, needs, and welfare of the communities and the area concerned; and (5) whether or not the effect of such acquisition would be to expand the size or extent of the bank holding company system involved beyond limits consistent with adequate and sound banking, the public interest, and the preservation of competition in the field of banking.

Not later than thirty (30) days after the publication of this notice in the FEDERAL REGISTER, comments and views regarding the proposed acquisitions may be filed with the Board. Communica-

tions should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C., 20551.

Dated at Washington, D.C., this 1st day of October 1963.

By order of the Board of Governors.

[SEAL] MERRITT SHERMAN, *Secretary.*

[F.R. Doc. 63-10596; Filed, Oct. 4, 1963; 8:46 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), and Administrative Order No. 561 (27 F.R. 4001) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Aalfs Manufacturing Co., 1005 Fourth Street, Sioux City, Iowa; effective 9-21-63 to 9-20-64 (men's, ladies', and girls' denim jeans).

Anvil Brand, Inc., Independence, Va.; effective 10-1-63 to 9-30-64 (men's pants).

Blue Gem Manufacturing Co., 604 Hoover Street, Asheboro, N.C.; effective 10-1-63 to 9-30-64 (men's and boys' dungarees).

Blue Gem Manufacturing Co., 1301 Carolina Street, Greensboro, N.C.; effective 10-1-63 to 9-30-64. Learners may not be employed at special minimum wages in the production of skirts (men's and boys' denim overalls, women's slacks, and men's and boys' work clothing).

Bruce Co., Inc., 120 East 15th Street, Ottawa, Kans.; effective 9-28-63 to 9-27-64 (men's work clothing).

Carolina Lingerie Co., Inc., Yadkinville Highway, Mocksville, N.C.; effective 9-30-63 to 9-29-64 (men's and ladies' pajamas).

Form-O-Uth Brassiere Co., Inc., d.b.a. Marie Foundations, McLean, Tex.; effective 9-30-63 to 9-29-64 (women's brassieres and girdles).

Greensboro Manufacturing Corp., 1900 East Bessemer Avenue, Greensboro, N.C.; effective 9-25-63 to 9-24-64 (women's and children's nightwear and pajamas).

Gross Galesburg Co., No. 1, Chariton, Iowa; effective 9-19-63 to 9-18-64 (men's work pants, shirts, and jackets).

Hagale Garment Manufacturing Co., Ozark, Mo.; effective 9-28-63 to 9-27-64 (men's and boys' work pants and semi-dress pants).

Hagale Garment Manufacturing Co., Reeds Spring, Mo.; effective 9-28-63 to 9-27-64 (men's and boys' work pants and semi-dress pants).

Hallmark Manufacturing Co., Clinton, S.C.; effective 10-1-63 to 9-30-64 (men's sport and dress shirts).

Hopkinsville Clothing Manufacturing Co., 1100 South Main Street, Hopkinsville, Ky.; effective 10-1-63 to 9-30-64 (men's and boys' denim and fatigue pants).

Horse Cave Manufacturing Co., Inc., Horse Cave, Ky.; effective 9-22-63 to 9-21-64 (men's and boys' lined and unlined zipper outerwear jackets).

The Jerold Corp., P.O. Box 708, Smithfield, N.C.; effective 9-15-63 to 9-14-64 (men's and boys' outerwear jackets).

Kayler Manufacturing, Inc., 822 Anderson Street, New Kensington, Pa.; effective 9-25-63 to 9-24-64. Learners may not be employed at special minimum wage rates in the production of skirts (women's blouses).

Kent Sportswear, Inc., Curwensville, Pa.; effective 9-16-63 to 9-15-64 (men's outerwear jackets).

Lebro Shirt Manufacturing Co., Lykens, Pa.; effective 10-1-63 to 9-30-64 (men's shirts).

Midland Shirt Co., Inc., Union, Miss.; effective 9-19-63 to 9-18-64 (men's sport shirts and women's blouses).

