Pages 3641–3692

FEDERAL REGISTER

VOLUME 29 NUMBER 58

Washington, Tuesday, March 24, 1964

Contents

(Continued on next page)

Codification Guide

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1964, and specifies how they are affected.

5 CFR

213 (2 documents) 3643
332 3643

7 CFR

301 3643
910 3650
970 3650

PROPOSED RULES:

1033 3668
1034 3668
1035 3668
1037 3671
1041 3671

14 CFR

71 [New] (2 documents) 3651

PROPOSED RULES:

71 [New] (3 documents) 3673, 3674
507 3674

21 CFR

146a 3652

26 CFR

1 3652
20 3656
211 3656
212 3656
213 3664
301 3665

33 CFR

207 3666

47 CFR

PROPOSED RULES:

11 3675
21 3675
73 (2 documents) 3675

50 CFR

33 3666

FEDERAL REGISTER

Telephone WOrth 3-3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

President's Committee on Juvenile Delinquency and Youth Crime

Effective upon publication in the FEDERAL REGISTER, paragraph (a) of § 213.3166 is amended as set out below.

§ 213.3166 President's Committee on Juvenile Delinquency and Youth Crime.

(a) Until July 30, 1966, all positions on the staff.

* * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 64–2805; Filed, Mar. 23, 1964; 8:50 a.m.]

PART 213—EXCEPTED SERVICE

Federal Deposit Insurance Corporation

Effective upon publication in the FEDERAL REGISTER, paragraph (e) is added to § 213.3333 as set out below.

§ 213.3333 Federal Deposit Insurance Corporation.

* * * * *

(e) Executive Assistant and Controller.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 64–2804; Filed, Mar. 23, 1964; 8:50 a.m.]

PART 332—RECRUITMENT AND SELECTION THROUGH COMPETITIVE EXAMINATION

Persons Who Lost Eligibility Because of Military Service

Subparagraph (1) of paragraph (a) of § 332.322 is amended as set out below.

§ 332.322 Persons who lost eligibility because of military service.

(a) * * *

(1) He has not served more than four years following the date of his entrance on active military duty, exclusive of any additional service imposed pursuant to law. The date of entrance on duty means the first date between June 30, 1950, and July 1, 1967, on which he began a new period of active military duty, whether it was by original entry, reentry or extension.

* * * * *

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954–1958 Comp., p. 218)

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

[F.R. Doc. 64–2806; Filed, Mar. 23, 1964; 8:50 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

[P.P.C. 627, 7th Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

Subpart—Witchweed

REVISED ADMINISTRATIVE INSTRUCTIONS DESIGNATING REGULATED AREAS

Pursuant to § 301.80–2 of the regulations supplemental to the witchweed quarantine (7 CFR 301.80–2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), administrative instructions appearing as 7 CFR 301.80–2a are hereby revised to read as follows:

§ 301.80–2a Administrative instructions designating regulated areas under the witchweed quarantine.

Infestations of the witchweed have been determined to exist in the quarantined States, in the civil divisions and premises, or parts thereof, listed below, or it has been determined that such infestation is likely to exist therein, or it is deemed necessary to regulate such localities because of their proximity to infestation or their inseparability for quarantine enforcement purposes from infested localities. Accordingly, such civil divisions and premises, and parts thereof, and all highways and roadways abutting thereon, are hereby designated as witchweed regulated areas within the meaning of the provisions in this subpart:

NORTH CAROLINA

Anson County. The Matthew Morris farm located on the east side of State Highway 742 at the junction of said highway with State Secondary Road 1105.

Bladen County. All of Bladen County.

Brunswick County. The Luther H. Hugh farm located at the end of farm road on the west side of State Highway 130, said farm road junctions with State Highway 130 at a point 1.1 miles south of the junction of State Highway 130 and State Secondary Road 1321.

The A. M. Register farm located at the end of a dirt road, 0.4 mile west of the junction of said dirt road with State Highway 130, said junction being 1.1 miles northwest of Ash.

The John R. Russ farm located on both sides of State Secondary Road 1308 and 1 mile west of the junction of said road with State Highway 904 at Longwood.

The B. Coda Smith farm located on the west side of a dirt road and 0.6 mile north of its junction with State Secondary Road 1322, said junction being 0.1 mile west of the junction of State Secondary Road 1322 and State Secondary Road 1321.

The Newman Smith farm located on the south side of State Secondary Road 1322 at its junction with State Secondary Road 1321.

The N. G. Ward farm located on the southwest side of State Secondary Road 1300, 0.5 mile west of the junction of said road with U.S. Highway 17.

Columbus County. That part of the county lying north and west of a line beginning at a point where Livingston Creek junctions with the Cape Fear River and extending south along said creek to its intersection with the Seaboard Air Line Railroad, thence west along said railroad to its intersection with State Secondary Road 1740, thence west and south along said road to its junction with U.S. Highways 74 and 76, thence west along said highways to their intersection with Bogue Swamp, thence south along said swamp to its junction with the Waccamaw River and continuing south along said river to its junction with White Marsh Swamp, thence north and northwest along said swamp to its junction with Cypress Creek, thence southwest along said creek to its intersection with State Highway 130, thence northwest along said highway to its junction with State Secondary Road 1166, thence southwest along said road to its junction with State Secondary Road 1157, thence southwest along said road to its junction with U.S. Highway 701, thence south and west along said highway to its intersection with State Secondary Road 1314, thence west along said road to its junction with State Secondary Road 1346, thence southwest along said road to its junction with the North Carolina-South Carolina State line.

The Ernest H. Long farm located on the northeast side of State Secondary Road 1934, and 0.1 mile north of its junction with State Secondary Road 1935.

The A. J. Norris farm located on both sides of State Secondary Road 1134 and 1 mile south of its junction with State Secondary Road 1005.

The J. Carl Prince farm located on both sides of State Secondary Road 1119 and 2.2 miles west of its junction with State Secondary Road 1103.

Craven County. The Harold Stilley farm located on the north side of State Secondary Road 1003, and 0.8 mile east of its junction with State Secondary Road 1623.

Cumberland County. That portion of the county lying south and east of a line beginning at the intersection of the southern boundary line of the Fort Bragg Military Reservation and the Cumberland-Hoke County line and extending northeast along the south boundary line of the Fort Bragg Military Reservation to its junction with State Secondary Highway 1404, thence eastward along said highway to its junction with Interstate Highway 95, thence northeast along said highway to its junction with State Secondary Road 1714, thence north along said road to its junction with State Secondary Road 1722, thence east along said road to its junction with U.S. Highway 301,

thence northeast along said highway to its junction with State Highway 102, thence east along said highway to its junction with Interstate Highway 95, thence northeast along said highway to its junction with State Secondary Road 1005, thence northeast along said road to its junction with the Cumberland-Sampson County line, excluding the corporate limits of the city of Fayetteville.

The Mrs. R. H. Barbour farm located on both sides of State Secondary Road 1611 and 1.2 miles west of the junction of said road with U.S. Highway 401.

The W. H. Blackmon farm located on the west side of U.S. Highway 301 and 0.3 mile south of the junction of said highway with State Highway 102.

The A. V. Dawkins farm located on the east side of State Secondary Road 1706 and 1.5 miles south of the junction of said road with State Secondary Road 1609.

The Charles M. Elmore farm located on the north side of State Secondary Road 1446 and 0.3 mile southwest of the junction of said road with State Highway 210.

The J. C. Ennis farm located on the west side of U.S. Highway 401 and 0.3 mile north of the junction of said highway with State Secondary Road 1608.

The T. G. Green farm located on the north said of U.S. Highway 401 and 0.3 mile west of the intersection of said highway with State Secondary Road 1609.

The J. K. Hubbard farm located on the north side of State Secondary Road 1404 and 0.5 mile east of the intersection of said road with State Secondary Road 1403.

The Bessie Kelly farm located on the south side of a dirt road and 0.2 mile west of its junction with State Secondary Road 1714, said junction being 0.1 mile north of the junction of said secondary road and State Secondary Road 1730.

The McLaurin & McLaurin farm located on the north side of State Secondary Road 1722 and 0.3 mile west of the junction of said road with U.S. Highway 301.

The George McLaurin farm located on the north side of State Secondary Road 1722 and 0.5 mile west of the intersection of said road with U.S. Highway 301.

The Octavius McLaurin farm located at the end of a dirt road and 0.3 mile north of its junction with State Secondary Road 1722, said junction being 0.5 mile west of the junction of said secondary road with U.S. Highway 301.

The Oscar McLean farm located on the south side of a dirt road and 0.1 mile west of its junction with State Secondary Road 1714, said junction being 0.1 mile north of the junction of said secondary road and State Secondary Road 1730.

The Jasper S. McMillan farm located at the end of a dirt road and 0.2 mile west of State Highway 210 at its junction with State Secondary Road 1614.

The Troy Matthews farm located on the north side of State Secondary Road 1813 and 0.2 mile southeast of the intersection of said road with Interstate Highway 95.

The E. V. Nixon farm, located on both sides of State Secondary Road 1706 and 1 mile south of the junction of said road with State Secondary Road 1609.

The J. T. Piner farm located on the west side of U.S. Highway 401 and 0.3 mile north of the junction of said highway with State Secondary Road 1600.

The Bob Pruitt Trailer Court located at the end of a dirt road and 0.6 mile north of its junction with State Secondary Road 1602, said junction being 0.8 mile east of the junction of said secondary road with State Highway 210.

The Ray Speas farm located on the southeast side of State Highway 210 and 0.1 mile north of the junction of said highway with State Secondary Road 1635.

The Norwood Tatum farm located on the northwest side of Bernadine Road and 0.1 mile southwest of the junction of said road with State Highway 210.

The M. T. Taylor farm located on the south side of a dirt road and 1.5 miles east of its junction with U.S. Highway 401, said junction being 0.4 mile north of the junction of State Secondary Road 1600 with U.S. Highway 401.

The Robert Westly Williams farm located on the north side of State Secondary Road 1813 and 0.1 mile southeast of the intersection of said road with Interstate Highway 95.

Duplin County. That area bounded by a line beginning at a point where State Highway 24 intersects the Duplin-Sampson County line, thence north along said county line to its intersection with State Secondary Road 1337, thence northeast along said road to its junction with State Highway 50, thence northwest along said highway to its junction with State Secondary Road 1355, thence northeast along said road to its junction with State Secondary Road 1332, thence northeast along said road to its junction with State Secondary Road 1304, thence north along said road to its junction with State Highway 403, thence northeast along said highway to its intersection with State Secondary Road 1306, thence southeast along said road to its junction with State Secondary Road 1368, thence northeast along said road to its junction with State Secondary Road 1367, thence southeast along said road to its junction with State Secondary Road 1365, thence northeast along said road to its junction with State Secondary Road 1004, thence southeast along said road to its junction with State Secondary Road 1503, thence northeast along said road to its intersection with State Secondary Road 1500, thence southeast along said road to its intersection with State Secondary Road 1306, thence west along said road to its intersection with State Secondary Road 1004, thence south along said road to its junction with State Highway 11, thence northeast along said highway to its junction with State Secondary Road 1700, thence southeast along said road to its intersection with the Northeast Cape Fear River, thence south along said river to its junction with Grove Creek, thence west along said creek to its junction with Marsh Branch, thence west along said branch to its intersection with State Highway 24, thence southeast along said highway to its junction with State Highway 11, thence southwest along said highway to its junction with State Secondary Road 1003, thence west along said road to its junction with State Secondary Road 1900, thence northwest along said road to its intersection with State Secondary Road 1107, thence southwest along said road to its junction with State Secondary Road 1106, thence northwest along said road to its junction with State Secondary Road 1113, thence southwest along said road to its junction with State Secondary Road 1105, thence southwest along said road to its junction with State Secondary Road 1112, thence southwest along said road to its junction with State Secondary Road 1108, thence north along said road to its junction with State Secondary Road 1110, thence northeast along said road to its junction with State Secondary Road 1105, thence northeast along said road to its junction with State Highway 24, thence west along said highway to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Road 1702 intersects State Highway 24, thence east along said highway to its junction with State Secondary Road 1962, said junction being 0.7 mile west of Beulaville, thence south along State Secondary Road 1962 to its junction with State Secondary Road 1724, thence southwest along said road to its junction with State Secondary Road 1800, thence northwest along said road to its junction with State Secondary Road 1961, thence west along said road to its junction with State Secondary Road 1702 at Hallsville, thence north along said road to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Road 1002 intersects the Duplin-Lenoir County line, thence southeast along said county line to its intersection with State Highway 11, thence west along said highway to its junction with State Highway 111, thence west and north along said highway to its junction with State Secondary Road 1002 at Albertson, thence north along said road to the point of beginning, excluding the town of Albertson.

The Paisly Bonham farm located on the north side of State Secondary Road 1977 and 1 mile west of Pin Hook.

The F. J. Bostic farm located on the west side of State Highway 50, at the junction of said highway and State Secondary Road 1730.

The T. C. Crow farm located on the south side of State Secondary Road 1321 and 0.8 mile west of the junction of said road with State Secondary Road 1302.

The I. R. Faison farm located on the east side of State Secondary Road 1301 and 1.4 miles north of its junction with State Secondary Road 1335.

The Emmitt Jackson farm located on the east side of State Secondary Road 1301 and 1.3 miles north of its junction with State Secondary Road 1335.

The Lorena Herring farm located on the northeast side of State Secondary Road 1100 and 0.7 mile southeast of its intersection with State Secondary Road 1003.

The C.M. Johnson farm located on the southwest side of State Secondary Road 1139 and 0.6 mile northwest of the junction of said road with State Secondary Road 1133.

The J. N. Kalmar farm located on the south side of State Highway 403 and 0.5 mile west of its junction with State Secondary Road 1304.

The Henry Kissner farm located on the southwest side of State Secondary Road 1139 and 0.7 mile northwest of its junction with State Secondary Road 1133.

The Ethel Kornegay farm located 0.2 mile east of State Secondary Road 1501 at a point 0.6 mile south of the intersection of said road with State Secondary Road 1519.

The E.W. Melvin farm located at the end of a farm road 0.3 mile north of the junction of said farm road with State Secondary Road 1130, said junction being 0.3 mile east of the intersection of State Secondary Road 1130 and the Duplin-Sampson County line.

The Maggie T. Norris farm located on the south side of State Secondary Road 1700 and 1.4 miles east of Saracta.

The H. J. Page farm located on the west side of State Secondary Road 1128 and on the north side of State Secondary Road 1129 at the intersection of said roads.

The W. C. Peterson farm located on the north side of State Secondary Road 1130 and 0.2 mile east of the junction of said road with the Duplin-Sampson County line.

The J. L. Rich farm located on the west side of State Secondary Road 1923 and at the junction of said road with State Secondary Road 1922.

The Oliver Summerlin farm located on the south side of State Highway 403 and 0.1 mile east of the corporate limits of the town of Faison.

The J. R. Thomas farm located on the north side of State Secondary Road 1700 and 1.5 miles east of Saracta.

The Joseph Westbrook farm located 0.7 mile west of State Highway 11 at a point 0.2 mile southwest of the junction of said highway with State Secondary Road 1501.

The Fate Williams Heirs farm located on the south side of State Secondary Road 1003 and 0.5 mile east of its intersection with State Secondary Road 1100.

Harnett County. That area bounded by a line beginning at a point where the Harnett-Lee County line and State Secondary Road 1209 intersect and extending southeast along said road to its junction with State Highway 27, thence east along said highway to its junction with State Secondary Road 1117, thence south along said road to its junction with State Secondary Road 1128, thence east along said road to its junction with State Highway 210, thence northeast along said highway to its junction with State Secondary Road 2030, thence southeast along said road to its junction with State Secondary Road 2031, thence south along said road to its junction with the Harnett-Cumberland County line, thence west along said county line to its junction with the Harnett-Moore County line, thence northwest along said county line to its junction with the Harnett-Lee County line, thence northeast along said county line to the point of beginning.

The Carlie Adams farm located on the south side of State Secondary Road 1291 and 0.4 mile east of the junction of said road with State Secondary Road 1251.

The Everett Barnes farm located on both sides of State Secondary Road 1532 and 0.4 mile west of the junction of said road with State Secondary Road 1547.

The Clarence J. Blalock farm located at the end of a dirt road and 0.4 mile northwest of the junction of said road with State Secondary Road 1540, said junction being 0.4 mile northeast of the junction of said secondary road with State Secondary Road 1542.

The F. P. Blalock farm located on the northeast side of State Highway 55 and 0.3 mile northwest of the intersection of said highway with State Secondary Road 1006.

The Charles Edwards farm located on the north side of State Secondary Road 1128 and 0.9 mile southwest of the junction of said road with State Secondary Road 1130.

The Luke Harrington farm located on both sides of State Highway 27 and 0.4 mile west of the junction of said highway with State Secondary Road 1242.

The Redin Harrington farm located at the end of a dirt road and 0.8 mile north of the junction of said road with State Highway 27, said junction being 1 mile west of the junction of said highway with State Secondary Road 1242.

The Cecil Jenkins farm located on both sides of State Secondary Road 1251 and 1 mile south of the junction of said road with State Secondary Road 1291.

The Carl McLeod farm located on both sides of State Highway 27 and 0.8 mile west of the junction of said highway and State Secondary Road 1242.

The E. O. Parker farm located on the north side of State Secondary Road 2034 and 0.7 mile west of the junction of said road with U.S. Highway 401.

The Eddie L. Parrish farm located on both sides of State Secondary Road 1532 and 1 mile west of the junction of said road with State Secondary Road 1547.

The W. L. Wagner farm located on both sides of State Highway 55 and 0.2 mile northwest of the intersection of said highway and State Secondary Road 1006.

Hoke County. That area bounded by a line beginning at a point where State Highway 211 intersects the Hoke-Moore County line and extending southeast along said highway to its intersection with U.S. Highway 401 (Bypass), thence northeast along said highway to its intersection with State Secondary Road 1300, thence northwest along said road to Rockfish Creek, thence northwest along said creek to its intersection with the southern boundary of Fort Bragg Military Reservation, thence east along said military boundary to its intersection with the Hoke-Cumberland County line, thence southeast along said county line to the Hoke-Robeson County line, thence southwest and west along said county line to the Hoke-Scotland County line, thence northwest along said county line to the intersecting point of Hoke, Richmond, and Moore Counties, thence northeast along the Hoke-Moore County line to the point of beginning.

That portion of the Fort Bragg Military Reservation known as the Ashley Heights Sand Pit located on the south side of Plank Road, said sand pit being located approximately 1 mile northeast of Montrose.

The Leslie Little farm located at the end of State Secondary Road 1314 and 0.5 mile north of the junction of said road with State Highway 211.

The N. A. McDonald farm located on the north side of State Highway 211 and 0.4 mile southeast of the junction of said highway with State Secondary Road 1214.

The N. A. McFayden farm located on the east side of State Highway 211 and 0.3 mile southeast of the junction of said highway with State Secondary Road 1215.

The James C. Phillips farm located on the northwest side of State Secondary Road 1316 and 1 mile northeast of the junction of said road with State Highway 211.

The Alvin Seaford farm located at the end of State Secondary Road 1316 and 1.5 miles northeast of the junction of said road with State Highway 211.

The J. B. Thomas farm located on the west side of State Secondary Road 1300 and 0.6 mile northwest of the junction of said road with U.S. Highway 401 (Bypass).

Johnston County. That area bounded by a line beginning at a point where State Secondary Road 1116 and State Highway 50 intersect and extending southeast along said highway to its intersection with the Johnston-Sampson County line, thence west along said county line to its intersection with State Highway 242, thence north along said highway to its intersection with State Secondary Road 1116, thence east along said road to the point of beginning.

The Rufus P. Beasley farm located on the west side of State Secondary Road 1138, and 0.4 mile south of its junction with Secondary Road 1144.

Jones County. That area bounded by a line beginning at a point where State Secondary Road 1117 intersects the Jones-Onslow County line, thence northwest along said road to its junction with State Secondary Road 1116, thence east and southeast along said road to its junction with State Secondary Road 1118, thence southwest along said road to its intersection with the Jones-Onslow County line, thence northwest and west along said county line to the point of beginning.

The Eugene Eubanks farm located at the end of State Secondary Road 1126 and 0.8 mile south of the junction of said road with State Secondary Road 1124.

The J. L. Jarman farm located on the east side of State Secondary Road 1142 and 0.6 mile south of the junction of said road with State Secondary Road 1130.

The R. T. Johnson farm located on the northwest side of State Secondary Road 1132 and 0.3 mile southwest of the junction of said road with State Secondary Road 1131.

The Ed McDaniel farm located on the south side of State Secondary Road 1122 at a point 0.8 mile southwest of the junction of said road and State Highway 58, said junction being 1.2 miles northwest of Olive Cross Roads.

The Leah Smith property located in the town of Trenton on the south side of Jones Street at a point 0.5 mile west of the junction of said street and Webber Street.

Lee County. The C. N. Castleberry farm located on the north side of State Secondary Road 1162 and 0.7 mile northwest of the junction of said road and State Secondary Road 1001.

Lenoir County. That area bounded by a line beginning at a point where State Secondary Road 1311 and State Secondary Road 1002 junction, and extending northeast along State Secondary Road 1311 to its junction with State Seconadry Road 1309, thence north along said road to its junction with State Secondary Road 1324, thence southeast along said road to its junction with State Secondary Road 1331, thence north along said road to its junction with State Secondary Road 1332, thence east along said road to its junction with State Secondary Road 1333, thence north along said road to its junction with State Secondary Road 1330, thence east along said road to its junction with State Secondary Road 1336, thence southeast along said road to its junction with State Secondary Road 1324, thence southwest along said road to Whitelace Creek, thence east and south along said creek to the Neuse River, thence west along said river to Dailys Creek, thence south along said creek to State Secondary Road 1300, thence west along said road to State Secondary Road 1301, thence southwest along said road to its junction with State Highway 55, thence west along said highway to State Secondary Road 1002, thence north along said road to the point of beginning.

The Roland Carter farm located on the east side of State Highway 11 and 0.2 mile south of the junction of said highway and State Secondary Road 1113.

The Eugene Chambers farm located on the northeast side of the junction of State Secondary Road 1167 and State Secondary Road 1143.

The Kate Edwards farm located on the south side of State Secondary Road 1143 and 0.2 mile west of its intersection with State Secondary Road 1154.

The J. D. Grady farm located on the south side of State Secondary Road 1143 and the east side of State Secondary Road 1154 at Wootens Crossroads.

The W. Clifton Grady farm located on the west side of State Secondary Road 1154 and the south side of State Secondary Road 1143 at Wootens Crossroads.

The Clarence Howard farm located on the south side of State Secondary Road 1105 and 0.1 mile east of its intersection with State Secondary Road 1118.

The W. L. Measley farm located on the east side of State Secondary Road 1327 and 0.2 mile northeast of its intersection with State Secondary Road 1519.

The Hugh Nobles farm located on both sides of State Secondary Road 1120 and 0.7 mile west of its junction with U.S. Highway 258.

The Nick Smith farm located on the south side of State Secondary Road 1163 and 0.1 mile west of its junction with State Secondary Road 1111.

Montgomery County. The Therese Edward Glover farm located on the southwest side of State Secondary Road 1524 and 0.7 mile northwest of the intersection of said road with the Montgomery-Moore County line.

The Colon Hoover farm located on the southwest side of State Secondary Road 1524 and 0.9 mile northwest of the intersection of said road with the Montgomery-Moore County line.

The Walter Lane farm located at the end of a dirt road and 0.3 mile southwest of the junction of said road with State Secondary Road 1524, said junction being 1.0 mile northwest of the intersection of said secondary road with the Montgomery-Moore County line.

The Haywood N. Thomas farm located on the southwest side of State Secondary Road 1524 and 0.8 mile northwest of the intersection of said road with the Montgomery-Moore County line.

Moore County. That area bounded by a line beginning at a point where State Secondary Road 2075 and State Highway 211 junction and extending west along State

Highway 211 to its intersection with State Secondary Road 2063, thence north and northwest along said road to its junction with State Highway 5, thence northeast along said highway to its junction with State Secondary Road 2042, thence northeast along said road to its junction with State Secondary Road 2074, thence east along said road to its intersection with State Secondary Road 2075, thence south and southwest along said road to the point of beginning.

The T. M. Baker farm located on the south side of State Secondary Road 2026 and 0.7 mile east of the junction of said road with U.S. Highway 1.

The M. C. Bass farm located on the south side of State Secondary Road 2005 and 0.7 mile east of the junction of said road with State Secondary Road 1001.

The R. P. Beasly farm located on the east side of U.S. Highway 1 and 0.7 mile northeast of the junction of said highway with U.S. Highway 1A.

The Walter Black farm located at the end of State Secondary Road 1215 and 0.4 mile north of the junction of said road with State Secondary Road 1216.

The R. E. Bryant farm located on both sides of State Secondary Road 1815 and 0.5 mile southwest of the junction of said road with U.S. Highway 15–501.

The Sam Burwell farm located on the south side of State Secondary Road 2023 and 0.4 mile southwest of the junction of said road with State Secondary Road 1853.

The Wilbur Currie farm located on the east side of State Secondary Road 1806 and 0.3 mile south of the junction of said road with State Secondary Road 1805.

The Elijah Faulk farm located at the end of State Secondary Road 2016 and 0.4 mile east of the junction of said road with State Secondary Road 2014.

The J. G. Henning's Estate farm located on the east side of State Secondary Road 2017 and 0.4 mile north of the intersection of said road with State Secondary Road 1001.

The Herman Kelley farm located on the west side of State Secondary Road 1229 and 0.4 mile south of the intersection of said road and State Secondary Road 1239.

The William A. Laton farm located on the east side of State Secondary Road 1004 and 0.3 mile north of the intersection of said road with State Secondary Road 1113.

The E. M. Marks farm located on the south side of State Secondary Road 2019 and 2.5 miles east of the junction of said road and State Secondary Road 2018.

The Conner Martin farm located on the northeast side of State Secondary Road 1802 and 1.2 miles southeast of the intersection of said road with the State Secondary Road 1853.

The Grover McGrimmon farm located at the end of State Secondry Road 2028 and 1 mile southeast of the junction of said road with State Secondary Road 2026.

The Lena Bell McNeill farm located on the northwest side of State Secondary Road 2077 and 1 mile southwest of the junction of said road with State Highway 211.

The Jack Page farm located on the south side of State Secondary Road 2026 and 0.9 mile east of the junction of said road with U.S. Highway 1.

The W. R. Robinson farm located on the south side of State Secondary Road 1113 and 0.9 mile east of the intersection of said road with State Secondary Road 1004.

The F. L. Smith farm located on both sides of State Secondary Road 1814 and 1 mile northwest of the junction of said road with State Secondary Road 1661.

The M. L. Smith farm located on the east side of State Secondary Road 1004 and 0.8 mile north of the intersection of said road with State Secondary Road 1113.

The A. C. Vaughn farm located on the west side of State Secondary Road 1210 and 0.4 mile south of the intersection of said road with State Secondary Road 1229.

Onslow County. The John E. Freeman farm located on the southwest side of State Secondary Road 1434 and 1.1 miles northwest of its junction with State Secondary Road 1425.

The Bill Henderson farm located on the east side of State Secondary Road 1528 and on the north side of State Secondary Road 1518 at the junction of said roads.

The Leo E. Morton farm located on the south side of State Secondary Road 1435 and 0.6 mile west of its junction with State Secondary Road 1434.

Pender County. That area bounded by a line beginning at a point where State Secondary Road 1104 intersects the Pender-Bladen County line, thence northeast along said county line to its junction with Black River, thence east along said river to its junction with Colvins Creek, thence north and northwest along said creek to its intersection with State Secondary Road 1201, thence east along said road to its intersection with the Atlantic Coast Line Railroad, thence southeast along said railroad to its intersection with State Secondary Road 1125, thence northeast along said road to its intersection with Moores Creek, thence northeast and northwest along said creek to its intersection with State Secondary Road 1128, thence southwest along said road to its junction with State Secondary Road 1207, thence northwest along said road to its junction with State Secondary Road 1208, thence west along said road to its junction with State Secondary Road 1206, thence northeast along said road to its intersection with State Secondary Road 1207, thence northwest along said road to its junction with State Secondary Road 1209, thence east along said road to its intersection with U.S. Highway 421, thence southeast along said highway to its intersection with State Secondary Road 1113, thence southwest along said road to its intersection with the Atlantic Coast Line Railroad, thence northwest along said railroad to its intersection with State Highway 210, thence southwest along said highway to its junction with State Secondary Road 1103, thence southeast along said road to its junction with State Secondary Road 1104, thence southwest and northwest along said road to the point of beginning, excluding the corporate limits of the towns of Atkinson and Currie.

That area bounded by a line beginning at a point where State Secondary Road 1517 junctions with U.S. Highway 117, thence northwest along said highway to its intersection with State Secondary Road 1412, thence east along said road to its junction with State Secondary Road 1411, thence southwest along said road to its intersection with Pike Creek, thence southeast along said creek to its junction with the Northeast Cape Fear River, thence south along said river to its intersection with State Highway 210, thence southwest along said highway to its junction with State Secondary Road 1518, thence southeast along said road to its junction with State Secondary Road 1517, thence west along said road to the point of beginning.

The W. D. Pridgen farm located on the southwest side of State Secondary Road 1103 and 0.7 mile southeast of the junction of said road with State Secondary Road 1104.

The Katy Shaw farm located on the east side of State Secondary Road 1520 and 3.6 miles north of the junction of said road and State Highway 210.

The John H. Williams and Heirs farm located on the east side of State Secondary Road 1520 and 2.7 miles north of the junction of said road and State Highway 210.

Pitt County. The Allen Garris farm located on the northeast side of State Secondary Road 1401 and 0.6 mile northwest of its junction with State Secondary Road 1402.

The J. D. Hice farm located on the northeast side of State Secondary Road 1401 and 0.5 mile northwest of its junction with State Secondary Road 1402.

The R. E. Roger farm located on the northeast side of State Secondary Road 1401 and 0.6 mile northwest of its junction with State Secondary Road 1402.

Richmond County. The Dormic Dial farm located on the north side of State Secondary Road 1607 and 0.8 mile west of the intersection of said road and State Secondary Road 1608.

The George W. Jenkins farm located on the southwest side of State Secondary Road 1486 and 1.3 miles northwest of its junction with U.S. Highway 1.

The W. R. Jones farm located on the south side of State Secondary Road 1607 and 0.8 mile west of the intersection of said road and State Secondary Road 1608.

The Mrs. A. W. Porter farm located on the northeast side of State Secondary Road 1999 and 1 mile east of the intersection of said road with U.S. Highway 1.

The Douglas Quick farm located in the northwest quadrant of intersection of State Secondary Roads 1802 and 1800.

The Robert Teal farm located on the northwest side of State Secondary Road 1802 and 0.3 mile southwest of the intersection of said road and State Secondary Road 1800.

The Talley Wallace farm located on both sides of State Secondary Road 1800 and 1.2 miles northwest of the intersection of said road and State Secondary Road 1155.

Robeson County. All of Robeson County.

Sampson County. That area bounded by a line beginning at a point where U.S. Highway 421 and the Sampson-Harnett County line intersect, and extending southeast along said highway to its intersection with State Secondary Road 1005, thence east along said road to its intersection with State Secondary Road 1620, thence southeast along said road to its intersection with State Secondary Road 1626, thence south along said road to its junction with U.S. Highway 421, thence southeast along said highway to its intersection with State Secondary Road 1337, thence north along said road to its junction with State Secondary Road 1636, thence east along said road to its intersection with State Secondary Road 1809, thence north along said road to its junction with U.S. Highway 13, thence east along said highway to its junction with State Secondary Road 1639, thence north along said road to its junction with State Secondary Road 1620, thence northwest along said road to its junction with State Secondary Road 1638, thence north along said road to its junction with State Secondary Road 1635, thence east along said road to its junction with State Secondary Road 1643, thence southeast along said road to its junction with State Secondary 1647, thence south along said road to its junction with State Secondary 1703, thence south along said road to its junction with State Secondary Road 1746, thence southeast along said road to its intersection with U.S. Highway 701, thence south along said highway to its junction with State Secondary Road 1842, thence southwest along said road to its junction with U.S. Highway 421, thence southeast along said highway to its intersection with State Highway 24, thence east along said highway to its intersection with Six Runs Creek, thence north along said creek to its intersection with State Secondary Road 1919, thence east along said road to its junction with State Secondary Road 1906, thence north and northeast along said road to its junction with State Secondary Road 1905, thence east along said road to its intersection with the Sampson-Duplin County line, thence south along said county line to its intersection with State Secondary Road 1948, thence west along said road to its junction with U.S. Highway 421, thence south along said highway to Harrell's Store, thence

south and southwest along State Secondary Road 1007 to its junction with the Sampson-Bladen County line, thence northwest along said county line to its junction with the Sampson-Cumberland County line, thence northwest and north along said county line to its junction with the Sampson-Harnett County line, thence north along said county line to the point of beginning, excluding the corporate limits of the towns of Clinton and Harrell's Store.

The Ernest Bannerman farm located on the south side of State Secondary Road 1007 and 0.7 mile east of the intersection of said road with the Sampson-Bladen County line.

The Carroll A. Britt farm located on the east side of State Highway 403 and 0.1 mile southwest of Poplar Grove.

The Tommy and Jermire Devane farm located on the south side of State Secondary Road 1106 and 0.2 mile east of its junction with State Secondary Road 1100.

The J. P. Daughtry farm located on the north side of State Secondary Road 1818, and 0.9 mile west of the junction of said road and U.S. Highway 701.

The Oscar Jackson farm located on the west side of State Secondary Road 1757 and 0.5 mile north of its junction with State Secondary Road 1731.

The Addie Jordan farm located on the south side of tSate Secondary Road 1818 and 1.4 miles west of its junction with U.S. Highway 701.

The Edna B. Moore farm located on the south side of State Secondary Road 1818 and 1.2 miles east of the junction of said road and State Secondary Road 1100.

The Liston McNeil farm located on the west side of a farm road and 0.2 mile south of its junction with State Secondary Road 1106 and 0.2 mile east of such farm road's junction with State Secondary Road 1100.

The Henry Sellers farm located on the west side of a farm road and 0.2 mile south of its junction with State Secondary Road 1106 and 0.2 mile east of such farm road's junction with State Secondary Road 1100.

The Jasper Strickland farm located on the west side of State Secondary Road 1717 and 0.4 mile north of its junction with State Secondary Road 1722.

The Mrs. Nettie Thompson farm located on the south side of State Secondary Road 1711 and 0.9 mile east of its junction with State Secondary Road 1710.

The Vivy Best Underwood farm located on the northwest side of State Secondary Road 1814 and 0.9 mile northeast of its junction with State Secondary Road 1703.

Scotland County. That area bounded by a line beginning at a point where U.S. Highway 15–401 intersects the North Carolina-South Carolina State line and extending northeast along said highway to its junction with U.S. Highway 15A–401A, thence north along said highway to its junction with U.S. Highway 501, thence north along said highway to its intersection with U.S. Highway 15–401, thence southwest along said highway to its intersection with State Secondary Road 1300, thence northwest along said road to its junction with State Secondary Road 1116, thence northwest along said road to its junction with State Secondary Road 1324, thence north along said road to its junction with State Secondary Road 1345, thence northwest along said road to its intersection with State Secondary Road 1341, thence northeast along said road to its junction with State Secondary Road 1328, thence north along said road to its intersection with the southern boundary of the Sandhills Game Management Area, thence east along said boundary to its intersection with U.S. Highway 15–501, thence north along said highway to its intersection with the Scotland-Hoke County line, thence southeast along said county line to the Scotland-Robeson County line, thence south and southwest along said county line to the North Carolina-South Carolina State line, thence northwest along said state line to the point of beginning, excluding the corporate limits of the city of Laurinburg and town of East Laurinburg.

The Archie W. Bunch farm located at the intersection of State Secondary Roads 1323 and 1001.

The Luther Butler farm located on the south side of State Secondary Road 1154 and 0.2 mile east of the junction of said road with State Secondary Road 1155.

The J. Lloyd King farm located on the northwest side of State Secondary Road 1128 and 0.3 mile southwest of its junction with State Secondary Road 1101.

The Peter F. Newton farm located at the intersection of State Secondary Roads 1334, 1336, and 1345.

The Hobson Odoms farm located on both sides of State Secondary Road 1108 and 0.4 mile west of its junction with State Secondary Road 1100.

Wake County. The Leonard Dean farm located on the south side of State Secondary Road 2501 and 0.2 mile west of the intersection of said road and State Secondary Road 1003.

Wayne County. That area bounded by a line beginning at a point where U.S. Highway 70 and the Wayne-Lenoir County line intersect and extending south along said county line to its junction with the Wayne-Duplin County line, thence southwest and west along said county line to its intersection with State Secondary Road 1937, thence north on said road to its junction with State Secondary Road 1939, thence west on said road to its junction with State Secondary Road 1938, thence north on said road to its junction with State Secondary Road 1120, thence east along said road to its intersection with State Secondary Road 1926, thence north on said road to its intersection with State Secondary Road 1929, thence east on said road to its junction with State Secondary Road 1930, thence east along said road to its junction with State Secondary Road 1927, thence east on said road to its junction with State Secondary Road 1932, thence northeast along said road to its junction with State Secondary Road 1915, thence south on said road to its junction with State Secondary Road 1120, thence east along a line projected from a point at the junction of State Secondary Roads 1120 and 1915 to the junction of said line with a point located at the junction of Sleepy Creek and Neuse River, thence east along the Neuse River to its intersection with State Highway 111, thence north along said highway to its junction with U.S. Highway 70, thence southeast along said highway to the point of beginning, excluding the corporate limits of the town of Seven Springs and the town of Dudley.

That area bounded by a line beginning at a point where U.S. Highway 13 and State Secondary Road 1006 intersect, extending south along said road to its junction with State Secondary Road 1108, thence west along said road to its junction with State Secondary Road 1109, thence west along said road to its junction with State Secondary Road 1105, thence south along said road to its intersection with the Wayne-Sampson County line, thence northwest along said county line to its intersection with State Secondary Road 1009, thence north along said road to its junction with State Secondary Road 1103, thence north along said road to its junction with State Secondary Road 1101, thence east along said road to its intersection with State Secondary Road 1105, thence north along said road to its intersection with U.S. Highway 13, thence east along said highway to the point of beginning.

The L. A. Dawson farm located on the west side of State Highway 111 and 0.5 mile south of the junction of said highway and State Secondary Road 1730.

The Thel Herring farm located on the west side of State Secondary Road 1711, and 0.4 mile north of its junction with U.S. Highway 70A.

The D. D. Montague farm located on the southwest side of State Secondary Road 1928 and 1 mile southeast of the junction of said road with State Secondary Road 1918.

The H. H. Oliver farm located on the south side of State Secondary Road 1219 and 0.4 mile east of its junction with State Secondary Road 1218.

The M. L. Parker farm located on the north side of State Secondary Road 1929 and 0.4 mile east of its junction with State Secondary Road 1926.

The Charlie Rogers farm located on both sides of State Secondary Road 1710 and 0.9 mile southwest of the junction of said road with U.S. Highway 70A.

SOUTH CAROLINA

Chesterfield County. The Alton Holdbrook farm located on the north side of State Secondary Highway 22 and 1.5 miles east of its intersection with State Secondary Highway 20.

The James Earle Howle farm located on the north side of a dirt road and 1 mile east of the intersection of said dirt road and State Secondary Highway 81, said intersection being 1 mile south of the intersection of State Secondary Highway 149 and State Secondary Highway 81.

The Elise J. Parker farm located on the south side of State Secondary Highway 61 and 0.1 mile east of its intersection with State Secondary Highway 348.

Clarendon County. The J. W. Hodge farm located on the south side of State Secondary Highway 211 and 1.5 miles west of its junction with State Secondary Highway 50.

Darlington County. That area bounded by a line beginning at a point where the Atlantic Coast Line Railroad and State Secondary Highway 29 intersect and extending east along said highway to its intersection with Hurricane Branch, thence northeast along said branch to its junction with Byrds Island, thence south along a line projected due south from said junction to the intersection of the projected line and State Primary Highway 34, thence west along said highway to its intersection with a dirt road, said intersection being 0.9 mile east of Mechanicsville, thence south along said dirt road to its intersection with the Darlington-Florence County line, thence west and south along said county line to its intersection with State Secondary Highway 173, thence northwest along said highway to its junction with State Secondary Highway 228, thence northwest along said highway to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to the point of beginning.

The William Cooper farm located 0.25 mile west of a dirt road and 1.1 miles north of its junction with State Secondary Highway 179, said junction being 1.9 miles southeast of the junction of said highway and State Secondary Highway 35.

The County Prison Farm located on the south side of State Primary Highway 34 and 1 mile west of the junction of said highway and State Secondary Highway 42.

The M. L. Green farm located on the east side of State Secondary Highway 133 and 0.1 mile north of the junction of said highway and State Secondary Highway 29.

The Mrs. Minnie W. Ham farm located on both sides of State Secondary Highway 355 and 0.9 mile west of the junction of said highway with State Secondary Highway 44.

The Jessie K. Jordan farm located on the west side of a dirt road and 0.2 mile northeast of its junction with a second dirt road, said junction being 0.1 mile northeast of the junction of said second dirt road and State Secondary Highway 44, said second

junction being 0.3 mile northeast of the junction of said highway and State Primary Highway 403.

The Liston J. Pickett farm located on the west side of a dirt road and 0.2 mile north of its junction with State Secondary Highway 179, said junction being 2 miles southeast of the junction of said highway and State Secondary Highway 35.

Dillon County. All of Dillon County.

Florence County. That area bounded by a line beginning at a point where State Secondary Highway 925 and State Secondary Highway 24 junction and extending east and southeast along State Secondary Highway 24 to its junction with State Secondary Highway 13, thence along a line projected due east from said junction to its intersection with the Great Pee Dee River, thence south along said river to its junction with Jeffries Creek, thence northwest and west along said creek to its intersection with State Primary Highway 327, thence south along said highway to its intersection with Willow Creek, thence southwest along said creek to its junction with Cypress Creek, thence south and west along said creek to its intersection with State Primary Highway 51, thence north along said highway to its intersection with State Primary Highway 327, thence northwest and west along said highway to its intersection with a dirt road, said intersection being 1.5 miles west of the intersection of State Primary Highway 51 and State Primary Highway 327, thence northwest along said dirt road to its junction with a second dirt road, said junction being 0.1 mile east of Goodland School, thence northeast along said second dirt road to its junction with State Secondary Highway 57, thence southeast along said highway to its intersection with the Seaboard Air Line Railroad, thence northwest along said railroad to its junction with State Secondary Highway 13, thence east along said highway to its junction with State Secondary Highway 918, thence north and northeast along said highway to its junction with State Primary Highway 327, thence north along said highway to its intersection with U.S. Highway 76, thence west along said highway to its junction with State Secondary Highway 925, thence north along said highway to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Highway 794 and State Secondary Highway 72 junction and extending south along State Secondary Highway 72 to its intersection with State Secondary Highway 46, thence northeast along said highway to its intersection with State Secondary Highway 34, thence southeast along said highway to its junction with State Secondary Highway 360, thence northeast along said highway to its junction with a dirt road, said junction being 1.6 miles northeast of the junction of State Secondary Highways 34 and 360, thence southeast along said dirt road for a distance of 1.2 miles to its junction with a second dirt road, thence southwest along said dirt road to its junction with State Secondary Highway 34, thence south along said highway to its junction with U.S. Highway 378, thence west along said highway to its junction with State Secondary Highway 47, thence northwest and west along said highway to the corporate limits of the town of Scranton, thence north and west along the east and north perimeter of said corporate limits to its intersection with the Atlantic Coast Line Railroad, thence north along said railroad to the corporate limits of the town of Coward, thence north along the east perimeter of the town of Coward to its intersection with State Secondary Highway 794, thence northeast along said highway to the point of beginning.

That area bounded by a line beginning at a point where State Secondary Highway 66 and the Seaboard Air Line Railroad intersect and extending southeast along said railroad to its intersection with State Secondary Highway 57, thence south along said highway to its junction with U.S. Highway 378, thence west along said highway to its intersection with Deep Creek, thence southwest along said creek to its junction with Lynches River, thence west along said river to its junction with Little Swamp, thence north along said swamp to its intersection with State Secondary Highway 66, thence east along said highway to the point of beginning.

The A. A. Alford farm located on both sides of State Secondary Highway 164 and 0.1 mile south of its intersection with Cypress Branch.

The Mary Hart Bacot farm located on the east side of State Secondary Highway 26 and 2.1 miles northeast of its intersection with Black Creek.

The Elnoreah Braddy farm located on the west side of State Secondary Highway 633 and 0.15 mile south of its intersection with State Secondary Highway 58.

The H. L. Broach farm located on the east side of a dirt road and 0.3 mile north of its junction with State Secondary Highway 132, said junction being 0.4 mile northwest of the intersection of State Secondary Highways 105 and 132.

The Hattie Carroway farm located on the south side of State Secondary Highway 72 and 1 mile southwest of its intersection with U.S. Highway 52.

The Juanita Floyd farm located on the north side of State Secondary Highway 24 and 0.2 mile west of its intersection with Jeffries Creek.

The L. J. Gause farm located on the south side of State Secondary Highway 72 and 1.1 miles southwest of its intersection with U.S. Highway 52.

The Luther Gause farm located on the north side of State Secondary Highway 72 and 1.1 miles southwest of its intersection with U.S. Highway 52.

The W. Max Hill farm located on the east side of State Secondary Highway 136 and 1 mile north of its intersection with State Secondary Highway 35.

The Henry Holliday farm located on the west side of State Primary Highway 51 and 1.6 miles north of its intersection with State Secondary Highway 66.

The Melvin Hyman farm located on the west side of State Secondary Highway 64 and 0.2 mile north of its intersection with Black Creek.

The Roland Jeffords farm located on the west side of a dirt road and 0.2 mile south of its junction with a second dirt road, said junction being 0.8 mile west of the intersection of said second dirt road and State Secondary Highway 105.

The Cal McAllister farm located on the west side of the junction of State Secondary Highway 57 and State Secondary Highway 105.

The R. F. McPherson farm located on the south side of State Secondary Highway 57 and 1.5 miles southeast of the intersection of said highway and State Primary Highway 51.

The Mrs. J. J. Poston farm located on the west side of State Secondary Highway 164 and 0.8 mile northwest of its junction with State Secondary Highway 86.

The V. A. Turner farm located on the west side of State Secondary Highway 633 and 0.1 mile south of its junction with State Secondary Highway 58.

The S. L. Yarborough farm located on both sides of State Secondary Highway 95 and 1.7 miles southeast of Sardis.