Ottenheimer Brothers Manufacturing Co., Loungewear Division, A Division of Kellwood Co., 5703 Scott Hamilton Drive, Little Rock, Ark.; effective 9-23-63 to 9-22-64 (women's and misses' dresses and robes).

Pass Christian Industries, Inc., 100 West Beach, Pass Christian, Miss.; effective 9-20-63 to 9-19-64 (men's and boys' shirts).

Phillips-Van Heusen Corp., Geneva, Ala.; effective 10-1-63 to 9-30-64 (men's dress and sport shirts).

Phillips-Van Heusen Corp., Hartford, Ala.; effective 10-1-63 to 9-30-64 (men's dress shirts).

Phillips-Van Heusen Corp., Ozark, Ala.; effective 10-1-63 to 9-30-64 (men's pajamas).

Ruth Fashions, Inc., 121 West Broad Street, Greenville, S.C.; effective 9-23-63 to 9-22-64 (ladies' dresses).

Saltillo Manufacturing Co., Inc., Saltillo, Tenn.; effective 9-20-63 to 9-19-64 (men's, boys', and juveniles' sport shirts).

Henry I. Siegel Co., Inc., Bruceton, Tenn.; effective 9-23-63 to 9-22-64 (men's and boys' outerwear jackets).

Summerton Uniform Corp., Summerton, S.C.; effective 9-20-63 to 9-19-64 (nurses' and maids' uniforms).

Toll Gate Garment Co., Inc., Hamilton, Ala.; effective 10-1-63 to 9-30-64 (men's sport and dress shirts).

Tracy City Manufacturing Co., Tracy City, Tenn.; effective 9-27-63 to 9-26-64 (men's and boys' sport shirts).

Troytown Shirt Corp., Harmony Mill No. 3, North Mohawk Street, Cohoes, N.Y.; effective 10-1-63 to 9-30-64 (men's sport shirts).

Westmoreland Manufacturing Co., Inc., Westmoreland, Tenn.; effective 9-21-63 to 9-20-64 (ladies' blouses).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Aalfs Manufacturing Co., Sheldon, Iowa; effective 10-1-63 to 9-30-64; 10 learners. (boys' jeans).

Bay Shore Togs, Locust Street, Keyport, N.J.; effective 9-19-63 to 9-18-64; 5 learners (children's carcoats and snowsuits and infants' sleepwear).

Gross Galesburg Co., 152 East Ferris Street, Galesburg, Ill.; effective 10-1-63 to 9-30-64; 10 learners (men's and boys' overalls, dungarees, and coveralls).

Hi-Style Fashions Co., Inc., 101 West End Road, Wilkes-Barre, Pa.; effective 9-20-63 to 9-19-64; 10 learners (children's sportswear—jumpers).

Lady Salisbury Classics, Inc., Jenkins Lane, Salisbury, Md.; effective 9-17-63 to 9-16-64; 10 learners. Learners may not be employed at special minimum wage rates in the production of skirts (children's blouses and pedal pushers).

Yolanda Dresses, 373 Hale Street, New Brunswick, N.J.; effective 9-17-63 to 9-16-64; 10 learners (children's dresses).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Aalfs Manufacturing Co., 1005 Fourth Street, Sioux City, Iowa; effective 9-21-63 to 3-20-64; 10 learners (men's, ladies', and girls' denim jeans).

Butler Garment Co., 348 New Castle Road, Butler, Pa.; effective 9-16-63 to 3-15-64; 80 learners (women's blouses).

Tracy City Manufacturing Co., Tracy City, Tenn.; effective 9-27-63 to 3-26-64; 100 learners (men's and boys' sport shirts).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

Monte Glove Co., Inc., Maben, Miss.; effective 10-1-63 to 9-30-64; 10 learners for normal labor turnover purposes (cotton work gloves).

Mountain City Glove Co., Inc., Mountain City, Tenn.; effective 9-27-63 to 9-26-64; 10 learners for normal labor turnover purposes (canton flannel knit work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Alba-Waldensian, Inc., Alba Division, Valdese, N.C.; effective 10-8-63 to 10-7-64; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' seamless and full-fashioned stockings).

C. W. Anderson Hosiery Co., East Carolina Avenue, Clinton, S.C.; effective 9-20-63 to 9-19-64; 5 learners for normal labor turnover purposes (seamless).

Broadway Hosiery Mills, Inc., 53 Burton Street, West Asheville, N.C.; effective 9-22-63 to 9-21-64; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Exeter Wilmington Hosiery Mills, Inc., Fifth and Monroe Streets, Wilmington, Del.; effective 9-18-63 to 9-17-64; 5 learners for normal labor turnover purposes (seamless).

Franklin Hosiery Co., Franklin, N.C.; effective 10-1-63 to 9-30-64; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' seamless nylon hosiery).

Granite Hosiery Corp., 838 South Main Street, Mount Airy, N.C.; effective 9-16-63 to 9-15-64; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' seamless hosiery).

Harriman Hosiery Co., Harriman, Tenn.; effective 10-1-63 to 9-30-64; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' circular knit hose).

C. D. Jessup & Co., Claremont, N.C.; effective 10-1-63 to 9-30-64; 5 learners for normal labor turnover purposes (seamless).

Kosciusko Hosiery Mills, Division of Wayne Knitting Mills, Kosciusko, Miss.; effective 10–1–63 to 9–30–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Morganton Hosiery Mills, Inc., 101 Lenoir Street, Morganton, N.C.; effective 10–1–63 to 9–30–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (full-fashioned and seamless).

Newland Knitting Mills, Newland, N.C.; effective 10–1–63 to 9–30–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Prim Hosiery Mills, Chester, Ill.; effective 9–18–63 to 9–17–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (full-fashioned and seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

Benham Underwear Mills, Inc., Scottsboro, Ala.; effective 10–1–63 to 9–30–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' woven underwear).

East Tennessee Undergarment Co., Inc., New Johnson City Highway, Elizabethton, Tenn.; effective 9–21–63 to 9–20–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' rayon and nylon undergarments).

Geissler Knitting Mills, Inc., 129–131 East Broad Street, Hazleton, Pa.; effective 10–1–63 to 9–30–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' polo and T-shirts, athletic shirts, knit shorts, and children's, men's and boys' pajamas).

Loralyn Manufacturing Co., Inc., Post Office Box 165, Corner Upright and Ryder Streets, Landis, N.C.; effective 9–21–63 to 9–20–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (infants' and children's sleepwear).

Robinson Manufacturing Co., 520 South Market Street, Dayton, Tenn.; effective 10–1–63 to 9–30–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' woven cotton underwear).

Russell Mills, Inc., Alexander City, Ala.; effective 10–1–63 to 9–30–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's knit underwear and sweat shirts).

Standard Romper Co., Inc., Bldg. No. 7, 200 Conant Street, Pawtucket, R.I.; effective 9–23–63 to 9–22–64; 5 percent of the total number of factory production workers for normal labor turnover purposes (children's knit shirts).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C. this 27th day of September 1963.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 63–10613; Filed, Oct. 4, 1963; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

OCTOBER 2, 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. 38573: *Paper and paper articles to Wyoming points.* Filed by O. W. South, Jr., agent (No. A4379), for interested rail carriers. Rates on paper and paper articles, as described in the application, in carloads, from points in southern territory, to specified points in Wyoming on the CB&Q railroad.

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

Tariff: Supplement 70 to Southern Freight Association, agent, tariff I.C.C. S–230.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 63–10590; Filed, Oct. 4, 1963; 8:46 a.m.]