Horry County. That area bounded by a line beginning at a point where State Secondary Highway 33 intersects the South Carolina-North Carolina State line and extending south along said highway to its intersection with State Secondary Highway 306, thence west along said highway to its intersection with State Secondary Highway 142, thence south along said highway to its junction with State Primary Highway 9, thence northwest along said highway to its intersection with State Secondary Highway 59, thence southwest and south along said highway to its junction with State Primary Highway 917, thence southwest along said highway to its intersection with State Secondary Highway 19, thence south and southeast along said highway 19 to its intersection with U.S. Highway 701 at Allsbrook, thence northeast along said highway to its intersection with State Primary Highway 9, thence east along said highway for seven miles to its intersection with the west prong of Buck Creek and its junction with a dirt road, thence south along said dirt road to its junction with a second dirt road, thence southwest along said second dirt road to its junction with State Secondary Highway 347, thence southeast along said highway 0.2 mile to its intersection with Cowpen Swamp, thence south along said swamp to its intersection with a dirt road, thence southeast along said dirt road to its junction with State Primary Highway 905, thence southwest along said highway to its intersection with Simpson Creek, thence south along said creek to its junction with the Waccamaw River, thence east along said river to Star Bluff Ferry landing, thence south along a dirt road to its intersection with another dirt road, thence southwest and west along said second dirt road, known as Telephone Road, to its junction with Jones Big Swamp, thence northwest along said swamp to its junction with the Waccamaw River, thence west along said river to its intersection with Stanley Creek, thence north along said creek 1.6 miles, thence northwest along said creek 2.8 miles, thence north along a line projected from a point beginning at the end of the main run of said creek, and extending north to the junction of said line with State Primary Highway 905, thence southwest along said highway to its junction with State Secondary Highway 19, thence north along said highway 2.4 miles to its junction with a dirt road, thence southwest along said road to its intersection with Maple Swamp, thence north along said swamp to its intersection with State Secondary Highway 65, thence southwest along said highway to its junction with U.S. Highway 701, thence south along said highway to its intersection with U.S. Highway 501, thence northwest along said highway 4.8 miles to its junction with a dirt road, thence north along said dirt road to its intersection with State Secondary Highway 97, thence east 0.2 mile to its intersection with a dirt road, thence north along said dirt road to its intersection with State Primary Highway 319, thence northwest along said highway to its junction with State Secondary Highway 131, thence east and north along said highway to its intersection with Loosing Swamp, thence west and northwest along said swamp to its intersection with State Secondary Highway 45, thence southwest along said highway to its junction with State Secondary Highway 129, thence northwest along said highway to its junction with U.S. Highway 501, thence northwest along said highway to its intersection with the Little Pee Dee River, thence northwest along said river to its junction with the Lumber River, thence northeast along said river to its intersection with the South Carolina-North Carolina State line, thence southeast along said state line to the point of beginning, excluding the corporate limits of the towns of Conway and Loris.

The Alex Alford farm located on the south side of a dirt road and being 2 miles southwest and west of the junction of said dirt road and State Secondary Highway 99, said junction being 1.75 miles north of the junction of said highway and State Secondary Highway 97.

The Henry Arnett and D. C. Arnett farm located on both sides of a dirt road and 2.5 miles east of its junction with State Sec-

ondary Highway 33, said junction being 2.5 miles north of the junction of said highway and State Primary Highway 410.

The John A. Atkinson farm located on the east side of a dirt road and being 1 mile north of the junction of said dirt road with U.S. Highway 378 and State Secondary Highway 63.

The Emma Brown farm located on both sides of a dirt road and being 0.5 mile northwest of the junction of said dirt road with State Secondary Highway 57, said junction being at Brooksville.

The Lewis Brown farm located on the north side of a dirt road and being 0.5 mile west of the junction of said dirt road and U.S. Highway 501, said junction being in the Brown Swamp Community.

The James E. Cooper farm located on the south side of a dirt road and 0.5 mile east of its junction with State Secondary Highway 78, said junction being 1.25 miles northwest of the junction of said highway and U.S. Highway 378.

The Nina L. Edge farm located on the west side of a dirt road and 0.8 mile southeast of its junction with a second dirt road, said junction being 0.5 mile south of the junction of the second dirt road and State Primary Highway 90, said second junction being 0.8 mile southwest of the junction of said highway and State Secondary Highway 31.

The John G. Floyd farm located on the south side of a dirt road and 1 mile north of the intersection of said dirt road and State Secondary Highway 548, said intersection being 2 miles west of the intersection of said highway and U.S. Highway 501.

The Jennie Bell Fowler farm located at the end of a farm road which junctions with a county road, said junction being 0.5 mile east of the Oakdale Baptist Church.

The L. C. Frye farm located on the south side of a dirt road and 1 mile west of the junction of State Secondary Highways 24 and 62, said junction being in the Dog Bluff Community.

The Lawson Gore farm located on the north side of U.S. Highway 17 and 2.5 miles east of the intersection of said highway and State Primary Highway 9, said intersection being called Nixon's Crossroads.

The Sumpter Gore farm located on both sides of a dirt road and 0.75 mile north of the intersection of said dirt road and State Primary Highway 9, said intersection being at Goretown.

The Bud Neals Graham farm located at the end of a dirt road and 0.6 mile east of its junction with a second dirt road, said junction being 0.75 mile south of the junction of the second dirt road and State Secondary Highway 78, said second junction being 0.75 mile southeast of Juniper Bay Church.

The Ed Hucks farm located on the north side of a dirt road and 0.4 mile east of the junction of said dirt road with State Secondary Highway 29, said junction being 2 miles southwest of the junction of said highway and State Secondary Highway 135.

The Rosetta Inman farm located on the northwest side of a junction of two dirt roads, said junction being 1.4 miles northwest of the intersection of the dirt road running northwest from State Secondary Highway 57 and Brooksville.

The J. E. Jordan farm located on the north side of a dirt road and being 0.7 mile west of the junction of said dirt road and U.S. Highway 501, said junction being in the Brown Swamp Community.

The Boyd Lewis farm located on the north side of a dirt road and 0.75 mile west of the intersection of said dirt road and State Secondary Highway 24, said intersection being in the Dog Bluff Community.

The J. T. Lewis farm located on the south side of State Secondary Highway 100, and 1.9 miles west of the junction of said highway and U.S. Highway 501, said junction being at Aynor.

The Tommy Lewis farm located on both sides of State Secondary Highway 50, and 1.6 miles north of the intersection of State Secondary Highway 50 and U.S. Highway 17, said intersection being at Little River.

The Flory Long farm located on the south side of a dirt road and being 0.2 mile west of the junction of said dirt road and State Secondary Highway 111, said junction being 1 mile southeast of the junction of said highway and State Secondary Highway 57.

The Cordie Page farm located on the north side of State Secondary Highway 128 and 0.4 mile west of the junction of said highway and U.S. Highway 501, said junction being at Aynor.

The Mattie C. Page farm located on the north side of a dirt road and 0.2 mile east of the junction of said dirt road and State Secondary Highway 129, said junction being 0.3 mile southeast of the intersection of said highway and State Secondary Highway 130.

The Talmage Richardson farm located on the north side of a dirt road and 1 mile southwest of the junction of said dirt road and State Secondary Highway 99, said junction being 1.75 miles north of the junction of said highway and State Secondary Highway 97.

The O. R. Shelley farm located on the east side of a dirt road and 0.8 mile northeast of the junction of said dirt road and State Secondary Highway 306, said junction being 1.1 miles west of the intersection of State Secondary Highway 306 and the South Carolina-North Carolina State line.

The Vide Williamson farm located on both sides of a dirt road and 0.4 mile from the junction of said dirt road and State Primary Highway 410, said junction being 0.7 mile northeast of the intersection of State Primary Highway 410 and State Secondary Highway 19.

Lee County. The Clark W. Thomas farm located on the north side of State Secondary Highway 168 and 1.1 miles east of its junction with State Primary Highway 58.

The E. W. Thomas farm located on the north side of State Secondary Highway 168 and 1.4 miles east of its junction with State Primary Highway 58, said farm being immediately north of the Clark W. Thomas farm.

Marion County. That area bounded by a line beginning at a point where the Marion-Dillon County line and the Lumber River join and extending southwest along said river to its junction with Little Pee Dee River, thence southwest along said river to its junction with Reedy Creek, thence northwest along said creek to its intersection with State Primary Highway 41, thence northeast along said highway to its junction with State Secondary Highway 33, thence west along said highway to its intersection with State Primary Highway 41A, thence north along said highway to its junction with U.S. Highway 501, thence northwest along said highway to its intersection with U.S. Highway 76, thence west along said highway to its junction with State Secondary Highway 64, thence due southwest along a line projected from said intersection to the Marion–Florence County line, thence northwest and north along said county line to its junction with the Marion-Dillon County line, thence north and northeast and southeast along said county line to the point of beginning, excluding all the corporate limits of the towns of Marion, Mullins, Nichols, Rains, and Sellers, except the W. P. Clark farm located on Marion Street in the town of Mullins one block south of the Mullins Armory, and the Harry Sellers farm located on the west side of U.S. Highway 301 in the town of Sellers.

That area bounded by a line beginning at a point where State Secondary Highway 9 and State Secondary Highway 40 junction and extending southeast along State Secondary Highway 40 to its junction with State Secondary Highway 47, thence southwest along said highway to its junction with State Secondary Highway 9, thence south along said highway to its junction with U.S. Highway 378, thence southwest along said highway to its intersection with the Great Pee Dee River, thence northwest along said river to its junction with Catfish Creek, thence north along said creek to its junction with Collins Creek, thence east and southeast along said creek to its junction with State Secondary Highway 9, thence southwest along said highway to the point of beginning.

That area bounded by a line beginning at a point where U.S. Highway 378 and State Secondary Highway 86 junction and extending north along State Secondary Highway 86 for 0.4 mile to its intersection with a stream, thence east along said stream to its junction with the Little Pee Dee River, thence south along said river to its junction with the Sampson Landing Road, thence west along said road to its junction with State Secondary Highway 49, thence northwest along said highway to its junction with U.S. Highway 378, thence southeast along said highway to the point of beginning.

The W. J. Atkinson farm located at the end of a dirt road and 0.4 mile southeast of its junction with State Secondary Highway 9, said junction being 2.85 miles southwest of the junction of State Secondary Highway 9 and State Primary Highway 41A.

The Otto Byrd farm located on the north side of a dirt road 0.5 mile northwest of its junction with State Secondary Highway 25, said junction being 1.3 miles southwest of the junction of said highway and State Secondary Highway 34.

The William Davis farm located on the northeast side of a dirt road and 1.5 miles southeast of its junction with State Secondary Highway 9, said junction being 1.5 miles northeast of the junction of said highway and State Secondary Highway 40.

The Earl and John Dozier farm located at the end of a dirt road which extends 5.5 miles in a west, southwest, and then in a southeastward direction from its junction with State Secondary Highways 248 and 25.

The Lotto Franklinton farm located on the south side of a dirt road 1.25 miles southwest of its junction with State Primary Highway 41A, said junction being 1.5 miles south of the intersection of said highway and State Secondary Highway 9.

The Louise Miles farm located on the northwest side of a dirt road, 0.4 mile southwest of the junction of said road with State Primary Highway 41A, said junction being 1 mile north of the junction of said highway and State Secondary Highway 389.

The J. L. Richardson farm located on the west side of State Secondary Highway 86, 3 miles north of the junction of State Secondary Highway 86 and U.S. Highway 378.

The Paul M. Richardson farm located on the southeast side of State Secondary Highway 207 and 1.1 miles southwest of the junction of said highway with State Primary Highway 908.

The Paul J. Richardson farm (The Paul J. Richardson Estate) located on the northwest side of State Secondary Highway 207 and 1 mile southwest of the junction of said highway with State Primary Highway 908.

The A. M. Rose and Lucile R. Deal (Roses Evergreen Farm) farm located at the south end of State Secondary Highway 65, and 2 miles southwest of the junction of said highway and U.S. Highway 501.

The W. W. Wilson farm located on the east side of State Secondary Highway 9, 1 mile south of its junction with State Secondary Highway 47.

The Clifton Woodberry farms located on the north side of a dirt road 0.35 mile west of its junction with State Secondary Highway

86, said junction being 2.1 miles southeast of the junction of said highway and State Primary Highway 908.

Marlboro County. That portion of the county lying south and east of U.S. Highway 15, excluding the corporate limits of the towns of Bennettsville, McColl, and Tatum.

The Gus Bowen farm located on the south side of the junction of State Secondary Highways 22 and 48, said junction being 2.9 miles northwest of Tatum.

The C. C. Caulk farm located on th east side of State Secondary Highway 283 and 0.3 mile east of the junction of said highway and State Primary Highway 38.

The Graham Lee Chavis farm located between State Secondary Highways 204 and 209 at their junction with State Secondary Highway 30.

The Hossie Conwell farm located on both sides of a dirt road and 1.3 miles northeast from the junction of said dirt road and State Secondary Highway 30, said junction being 0.5 mile northwest from the intersection of said State Secondary Highway 30 and State Secondary Highway 165.

The Oscar J. Fletcher farm located on the southwest side of State Secondary Highway 28 and 0.6 mile northwest of the junction of said highway and U.S. Highway 15.

The Lois P. Hamer farm located on both sides of a dirt road 0.1 mile north of the junction of said dirt road and U.S. Highway 15, said junction being 0.1 mile northwest of the intersection of U.S. Highway 15 and State Secondary Highway 22 at Tatum.

The James Joseph farm located on the southeast side of State Secondary Highway 165 and 1.2 miles southwest of its intersection with State Secondary Highway 257.

The Lula McEachern farm located on the north side of U.S. Highway 15 at the intersection of said highway and the South Carolina-North Carolina State line.

The Cleveland McKay farm located on the north side of State Secondary Highway 54 and the west side of State Secondary Highway 30 at the intersection of said highways.

The Ina Odom farm located on the northwest side of a dirt road and 0.4 mile northeast of its junction with State Secondary Highway 30, said junction being 0.3 mile northeast of the intersection of said highway and State Secondary Highway 54.

The D. M. Parker farm located on the northeast side of State Secondary Highway 28 and 0.2 mile northwest of its junction with U.S. Highway 15.

The Archie Pearson farm located on the east side of a dirt road 0.5 mile southwest of the junction of said dirt road and State Primary Highway 79, said junction being 0.3 mile south of the intersection of said highway and State Secondary Highway 71.

The D. C. Rainwater farm located on the west side of State Primary Highway 79 at the junction of said highway and State Secondary Highway 345.

The Tony Rosser farm located on the east side of a dirt road and 0.6 mile northeast of the junction of said dirt road and State Secondary Highway 30, said junction being 0.3 mile north of the junction of said highway and State Secondary Highway 54.

The James Tyson Smith farm located on the northwest side of State Secondary Highway 165 and 1.2 miles southwest of its intersection with State Secondary Highway 257.

The Pauline Steel farm located on the north side of State Secondary Highway 63 and the east side of Crooked Creek at the intersection of said highway and creek.

The Marvin Strong farm located on the south side of the South Carolina-North Carolina State line and 1.3 miles east of its junction with State Primary Highway 177.

Williamsburg County. The Ernest V. Carter farm located on the north side of a dirt road and 1.6 miles west of its junction with State Secondary Highway 51, said junction being 0.8 mile south of the junction of said highway and State Primary Highway 261.

The S. Wayne Gamble farm located on both sides of State Primary Highway 375 and 2 miles southeast of its intersection with U.S. Highway 52.

(Sec. 9, 37 Stat. 318, sec. 106, 71 Stat. 33; 7 U.S.C. 162, 150ee; 19 F.R. 74, as amended; 7 CFR 301.80–2. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161)

These revised administrative instructions shall become effective March 24, 1964, when they shall supersede P.P.C. 627, 6th Revision, effective April 27, 1963 (7 CFR 301.80–2a).

The purpose of these amendments is to include within the regulated areas additional farms in the following partially regulated counties: North Carolina—Counties of Brunswick, Columbus, Cumberland, Duplin, Jones, Lenoir, Moore, Pender, Sampson, Scotland, and Wayne. South Carolina—Counties of Chesterfield, Clarendon, Florence, Horry, Lee, Marion, Marlboro, and Williamsburg. In addition, individual farms are being placed under regulation for the first time in the following counties in North Carolina: Craven County (1 farm), Lee County (1 farm), and Onslow County (3 farms).

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

Done at Washington, D.C., this 19th day of March 1964.

[SEAL] D. R. SHEPHERD,
Acting Director,
Plant Pest Control Division.

[F.R. Doc. 64–2803; Filed, Mar. 23, 1964; 8:50 a.m.]

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

[Lemon Reg. 102, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

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

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment 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 amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.402 (Lemon Regulation 102, 29 F.R. 3391) are hereby amended to read as follows:

§ 910.402 Lemon Regulation 102.

* * * * *

(b) * * *

(1) * * *

(ii) District 2: 246,450 cartons.

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

Dated: March 19, 1964.

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

[F.R. Doc. 64–2787; Filed, Mar. 23, 1964; 8:47 a.m.]

[970.304 Amdt. 4]

PART 970—CARROTS GROWN IN SOUTH TEXAS

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 142 and Order No. 970, both as amended (7 CFR Part 970), regulating the handling of carrots grown in designated counties in South Texas, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601 et seq.), and upon the basis of the recommendation and information submitted by the South Texas Carrot Committee, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the amendment to the limitation of shipments hereinafter set forth will maintain orderly marketing conditions tending to increase returns to carrot growers in the production area.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that (1) the marketing season for 1963–64 crop South Texas carrots has begun, and shipments are now being made, (2) to maximize benefits to growers, this

amendment should apply to as many shipments of carrots as possible during the remainder of the 1963–64 season, (3) regulations have been issued under the order since 1960, so compliance with this amendment will not require any special preparation on the part of handlers, (4) information regarding the committee's recommendation has been disseminated to producers and handlers in the production area, and (5) this amendment relieves restrictions on the handling of carrots.

Order, as amended. In § 970.304 (28 F.R. 11666, 12358; 29 F.R. 601, 2672), amend paragraph (b)(1) to read as follows:

§ 970.304 **Limitation of shipments.**

* * * * *

(b) *Sizing requirements.* * * *

(1) *Medium-to-large:* ¾ inch minimum diameter to 1½ inches maximum diameter, 5½ inches minimum length, with an average of 30 percent by count 1 inch minimum diameter or larger and no sample with less than 15 percent by count 1 inch or larger in diameter.

* * * * *

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

Dated: March 18, 1964, to become effective March 27, 1964.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 64–2788; Filed, Mar. 23, 1964; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63–CE–41]

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

Designation of Control Zone and Transition Area

On June 13, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 6017) stating that the Federal Aviation Agency (FAA) proposed to designate a control zone and transition area at Worthington, Minn.

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

In response to the notice, the Air Transport Association of America (ATA) registered the request that the Worthington control zone be designated with a 5-mile radius rather than the 3-mile radius proposed in the notice. The basis for this request was that plans were underway to lengthen a runway at the Worthington Municipal Airport from 4,000 to 5,000 feet, and, that this increase will permit larger and faster aircraft to utilize the airport.

The ATA also stated that the action proposed in the notice did not give recognition to the special use instrument approach procedures used at Worthington by North Central Airlines. The ATA commented that supplementary information they had received in conjunction with the action proposed in the notice indicated the FAA had recommended the cancellation of the North Central Airlines' special use ADF Procedure No. 1 and that the North Central Airlines' special use ADF Procedure No. 2 was not given consideration in developing the controlled airspace requirements in the Worthington terminal area.

The FAA has reviewed the ATA's comments and finds that the construction involved in the proposed lengthening of the runway at Worthington could not be accomplished with any degree of assurance before late 1964. Additionally, the fact that the runway may be lengthened does not in itself dictate that a larger than 3-mile radius control zone be designated. The more dominant factor is the operational characteristics of the aircraft that are actually using the airport. When it is firm that larger and faster aircraft are scheduled to begin serving the Worthington area, the FAA will give immediate consideration to increasing the radius of the control zone.

The ATA's comments with respect to the use and intended disposition of North Central Airlines' special use ADF instrument approach procedures by the FAA in developing the Worthington terminal area structure requirements are partially correct. However, neither of the special use procedures referred to by ATA will be cancelled without coordination with the ATA. The ATA's request that additional control zone and transition areas be designated at Worthington for the protection of special use procedures, goes beyond the scope of the proposal and requires consideration of matters not covered in the notice. Under such circumstances, the FAA has determined that such substantive changes in the provisions of the notice should not be made without further study and an opportunity for comment by all interested persons. Accordingly, the matter of providing controlled airspace to protect special use instrument approach procedures as recommended by the ATA will be given further consideration by the FAA and if such a change is deemed appropriate, it will be the subject of further rule making action.

The action herein adopts the changes proposed in the notice except for a reduction in the effective hours of the Worthington control zone. The ATA has advised that the hours North Central Airlines personnel will be able to conduct weather reporting service at Worthington must be limited to the normal North Central Airlines workday schedule, which is currently from 1000 to 1900 hours, local time, daily. Therefore, the action taken herein designates the Worthington control zone as being effective coincident with the hours during which weather reporting service will be available.

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

1. Section 71.171 (29 F.R. 1101) is amended by adding the following control zone:

Worthington, Minn.

Within a 3-mile radius of the Worthington Municipal Airport (latitude 43°39'10" N., longitude 95°34'50" W.), and within 2 miles each side of the 358° bearing from Worthington Municipal Airport, extending from the 3-mile radius zone to 7 miles N of the airport, from 1000 to 1900 hours, local time, daily.

2. Section 71.181 (29 F.R. 1160) is amended by adding the following transition area:

Worthington, Minn.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Worthington Municipal Airport (latitude 43°39'10" N., longitude 95°34' 50" W.), and within 8 miles W and 5 miles E of the 358° bearing from Worthington Municipal Airport, extending from the airport to 13 miles N of the airport; and that airspace extending upward from 1,200 feet above the surface within 8 miles W and 5 miles E of the 178° bearing from Worthington Municipal Airport, extending from the airport to the S boundary of V–120.

These amendments shall become effective 0001 e.s.t., May 28, 1964.

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

Issued in Washington, D.C., on March 16, 1964.

D. E. BARROW,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64–2768; Filed, Mar. 23, 1964; 8:45 a.m.]

[Airspace Docket No. 63–SO–67]

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

Alteration and Designation of Transition Area

On December 18, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 13789) stating that the Federal Aviation Agency (FAA) proposed to designate a transition area at Dublin, Ga.

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

Subsequent to the publication of the notice, a change in the proposed missed approach procedure eliminated the requirement for the portion of the proposed Dublin transition area extending upward from 1,200 feet. Therefore, the FAA has withdrawn such portion from the proposed designation of the Dublin transition area. It was also determined in the further study of the Dublin terminal area that the designation of the Macon, Ga., transition area (28 F.R. 4610, 9250) resulted in the minimum en route altitude on V–154 being raised from 2,000 feet to 3,300 on the segment between Oconee Intersection and the Dublin VOR. This action was not intended nor necessary. Therefore, action is taken herein to alter the Macon tran-

sition area by eliminating a small triangular area south of the Dublin Municipal Airport.

The substance of the proposed amendments having been published and for the reasons stated herein and in the notice, § 71.181 (29 F.R. 1160) is amended as follows:

1. The following transition area is added:

Dublin, Ga.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Dublin Municipal Airport (latitude 32°-33'55" N., longitude 82°59'10" W.); within 2 miles each side of the Dublin VOR 071° radial, extending from the 5-mile radius area to the VOR.

2. The Macon, Ga., transition area is amended as follows:

In the text "within the area E of Macon extending from the 35-mile radius area bounded on the N by V-56, on the E by longitude 82°30'00" W., on the S by V-70, and on the W by V-267;" is deleted and "within the area E of Macon bounded on the N by V-56, on the E by longitude 82°30'00" W., on the SE by V-70, on the S by V-154 and on the W by the 35-mile radius area;" is substituted therefor.

These amendments shall become effective 0001 e.s.t., May 28, 1964.