[Notice 875]

MOTOR CARRIER TRANSFER PROCEEDINGS

OCTOBER 2, 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 66032. By order of September 27, 1963, the Transfer Board approved the transfer to Piedmont Freight Co., Inc., Mineral, Va., of the permit in No. MC 2129, issued June 2, 1960, to Inez Lumsden Chapman, doing business as I. L. Chapman, Mineral, Va., authorizing the transportation of: Lumber, piling, and cedar posts, from Louisa, Pendleton, Trevilian, Dumbarton, Brokenburg (and points within 6 miles of Brokenburg), and Columbia (and points within 2 miles of Columbia), Va., and points in Louisa and Goochland Counties, Va., and from Leonardtown and Hollywood, Md., to Wilmington and Claymont, Del., and points in that part of Pennsylvania within 125 miles of Washington, D.C., and to points in Maryland and the District of Columbia; fertilizer from Baltimore, Md., to Fredericksburg, Culpepper, Madison, Orange, Charlottesville, and Pendleton, Va.; sawmill machinery and equipment, from Waynesboro, Pa., to Pendleton and Richmond, Va. W. W. Whitlock, Mineral, Virginia, attorney for transferee.

No. MC–FC 66116. By order of September 30, 1963, the Transfer Board approved the transfer to Grandadam Truck Lines, Inc., Fargo, North Dakota, of certificate in No. MC 106485, issued August 11, 1954, to John B. Grandadam, doing business as Grandadam Truck Lines, Fargo, N. Dak., authorizing the transportation of general commodities, excluding household goods and commodities in bulk, over regular routes, between Lisbon, N. Dak., and Moorhead, Minn., serving all intermediate points except Leonard, N. Dak.; between Lisbon, N. Dak., and Verona, N. Dak., for operating convenience only; between La Moure, N. Dak., and Ellendale, N. Dak., serving all intermediate points; between Oakes, N. Dak., and Hecla, S. Dak., serving all intermediate points; between Ellendale, N. Dak., and Aberdeen, S. Dak., with no service at Ellendale and none at intermediate points; between Hecla, S. Dak., and Aberdeen, S. Dak., with no service at Hecla and none at intermediate points; and general commodities, including household goods but excluding commodities in bulk, between South St. Paul, Minn., and Edgeley, N. Dak., serving the intermediate points of St. Paul and Minneapolis, Minn. and Milnor and La Moure, N. Dak., and off-route points of Englevale, Ashley, Hankinson, Oakes, Litchville, Valley City and Wimbledon, N. Dak. Alan Foss, 502 First National Bank Building, Fargo, N. Dak., 59102, attorney for applicants.

No. MC–FC 66236. By order of September 27, 1963, the Transfer Board approved the transfer to George Plank, Jr., Clifton Heights, Pa., of a portion of certificate in No. MC 118189 (Sub-No. 2), issued September 5, 1963, to Morris Pollon, doing business as M. Pollon, Philadelphia, Pa., authorizing the transportation, over irregular routes, of: Household goods, between Philadelphia, Pa., on the one hand, and, on the other, points in New York, New Jersey, Maryland, and Delaware. Raymond A. Thistle, Jr., 1500 Walnut Street, Philadelphia 2, Pa., attorney for applicants.

No. MC–FC 66242. By order of September 27, 1963, the Transfer Board approved the transfer to Clarence Haase and Donald Collinge, a partnership, doing business as Haase-Collinge Trucking, Kaylor, S. Dak., of certificate in No. MC 101357, issued April 29, 1949, to Emil

P. Friederich, Tripp, S. Dak., authorizing the transportation, over irregular routes, of: Farm implements, machinery and parts thereof, feed, tankage, seed, salt, and lubricating oils, from Sioux City, Iowa to points in South Dakota within 20 miles of Tripp, S. Dak., and livestock, in the reverse direction. Don A. Bierle, 308 Walnut Street, Yankton, S. Dak., attorney at law.

No. MC-FC 66258. By order of September 30, 1963, the Transfer Board approved the transfer to G. H. Harnum, Inc., Cambridge, Mass., of certificate in No. MC 6801, issued May 21, 1941, to George T. Smith, doing business as Smith Brothers Express Co., Cambridge, Mass., authorizing the transportation of: Contractor's supplies and equipment, and articles requiring specialized handling or rigging because of size or weight, between Boston, Mass., and points within 5 miles thereof, on the one hand, and, on the other, points in Connecticut and Rhode Island, and those as specified in New Hampshire. Joseph A. Kline, 185 Devonshire Street, Boston 10, Mass., attorney for transferee. Harold J. Field, 10 State Street, Boston 9, Mass., attorney for transferor.