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

Issued in Washington, D.C., on March 16, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-2769; Filed, Mar. 23, 1964; 8:45 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER C—DRUGS

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

Buffered Crystalline Penicillin

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 (21 CFR 2.90; 29 F.R. 471), the regulations for the certification of antibiotic and antibiotic-containing drugs (21 CFR 146a.37) are amended as follows:

Section 146a.37 is amended by changing paragraph (a) to provide for the optional use of citric acid in the buffering system of buffered crystalline penicillin. As amended, paragraph (a) reads as follows:

§ 146a.37 Buffered crystalline penicillin.

* * * * *

(a) It contains the buffer sodium citrate in a quantity not less than 4.0 percent and not more than 5.0 percent by weight of its total solids. Citric acid may be substituted for not more than 0.15 percent of the sodium citrate. Such sodium citrate and citric acid conform to the standards prescribed therefor by the U.S.P.;

* * * * *

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since the amendment merely provides for the optional use of an inactive ingredient in buffered crystalline penicillin and the finished product is safe and efficacious for use.

This order shall become effective 30 days from the date of its publication in the FEDERAL REGISTER.

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

Dated: March 18, 1964.

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

[F.R. Doc. 64-2795; Filed, Mar. 23, 1964; 8:48 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6712]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Miscellaneous Amendments

On December 3, 1963, notice of proposed rule making with respect to the amendments of the Income Tax Regulations (26 CFR Part 1) under sections 165, 167, 179, 611, 642, 652, and 1014 of the Internal Revenue Code of 1954 to reflect the changes made by section 13 (c) and (g) of the Revenue Act of 1962 (76 Stat. 1034) was published in the FEDERAL REGISTER (28 F.R. 12824). No objection to the rules proposed having been received during the 30-day period prescribed in the notice, the regulations as proposed are hereby adopted.

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

Approved: March 14, 1964.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

The Income Tax Regulations (26 CFR Part 1) under sections 165, 167, 179, 611, 642, 652, and 1014 of the Internal Revenue Code of 1954 are hereby amended to reflect the amendments made to such Code by section 13 (c) and (g) of the Revenue Act of 1962 (76 Stat. 1034). Such regulations are amended as follows:

PARAGRAPH 1. Paragraph (a)(5) of § 1.165-7 is amended to read as follows:

§ 1.165-7 Casualty losses.

(a) *In general.* * * *

(5) *Property converted from personal use.* In the case of property which originally was not used in the trade or business or for income-producing purposes and which is thereafter converted to either of such uses, the fair market value of the property on the date of conversion, if less than the adjusted basis of the property at such time, shall be used, after making proper adjustments in respect of basis, as the basis for determining the amount of loss under paragraph (b)(1) of this section. See paragraph (b) of § 1.165-9, and § 1.167(g)-1.

* * * * *

PAR. 2. Paragraphs (b)(3) and (c) of § 1.165-9 are amended to read as follows:

§ 1.165-9 Sale of residential property.

* * * * *

(b) *Property converted from personal use.* * * *

(3) For rules relating to casualty losses of property converted from personal use, see paragraph (a)(5) of § 1.165-7. To determine the basis for depreciation in the case of such property, see § 1.167(g)-1. For limitations on the loss from the sale of a capital asset, see paragraph (c)(3) of § 1.165-1.

(c) *Examples.* The application of paragraph (b) of this section may be illustrated by the following examples:

Example (1). Residential property is purchased by the taxpayer in 1943 for use as his personal residence at a cost of $25,000, of which $15,000 is allocable to the building. The taxpayer uses the property as his personal residence until January 1, 1952, at which time its fair market value is $22,000, of which $12,000 is allocable to the building. The taxpayer rents the property from January 1, 1952, until January 1, 1955, at which time it is sold for $16,000. On January 1, 1952, the building has an estimated useful life of 20 years. It is assumed that the building has no estimated salvage value and that there are no adjustments in respect of basis other than depreciation, which is computed on the straight-line method. The loss to be taken into account for purposes of section 165(a) for the taxable year 1955 is $4,200, computed as follows:

Basis of property at time of conversion for purposes of this section (that is, the lesser of $25,000 cost or $22,000 fair market value)	$22,000
Less: Depreciation allowable from January 1, 1952, to January 1, 1955 (3 years at 5 percent based on $12,000, the value of the building at time of conversion, as prescribed by § 1.167(g)-1)	1,800
Adjusted basis prescribed in § 1.1011-1 for determining loss on sale of the property	20,200
Less: Amount realized on sale	16,000
Loss to be taken into account for purposes of section 165(a)	4,200

In this example the value of the building at the time of conversion is used as the basis for computing depreciation. See example (2) of this paragraph wherein the adjusted basis of the building is required to be used for such purpose.

Example (2). Residential property is purchased by the taxpayer in 1940 for use as his personal residence at a cost of $23,000, of which $10,000 is allocable to the building. The taxpayer uses the property as his personal residence until January 1, 1953, at which time its fair market value is $20,000, of which $12,000 is allocable to the building. The taxpayer rents the property from January 1, 1953, until January 1, 1957, at which

time it is sold for $17,000. On January 1, 1953, the building has an estimated useful life of 20 years. It is assumed that the building has no estimated salvage value and that there are no adjustments in respect of basis other than depreciation, which is computed on the straight-line method. The loss to be taken into account for purposes of section 165 a) for the taxable year 1957 is $1,000, computed as follows:

Basis of property at time of conversion for purposes of this section (that is, the lesser of $23,000 cost or $20,000 fair market value)	$20,000
Less: Depreciation allowable from January 1, 1953, to January 1, 1957 (4 years at 5 percent based on $10,000, the cost of the building, as prescribed by § 1.167(g)–1)	2,000
Adjusted basis prescribed in § 1.1011–1 for determining loss on sale of the property	18,000
Less: Amount realized on sale	17,000
Loss to be taken into account for purposes of section 165(a)	1,000

PAR. 3. Paragraphs (a) and (c) of § 1.167(a)–1 are amended to read as follows:

§ 1.167(a)–1 Depreciation in general.

(a) *Reasonable allowance.* Section 167(a) provides that a reasonable allowance for the exhaustion, wear and tear, and obsolescence of property used in the trade or business or of property held by the taxpayer for the production of income shall be allowed as a depreciation deduction. The allowance is that amount which should be set aside for the taxable year in accordance with a reasonably consistent plan (not necessarily at a uniform rate), so that the aggregate of the amounts set aside, plus the salvage value, will, at the end of the estimated useful life of the depreciable property, equal the cost or other basis of the property as provided in section 167(g) and § 1.167(g)–1. An asset shall not be depreciated below a reasonable salvage value under any method of computing depreciation. However, see section 167(f) and § 1.167(f)–1 for rules which permit a reduction in the amount of salvage value to be taken into acount for certain personal property acquired after October 16, 1962. See also paragraph (c) of this section for definition of salvage. The allowance shall not reflect amounts representing a mere reduction in market value. See section 179 and § 1.179–1 for a further description of the term "reasonable allowance."

* * * * *

(c) *Salvage.* (1) Salvage value is the amount (determined at the time of acquisition) which is estimated will be realizable upon sale or other disposition of an asset when it is no longer useful in the taxpayer's trade or business or in the production of his income and is to be retired from service by the taxpayer. Salvage value shall not be changed at any time after the determination made at the time of acquisition merely because of changes in price levels. However, if there is a redetermination of useful life under the rules of paragraph (b) of this section, salvage value may be redetermined based upon facts known at the time of such redetermination of useful life. Salvage, when reduced by the cost of removal, is referred to as net salvage. The time at which an asset is retired from service may vary according to the policy of the taxpayer. If the taxpayer's policy is to dispose of assets which are still in good operating condition, the salvage value may represent a relatively large proportion of the original basis of the asset. However, if the taxpayer customarily uses an asset until its inherent useful life has been substantially exhausted, salvage value may represent no more than junk value. Salvage value must be taken into account in determining the depreciation deduction either by a reduction of the amount subject to depreciation or by a reduction in the rate of depreciation, but in no event shall an asset (or an account) be depreciated below a reasonable salvage value. See, however, paragraph (a) of § 1.167(b)–2 for the treatment of salvage under the declining balance method, and § 1.179–1 for the treatment of salvage in computing the additional first-year depreciation allowance. The taxpayer may use either salvage or net salvage in determining depreciation allowances but such practice must be consistently followed and the treatment of the costs of removal must be consistent with the practice adopted. For specific treatment of salvage value, see §§ 1.167(b)–1, 1.167(b)–2, and 1.167(b)–3. When an asset is retired or disposed of, appropriate adjustments shall be made in the asset and depreciation reserve accounts. For example, the amount of the salvage adjusted for the costs of removal may be credited to the depreciation reserve.

(2) For taxable years beginning after December 31, 1961, and ending after October 16, 1962, see section 167(f) and § 1.167(f)–1 for rules applicable to the reduction of salvage value taken into account for certain personal property acquired after October 16, 1962.

PAR. 4. Paragraph (a) of § 1.167(b)–2 is amended to read as follows:

§ 1.167(b)–2 Declining balance method.

(a) *Application of method.* Under the declining balance method a uniform rate is applied each year to the unrecovered cost or other basis of the property. The unrecovered cost or other basis is the basis provided by section 167(g), adjusted for depreciation previously allowed or allowable, and for all other adjustments provided by section 1016 and other applicable provisions of law. The declining balance rate may be determined without resort to formula. Such rate determined under section 167(b)(2) shall not exceed twice the appropriate straight line rate computed without adjustment for salvage. While salvage is not taken into account in determining the annual allowances under this method, in no event shall an asset (or an account) be depreciated below a reasonable salvage value. However, see section 167(f) and § 1.167(f)–1 for rules which permit a reduction in the amount of salvage value to be taken into account for certain personal property acquired after October 16, 1962. Also, see section 167(c) and § 1.167(c)–1 for restrictions on the use of the declining balance method.

PAR. 5. Section 1.167(f) is redesignated as § 1.167(g) and a historical note is added at the end thereof. The section reads as follows:

§ 1.167(g) Statutory provisions; depreciation; basis for depreciation.

Sec. 167. *Depreciation.* * * *

(g) *Basis for depreciation.* The basis on which exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be the adjusted basis provided in section 1011 for the purpose of determining the gain on the sale or other disposition of such property.

[Sec. 167(g) as relettered by sec. 13(c), Rev. Act 1962 (76 Stat. 1034)]

PAR. 6. Section 1.167(f)–1 is redesignated as § 1.167(g)–1. The section headnote reads as follows:

§ 1.167(g)–1 Basis for depreciation.

PAR. 7. Section 1.167(g) is redesignated as § 1.167(h), and a historical note is added at the end thereof. The section reads as follows:

§ 1.167(h) Statutory provisions; depreciation; life tenants and beneficiaries of trusts and estates.

Sec. 167. *Depreciation.* * * *

(h) *Life tenants and beneficiaries of trusts and estates.* In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowed to the life tenant. In the case of property held in trust, the allowable deduction shall be apportioned between the income beneficiaries and the trustee in accordance with the pertinent provisions of the instrument creating the trust, or, in the absence of such provisions, on the basis of the trust income allocable to each. In the case of an estate, the allowable deduction shall be apportioned between the estate and the heirs, legatees and devisees on the basis of the income of the estate allocable to each.

[Sec. 167(h) as relettered by sec. 13(c), Rev. Act 1962 (76 Stat. 1034)]

PAR. 8. Section 1.167(g)–1 is redesignated as § 1.167(h)–1. The section headnote reads as follows:

§ 1.167(h)–1 Life tenants and beneficiaries of trusts and estates.

PAR. 9. Section 1.167(h) is redesignated as § 1.167(i) and a historical note is added at the end thereof. The section reads as follows:

§ 1.167(i) Statutory provisions; depreciation; depreciation of improvements in the case of mines, etc.

Sec. 167. *Depreciation.* * * *

(i) *Depreciation of improvements in the case of mines, etc.* For additional rule applicable to depreciation of improvements in the case of mines, oil and gas wells, other natural deposits, and timber, see section 611.

[Sec. 167(i) as relettered by sec. 13(c), Rev. Act 1962 (76 Stat. 1034)]

PAR. 10. Section 1.167(h)–1 is redesignated as § 1.167(i)–1. The section headnote reads as follows:

§ 1.167(i)–1 Depreciation of improvements in the case of mines, etc.

PAR. 11. There are inserted immediately after § 1.167(e)–1 the following new sections:

§ 1.167(f) Statutory provisions; depreciation; salvage value.

Sec. 167. *Depreciation.* * * *

(f) *Salvage value*—(1) *General rule.* Under regulations prescribed by the Secretary or his delegate, a taxpayer may, for purposes of computing the allowance under subsection (a) with respect to personal property, reduce the amount taken into account as salvage value by an amount which does not exceed 10 percent of the basis of such property (as determined under subsection (g) as of the time as of which such salvage value is required to be determined).

(2) *Personal property defined.* For purposes of this subsection, the term "personal property" means depreciable personal property (other than livestock) with a useful life of 3 years or more acquired after the date of the enactment of the Revenue Act of 1962.

[Sec. 167(f) as added by sec. 13(c), Rev. Act 1962 (76 Stat. 1034)]

§ 1.167(f)–1 Reduction of salvage value taken into account for certain personal property.

(a) *In general.* For taxable years beginning after December 31, 1961, and ending after October 16, 1962, a taxpayer may reduce the amount taken into account as salvage value in computing the allowance for depreciation under section 167(a) with respect to "personal property" as defined in section 167(f)(2) and paragraph (b) of this section. The reduction may be made in an amount which does not exceed 10 percent of the basis of the property for determining depreciation, as of the time as of which salvage value is required to be determined (or when salvage value is redetermined), taking into account all adjustments under section 1016 other than (1) the adjustment under section 1016(a)(2) for depreciation allowed or allowable to the taxpayer, and (2) the adjustment under section 1016(a)(19) for a credit earned by the taxpayer under section 38, to the extent such adjustment is reflected in the basis for depreciation. See paragraph (c) of § 1.167(a)–1 for the definition of salvage value, the time for making the determination, the redetermination of salvage value, and the general rules with respect to the treatment of salvage value. See also section 167(g) and § 1.167(g)–1 for basis for depreciation. A reduction of the amount taken into account as salvage value with respect to any property shall not be binding with respect to other property. In no event shall an asset (or an account) be depreciated below a reasonable salvage value after taking into account the reduction in salvage value permitted by section 167(f) and this section.

(b) *Definitions and special rules.* The following definitions and special rules apply for purposes of section 167(f) and this section.

(1) *Personal property.* The term "personal property" shall include only depreciable—

(i) Tangible personal property (as defined in section 48 and the regulations thereunder) and

(ii) Intangible personal property

which has an estimated useful life (determined at the time of acquisition) of 3 years or more and which is acquired after October 16, 1962. Such term shall not include livestock. The term "livestock" includes horses, cattle, hogs, sheep, goats, and mink and other fur-bearing animals, irrespective of the use to which they are put or the purpose for which they are held. The original use of the property need not commence with the taxpayer so long as he acquired it after October 16, 1962; thus, the property may be new or used. For purposes of determining the estimated useful life, the provisions of paragraph (b) of § 1.167(a)–1 shall be applied. For rules determining when property is acquired, see subparagraph (2) of this paragraph. For purposes of determining the types of intangible personal property which are subject to the allowance for depreciation, see § 1.167(a)–3.

(2) *Acquired.* In determining whether property is acquired after October 16, 1962, property shall be deemed to be acquired when reduced to physical possession, or control. Property which has not been used in the taxpayer's trade or business or held for the production of income and which is thereafter converted by the taxpayer to such use shall be deemed to be acquired on the date of such conversion. In addition, property shall be deemed to be acquired if constructed, reconstructed, or erected by the taxpayer. If construction, reconstruction, or erection by the taxpayer began before October 17, 1962, and was completed after October 16, 1962, section 167(f) and this section apply only to that portion of the basis of the property which is properly attributable to such construction, reconstruction, or erection after October 16, 1962. Property is considered as constructed, reconstructed, or erected by the taxpayer if the work is done for him in accordance with his specifications. The portion of the basis of such property attributable to construction, reconstruction, or erection after October 16, 1962, consists of all costs of the property allocable to the period after October 16, 1962, including the cost or other basis of materials entering into such work. It is not necessary that such materials be acquired after October 16, 1962, or that they be new in use. If construction or erection by the taxpayer began after October 16, 1962, the entire cost or other basis of such construction or erection qualifies for the reduction provided for by section 167(f) and this section. In the case of reconstruction of property, section 167(f) and this section do not apply to any part of the adjusted basis of such property on October 16, 1962. For purposes of this section, construction, reconstruction, or erection by the taxpayer begins when physical work is started on such construction, reconstruction, or erection.

(c) *Illustrations.* The provisions of paragraphs (a) and (b) of this section may be illustrated by the following examples:

Example (1). Taxpayer A purchases a new asset for use in his business on January 1, 1963, for $10,000. The asset qualifies for the investment credit under section 38 and for the additional first-year depreciation allowance under section 179. A is entitled to an investment credit of $700 (7% × $10,000) and elects to take an additional first-year depreciation allowance of $2,000 (20% × $10,000). The basis for depreciation (determined in accordance with the provisions of section 167(g) and § 1.167(g)–1) is computed as follows:

Purchase price		$10,000
Less:		
Adjustment required under section 1016(a)(19) for the investment credit	$700	
Adjustment required under section 1016(a)(2) for the additional first-year depreciation allowance	2,000	
		2,700
Basis for depreciation		7,300

However, the basis of the property for determining depreciation as of the time as of which salvage value is required to be determined is $10,000, the purchase price of the property. A files his income tax returns on a calendar year basis and uses the straight line method of depreciation. A estimates that he will use the asset in his business for 10 years after which it will have a salvage value of $500, which is less than $1,000 (10% × $10,000, the basis of the property for determining depreciation as of the time as of which salvage value is required to be determined). Thus, in computing his depreciation allowance on the asset, A may reduce the amount taken into account as salvage value to zero and may deduct $730 ($7,300 ÷ 10) for each year of the useful life of the property. Accordingly, A may claim depreciation deductions (including the additional first-year depreciation allowance) totaling $9,300, i.e., the purchase price of the property ($10,000) less the adjustment for the investment credit ($700).

Example (2). Assume the same facts as in example (1) except that A in a subsequent taxable year redetermines the estimate of the useful life of the asset and at the same time also redetermines the estimate of salvage value. Assume also that at such time there are no adjustments to basis other than for depreciation allowed or allowable and for the investment credit under section 38. Accordingly, the reduction under section 167(f) and this section will be computed with regard to the purchase price and not the unrecovered basis for depreciation at the time of the redetermination.

Example (3). Assume the same facts as in example (1) except that A estimates that the asset will have a salvage value of $1,200 at the end of its useful life. In computing his depreciation for the asset, A may reduce the amount taken into account as salvage value to $200 ($1,200 − $1,000) and may deduct $710 ($7,300 − $200 ÷ 10) for each year of the useful life of the property. Accordingly, A may claim depreciation deductions (including the additional first-year depreciation allowance) totaling $9,100, i.e., the purchase price of the property ($10,000) less the adjustment for the investment credit ($700) and the amount taken into account as salvage value ($200).

Example (4). Assume the same facts as in example (1) except that the taxpayer had taken into account salvage value of only $200 but that the estimated salvage value had actually been $700. The amount of salvage value taken into account by the taxpayer is permissible since the reduction of salvage value by $500 ($700 − $200) would be within the limit provided for in section 167(f), i.e., $1,000 (10% × $10,000).

Example (5). On January 1, 1963, taxpayer B, a taxicab operator, traded his old taxicab plus cash for a new one, which had an estimated useful life of three years, in a transaction qualifying as a nontaxable exchange. The old taxicab had an adjusted basis of $2,500. B was allowed $3,000 for his old taxicab and paid $1,000 in cash. The basis of the new taxicab for determining depreciation (as determined under section 167(g) and § 1.167(g)–1) is the adjusted basis of the old taxicab at the time of trade-in

($2,500) plus the additional cash paid out ($1,000), or $3,500. In computing his depreciation allowance on the new taxicab, B may reduce the amount taken into account as salvage value by $350 (10% of $3,500).

Example (6). Taxpayer C purchases a new asset for use in his business on January 1, 1963, for $10,000. At the time of purchase, the asset has an estimated useful life of 10 years and an estimated salvage value of $1,500. C elects to compute his depreciation allowance for the asset by the declining balance method of depreciation, using a rate of 20% which is twice the normal straight line rate of 10% (without adjustment for salvage value). C files his income tax returns on a calendar year basis. In computing his depreciation allowance for the year 1966, C changes his method of determining the depreciation allowance for the asset from the declining balance method to the straight line method (in which salvage value is accounted for in determining the annual depreciation allowances) in accordance with the provisions of section 167(e) and paragraph (b) of § 1.167(e)–1. He also wishes to reduce the amount of salvage value taken into account in accordance with the provisions of section 167(f) and this section. At the close of the year 1966, the only adjustments which had been made to the basis of the asset were for depreciation allowances and for the investment credit under section 38. Thus, C may reduce the amount of salvage value taken into account by $1,000 (10% of $10,000, the basis of the asset when it was acquired), and, therefore, will account for salvage value of only $500 in computing his depreciation allowance for the asset in 1966 and subsequent years.

Example (7). Taxpayer D purchases a station wagon for his personal use on January 1, 1962, for $4,500. On January 1, 1963, D converts the use of the station wagon to his business, and at that time it has an estimated useful life of 4 years, an estimated salvage value of $500, and a basis of $3,000 (as determined under section 167 (g) and § 1.167(g)–1). Thus, for purposes of section 167(f) and this section, D is deemed to have acquired the station wagon on January 1, 1963. D elects the straight line method of depreciation in computing the depreciation allowance for the station wagon and also wishes to reduce the amount of salvage value taken into account in accordance with the provisions of section 167(f) and this section. Accordingly, D may reduce the amount of salvage value taken into account by $300 (10% of $3,000). D files his income tax returns on a calendar year basis. His depreciation allowance for the year 1963 would be computed as follows:

Basis for depreciation		$3,000
Less:		
Salvage value	$500	
Reduction permitted by section 167(f)	300	
		200
Amount to be depreciated over the useful life		2,800

D's depreciation allowance on the station wagon for the year 1963 would be $700 ($2,800 divided by 4, the remaining useful life).

PAR. 12. Section 1.179 is amended by revising section 179(d) (5) and (8) and by revising the historical note. These amended provisions read as follows:

§ 1.179 Statutory provisions; additional first-year depreciation allowance.

Sec. 179. *Additional first-year depreciation allowance for small business.* * * *

(d) *Definitions and special rules.* * * *

(5) *Estates.* In the case of an estate, any amount apportioned to an heir, legatee, or devisee under section 167(h) shall not be taken into account in applying subsection (b) of this section to section 179 property of such heir, legatee, or devisee not held by such estate.

* * * * *

(8) *Adjustment to basis; when made.* In applying section 167(g), the adjustment under section 1016(a)(2) resulting by reason of an election made under this section with respect to any section 179 property shall be made before any other deduction allowed by section 167(a) is computed.

* * * * *

[Sec. 179 as added by sec. 204, Small Business Tax Revision Act 1958 (72 Stat. 1679); as amended by sec. 13(c), Rev. Act 1962 (76 Stat. 1034)]

PAR. 13. Paragraph (d) of § 1.179–1 is amended to read as follows:

§ 1.179–1 Additional first-year depreciation allowance.