No. MC-FC 66222. Corrected notice.[1] By order of September 13, 1963, the Transfer Board approved the substitution of David Mongillo & Son, Inc., Southington, Conn., as applicant in lieu of David Mongillo, Milton J. Mongillo, and Edward H. Mongillo, a partnership, doing business as David Mongillo & Sons, Southington, Conn., in No. MC 121515 for a certificate of registration to operate in interstate or foreign commerce authorizing operations under the former second proviso of section 206(a)(1) of the Act supported by Connecticut Certificate No. C-802, authorizing the transportation over irregular routes, of property in heavy hauling service, of steel tanks, steel boilers, steel stacks, structural steel, namely, steel beams, steel girders, steel trusses, steel plates, steel angles, and bridge steel, and in connection with the foregoing the necessary accessorial equipment, and industrial machinery and parts thereof, by flatbed or platform type vehicles, between all points within Connecticut. Reubin Kaminsky, 410 Asylum Street, Hartford 3, Conn., attorney for applicants.

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

[F.R. Doc. 63-10591; Filed, Oct. 4, 1963; 8:46 a.m.]

[Drouth Order 63; Amdt. 6]

MISSISSIPPI AND NORTH CAROLINA

Authorization of Railroads To Transport Livestock Feed and Hay to Disaster Area at Reduced Rates

In the matter of relief under section 22 of the Interstate Commerce Act.

Present: Abe McGregor Goff, Vice Chairman, to whom the above-entitled matter has been assigned for action thereon.

It appearing, that due to the drouth conditions existing in the State of Mississippi the Commission issued its Drouth Order No. 63 under section 22 of the Interstate Commerce Act authorizing the railroads subject to the Commission's jurisdiction to transport hay and livestock feed to the disaster area at reduced rates;

And it further appearing, that the United States Department of Agriculture has requested the Commission to enter an order extending such authority to include 18 counties in the State of North Carolina:

It is ordered, That Drouth Order No. 63, as amended, be, and it is hereby, further amended to provide that the authority therein granted to establish reduced rates on hay and livestock feed shall also apply, subject to the same terms and conditions, to establish and maintain reduced rates on such commodities to destinations in the counties named below, viz.:

North Carolina, 18 counties, viz.:

Alexander.	Herford.
Anson.	Iredell.
Ashe.	Johnston.
Cleveland.	Lincoln.
Davidson.	Mecklenburg.
Davie.	Randolph.
Durham.	Wake.
Forsyth.	Wilkes.
Gaston.	Yadkin.

It is further ordered, That in all other respects Drouth Order No. 63, as amended, shall remain in full force and effect.

And it is further ordered, That notice to the affected railroads and the general public shall be given by depositing a copy of this order in the Office of the Secretary of the Commission and by filing a copy with the Director, Office of the Federal Register; and that copies be mailed to the Chairman of the Traffic Executive Association-Eastern Railroads, New York, N.Y., the Chairman of the Southern Freight Association, Atlanta, Georgia, the Chairman of the Executive Committee, Western Railroad Traffic Association, Chicago, Illinois, the Traffic Vice-President of the Association of American Railroads, Washington, D.C., and to the President of the American Short Line Railroad Association, Washington, D.C.

Dated at Washington, D.C., this 30th day of September A.D. 1963.

By the Commission, Vice Chairman Goff.

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

[F.R. Doc. 63-10592; Filed, Oct. 4, 1963; 8:46 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

OCTOBER 1, 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. 38564: *Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 482), for interested rail carriers. Rates on blacks (carbon, gas and/or oil), and blacks, chemical carbon, not carbon black, in carloads, from, to and between points in Texas, over interstate routes through adjoining states.

Grounds for relief: Intrastate rates and maintenance of rates from and to points in other states not subject to the same conditions.

Tariff: Supplement 3 to Texas-Louisiana Freight Bureau, agent, tariff I.C.C. 998.