* * * * *

(d) *Salvage.* The allowance under section 179 is computed without regard to any salvage value which is estimated will be realizable upon the sale or other disposition of the section 179 property when it is no longer useful in the taxpayer's trade or business or in the production of his income and is to be retired from service by the taxpayer. But see paragraphs (a) and (c) of § 1.167(a)–1 and § 1.167(f)–1 for rules relating to salvage in computing the depreciation allowance under section 167 on the unrecovered cost of the section 179 property after the allowance of the deduction under section 179.

* * * * *

PAR. 14. Paragraph (b)(1) of § 1.611–5 is amended to read as follows:

§ 1.611–5 Depreciation of improvements.

* * * * *

(b) *Special rules for mines, oil and gas wells, other natural deposits and timber.* (1) For principles governing the apportioning of depreciation allowances under sections 611 and 167 in the case of property held by one person for life with remainder to another or in the case of property held in trust or by an estate, see § 1.167(h)–1.

* * * * *

PAR. 15. Section 1.642(e) is amended and a historical note is added at the end thereof. These amended and added provisions read as follows:

§ 1.642(e) Statutory provisions; estates and trusts; special rules for credits and deductions; deduction for depreciation and depletion.

Sec. 642. *Special rules for credits and deductions.* * * *

(e) *Deduction for depreciation and depletion.* An estate or trust shall be allowed the deduction for depreciation and depletion only to the extent not allowable to beneficiaries under sections 167(h) and 611(b).

[Sec. 642 (e) as amended by sec. 13(c), Rev. Act 1962 (76 Stat. 1034)]

PAR. 16. Section 1.642(e)–1 is amended to read as follows:

§ 1.642(e)–1 Depreciation and depletion.

An estate or trust is allowed the deductions for depreciation and depletion, but only to the extent the deductions are not apportioned to beneficiaries under sections 167(h) and 611(b). For purposes of sections 167(h) and 611(b), the term "beneficiaries" includes charitable beneficiaries. See the regulations under those sections.

PAR. 17. Section 1.642(f)–1 is amended to read as follows:

§ 1.642(f)–1 Amortization of emergency or grain storage facilities.

An estate or trust is allowed amortization deductions with respect to an emergency facility as defined in section 168(d) and with respect to a grain storage facility as defined in section 169(d) in the same manner and to the same extent as in the case of an individual. However, the principles governing the apportionment of the deductions for depreciation and depletion between the fiduciaries and the beneficiaries of an estate or trust (see sections 167(h) and 611(b) and the regulations thereunder) shall be applicable with respect to such amortization deductions.

PAR. 18. Paragraph (c) of the example in § 1.652(c)–4 is amended to read as follows:

§ 1.652(c)–4 Illustration of the provisions of sections 651 and 652.

* * * * *

(c) The distributable net income of the trust computed under section 643(a) is $91,100, determined as follows (cents are disregarded in the computation):

Rents		$25,000
Dividends		50,000
Tax-exempt interest	$25,000	
Less: Expenses allocable thereto (25,000/100,000 × $3,900)	975	
		24,025
Total		99,025
Deductions:		
Expenses directly attributable to rental income	$5,000	
Trustee's commissions ($3,900 less $975 allocable to tax-exempt interest)	2,925	
		7,925
Distributable net income		91,100

In computing the distributable net income of $91,100, the taxable income of the trust was computed with the following modifications: No deductions were allowed for distributions to the beneficiaries and for personal exemption of the trust (section 643(a) (1) and (2)); capital gains were excluded and no deduction under section 1202 (relating to the 50-percent deduction for long-term capital gains) was taken into account (section 643(a)(3)); the tax-exempt interest (as adjusted for expenses) and the dividend exclusion of $50 were included (section 643(a) (5) and (7)). Since all of the income of the trust is required to be currently distributed, no deduction is allowable for depreciation in the absence of specific provisions in the governing instrument providing for the keeping of the trust corpus intact. See section 167(h) and the regulations thereunder.

* * * * *

PAR. 19. Paragraph (b)(3)(iii)(*a*) of § 1.1014–6 is amended to read as follows:

§ 1.1014–6 Special rule for adjustments to basis where property is acquired from a decedent prior to his death.

* * * * *

(b) *Multiple interests in property described in section 1014(b)(9) and acquired from a decedent prior to his death.* * * *

(3) * * *

(iii) * * *

(*a*) In cases where the value of the life interest is not included in the decedent's gross estate, the amount of such allowance to the life tenant under section 167(h) (or section 611(b)) shall not exceed (or be less than) the amount which would have been allowable to the life tenant if no portion of the basis of the property was determined under section 1014(a). Proper adjustment shall be made for the amount allowable to the life tenant, as required by section 1016. Thus, an appropriate adjustment shall be made to the uniform basis of the property in the hands of the trustee, to the basis of the life interest in the hands of the life tenant, and to the basis of the remainder in the hands of the remainderman.

* * * * *

(Sec. 7805 of the Internal Revenue Code; 68A Stat. 917; 26 U.S.C. 7805)

[F.R. Doc. 64–2792; Filed, Mar. 23, 1964; 8:48 a.m.]

SUBCHAPTER B—ESTATE TAX

[T.D. 6711]

PART 20—ESTATE TAX; ESTATES OF DECEDENTS DYING AFTER AUGUST 16, 1954

Extension of Time for Filing Return

In order to permit district directors in certain cases to grant extensions of time for filing estate tax returns applied for after the due date of the return, paragraph (b) of § 20.6081–1 of the Estate Tax Regulations (26 CFR Part 20) is amended to read as follows:

§ 20.6081–1 Extension of time for filing the return.

* * * * *

(b) The application for an extension of time for filing the return shall be addressed to the district director for the district in which the return is to be filed, and must contain a full recital of the causes for the delay. It should be made before the expiration of the time within which the return otherwise must be filed and failure to do so may indicate negligence and constitute sufficient cause for denial. It should, where possible, be made sufficiently early to permit the district director to consider the matter and reply before what otherwise would be the due date of the return.

Because the above amendment is favorable to taxpayers, it is hereby found that it is unnecessary to issue this amendment with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

(Sec. 7805 of the Internal Revenue Code of 1954; 68A Stat. 917; 26 U.S.C. 7805)

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

Approved: March 14, 1964.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

[F.R. Doc. 64–2791; Filed, Mar. 23, 1964; 8:48 a.m.]

SUBCHAPTER E—ALCOHOL, TOBACCO, AND OTHER EXCISE TAXES

[T.D. 6715]

PART 211—DISTRIBUTION AND USE OF DENATURED ALCOHOL AND RUM

PART 212—FORMULAS FOR DENATURED ALCOHOL AND RUM

Miscellaneous Amendments

On December 27, 1963, a notice of proposed rule making to amend 26 CFR Parts 211 and 212 was published in the FEDERAL REGISTER (28 F.R. 14325). As stated in the notice, the purposes of the proposed amendments were to (1) liberalize the requirements of regulations regarding the manufacture and shipment or sale of special industrial solvents, printing inks, and reagent alcohol, the reporting of changes in officers and stockholders, the procurement of specially denatured alcohol, the filing of notices of bond termination, the storage of denatured alcohol and articles in tank cars and tank trucks, the labeling of articles, the use of optional ingredients in certain articles, the preparation of sales records, and the use of substitute records, (2) clarify the provisions of regulations regarding the distinction between proprietary solvents and special industrial solvents, the filing of certain consents of surety, the submission of summary reports on Form 1482, the procurement of samples of specially denatured spirits, and the labeling of substances which are subject to labeling requirements under other laws and regulations, (3) require that samples of perfume oils be submitted with Forms 1479–A, (4) explain the responsibilities and liabilities of carriers, (5) require the maintenance of sales records by subsidiary or affiliated sales companies, (6) include the provisions of certain revenue rulings and procedures, (7) redesignate "rubbing alcohol compound" as "rubbing alcohol," (8) revise the provisions with respect to the authorized use of sodium ethylate, anhydrous, and (9) make nonsubstantive editorial changes. In accordance with the notice, interested persons were afforded an opportunity to submit written comments or suggestions or to request a public hearing pertaining thereto. No request for a public hearing was received; however, one letter of comment was received within the 30-day period prescribed in the notice. After consideration of all relevant matter as was presented regarding the rules proposed, the amendments as published in the FEDERAL REGISTER are hereby adopted, subject to the following clarifying changes:

1. Paragraph A, item 21, is changed by revising the first sentence of § 211.181 to read, "Special industrial solvents may be sold by producers to any person for use in manufacturing or as a solvent, and to wholesale distributors and other producers of such solvents for resale."

2. Paragraph A, item 24, is changed by revising the third sentence of § 211.183a to read, "All containers of special industrial solvents shall be labeled to show the brand name and the name and address of the distributing producer."

3. Paragraph A, item 36, is changed by revising the second sentence of § 211.242 to read, "In case of theft, the carrier shall also immediately notify the consignee's assistant regional commissioner of the facts and circumstances."

This Treasury decision shall become effective on the first day of the first month which begins not less than 30 days after the date of its publication in the FEDERAL REGISTER.

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

Approved: March 18, 1964.

JAMES A. REED,
Assistant Secretary of the Treasury.

PARAGRAPH A. 26 CFR Part 211 is amended as follows:

1. Section 211.11 is amended to redefine the terms "Proprietary solvents" and "Special industrial solvents." As amended, § 211.11 reads as follows:

§ 211.11 Meaning of terms.

* * * * *

Proprietary solvents. Solvents containing more than 25 percent of alcohol by volume which are manufactured with specially denatured alcohol in accordance with proprietary solvent formulations as authorized by this part.

* * * * *

Special industrial solvents. Solvents containing more than 25 percent of alcohol by volume which are manufactured with specially denatured alcohol in accordance with special industrial solvent formulations as authorized by this part.

* * * * *

2. Section 211.23 is amended to change the designation of "rubbing alcohol compound" to "rubbing alcohol." As amended, § 211.23 reads as follows:

§ 211.23 Formulas and processes.

Except as otherwise provided in this section, the Director is authorized to approve all formulas and processes submitted on Form 1479–A. The assistant regional commissioner is authorized to approve all formulas for rubbing alcohol submitted on Form 1479–A.

(72 Stat. 1372; 26 U.S.C. 5273)

§ 211.32 [Revoked]

3. Section 211.32 is revoked.

4. The undesignated center head immediately preceeding § 211.33 is amended to read "Marks and Brands".

5. A new section, § 211.33a, relating to labeling requirements imposed by other governmental agencies, is inserted, immediately following § 211.33, to read as follows:

§ 211.33a Labeling of hazardous substances.

(a) *General.* In addition to the marks and brands required by this part, governmental agencies which are concerned with the transportation and household introduction of hazardous substances may impose labeling requirements on denatured spirits, and articles made therefrom. It is the responsibility of the person filling containers with articles manufactured under the provisions of this part to assure that the labels or marks on such containers satisfy all pertinent State and Federal requirements.

(b) *Federal Hazardous Substances Labeling Act.* Whenever this part requires the container of any substance to be marked or labeled so as to convey information with respect to hazardous properties of the substance, and such substance is also subject to substantially similar requirements under the Federal Hazardous Substances Labeling Act (72 Stat. 372) and regulations in 21 CFR Part 191, information on the container of such substance shall be deemed to comply with the requirements of this part, insofar as they relate to the hazardous properties of the substance, if such information complies with the labeling requirements of such Act and of regulations in 21 CFR Part 191.

6. Sections 211.44 and 211.55 are amended with respect to the reporting of changes after original qualification of permittees. As amended, §§ 211.44 and 211.55 read as follows:

§ 211.44 Exceptions to application requirements.

The assistant regional commissioner may, in his discretion, waive detailed application and supporting data requirements, other than the requirements of paragraphs (a), (b), (c), and (e) of § 211.43, and of paragraph (f) of such section as it relates to recovery, in the case of applications, Form 1479, filed by States or political subdivisions thereof or the District of Columbia. Also, he may waive such detailed application and supporting data requirements in the case of applications, Form 1479, filed by other applicants, if the quantity of specially denatured spirits to be obtained does not exceed 60 gallons per year. The waiver of the requirements for the submission of detailed application and supporting data shall terminate when a permittee, other than a State or a political subdivision thereof or the District of Columbia, files an application, Form 1485, for an increase in the quantity of specially denatured spirits to an amount in excess of 60 gallons per year; in such case the permittee shall furnish information in respect of the previously waived items, as provided in § 211.55.

§ 211.55 Changes affecting applications and permits.

(a) *General.* When there is a change relating to any of the information contained in, or considered as a part of, the application on Form 1474 or Form 1479 for an industrial use permit, the permittee shall, within 30 days (except as otherwise provided in this subpart), file with the assistant regional commissioner a written notice, in duplicate, of such change. Similarly, when any waiver under § 211.44 is terminated, the permittee shall file such a written notice furnishing current information as to the items previously waived. When the terms of an industrial use permit are affected by the change, and the permittee has not filed an application for an amended permit, the assistant regional commissioner shall require the permittee to file an application on Form 1474 or Form 1479, as the case may be, for an amended industrial use permit. Items which remain unchanged shall be marked "No change since Form 1474 (or Form 1479) Serial No. _____."

(b) *Changes in officers, directors, and stockholders.* In case of a change in the officers or directors listed under the provisions of § 211.53(a)(2), the notice required by paragraph (a) of this section shall be supported by a certified list, in duplicate, reflecting such change: *Provided,* That if the permittee shows to the satisfaction of the assistant regional commissioner that the holders of certain corporate offices, as listed on the original application, have no responsibilities in connection with operations under this part, the assistant regional commissioner may waive the requirement for the giving of the notice required by paragraph (a) of this section to cover changes in the holders of such corporate offices. Notices of changes in the list of stockholders furnished under the provisions of § 211.53(c)(1), may, in lieu of being submitted within 30 days as required by paragraph (a) of this section, be submitted annually by the permittee, except where the sale or transfer of capital stock results in a change in ownership or control which is required to be reported under § 211.56. Such annual notice of changes shall be submitted by July 10 of each year unless the permittee has filed a request with the assistant regional commissioner for permission to submit such annual notice at some other time, and the assistant regional commissioner has approved such request.

(72 Stat. 1370; 26 U.S.C. 5271)

7. Section 211.78 is amended to delete the requirement for the giving of a power of attorney to cover the execution by an agent of a notice of termination of a bond. As amended, § 211.78 reads as follows:

§ 211.78 Notice by surety of termination of bond.

A surety on any bond required by this part may at any time, in writing, notify the principal and the assistant regional commissioner with whom the bond is filed, that he desires, after a date named, to be relieved of liability under such bond. Such date shall be not less than 90 days after the date the notice is received by the assistant regional commissioner. The surety shall also file with the assistant regional commissioner an acknowledgment or other proof of service of such notice on the principal.

(72 Stat. 1372; 26 U.S.C. 5272)

8. Section 211.102 is amended to change the designation of "rubbing alcohol compound" to "rubbing alcohol." As amended, § 211.102 reads as follows:

§ 211.102 Formulas for rubbing alcohol.

A person desiring to produce rubbing alcohol shall submit a quantitative formula on Form 1479–A to the assistant regional commissioner for each such product to be produced by him. The label to be used on such product shall be attached to each copy of the Form 1479–A.

(72 Stat. 1372; 26 U.S.C. 5273)

9. Section 211.106 is amended to require the resubmission of labels when there is a change in name or location, and to clarify the scope of the Director's approval of labels. As amended, § 211.106 reads as follows:

§ 211.106 Labels and advertising matter for articles.

A manufacturer or reprocessor of articles shall attach to each copy of the Form 1479–A covering articles which contain denatured spirits, and, when required by the Director, to each copy of the Form 1479–A covering articles which do not contain denatured spirits, samples of labels to be used on containers of such articles or facsimiles of such labels (or sketches, subject to the filing of actual labels, if approved). If a manufacturer or reprocessor makes changes in approved labels, or provides new labels, for articles, samples of the changed or new labels shall similarly be submitted; if the formula is not changed, it need not be restated on Form 1479–A, but the form shall be marked "For label approval only," and shall give the name under which the article was previously approved, the laboratory number of the approved sample, if any, and the date of approval. Manufacturers and reprocessors shall submit to the Director advertising matter for articles when so required by him. The Director's approval of labels submitted under the provisions of this part is limited to approval of the information required by this part to be shown on labels. Such approval carries no import of relief from other statutory or regulatory labeling requirements. Further, such approval does not constitute an endorsement by the Government of the article, directions for use, claims of efficiency or strength, or similar statements; nor does such approval authorize the use of any material on the label in infringement of any copyright, trade-mark, or registration. Labels submitted for approval under the provisions of this part will not be approved even though they comply with the provisions of title 26, U.S.C., and of this part, if it is known that they do not conform to requirements imposed by other laws or regulations.

(72 Stat. 1372; 26 U.S.C. 5273)

10. Section 211.107 is amended with respect to the submission of samples with Form 1479–A, and to the redesignation of "rubbing alcohol compound" as "rub-

bing alcohol." As amended, § 211.107 reads as follows:

§ 211.107 Samples of articles and ingredients.

In connection with the submission of Form 1479–A covering the proposed manufacture of an article (except a rubbing alcohol, a proprietary solvent, or a special industrial solvent) containing specially denatured spirits, the applicant shall submit to the Director duplicate 8-ounce samples of the article (except that duplicate 2-ounce samples will be sufficient for a perfume which contains more than 6 ounces of perfume oils per gallon). For all toilet preparations containing specially denatured spirits, the applicant shall also submit duplicate 1-ounce samples of the perfume oils (or of purchased mixtures consisting of perfume oils with other ingredients) to be used. The Director may at any time require the submission of samples of (a) any ingredients included in a formula, and (b) proprietary antifreeze solutions containing completely denatured alcohol.

(72 Stat. 1372; 26 U.S.C. 5273)

11. Section 211.108 is amended to require that labels be submitted whenever there is a change in a previously approved container size, and to delete an unnecessary administrative instruction. As amended, § 211.108 reads as follows:

§ 211.108 Approval or disapproval of samples, formulas, processes, labels, and advertising matter.

In addition to the limitations in this part, and where necessary to protect the revenue, the Director may, when approving Forms 1479–A, specify thereon the size of containers in which any article may be sold and the maximum quantity that may be sold to any person at one time, and may restrict the sale of articles to a specific class of vendee and for a specific use. Approval by the Director of samples, formulas, processes, labels, and advertising matter shall mean only that they conform to the standards of the Internal Revenue Service, and such approval shall in no way require the assistant regional commissioner to issue an industrial use permit to use specially denatured spirits in such processes, formulas, or articles. A change in container size necessitates resubmission of the label if the Director, when approving Forms 1479–A, specified thereon the container sizes in which the article may be sold.

(72 Stat. 1370, 1372; 26 U.S.C. 5271, 5273)

12. Section 211.115 is amended to permit the storage of completely denatured alcohol in tank cars and tank trucks. As amended, § 211.115 reads as follows:

§ 211.115 Receipt.

Unless completely denatured alcohol received in bulk conveyances or by pipeline is to be used immediately, it shall be deposited in storage tanks, stored in the tank cars or tank trucks in which received, or drawn into packages which shall be marked or labeled as required by this subpart.

13. Section 211.139 is amended to permit the storage of specially denatured spirits in tank cars and tank trucks. As amended, § 211.139 reads as follows:

§ 211.139 Receipt of specially denatured spirits.

Specially denatured spirits received in bulk conveyances or by pipeline by bonded dealers shall be (a) deposited in storage tanks provided for in § 211.91, (b) drawn into packages marked or labeled as required by § 211.142, or (c) stored within the dealer's premises in the tank cars or tank trucks in which received. Such conveyances, while specially denatured spirits are being stored therein or while packages are being filled therefrom, shall be effectively immobilized within an enclosure approved as suitable for that purpose by the assistant regional commissioner pursuant to application, in duplicate, by the dealer. The formula number of the specially denatured spirits stored in tanks, tank cars, or tank trucks shall be shown on such containers or, in the case of underground tanks, at a convenient and suitable location. Portable containers received or filled by the bonded dealer shall be deposited in a storeroom provided for in § 211.91. On receipt, the bonded dealer shall ascertain an account for any losses in transit in accordance with Subpart M of this part, receipt for the shipment on the original and copy of Form 1473 received from the consignor (noting thereon any loss or deficiency in the shipment), forward the original to the assistant regional commissioner of his region, and file the copy in chronological order.

(72 Stat. 1370; 26 U.S.C. 5271)

14. Section 211.161 is amended to liberalize the requirements relating to the procurement of specially denatured spirits. As amended, § 211.161 reads as follows:

§ 211.161 Application for withdrawal permit.

(a) *Application.* To procure specially denatured spirits, a user shall file with the assistant regional commissioner an application on Form 1485 for a withdrawal permit. He shall specify in his application—

(1) The period to be covered by the withdrawal permit.

(2) The formula numbers of the denatured spirits to be withdrawn (not listing any formula which is not covered by a Form 1479–A).

(3) The estimated average quantity, in gallons, of denatured spirits of each formula that will be required in one month. (The applicant shall specify the quantities and the formulas in accordance with his bona fide business needs.)

A user may, if he so desires, file more than one application and receive more than one withdrawal permit; however, in such case he shall allot among the several applications the total to be withdrawn.

(b) *Limitations on withdrawals.* A user holding a permit on Form 1485 may, during any month and as to each formula specified, withdraw not more than twice the number of gallons specified under paragraph (a)(3) of this section, or fifty-five gallons (one drum), whichever is the larger: *Provided,* That, as to any one such formula, the total quantity withdrawn under the permit shall not exceed the number of gallons specified under paragraph (a)(3) of this section multiplied by the number of months (considering any fraction of a month as a month) in the period of withdrawal covered by the permit.

(c) *Exceptions.* If, because of the seasonal nature of the user's business or for other valid reasons, the limitations contained in paragraph (b) of this section adversely affect the user's operations, he may in his application request a larger withdrawal as to one or more formulas during a calendar month, still subject to the limitations in paragraph (b) of this section on withdrawals during the period covered by the permit. In such case he shall furnish with his application sufficient information to enable the assistant regional commissioner to judge the merits of the request. Such larger withdrawals may, if the user so requests in his application, be authorized on the basis of an aggregate quantity of a combination of two or more formulas; in such case the user's request shall be specific as to the aggregate quantity and the formulas involved.

(72 Stat. 1370; 26 U.S.C. 5271)

15. Section 211.169 is amended to change the designation of "rubbing alcohol compounds," to "rubbing alcohol,". As amended, § 211.169 reads as follows:

§ 211.169 General.

Uses of specially denatured spirits shall be as authorized under Part 212 of this chapter. Specially denatured spirits shall not be used until Form 1479–A showing the intended use, process, formula, or article has been approved, as required by Subpart G of this part. Specially denatured spirits shall not be used in the manufacture of medicinal preparations or flavoring extracts for internal human use where any of the spirits remain in the finished product. Liquid products containing specially denatured spirits shall be unfit for beverage or internal human use. The essential oils and chemicals used in their manufacture shall make the finished products conform to the samples and formulas for such products submitted by the applicant with Form 1479–A and approved by the Director or, in the case of rubbing alcohol, by the assistant regional commissioner. Whenever the assistant regional commissioner has reason to believe that the spirits in any articles are being reclaimed or diverted to beverage or internal human use, the permittee shall be directed to appear on a day named and show cause why the authorized formula and article should not be so changed and modified as to prevent such reclamation or diversion. In the event the permittee should fail to appear, or appearing, should fail to prove to the satisfaction of the assistant regional commissioner that the spirits in the authorized article are not reclaimable and are not being diverted to beverage

or internal human use, he shall, at the direction of the assistant regional commissioner, discontinue the use of the formula until it has been modified and again approved.

(72 Stat. 1372; 26 U.S.C. 5273)

16. Section 211.172 is amended, without substantive change, to read as follows:

§ 211.172 Use in manufacturing.

When a proprietary solvent is used in the manufacture, for sale, of an article containing more than 25 percent of alcohol by volume, sufficient ingredients shall be added to definitely change the composition and character of the proprietary solvent. Such articles shall not be manufactured until a Form 1479–A covering production of the article has been submitted to and approved by the Director, except that Form 1479–A need not be submitted to cover the manufacture of surface coatings (including such products as inks) containing two pounds or more of solid coating material per gallon of such article. The formulation number (see § 211.170) of the proprietary solvent to be used in manufacturing the article shall be stated in the Form 1479–A.

17. The heading and text of § 211.173 are amended, without substantive change, to read as follows:

§ 211.173 Shipments in bulk conveyances.

Proprietary solvents may be shipped in bulk conveyances (a) by producers to themselves or to distributors, (b) by distributors to themselves, and (c), on written notice to the assistant regional commissioner, by producers or distributors to other persons. Such notice, which shall be filed in duplicate if the consignee is located in another region, shall designate, by name, address, and type of business, the persons to whom bulk shipments are to be made, and shall state the approximate quantity to be shipped and the use to be made of the solvents by the consignee. Such notice may be given on a continuing basis, in which case the quantity to be shipped may be shown on a monthly or other periodic basis. The assistant regional commissioner may require the consignor to furnish additional information as to the needs of the consignee and the specific uses to be made of the proprietary solvents. Proprietary solvents of one manufacturer shall not be placed in the same compartment of a bulk conveyance with proprietary solvents of another manufacturer. Not less than the entire contents of a compartment may be delivered to a consignee at any one location.

18. Section 211.174 is amended to permit the storage of proprietary solvents in tank cars and tank trucks. As amended, § 211.174 reads as follows:

§ 211.174 Receipt.

Unless proprietary solvents received in bulk conveyances are to be used immediately, they shall be deposited in storage tanks, stored in the tank cars or tank trucks in which received, or drawn into packages which shall be marked or labeled as required by this subpart.

19. Section 211.176 is amended with respect to the filling of proprietary solvents into packages. As amended, § 211.176 reads as follows:

§ 211.176 Filling of packages.

Proprietary solvents may be packaged by producers, by agents of producers, by distributors, and by persons using such products, in containers of any size not exceeding 55 gallons. Containers (except those filled for convenience by persons using such products at their own plant premises) shall be marked or labeled as required by § 211.177 or 211.179, as applicable. Proprietary solvents filled into packages by a user thereof may be transferred to other plant premises operated by him if he (a) first gives written notice to the assistant regional commissioner of the operation and (b) marks and labels the containers to be transferred as required by § 211.177 or 211.179, as applicable.

20. Section 211.180 is amended to revise the formulations for special industrial solvents and add a new formulation. As amended, § 211.180 reads as follows:

§ 211.180 Manufacture.

Special industrial solvents shall be manufactured with specially denatured alcohol Formula No. 1 or 3–A. The formulations shall be as follows, except as may otherwise be authorized by the Director:

(1) *Formulation A.*	*Gallons*
Specially denatured alcohol Formula No. 1 or 3–A	100
Isopropyl alcohol or methyl alcohol	10
Methyl isobutyl ketone	1
(2) *Formulation B.*	*Gallons*
Specially denatured alcohol Formula No. 1 or 3–A	100
Isopropyl alcohol	5
Methyl isobutyl ketone	1
Methyl alcohol	5
(3) *Formulation C.*	*Gallons*
Specially denatured alcohol Formula No. 1 or 3–A	100
Methyl isobutyl ketone	1
Ethyl acetate	5
(4) *Formulation D.*	*Gallons*
Specially denatured alcohol Formula No. 1 or 3–A	100
Isopropyl alcohol or methyl alcohol	15
Methyl isobutyl ketone	1

21. Section 211.181 is amended to provide for the sale of special industrial solvents by the producer thereof to other producers of such solvents. As amended, § 211.181 reads as follows:

§ 211.181 Sales by producers.

Special industrial solvents may be sold by producers to any person for use in manufacturing or as a solvent, and to wholesale distributors and other producers of such solvents for resale. Sale of such solvents for distribution through retail channels is prohibited.

22. The heading and text of § 211.182 are amended, without substantive change, to read as follows:

§ 211.182 Use in manufacturing articles for sale.

When a special industrial solvent is used in the manufacture of an article for sale, sufficient ingredients shall be added to definitely change the composition and character of the special industrial solvent; such an article shall not be manufactured until a Form 1479–A covering its production has been submitted to, and approved by, the Director. The formulation letter (see § 211.180) of the special industrial solvent to be used shall be stated in the Form 1479–A. Special industrial solvents shall not be reprocessed into other solvents, containing more than 25 percent alcohol by volume, for sale.

23. Section 211.183 is amended to prohibit the sale of samples of special industrial solvents furnished prospective customers. As amended, § 211.183 reads as follows:

§ 211.183 Sales to and by distributors.

A distributor shall not purchase or sell more than 550 gallons of special industrial solvents during a calendar month, unless he first notifies the assistant regional commissioner, in writing, stating the reasons for such purchase or sale. In the case of sales, the notice shall designate, by name, address, and type of business, the persons to whom sales are to be made and the uses to be made of the solvents by such consignees. Distributors shall not relabel special industrial solvents under their own brand names, and shall not repackage such solvents except for the purpose of shipping samples in containers of not more than 5 gallons capacity to prospective customers. Such samples shall be used only for evaluation purposes, and shall not be sold by the prospective customer.

24. A new section, § 211.183a, relating to the filling and labeling of containers of special industrial solvents, is inserted, immediately following § 211.183, to read as follows:

§ 211.183a Filling and labeling containers.

Producers of special industrial solvents, and their agents, may fill and ship such solvents only in bulk conveyances or in packages having a capacity of 50 gallons or more, except that they may fill samples of such solvents into containers of not more than 5 gallons capacity for shipment to prospective customers. Such samples shall be used only for evaluation purposes, and shall not be sold by the prospective customer. All containers of special industrial solvents shall be labeled to show the brand name and the name and address of the distributing producer. If such solvents are packaged by a producer's agent, the name and address of the agent may also be shown as the packager on the principal label or on a separate label. In the case of a shipment in a bulk conveyance, the label shall be affixed to a route board or other suitable device on such conveyance.

25. Section 211.184 is amended to provide for numbering packages of special industrial solvents by agents of producers. As amended, § 211.184 reads as follows:

§ 211.184 Numbering of containers.

Containers of special industrial solvents, except sample packages of 5 gal-

lons or less, shall be consecutively numbered commencing with "1" and continuing in regular sequence. When any series reaches "1,000,000" the series may be recommenced; the recommenced series shall be given an alphabetical prefix of suffix. An agent filling packages for a producer may use either serial numbers from a block of numbers assigned to him by the producer or a separate series of serial numbers (differentiated from that of the producer by a suitable prefix) to identify the packages filled by him.

26. The heading of § 211.185 is changed, and the text is amended to authorize producers to ship special industrial solvents in bulk conveyances to their agents and to other producers. As amended, § 211.185 reads as follows:

§ 211.185 Shipments in bulk conveyances.

Shipments of special industrial solvents in bulk conveyances may be made by producers to themselves at other locations, to their agents, as provided in § 211.185a, and to other producers. Pursuant to the producer's or agent's written notice to the assistant regional commissioner, the producer or his agent may make such shipments to industrial solvent users. Such notice, which shall be filed in duplicate if the consignee is located in another region, shall designate, by name, address, and type of business, the person to whom bulk shipments are to be made, and shall state the approximate quantity to be shipped and the use to be made of the solvents by the consignee. Such notice may be given on a continuing basis, in which case the quantity to be shipped may be shown on a monthly or other periodic basis. The assistant regional commissioner may require the producer or agent to furnish additional information as to the needs of the consignee and the specific uses to be made of the special industrial solvents. Special industrial solvents from only one consignor may be placed in any one compartment of a bulk conveyance. Not less than the entire contents of a compartment may be delivered to a consignee at any one location.

27. Two new sections, §§ 211.185a and 211.185b, relating respectively to applications by producers to ship special industrial solvents to their agents and to the storage of such solvents, are inserted, immediately following § 211.185, to read as follows:

§ 211.185a Approval of shipments by agents.

A producer desiring to ship special industrial solvents in bulk conveyances to his agent for packaging and distribution, or for shipment in bulk conveyances to customers, shall first submit an application therefor, in duplicate, to the assistant regional commissioner and receive his approval thereof. The application shall be accompanied by the following:

(a) A list, separate from the application, of names and addresses of the producer's agents (designating those who will package and distribute the special industrial solvents and those who will reship such solvents in bulk conveyances).

(b) A copy of each contract of agency (an additional copy if the agent is located in a region other than the one in which the producer is located, and further copies, as appropriate, if the agent operates at locations in more than one such region). Such contract shall reflect a true agency agreement and shall include stipulations which provide for (1) the right of access by internal revenue officers to inspect the business (including records) and premises of the agency, (2) the maintenance of records of the receipt and disposition of all special industrial solvents, and (3) the submission of such reports as the assistant regional commissioner may require.

(c) A consent of surety extending the conditions of the producer's bond, Form 1480, to specifically cover shipments of special industrial solvents by the principal to his agents, and the receipt, storage, sale, and disposition of such solvents by such agents.

§ 211.185b Receipts.

Unless special industrial solvents received in a bulk conveyance are to be used immediately, packaged under the provisions of § 211.183a, or reshipped by the producer's agent in the conveyance in which received, such solvents shall be deposited in a storage tank or stored in the tank car or tank truck in which received.

28. In order to provide current terminology for alcohol rubs, to authorize the use of Bitrex (THS–839) and colorative materials in alcohol rubs, and to make clarifying changes, the undesignated centerhead immediately preceding § 211.186 and §§ 211.186 through 211.188 are amended to read as follows:

RUBBING ALCOHOL

§ 211.186 General.

All preparations which are to be labeled or represented to be alcohol rubs, without any qualification as to type of alcohol contained therein, shall be manufactured with specially denatured alcohol in accordance with § 211.187. The labeling of a preparation as "Rubbing Alcohol" or with a substantially similar name, without such a qualification, is held to connote that it was manufactured with specially denatured alcohol. Accordingly, an alcohol rub produced from any other material (such as isopropyl alcohol) shall not be labeled "Rubbing Alcohol" or with a name substantially similar thereto, unless such name is appropriately modified to effectively inform the public that the preparation was not made with specially denatured alcohol. Alcohol rubs made with specially denatured alcohol shall be packaged and labeled only by the manufacturer who made the product and shall not be repackaged or relabeled by any other person. Such alcohol rubs shall be packaged in containers not exceeding one pint in capacity.

§ 211.187 Manufacture.

Rubbing alcohol shall be manufactured only with specially denatured alcohol Formula No. 23–H, and only in accordance with the following formulas:

FORMULA A

Specially denatured alcohol, Formula No. 23–H	103.3 fl. ozs.
Sucrose octa-acetate	0.5 av. oz.
Water (and, if desired, odorous, medicinal, and/or colorative ingredients)	q.s. 1 gallon

FORMULA B

Specially denatured alcohol, Formula No. 23–H	103.3 fl. ozs.
Benzyldiethyl (2: 6-xylylcarbamoyl methyl) ammonium benzoate (Bitrex (THS–839))	0.88 grain
Water (and, if desired, odorous, medicinal, and/or colorative ingredients)	q.s. 1 gallon

The odorous, medicinal, and/or colorative ingredients may be used only if included in the formula submitted on Form 1479–A to the assistant regional commissioner and approved by him. The finished product shall be 70 percent absolute alcohol by volume.

§ 211.188 Labeling.

The manufacturer shall label each container of rubbing alcohol with a brand label showing:

(a) The brand name (if any) of the product;

(b) The words "Rubbing Alcohol" (in letters of the same color and size);

(c) His name and address; or his industrial use permit number and the name and address of the particular wholesale or retail druggist for whom he packaged the product;

(d) The legend "Contains 70 percent alcohol by volume", "Contains 70 percent ethyl alcohol by volume", or "Contains 70 percent absolute alcohol by volume"; and

(e) The warning "For external use only. If taken internally, will cause serious gastric disturbances."

The manufacture may include additional statements on the brand label, or on a separate label appearing in conjunction with the brand label, if such statements do not contradict, or obscure the meaning of, the required labeling. The labels shall not contain any statement which may give the impression that the product is pure alcohol or that it is susceptible of beverage use. No label shall be used on any container of rubbing alcohol made with specially denatured alcohol unless it has first been approved by the assistant regional commissioner in accordance with § 211.102.

§ 211.189 [Revoked]

29. Section 211.189 is revoked.

30. Section 211.190 is amended to reflect current terminology for alcohol rubs and to liberalize the rule regarding sales of alcohol rubs. As amended, § 211.190 reads as follows:

§ 211.190 Sales of rubbing alcohol.

Rubbing alcohol may be sold only by the manufacturers thereof and by wholesale and retail druggists. Such persons may sell the product, in quantities larger than the customary retail quantities, only to wholesale druggists, retail druggists, and to those users of the product who have legitimate need for such larger

quantities for external use (examples of such users are hospitals, sanitariums, clinics, Turkish baths, athletic associations, physicians, dentists, veterinarians). Manufacturers and wholesale and retail druggists may sell rubbing alcohol to persons generally, in customary retail quantities only, for external use.

31. Section 211.192 is amended to provide an alternate ingredient for use in the manufacture of toilet waters. As amended, § 211.192 reads as follows:

§ 211.192 Manufacture.

All bay rum, alcoholado, or alcoholado-type toilet waters made with specially denatured alcohol shall contain (a) 1.10 grains of benzyldiethyl (2:6-xylylcarbamoyl methyl) ammonium benzoate (Bitrex (THS-839)) in each gallon of finished product in addition to any such material used as a denaturant in the specially denatured alcohol, or (b) 32 grains of tartar emetic in each gallon of finished product, or (c) 0.5 avoirdupois ounce of sucrose octa-acetate in each gallon of finished product. Preparations manufactured with specially denatured alcohol Formula No. 39-C shall contain in each gallon of finished product not less than 2 fluid ounces of perfume material (essential oils, isolates, aromatic chemicals, etc.) satisfactory to the Director.

32. Section 211.195 is amended to liberalize requirements for showing permit numbers on labels. As amended, § 211.195 reads as follows:

§ 211.195 Labels.

(a) *Manufacturer.* Where products specified in § 211.191 are packaged or bottled by the manufacturer, the labels shall show (1) the name of the manufacturer and the address or addresses of the actual place or places of manufacture; or (2) the name of the manufacturer, the address of the principal office, and the permit number or numbers of the place or places of manufacture; or (3) the permit number of the manufacturer and the name and address of the person for whom the bottles or other containers are filled. Where the same premises are operated under one or more approved trade names, any one or more of such trade names may be shown on the label as the name of the manufacturer.

(b) *Persons other than a manufacturer.* A person, other than a manufacturer, who bottles, repackages, or reprocesses the products specified in § 211.191 for himself, shall show on the label his own name and address and either the permit number of the manufacturer or his own permit number. A person, other than a manufacturer, who bottles, repackages, or reprocesses such products for another, shall show on the label the name and address of the person for whom the product is packaged and either the permit number of the manufacturer or his own permit number.

(c) *Exceptions.* The requirements of paragraphs (a) and (b) of this section shall not apply to (1) witch hazel packaged in containers of one gallon or less, (2) products specified in § 211.191 which have been approved as containing 6 fluid ounces or more of perfume oil per gallon of finished product, or which have been approved as containing not more than 16 fluid ounces of specially denatured alcohol per gallon of finished product, or (3) any product marketed under a trade-name or brand-name label in containers of 8 fluid ounces or less capacity: *Provided,* That the manufacturer or bottler specifies on the Form 1479-A with which the label is submitted for approval that such label is to be used only on such products or containers. The requirements of this section for showing the permit number on labels shall not apply to products which are contained in pressurized aerosol containers of 32 fluid ounces or less.

33. Section 211.199 is amended to permit the manufacture of aqueous dilutions of reagent alcohol and to revise the labeling requirements. As amended, § 211.199 reads as follows:

§ 211.199 Reagent alcohol.

(a) *Production, packaging, and sales.* Users who are proprietors of bona fide laboratory supply houses may manufacture an article, designated as reagent alcohol, consisting of 95 parts by volume of specially denatured alcohol Formula No. 3-A and 5 parts by volume of isopropyl alcohol. Water may be added to the article at the time of manufacture. Reagent alcohol shall be packaged in containers holding not more than 1 gallon and may be sold to school laboratories, medical laboratories, physicians, and others requiring small quantities for scientific purposes.

(b) *Labels.* Containers of reagent alcohol shall bear a front label as follows:

REAGENT ALCOHOL

Specially Denatured Alcohol Formula 3-A—95 parts by vol.

and

Isopropyl Alcohol—5 parts by vol.

CAUTION * * * POISON
CONTAINS METHYL ALCOHOL
NOT FOR INTERNAL OR EXTERNAL USE

If water is added to the article at the time of manufacture, the front label shall be modified appropriately to accurately reflect the composition of the diluted product. A back label shall be attached bearing the word "ANTIDOTE", followed by suitable directions therefor.

34. Section 211.200 is amended to authorize the manufacture of printing inks, for sale. As amended, § 211.200 reads as follows:

§ 211.200 Solvents not specifically authorized.

Articles such as duplicating and printing fluids containing specially denatured alcohol shall not be sold for other solvent use and shall not be reprocessed into other products for sale, except that duplicating and printing fluids containing 1 percent or more by weight of a glycol ether and 10 percent or more by weight of methyl alcohol may be reprocessed into printing ink for sale pursuant to formulas on Form 1479-A submitted by the reprocessor and approved by the Director. Where a person finds that proprietary solvents, special industrial solvents, or other authorized solvents are unsatisfactory for his particular purpose, and he therefore desires to manufacture a suitable solvent for his own use (but not for sale), he shall first qualify as a user under the provisions of Subparts D and E of this part, and shall, as provided in Subpart G of this part, submit Form 1479-A for approval to cover the process to be used or article to be made by him.

35. Section 211.233 is amended to delete the requirement respecting the recording of shipments on the permit, Form 1486. As amended, § 211.233 reads as follows:

§ 211.233 Procurement of specially denatured spirits.

When specially denatured spirits are to be procured by a U.S. Governmental agency, the permit on Form 1486, received from the Director pursuant to an application filed in accordance with the provisions of § 211.231, shall be forwarded to the denaturer or bonded dealer from whom the specially denatured spirits are to be obtained. A purchase order shall be submitted by the Governmental agency for any specially denatured spirits shipped under the permit. At the time of shipment, the vendor shall return the permit to the Governmental agency unless he has been authorized by such agency to retain the permit for the purpose of making future shipments.

(72 Stat. 1372; 26 U.S.C. 5273)

36. Subpart M is amended to state the responsibilities and liabilities of carriers. As amended, Subpart M reads as follows:

Subpart M—Losses of Specially Denatured Spirits

Sec.
211.241 Liability and responsibility of carriers.
211.242 Losses in transit.
211.243 Losses at premises of bonded dealer or user.
211.244 Claims.

AUTHORITY: The provisions of this Subpart M issued under sec. 7805 of the Internal Revenue Code; 68A Stat. 917; 26 U.S.C. 7805.

§ 211.241 Liability and responsibility of carriers.

Any person who transports specially denatured spirits in violation of laws pertaining thereto or of the regulations in this part, and all such denatured spirits, shall be subject to all provisions of law pertaining to spirits that are not denatured, including those requiring the payment of tax thereon; and the person so transporting the specially denatured spirits shall be required to pay such tax. A person transporting specially denatured spirits shall be responsible for safe delivery of such denatured spirits to the consignee (or, under the provisions of this part, the safe return of such denatured spirits to the consignor) and shall account for any such denatured spirits not delivered.

(72 Stat. 1314; 26 U.S.C. 5001)

§ 211.242 Losses in transit.

The carrier shall determine as soon as possible the quantity of specially de-

natured spirits lost in transit and shall immediately inform the consignee, in writing, of the facts and circumstances of such loss. In case of theft, the carrier shall also immediately notify the consignee's assistant regional commissioner of the facts and circumstances. The consignee shall determine, at the time the shipment or report of loss is received, the quantity of specially denatured spirits lost. He shall report such quantity on Form 1473, and on Form 1478 or Form 1482 as the case may be. If the quantity lost from wooden packages contained in a shipment exceeds 3 percent of their original aggregate contents, or the loss from any other containers in a shipment exceeds 1 percent of their original aggregate contents, and the quantity lost is more than 5 gallons, the consignee shall file claim for allowance of the entire quantity lost: *Provided,* That when the loss is due to theft, he shall file claim for allowance of the entire quantity lost, regardless of the percentage of loss or the quantity lost. If losses in transit (other than losses due to theft) do not exceed the quantities specified in this section and there are no circumstances indicating that any part of the quantity lost was unlawfully used or removed, claim for allowance will not be required.

§ 211.243 Losses at premises of bonded dealer or user.

Losses of specially denatured spirits from storage tanks and from tank cars and tank trucks being used as storage containers shall be determined at the time such containers are emptied and by physical inventory of the contents of such containers at the close of each month. Losses, if any, from packages shall be determined at the time the packages are removed for shipment or dumped. Losses due to theft shall be determined at the time such losses are discovered. All losses on a bonded dealer's premises shall be recorded in the records required by § 211.264 and reported on Form 1478 by such dealer for the month in which they are discovered. Losses of specially denatured spirits at a user's premises shall be determined and recorded in the records required by § 211.265 and reported on Form 1482. If the quantity lost during any one month exceeds 1 percent of the quantity of specially denatured spirits to be accounted for during the month, and the quantity lost is more than 5 gallons, the bonded dealer or the user shall file claim for allowance of the entire quantity lost: *Provided,* That when the loss is due to theft, he shall file claim for allowance of the entire quantity lost, regardless of the percentage of loss or the quantity lost. If losses on the premises (other than losses due to theft) do not exceed the quantities specified in this section, and there are no circumstances indicating that any part of the quantity lost was unlawfully used or removed, claim for allowance will not be required.

§ 211.244 Claims.

Claims for allowance of losses of specially denatured spirits shall be filed, on Form 2635, with the assistant regional commissioner within 30 days from the date the loss is ascertained, and shall set forth the following:

(a) Name, address, and permit number of the claimant;

(b) Identification and location of the container or containers from which the specially denatured spirits were lost;

(c) Quantity of specially denatured spirits lost from each container, the total quantity of specially denatured spirits covered by the claim, and the aggregate quantity involved;

(d) Date of the loss (or, if not known, date of discovery), the cause or nature of the loss and all the facts relative thereto, including facts establishing whether the loss occurred as a result of any negligence, connivance, collusion, or fraud on the part of any person participating in, or responsible in any manner for, the transaction, or any employee or agent of such person; and

(e) Name of the carrier where a loss in transit is involved. The carrier's statement regarding the loss (required by § 211.242) shall accompany the claim.

The assistant regional commissioner may require the submission of additional evidence.

37. Section 211.252 is amended to clarify the provisions relating to the filing of a consent of surety. As amended, § 211.252 reads as follows:

§ 211.252 Return to denaturer or bonded dealer.

If, for any valid reason, a permittee desires to return specially denatured spirits to a denaturer or bonded dealer (whether or not to the original shipper) he shall obtain the denaturer's or bonded dealer's agreement to accept the return of the specially denatured spirits, and his assistant regional commissioner's permission to so return such spirits. Application for permission shall be filed in triplicate (quadruplicate if the bonded dealer or denaturer is in another region). If the application is approved the assistant regional commissioner will forward a copy to the permittee, a copy to the denaturer or bonded dealer, and the additional copy, if any, to the consignee's assistant regional commissioner. Where specially denatured spirits are to be returned to a bonded dealer as provided in this section or in § 211.254, the bonded dealer shall file a consent of surety on his bond to extend the terms thereof to cover the return of such spirits to him; he may, if he so desires, file one consent of surety on his bond to extend the terms thereof to cover all such spirits which may be so returned to him.