FSA No. 38566: *Household laundry equipment from and to points in Wyoming.* Filed by Western Trunk Line Committee, agent (No. A-2327), for interested rail carriers. Rates on household laundry equipment, as described in the application, in carloads, between points in Wyoming, on the one hand, and points in western trunkline territory, on the other.

Grounds for relief: Market competition, modified shortline distance formula and grouping.

Tariff: Supplement 13 to Western Trunk Line Committee, agent, tariff I.C.C. A-4485.

FSA No. 38567: *Bituminous coal from Campbell Hill, Ill.* Filed by Illinois Freight Association, agent (No. 213), for interested rail carriers. Rates on bituminous coal, in carloads, from Campbell Hill, Ill., to points in the United States.

Grounds for relief: Rate relationship, and grouping.

FSA No. 38568: *Bituminous fine coal to Lawrence and Tecumseh, Kans.* Filed by Southwestern Freight Bureau, agent (No. B-8456), for interested rail carriers. Rates on bituminous fine coal, as described in the application, in carloads, subject to aggregate minimum shipment of 20 carloads, from Appleton City, Mo., to Lawrence and Tecumseh, Kans.

Grounds for relief: Market competition.

Tariff: Supplement 101 to Southwestern Freight Bureau, agent, tariff I.C.C. 4270.

FSA No. 38569: *Newsprint paper from Snowflake, Ariz.* Filed by Pacific Southcoast Freight Bureau, agent (No. 245), for interested rail carriers. Rates on newsprint paper, in carloads, from Snowflake, Ariz., to Alameda, Oakland, Richmond and San Francisco, Calif.

Grounds for relief: Market competition.

Tariff: Supplement 203 to Pacific Southcoast Freight Bureau, agent, tariff I.C.C. 1628.

FSA No. 38570: *Grain and grain products to points in Texas and Louisiana.* Filed by Southwestern Freight Bureau, agent (No. B-8451), for interested rail carriers. Rates on grain, grain products, also seeds, in carloads, from points in Oklahoma on the AT&SF Ry., to points in Louisiana and Texas.

Grounds for relief: Market competition and rate relationship.

Tariffs: Supplements 18 and 29 to Southwestern Freight Bureau, agent, tariffs I.C.C. 4495 and 4496, respectively.

[1] The notice being corrected did not include "property in heavy hauling service."

FSA No. 38571: *Grain and grain products to Shreveport, La.* Filed by Southwestern Freight Bureau, agent (No. B-8452), for interested rail carriers. Rates on grain, grain products, and related products, also seeds, in carloads, from Davenport, Iowa, East Moline, Moline and Rock Island, Ill., to Shreveport, La.

Grounds for relief: Carrier competition.

Tariff: Supplement 18 to Southwestern Freight Bureau, agent, tariff I.C.C. 4495.

FSA No. 38572: *Petroleum products from Cody and Thermopolis, Wyo.* Filed by Chicago, Burlington & Quincy Railroad Company (No. 70), for itself and interested rail carriers. Rates on asphalt (asphaltum), natural, byproduct or petroleum (other than paint, stain or varnish), petroleum road oil and petroleum wax tailings, in tank-car loads, from Cody and Thermopolis, Wyo., to points in Iowa, Minnesota, Nebraska and South Dakota on the CRI&P railroad.

Grounds for relief: Origin rate relationship.

Tariff: Supplement 12 to Chicago, Burlington & Quincy Railroad Company tariff I.C.C. 20555.

AGGREGATE-OF-INTERMEDIATES

FSA No. 38565: *Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, agent (No. 483), for interested rail carriers. Rates on blacks (carbon, gas, and/or oil), and blacks, chemical carbon, not carbon black, in carloads, from, to and between points in Texas, over interstate routes through adjoining states.

Grounds for relief: Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff: Supplement 3 to Texas-Louisiana Freight Bureau, agent, tariff I.C.C. 998.

By the Commission.

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

[F.R. Doc. 63-10536; Filed, Oct. 3, 1963; 8:47 a.m.]

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