38. Sections 211.265 and 211.266 are amended with respect to the keeping of sales records and the use of substitute records. As amended, §§ 211.265 and 211.266 read as follows:

§ 211.265 Records of users of specially denatured spirits.

(a) *Persons manufacturing bay rum, hair lotions, skin lotions, and similar products which contain specially denatured alcohol.* Permittees using specially denatured alcohol in the manufacture of products specified in § 211.191 shall keep a manufacturing record on Form 133, covering all such products which contain specially denatured alcohol. Such records shall accurately and clearly reflect the details of all specially denatured alcohol received and used in such products, and all such products manufactured. The details of manufacture, showing the quantities of essential oils, chemicals, or other materials used in manufacturing, shall be shown on a separate batch record, identified by serial number. In lieu of Form 133, other manufacturing records may be maintained for such products, if such other records reflect all of the data required by Form 133 and are maintained in such a manner as to enable internal revenue officers to readily determine the proper use of all specially denatured alcohol: *Provided,* That the assistant regional commissioner may require the maintenance of Form 133 by a permittee when, in his opinion, the interests of the United States so demand. Such permittees shall also keep a bottling or packaging and sales record of each product which contains specially denatured alcohol, which record shall accurately and clearly reflect the details of the bottling or packaging of the product and the sales thereof, showing the names and addresses of the consignees: *Provided,* That the record may show only the totals disposed of daily through sales in individual quantities of less than 5 gallons. Where the estimated average monthly requirement of specially denatured alcohol as stated on Form 1485, does not exceed 25 gallons, or, in the case of users who also reprocess products containing specially denatured alcohol, where the estimated average monthly requirement of specially denatured alcohol plus the quantity of such products received for reprocessing does not exceed 25 gallons per month, the records required by this paragraph (a) need not be maintained. Records of products specified in § 211.191 which are made with specially denatured alcohol but which do not contain specially denatured alcohol shall be kept in accordance with paragraph (b) of this section.

(b) *Persons manufacturing other articles.* Permittees using specially denatured spirits for purposes other than the manufacture of products specified in § 211.191 and which contain specially denatured spirits shall keep records which accurately and clearly reflect the details of specially denatured spirits received, used, and recovered, and of articles recovered. Such records shall contain all data necessary (1) to enable the permittee to prepare Form 1482, and (2) to enable any internal revenue officer to verify and trace each operation or transaction, to verify claims, and to ascertain whether there has been compliance with law and regulations. The records shall include the following information:

(i) The quantity of each formula of specially denatured spirits received, and the name and address of the consignor;

(ii) The quantity, by formula and code number, of specially denatured spirits used and each purpose for which used (if used in the manufacture of an article, the name of each such article

and the quantity used in its manufacture);

(iii) The quantity of each article manufactured; and

(iv) Details of the disposition of each article, showing names, addresses, and quantities.

Where the estimated average monthly requirement of specially denatured spirits as stated on Form 1485, does not exceed 25 gallons, the records required by this paragraph (b) need not be maintained.

(c) *Sales by subsidiary or affiliated sales companies.* Where a person required to keep sales records under paragraph (a) or (b) of this section disposes of articles, manufactured by him, through a subsidiary or affiliated sales company, such sales company shall also keep, as applicable, the sales records required by paragraph (a) or (b) of this section.

(72 Stat. 1373; 26 U.S.C. 5275)

§ 211.266 Records of reprocessing, repackaging, bottling, and resale of bay rum, hair lotions, skin lotions, and similar products.

Persons authorized under § 211.193 to reprocess products specified in § 211.191 which contain specially denatured alcohol shall keep records on Form 133, or other records, in the same manner and under the same conditions as prescribed in § 211.265 for manufacturers of such products. All persons who purchase such products in containers larger than one gallon for repackaging, bottling, or resale, shall also keep a record of the receipt, bottling, or packaging, and sales thereof: *Provided*, That the record may show only the totals disposed of daily through sales in individual quantities of less than 5 gallons. The records required by this section need not be maintained if the total quantity of such products received during a month does not exceed 25 gallons.

(72 Stat. 1373; 26 U.S.C. 5275)

39. Section 211.271 is amended to require the submission of summary reports on Form 1482. As amended, § 211.271 reads as follows:

§ 211.271 Reports of users.

Every person holding a permit to use specially denatured spirits or recover specially denatured spirits or articles shall prepare monthly reports on Form 1482: *Provided*, That any such permittee may submit an annual report on Form 1482, on a fiscal year (July 1 through June 30) basis, in lieu of monthly reports, if—

(a) He is authorized to withdraw not more than 660 gallons per annum; or

(b) He is authorized to withdraw more than 660 gallons per annum and the assistant regional commissioner, pursuant to application, finds that he maintains an accounting system which affords adequate control, and that the filing of an annual report will not interfere with the effective administration of this part.

Notwithstanding the foregoing provisions in this section, the assistant regional commissioner may at any time require the submission of monthly reports on Form 1482 by any permittee. A permittee required to file monthly reports under this section shall also submit an annual summary on Form 1482 of the quantity of specially denatured spirits used and recovered during the fiscal year. A permittee discontinuing business shall file a summary report on Form 1482 of all transactions from July 1 to the date of discontinuance, marking such summary report "Final Report." Separate reports shall be prepared covering specially denatured alcohol and denatured rum. The permittee shall submit the original of the Form 1482 to the assistant regional commissioner not later than the 10th day of the month succeeding the period for which the report is submitted and retain the duplicate for his files.

(72 Stat. 1373; 26 U.S.C. 5275)

40. Section 211.275 and its heading are amended to delete reference to Form 134. As amended, § 211.275 reads as follows:

§ 211.275 Form 133 to be provided by users at own expense.

Form 133 shall be provided by the users thereof at their own expense and shall be in the form prescribed by the Director.

41. The heading of § 211.281 is changed, and the text is amended to restate the conditions under which samples of specially denatured spirits may be procured. As amended, § 211.281 reads as follows:

§ 211.281 Samples of specially denatured spirits.

Applicants and prospective applicants for permits to use specially denatured spirits, and users, may procure samples of such spirits for experimental purposes or for use in the preparation of samples of finished products for submission with Form 1479–A. Samples of specially denatured spirits shall be procured only from proprietors of distilled spirits plants or from bonded dealers. Samples in excess of 1 quart shall be procured pursuant to a permit under § 211.283; samples of 1 quart or less may be procured without a permit. A user may, during any calendar month, use for experimental purposes or for preparation of samples of finished products for submission with Form 1479–A not more than 5 gallons of specially denatured spirits from his stock obtained under his withdrawal permit.

(72 Stat. 1372; 26 U.S.C. 5273)

PAR. B. 26 CFR 212 is amended as follows:

1. Paragraph (b)(2) of § 212.17 is amended to delete the parenthesized words "(for own use only)". As amended, paragraph (b)(2) reads as follows:

§ 212.17 Formula No. 2–B.

* * * * *

(b) *Authorized uses.*

* * * * *

(2) As a raw material:

* * * * *

524. Sodium ethylate, anhydrous.

* * * * *

2. Paragraph (b)(2) of § 212.18 is amended to delete the line for code 524. As amended, paragraph (b)(2) reads as follows:

§ 212.18 Formula No. 2–C.

* * * * *

(b) *Authorized uses.*

* * * * *

(2) As a raw material:

523. Miscellaneous ethyl esters.
530. Ethylamines (for rubber processing).
540. Dyes and intermediates (ethylamines).
575. Drugs and medicinal chemicals.
579. Other chemicals.

* * * * *

3. Paragraph (b)(1) of § 212.19 is amended by inserting in numerical sequence a new line in the list of authorized uses. As amended, paragraph (b)(1) reads as follows:

§ 212.19 Formula No. 3–A.

* * * * *

(b) *Authorized uses.* (1) As a solvent:

* * * * *

043. Special solvents (restricted sale).

* * * * *

4. Paragraph (b)(1) of § 212.32 is amended by changing the designation of code 220 from "Rubbing alcohol compounds" to "Rubbing alcohols." As amended, paragraph (b)(1) reads as follows:

§ 212.32 Formula No. 23–H.

* * * * *

(b) *Authorized uses.* (1) As a solvent:

* * * * *

220. Rubbing alcohols.

* * * * *

5. The list of uses in § 212.105 is amended by redesignating "Rubbing alcohol compound" as "Rubbing alcohol", by deleting Formula 2–C as an authorized formula for sodium ethylate, and by adding Formula 3–A as an authorized formula for "Solvents, special (restricted sale)". As amended, §212.105 reads as follows:

§ 212.105 Listing of products and processes using specially denatured alcohol and rum and formulas authorized therefor.

* * * * *

Rubbing alcohol	220	23–H

* * * * *

Sodium ethylate, anhydrous (restricted)	524	2–B

* * * * *

Solvents, special (restricted sale)	043	1, 3–A

* * * * *

[F.R. Doc. 64–2784; Filed, Mar. 23, 1964; 8:47 a.m.]

[T.D. 6714]

PART 213—DISTRIBUTION AND USE OF TAX-FREE ALCOHOL

Miscellaneous Amendments

On December 27, 1963, a notice of proposed rule making to amend 26 CFR Part 213, with respect to (1) the reporting of changes after original qualification of permittees, (2) the procurement of tax-free alcohol, (3) the filing of a notice of bond termination, (4) the responsibilities and liabilities of carriers of tax-free spirits, (5) the listing of storage tanks on Form 2600, Application for Permit to Use Alcohol Free of Tax, and (6) the recording of shipments on the permit, Form 1444, was published in the FEDERAL REGISTER (28 F.R. 14332). The notice afforded interested persons an opportunity to submit written comments or suggestions pertaining thereto. No comments or suggestions were received within the 30-day period prescribed in the notice, and the amendments as published in the FEDERAL REGISTER are hereby adopted, subject to the following clarifying changes:

1. Paragraph 5 is changed by substituting the word "for" for the word "and" in the heading of § 213.109.

2. Paragraph 7 is changed to revise the second sentence of § 213.152 to read, "In case of theft, the carrier shall also notify the consignee's assistant regional commissioner of the facts and circumstances."

This Treasury decision shall become effective on the first day of the first month which begins not less than 30 days after the date of its publication in the FEDERAL REGISTER.

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

Approved: March 14, 1964.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

§ 213.29 [Revoked]

PARAGRAPH 1. Section 213.29 is revoked.

PAR. 2. Paragraph (f) of § 213.42 is amended to require the listing of storage tanks on applications for permits to use alcohol free of tax. As amended, paragraph (f) reads as follows:

§ 213.42 Data for application.

* * * * *

(f) Listing of the size, description, and location of each storeroom, compartment, or stationary storage tank where tax-free alcohol will be stored, and of principal equipment for the recovery and restoration of alcohol (including the serial number, kind, capacity, name and address of owner, and intended use of distilling apparatus).

* * * * *

(72 Stat. 1318, 1370; 26 U.S.C. 5005, 5271)

PAR. 3. Sections 213.43 and 213.54 are amended with respect to the reporting of changes after original qualification of permittees. As amended, §§ 213.43 and 213.54 read as follows:

§ 213.43 Exceptions to application requirements.

The assistant regional commissioner may, in his discretion, waive detailed application and supporting data, requirements, other than the requirements of paragraphs (a), (b), (c), and (e) of § 213.42, and of paragraph (f) of such section as it relates to recovery, in the case of applications, Form 2600, filed by States or political subdivisions thereof or the District of Columbia. Also, he may waive such detailed application and supporting data requirements in the case of applications, Form 2600, filed by other applicants, if the quantity of tax-free alcohol to be obtained does not exceed 120 proof gallons per year. The waiver of the requirements for the submission of detailed application and supporting data shall terminate when a permittee, other than a State or a political subdivision thereof or the District of Columbia, files an application, Form 1450, for an increase in the quantity of tax-free alcohol to an amount in excess of 120 proof gallons per year; in such case the permittee shall furnish information in respect of the previously-waived items, as provided in § 213.54.

(72 Stat. 1370; 26 U.S.C. 5271)

§ 213.54 Changes affecting applications and permits.

(a) *General.* When there is a change relating to any of the information contained in, or considered as part of, the application on Form 2600 for an industrial use permit, the permittee shall, within 30 days (except as otherwise provided in this subpart), file with the assistant regional commissioner a written notice, in duplicate, of such change. Similarly, when any waiver under § 213.43 is terminated the permittee shall file such a written notice furnishing current information as to the items previously waived. When the terms of an industrial use permit are affected by the change, and the permittee has not filed an application for an amended permit, the assistant regional commissioner shall require the permittee to file an application on Form 2600 for an amended industrial use permit. Items which remain unchanged shall be marked "No change since Form 2600 Serial No. ____."

(b) *Changes in officers, directors, and stockholders.* In case of a change in the officers or directors listed under the provisions of § 213.52(a)(2), the notice required by paragraph (a) of this section shall be supported by a certified list, in duplicate, reflecting such change: *Provided,* That if the permittee shows to the satisfaction of the assistant regional commissioner that the holders of certain corporate offices, as listed on the original application, have no responsibilities in connection with operations under this part, the assistant regional commissioner may waive the requirement for the giving of the notice required by paragraph (a) of this section to cover changes in the holders of such corporate offices. Notices of changes in the list of stockholders furnished under the provision of § 213.52(c)(1), may, in lieu of being submitted within 30 days as required by paragraph (a) of this section, be submitted annually by the permittee, except where the sale of transfer of capital stock results in a change in ownership or control which is required to be reported under § 213.55. Such annual notice of changes shall be submitted by July 10 of each year unless the permittee has filed a request with the assistant regional commissioner for permission to submit such annual notice at some other time, and the assistant regional commissioner has approved such request.

(72 Stat. 1370; 26 U.S.C. 5271)

PAR. 4. Section 213.77 is amended to delete the requirement for the giving of a power of attorney to cover the execution by an agent of a notice of termination of a bond. As amended, § 213.77 reads as follows:

§ 213.77 Notice by surety of termination of bond.

A surety on any bond required by this part may at any time, in writing, notify the principal and the assistant regional commissioner with whom the bond is filed, that he desires, after a date named, to be relieved of liability under such bond. Such date shall be not less than 90 days after the date the notice is received by the assistant regional commissioner. The surety shall also file with the assistant regional commissioner an acknowledgment or other proof of service of such notice on the principal.

(72 Stat. 1372; 26 U.S.C. 5272)

PAR. 5. Sections 213.109 and 213.115 are amended to liberalize the requirements relating to the procurement of alcohol free of tax. As amended, §§ 213.109 and 213.115 read as follows:

§ 213.109 Application for withdrawal permit.

(a) *Application.* Except as provided in Subpart I of this part, every person desiring to procure tax-free alcohol shall file with the assistant regional commissioner an application on Form 1450 for a withdrawal permit. He shall specify in his application the period to be covered by the withdrawal permit and the estimated average quantity, in proof gallons, of tax-free alcohol that will be required in one month. The quantity specified shall be in accordance with the applicant's bona fide needs. The applicant may, if he so desires, file more than one application and receive more than one withdrawal permit; however, in such case he shall allot among the several applications the total to be withdrawn.

(b) *Limitation on withdrawals.* A user holding a permit on Form 1450 may, during any month, withdraw not more than twice the number of proof gallons specified under paragraph (a) of this section, or fifty-five wine gallons (one drum), whichever is the larger: *Provided,* That the total quantity withdrawn during the period of withdrawal specified under paragraph (a) of this section shall not exceed the number of proof gallons specified under paragraph (a) of this section multiplied by the number of months (considering any fraction of a month as a month) in such period of withdrawal. If, because of the seasonal nature of usage or for other valid reasons, these limitations will adversely af-

fect the permittee's operations, he may request a larger withdrawal during a calendar month, still subject to the limitations of this paragraph on total withdrawals during the period of the permit. In such case he shall furnish with his application sufficient information to enable the assistant regional commissioner to judge the merits of the request.

(72 Stat. 1370; 26 U.S.C. 5271)

§ 213.115 Regulation of withdrawals.

A permittee shall so regulate his withdrawals that he will not have on hand, in transit, and unaccounted for at any one time more than the quantity of tax-free alcohol shown in his application on Form 2600 for an industrial use permit. Recovered alcohol and alcohol received under § 213.117 shall be taken into account in determining the quantity of alcohol on hand. For this purpose, tax-free alcohol and recovered alcohol shall be deemed to be unaccounted for if lost under circumstances where a claim for allowance is required by this part and such claim has not been allowed, or if used or disposed of otherwise than as provided in this part.

PAR. 6. Section 213.143 is amended to delete the requirement respecting the recording of shipments on the permit, Form 1444. As amended, § 213.143 reads as follows:

§ 213.143 Procurement of tax-free spirits.

When tax-free spirits are to be procured by a U.S. Governmental agency, the permit, Form 1444, shall be forwarded to the vendor. A purchase order shall be submitted by the Governmental agency for any tax-free spirits shipped under the permit. At the time of shipment, the vendor shall return the permit to the Governmental agency unless he has been authorized by such agency to retain the permit for the purpose of making future shipments.

PAR. 7. Subpart J is revised to include a statement of the responsibilities and liabilities of carriers. As amended, Subpart J reads as follows:

Subpart J—Losses

Sec.
213.151 Liability and responsibility of carriers.
213.152 Losses in transit.
213.153 Losses at user's premises.
213.154 Claims.

AUTHORITY: The provisions of this Subpart J issued under sec. 7805 of the Internal Revenue Code; 68A Stat. 917; 26 U.S.C. 7805.

§ 213.151 Liability and responsibility of carriers.

Any person who transports tax-free alcohol in violation of laws pertaining thereto or of the regulations in this part, and all such alcohol, shall be subject to all provisions of law relating to alcohol subject to tax, including those requiring the payment of tax thereon; and the person so transporting such alcohol shall be required to pay such tax. A person transporting tax-free alcohol shall be responsible for safe delivery of such alcohol to the consignee (or, under the provisions of this part, the safe return of such alcohol to the consignor) and shall account for any such alcohol not delivered.

(72 Stat. 1314; 26 U.S.C. 5001)

§ 213.152 Losses in transit.

The carrier shall determine as soon as possible the quantity of tax-free alcohol lost in transit and shall immediately inform the consignee, in writing, of the facts and circumstances of such loss. In case of theft, the carrier shall also immediately notify the consignee's assistant regional commissioner of the facts and circumstances. The consignee shall determine, at the time the shipment or report of loss is received, the quantity of tax-free alcohol lost. He shall report such quantity on Form 1473 and on Form 1451. If the quantity lost from containers comprising a shipment exceeds 1 percent of their original aggregate contents, and the quantity lost is more than 5 proof gallons, the consignee shall file claim for allowance of the entire quantity lost: *Provided*, That when the loss is due to theft, he shall file claim for allowance of the entire quantity lost, regardless of the percentage of loss or the quantity lost. If losses in transit (other than losses due to theft) do not exceed the quantities specified in this section and there are no circumstances indicating that any part of the quantity lost was unlawfully used or removed, claim for allowance will not be required.

§ 213.153 Losses at user's premises.

The quantity of tax-free alcohol lost on the premises of a permittee shall be determined and recorded at the end of each month at the time the inventory of tax-free alcohol required under § 213.172 is taken, except that losses due to theft, casualty, or other unusual causes shall be determined and recorded at the time of discovery. All losses on the premises of the permittee shall be recorded in the records required by § 213.171 and be reported on Form 1451. If the quantity lost during any one month exceeds 1 percent of the quantity of tax-free alcohol to be accounted for during the month, and is more than 5 proof gallons, claim for allowance of the entire quantity lost shall be made by the permittee: *Provided*, That when the loss is due to theft, he shall file claim for allowance of the entire quantity lost, regardless of the percentage of loss or the quantity lost. If losses on the premises (other than losses due to theft) do not exceed the quantities specified in this section, and there are no circumstances indicating that any part of the quantity lost was unlawfully used or removed, claim for allowance will not be required.

§ 213.154 Claims.

Claims for allowance of losses of tax-free alcohol shall be filed, on Form 2635, with the assistant regional commissioner within 30 days from the date the loss is ascertained, and shall set forth the following:

(a) Name, address, and permit number of the claimant;

(b) Identification and location of the container or containers from which the tax-free alcohol was lost;

(c) Quantity of tax-free alcohol lost from each container, the total quantity of such alcohol covered by the claim, and the aggregate quantity involved;

(d) Date of the loss (or, if not known, date of discovery), the cause or nature of the loss, and all the facts relative thereto, including facts establishing whether the loss occurred as a result of any negligence, connivance, collusion, or fraud on the part of any person participating in, or responsible in any manner for, the transaction, or any employee or agent of such person; and

(e) Name of carrier where a loss in transit is involved. The carrier's statement regarding the loss (required by § 213.152) shall accompany the claim.

The assistant regional commissioner may require the submission of additional evidence.

[F.R. Doc. 64-2783; Filed, Mar. 23, 1964; 8:47 a.m.]

SUBCHAPTER F—PROCEDURE AND ADMINISTRATION

[T.D. 6713]

PART 301—PROCEDURE AND ADMINISTRATION

Miscellaneous Amendments

In order to conform the Regulations on Procedure and Administration (26 CFR Part 301) to the amendments made to the Internal Revenue Code of 1954 by section 3 of the Act of October 23, 1962 (Public Law 87-870, 76 Stat. 1160), such regulations are amended as follows:

PARAGRAPH 1. Immediately after § 301.7514-1 there are inserted the following new sections:

§ 301.7515 Statutory provisions; special statistical studies and compilations and other services on request.

SEC. 7515. *Special statistical studies and compilations and other services on request.* The Secretary or his delegate is authorized within his discretion, upon written request, to make special statistical studies and compilations involving data from any returns, declarations, statements, or other documents required by this title or by regulations or from any records established or maintained in connection with the administration and enforcement of this title, to engage in any such special study or compilation jointly with the party or parties requesting it, and to furnish transcripts of any such special study or compilation, upon the payment, by the party or parties making the request, of the cost of the work or services performed for such party or parties.

[Sec. 7515 as added by sec. 3(a), Act of Oct. 23, 1962 (Pub. Law 87-870, 76 Stat. 1160)]

§ 301.7515-1 Special statistical studies and compilations on request.

The Commissioner is authorized within his discretion, upon written request of any person and payment by such person of the cost of the work to be performed, to make special statistical studies and compilations involving data from returns, declarations, statements, or other documents required by the Code or regulations or from records established or maintained in connection with the administration and enforcement of the Code; to engage in any such special

study or compilation jointly with the party or parties requesting it; and to furnish transcripts of any such study or compilation. The requests for services should be addressed to the Commissioner of Internal Revenue, Attention: PR, Washington, D.C., 20224. The requests should describe fully the nature of the study or compilation desired, giving detailed specifications for all tables to be prepared, and should include a general statement regarding the use to be made of the data requested.

§ 301.7516 Statutory provisions; supplying training and training aids on request.

SEC. 7516. *Supplying training and training aids on request.* The Secretary or his delegate is authorized within his discretion, upon written request, to admit employees and officials of any State, the Commonwealth of Puerto Rico, any possession of the United States, any political subdivision or instrumentality of any of the foregoing, the District of Columbia, or any foreign government to training courses conducted by the Internal Revenue Service, and to supply them with texts and other training aids. The Secretary or his delegate may require payment from the party or parties making the request of a reasonable fee not to exceed the cost of the training and training aids supplied pursuant to such request.

[Sec. 7516 as added by sec. 3(a), Act of Act. 23, 1962 (Pub. Law 87-870, 76 Stat. 1160)]

§ 301.7516-1 Training and training aids on request.

The Commissioner is authorized, within his discretion, upon written request, to admit employees and officials of any State, the Commonwealth of Puerto Rico, any possession of the United States, any political subdivision or instrumentality of any of the foregoing, the District of Columbia, or any foreign government to training courses conducted by the Internal Revenue Service, and to supply them with texts and other training aids. Requests for such training or training aids should be addressed to the Commissioner of Internal Revenue, Attention: PR, Washington, D.C., 20224. The Commissioner may require payment from the party or parties making the request of a reasonable fee not to exceed the cost of the training and training aids supplied pursuant to such request.

PAR. 2. Section 301.7809 is amended by revising section 7809(a), and by adding a new section 7809(c) and a historical note. These amended and added provisions read as follows:

§ 301.7809 Statutory provisions; deposit of collections.

SEC. 7809. *Deposit of collections*—(a), *General rule.* Except as provided in subsections (b), and (c) and in sections 4735, 4762, 7651, 7652, and 7654, the gross amount of all taxes and revenues received under the provisions of this title, and collections of whatever nature received or collected by authority of any internal revenue law, shall be paid daily into the Treasury of the United States under instructions of the Secretary or his delegate as internal revenue collections, by the officer or employee receiving or collecting the same, without any abatement or deduction on account of salary, compensation, fees, costs, charges, expenses, or claims of any description. A certificate of such payment, stating the name of the depositor and the specific account on which the deposit was made, signed by the Treasurer of the United States, designated depository, or proper officer of a deposit bank, shall be transmitted to the Secretary or his delegate.

* * * * *

(c) *Deposit of certain receipts.* Moneys received in payment for—

(1) Work or services performed pursuant to section 7515 (relating to special statistical studies and compilations and other services on request);

(2) Work or services performed (including materials supplied) pursuant to section 7516 (relating to the supplying of training and training aids on request); and

(3) Other work or services performed for a State or a department or agency of the Federal Government (subject to all provisions of law and regulations governing disclosure of information) in supplying copies of, or data from, returns, statements, or other documents filed under authority of this title or records maintained in connection with the administration and enforcement of this title,

shall be deposited in a separate account which may be used to reimburse appropriations which bore all or part of the costs of such work or services, or to refund excess sums when necessary.

[Sec. 7809 as amended by sec. 3(b), Act of Oct. 23, 1962 (Pub. Law 87-870, 76 Stat. 1161)]

Because this Treasury decision relates to regulations which constitute a general statement of policy and establish rules of Departmental practice and procedure, it is hereby found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

(Sec. 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805))

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

Approved: March 14, 1964.

STANLEY S. SURREY,
Assistant Secretary of the Treasury.

[F.R. Doc. 64-2793; Filed, Mar. 23, 1964; 8:48 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

Black Warrior-Tombigbee Rivers, Alabama and Mississippi

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.180 is hereby amended with respect to paragraph (d)(8) prescribing regulations to govern the operation of tows on the Black Warrior-Tombigbee River System, Alabama and Mississippi, effective on publication in the FEDERAL REGISTER, as follows:

§ 207.180 All waterways tributary to the Gulf of Mexico (except the Mississippi River, its tributaries and outlets) from St. Marks, Fla.; to the Rio Grande; use, administration and navigation.

* * * * *

(d) *Locks and floodgates.* * * *

(8) *Number of lockages.* Tows or rafts locking in sections will generally be allowed only two consecutive lockages if individual vessels are waiting for lockage, but may be allowed more in special cases. If tows or rafts are waiting above and below a lock for lockage, sections will be locked both ways alternately whenever practicable. When two or more tows or rafts are waiting lockage in the same direction, no part of one shall pass the lock until the whole of the one preceding it shall have passed. On the Black Warrior-Tombigbee River System between Bankhead Lock and Lock 13, when a tow requiring fewer lockages is behind a tow requiring a greater number of lockages and waiting at a lock, then when the lock is passed, the tow requiring the greater number of lockages must allow the tow requiring fewer lockages to pass in the pool adjoining such lock before the next lock is reached. However, when upbound tows are locking at Lock 16 and down bound tows are locking at Lock 14, allowing fewer lockage tows to pass before the next lock is reached will not be required.

* * * * *

[Regs., March 11, 1964, 1507-32 (Black Warrior-Tombigbee River, Ala.)—ENGCW-ON] (Sec. 7, 40 Stat. 266; 33 U.S.C. 1)

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

[F.R. Doc. 64-2774; Filed, Mar. 23, 1964; 8:46 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Upper Mississippi River Wildlife and Fish Refuge, Illinois, Iowa, Minnesota, and Wisconsin; Correction

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ILLINOIS, IOWA, MINNESOTA, AND WISCONSIN

UPPER MISSISSIPPI RIVER WILDLIFE AND FISH REFUGE

The special regulation submitted January 28, 1964, for publication in the

FEDERAL REGISTER under part (c) Daily creel limits should read:

IOWA

Northern pike: 5; walleyed pike and sauger: 10 aggregate; largemouth and smallmouth bass: 10 aggregate; bullfrogs: 12; creel limits for other minor species are as prescribed by state regulations.

R. W. BURWELL,
Regional Director.

MARCH 16, 1964.

[F.R. Doc. 64-2775; Filed, Mar. 23, 1964; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 1033, 1034, 1035]

[Docket Nos. AO–166–A28, AO–175–A19, AO–176–A18]

MILK IN THE GREATER CINCINNATI; DAYTON-SPRINGFIELD, OHIO; AND COLUMBUS, OHIO, MARKETING AREAS

Decision on Proposed Amendments to Tentative Marketing Agreements and to Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Dayton, Ohio, on February 17, 1964, pursuant to notice thereof issued on February 5, 1964 (29 F.R. 2349).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator on March 10, 1964 (29 F.R. 3365; F.R. Doc. 64–2483) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (29 F.R. 3365; F.R. Doc. 64–2483) are hereby approved and adopted and are set forth in full herein.

The material issues on the record of the hearing relate to:

1. Modification of the fall production incentive plan; and

2. Whether an emergency exists which warrants the omission of a recommended decision and the opportunity for interested parties to file exceptions thereto and the immediate issuance of a final decision.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

(1) The seasonal production incentive plans in the three orders should be modified to make them identical as to both rates of withholding in the spring months and percentages of "pay-out" to be added to the uniform price in the fall months.

Each of the three orders provides a seasonal production incentive plan under which producer monies are set aside in computing uniform prices for the spring months and are later distributed to producers during the fall, or short production, months by addition to the uniform prices for such months.

Principal cooperatives in the three markets proposed, for each market, identical rates of accumulation ("take-out") of 20, 25, 25 and 20 cents per hundredweight of producer milk for the months of April, May, June and July, respectively. The orders presently provide the following rates of "take-out" per hundredweight on producer milk for the months of April, May, June and July, respectively: Cincinnati, 30, 35, 35 and 20 cents; Columbus, 35, 35, 35, 35; and Dayton-Springfield, 20, 35, 35 and 30 cents.

Proponents proposed no change in the rates used to compute the division of the accumulated funds over the four fall pay-back months of September, October, November and December, however, except to conform the rates in the Cincinnati order, which presently call for a return to producers at the rate of 25 percent of the fund in each of such four months, to the 20, 30, 30 and 20 percent rates for the respective months presently used in both the Columbus and Dayton-Springfield orders. The pay-back months would continue to be September, October, November and December in each market.

Proponents, in support of their request for the lower rates of "take-out" during the four spring months, stated that because of technological innovations in recent years dairy farmers have tended to even out their production throughout the year. Also, such innovations as bulk tank cooling and storage on the farms, new and improved milking systems, and other technical changes have established dairy farm costs on a more constant level throughout the year. Dairy farmers, therefore, have sought to maintain a more constant level of milk production throughout the year in order to maximize the use of production facilities and thus effect greater efficiency in the farm operation.

This development, they contend, has lessened the need for the wide variations which have resulted in recent years between the blend prices of the four spring months and the higher blend prices of the four fall months as an incentive to maintain a more even level of deliveries in the market. They claim that the fairly constant level of monthly fixed costs in today's dairy farm operations supports the need for somewhat higher blend prices for producer milk marketed during the April–July period in relation to other seasons.

Proponents state further that the proposed elimination of the differences among the markets' blend prices which are caused by the varying incentive plans would result in announced uniform prices for each market which are more basically related to conditions of supply and demand in the respective market. Thus, the blend prices resulting from application of a uniform incentive plan would provide producers in overlapping supply areas with a clearer guide as to the market where the need for milk is greatest in relation to Class I sales.

It is concluded that the rates of accumulation ("take-out") and the rates for distributing each fund ("pay-back") as proposed by the proponent cooperative associations should be adopted on a uniform basis for the three markets.

The purpose of the fall production incentive plan is to induce dairy farmers to increase fall production in relation to spring production, thus encouraging a more even pattern of milk deliveries throughout the year. The plan was incorporated in the Columbus order in 1952 and in the Dayton-Springfield and Cincinnati orders in 1953 and 1955, respectively. During the first three full years of the operation of the plan in the Columbus market, fall milk production (September through December) averaged 83 percent of production during the flush months of April through July. On the other hand, for the most recent three years the ratio of fall to spring production has averaged 94 percent, indicating a significant leveling of the seasonal swing in milk production in this market.

In the Dayton-Springfield market, the percentage ratio of producer milk receipts during the four fall months in relation to the four spring months was 83 percent in 1953, the first year the plan was in effect, 89 percent in 1954, and ranged from 94 to 96 percent during the four-year period of 1960–1963.

The leveling of production in the Cincinnati market shows similar improvement with an average fall-spring production percentage ratio of 90 percent for the recent three-year period of 1961–1963, as compared with a percentage ratio of 82 ,percent for the three-year period of 1956–1958.

Thus, a significant leveling in seasonal production has occurred in the three markets since the establishment of the fall incentive plan in such order. Certain technological changes also have occurred in the production and marketing of milk in recent years which have contributed to, and will tend to assure a continuation of, the trend in these markets toward more even milk production. At the time the fall incentive plans were incorporated in the orders milk production came from relatively smaller producing units and the delivery of milk from farm to market in cans was the general practice. The bulk tank system of farm cooling and delivery now is the prevailing method in these markets (Dayton-Springfield market is 100 percent converted from can to bulk tank) and milk is supplied the market by fewer producers making larger daily deliveries.

Moreover, closer marketing relationship among the three markets has developed. There is considerable overlapping of milk supply areas for the three markets. The counties of Auglaize, Champaign, Clark, Fayette, Logan,

and Union, in Ohio, for example, are a common milk supply area for the three markets. In certain other counties of Ohio also, and to some extent in Indiana, the milk supply area of one market overlaps with that of another of the three. Rather uniform health requirements among these markets, together with improved roads and transportation facilities for moving milk over greater distances, have contributed to the ease with which dairy farmers can shift from one market to another in seeking the most profitable outlet.

The differing rates used to compute the amounts of "take-out" and "pay-back" in the three markets have contributed to differences in the markets' blend prices which are not strictly related to differences in market utilization or the relative needs of the markets for milk supplies, and may have represented an artificial inducement to the producer who is seeking the best market price. There is reason to conclude that, to some extent at least, the three plans, working independently, have tended to give the Columbus and Cincinnati markets a procurement advantage over Dayton-Springfield in the months when milk is seasonally short. While the major objective of the seasonal incentive plan is not to establish intermarket alignment of blend prices, and should not be the primary means of achieving such price alignment, the adoption of a uniform plan for the three markets will provide a more consistent and equitable price basis on which such markets may attract necessary supplies on a year-round basis. The generally lower rates of "take-out" proposed by proponent cooperatives will tend to lessen somewhat the swing in spring-fall blend price relationships. The high ratio of fall to spring production shown to exist at present in each of the markets makes such a reduction feasible.

The proposed rate of pay-back, 20 percent in September, 30 percent in October, 30 percent in November and 20 percent in December is appropriate. This apportioning of the pay-back employs the particular months when production is most needed. In September, when the 20 percent amount is in effect, bottling requirements have not yet fully rebounded from seasonal summer lows. In October and November, when bottling milk is most needed, the incentive to produce will be greatest as the 30 percent pay-back becomes effective. As milk needs slacken somewhat in December because of fewer school sales and the holiday period, the incentive for production, at the 20 percent figure, is reduced.

The adoption of these rates for the three orders will have the effect of raising the level of the producer blend price per hundredweight of milk for the month of April 10 cents in the Cincinnati market and by 15 cents in the Columbus market. No change would be effected in the April blend price level in the Dayton-Springfield market. For the months of May and June the levels of blend prices in the three markets would be uniformly increased by 10 cents, and for July by 10 and 15 cents in the Dayton-Springfield and Columbus orders, respectively.

Since the adopted rates of "take-out" will result in smaller accumulated funds during the spring "take-out" period, they will likewise result in consequent lesser rates of "pay-back" during the fall months. If the proposed amendment had been effective in three markets during 1963, the rate of "pay-back" per hundredweight of producer milk for the months of September, October, November and December would have been lower than the actual rates: For the Cincinnati market, by 13, 3, 3 and 13 cents; for the Columbus market, by 12, 16, 16 and 11 cents; and for the Dayton-Springfield market, by 7, 10, 9 and 7 cents.

An alternate proposal offered by a handler was considered at the hearing. This proposal also would provide for a uniform plan in the three markets but would increase the "take-out" rate for Cincinnati and Dayton-Springfield to the 35 cents per hundredweight rate currently applicable in the Columbus market for each of the months of April, May, June and July. This plan would "pay-back" to producers in September, October, November and December on the basis of 25 percent of the market's total accumulated fund in each such month, as under the present Cincinnati order. Proponent handler gave as a principal supporting reason that the proposal would align the blend prices of the three markets more closely with the Gallipolis-Scioto District of the Tri-State market and with other nearby markets.

The effect of this proposal in the Cincinnati and Dayton-Springfield markets would be to lower the average level of blend prices for the April-July "take-out" period and raise the level for the September-December "pay-back" period as compared to those levels which would be effected by adoption of the producers' proposal or those now prevailing in the markets. This proposal would not change appreciably the existing levels of blend prices in the Columbus market.

The matter of intermarket price alignment is not the function of the fall incentive plan. Although consideration of the application of such a plan to a particular market must take into account the matter of price alignment with other markets, any primary effort to achieve such alignment necessarily involves other important factors related to the make-up of the class price formulas and the proportions of class utilization in the respective markets. Such factors were not subject to review in this hearing. The proposal is therefore denied.

(2) The omission of the recommended decision to expedite amendment procedure is not warranted.

At the hearing, proponent producers requested that emergency action be taken to amend the fall production incentive plans for the three orders as soon as possible. Specifically, it was requested that the Secretary omit the issuance of a recommended decision in order that amendment action might be expedited.

The Secretary may omit the recommended decision if he finds on the basis of the record that the timely execution of his functions imperatively and unavoidably requires such omission. In this instance, however, the order amendment would have no effect until the month of April of each year. Normal amendment procedure should accommodate this matter and therefore it is concluded that omission of the recommended decision is not warranted.

Rulings on proposed findings and conclusions. No briefs on proposed findings and conclusions were filed on behalf of interested parties.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid orders and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreements and the orders, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the respective marketing areas, and the minimum prices specified in the proposed marketing agreements and the orders, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreements and the orders, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, marketing agreements upon which a hearing has been held.

Rulings on exceptions. Exceptions were not filed on behalf of any interested party.

Marketing agreements and orders. Annexed hereto and made a part hereof are six documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Greater Cincinnati Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Greater Cincinnati Marketing Area", "Marketing Agreement Regulating the Handling of Milk in the Columbus, Ohio, Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Columbus, Ohio, Marketing Area", and "Marketing Agreement Regulating the Handling of Milk in the Dayton-Springfield, Ohio, Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Dayton-Springfield, Ohio, Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreements, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreements are identical

with those contained in the orders as hereby proposed to be amended by the attached orders which will be published with this decision.

Determination of representative period. The month of December 1963 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached orders, as amended and as hereby proposed to be amended, regulating the handling of milk in the Greater Cincinnati; Dayton-Springfield, Ohio; and Columbus, Ohio, marketing areas, are approved or favored by producers, as defined under the terms of the respective orders, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing areas, respectively.

Signed at Washington, D.C., on March 20, 1964.

GEORGE L. MEHREN,
Assistant Secretary.

Order[1] Amending the Order Regulating the Handling of Milk in the Greater Cincinnati Marketing Area

§ 1033.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Greater Cincinnati marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act:

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Greater Cincinnati marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on March 10, 1964, and published in the FEDERAL REGISTER on March 13, 1964 (29 F.R. 3365; F.R. Doc. 64–2483), shall be and are the terms and provisions of this order, and are set forth in full herein.

In § 1033.63, paragraphs (c) and (d) are revised to read as follows:

§ 1033.63 Computation of uniform prices.

* * * * *

(c) Subtract for each of the months of April, May, June and July an amount computed by multiplying the total hundredweight of milk received from producers during such month by the following amounts: 20 cents in April, 25 cents in May and June, and 20 cents in July;

(d) Add for each of the months of September, October, November and December 20, 30, 30 and 20 percent, respectively, of the total amount of the obligated balance in the producer-settlement fund pursuant to § 1033.71(b) on September 30 of such year;

Order[1] Amending the Order Regulating the Handling of Milk in the Dayton-Springfield, Ohio, Marketing Area

§ 1034.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et. seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Dayton-Springfield marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act:

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Dayton-Springfield marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on March 10, 1964, and published in the FEDERAL REGISTER on March 13, 1964 (29 F.R. 3365; F.R. Doc. 64–2483), shall be and are the terms and provisions of this order, and are set forth in full herein.

In § 1034.62, paragraphs (b) and (c) are revised to read as follows:

§ 1034.62 Computation of uniform prices.

* * * * *

(b) Subtract for each of the months of April, May, June and July an amount computed by multiplying the total hundredweight of producer milk for such month by the following amounts: 20 cents in April, 25 cents in May and June, and 20 cents in July;

(c) Add for each of the months of September, October, November and December 20, 30, 30 and 20 percent, respectively, of the obligated balance in the producer-settlement fund pursuant to § 1034.73(b) on August 31, immediately preceding;

Order[1] Amending the Order Regulating the Handling of Milk in the Columbus, Ohio Marketing Area

§ 1035.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provi-

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

sions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Columbus marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Columbus marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on March 10, 1964, and published in the FEDERAL REGISTER on March 13, 1964 (29 F.R. 3365; F.R. Doc. 64–2483), shall be and are the terms and provisions of this order, and are set forth in full herein.

In § 1035.61, paragraphs (b) and (c) are revised to read as follows:

§ 1035.61 Computation of uniform price.

* * * * *

(b) Subtract for each of the months of April, May, June and July an amount computed by multiplying the total hundredweight of milk received from producers during the month by the following amounts: 20 cents in April, 25 cents in May and June, and 20 cents in July;

(c) Add for each of the months of September, October, November and December 20, 30, 30 and 20 percent, respectively, of the total amount subtracted during the immediately preceding April–July period pursuant to paragraph (b) of this section;

[F.R. Doc. 64–2855; Filed, Mar. 23, 1964; 8:51 a.m.]

[7 CFR Parts 1037, 1041]

[Docket Nos. AO–197–A10, AO–72–A26]

MILK IN THE NORTH CENTRAL OHIO AND TOLEDO, OHIO, MARKETING AREAS

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Stony Ridge, Ohio, on February 10–15, 1964, pursuant to notice thereof which was issued on January 7, 1964 (29 F.R. 289), and a supplementary notice thereof issued on January 17, 1964 (29 F.R. 569).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Regulatory Programs, on March 9, 1964 (29 F.R. 3308; F.R. Doc. 64–2424) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issues, findings and conclusions, rulings, and general findings of the recommended decision (29 F.R. 3308; F.R. Doc. 64–2424) are hereby approved and adopted and are set forth in full herein:

The material issues on the record of the hearing relate to:

1. Extension of the marketing area and merger of Orders No. 37 and No. 41.

2. Appropriate terms and provisions of a consolidated order with respect to:

(a) The distribution of returns to producers on a marketwide or handler pool basis;

(b) Milk to be priced and pooled;

(c) Classification and allocation of milk;

(d) The determination and level of class prices and the application of location differentials;

(e) Method of payment of producers; and

(f) Administrative and miscellaneous provisions.

3. Discontinuance of the "eligible-ineligible quota plan" in the North Central Ohio Order No. 37.

4. Whether an emergency exists with respect to issue No. 3 which warrants the omission of a recommended decision and the opportunity for interested parties to file exceptions thereto on such issue only and the immediate issuance of a final decision.

This decision covers only issues 3 and 4, with respect to the eligible-ineligible quota plan in the North Central Ohio order. Other issues of the hearing will be considered in a further decision.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

(3) *Discontinuance of the eligible-ineligible quota plan.* The eligible-ineligible quota plan for paying producers should be deleted from the order. Complementary revisions also should be made to provide proper mechanics for computing uniform prices for the months when such quota no longer will apply.

Producers propose to discontinue the quota plan. In proposing its deletion, they concede that it has been an effective instrument for evening production. They state, however, that now that production varies less on a seasonal basis, the quota plan is no longer necessary and should be discontinued.

Under the present system producers establish eligible milk quotas equal to their average daily deliveries during September through November. These quotas are used during the following April through June to calculate prices for eligible milk, or within-quota producer deliveries, and prices for over-quota, or ineligible, deliveries. In the first step of the basic procedure for calculating such prices, over-quota milk shipped to each plant is assigned a Class II value. This value is then subtracted from the total value of the handler's producer milk and the remaining value is assigned to eligible milk. Prices for ineligible and eligible milk are then determined by dividing the assigned values by over-quota and within-quota deliveries of producer milk. The quota system affects producer (uniform) prices only and has no effect on handler milk costs.

The quota plan became effective in 1957. It was placed in the order at that time to encourage producers to produce more evenly throughout the year. At the time of its introduction production in the spring was considerably higher than in the fall. Deliveries in May of 1958, for example, were 26 percent above those for the previous November. By 1963 the differences between spring peaks and fall lows in production had narrowed significantly. Marketings in May 1963 exceeded deliveries for September 1962 by only 11 percent. (Official notice is taken of the final decision incorporating the quota plan issued May 17, 1957 (22 F.R. 3567) and the Market Administrator's Monthly Statistical Summaries for 1956 through 1963.)

Seasonal changes provided in the Class I price formula should be sufficient to guide production patterns now that more even production has been attained by producers. The Class I price provides higher returns for those producers whose marketings are greatest when milk is in short supply. The seasonally varying Class I differentials decline 45 cents during the flush production months when less milk is needed. As a result, producer blend prices are correspondingly lower in these months. A blend price increase caused by the 45-cent rise in the Class I price likewise takes place in the fall to encourage needed fall production. Thus, in the absence of quotas, there would be little incentive for producers to resume the seasonal production patterns which once existed.

Another factor present to assist in maintaining fairly even production on a

year-round basis in the future is the widespread adoption of farm bulk tanks. Milk delivered in bulk tanks currently constitutes over 90 percent of the market supply. Marketings of producers with bulk tanks tend to be more even than those of producers of can milk.

Discontinuance of the quota plan also will permit easier accommodation of new producers, if additional supplies are needed. Currently, the plan creates some problem in this respect since eligible milk quotas can be established only by those producers who sell to pool plants in the North Central Ohio market or in another Federal order market during September through November. All milk from producers without such quotas is designated ineligible milk (generally valued at the Class II price) during April through June. New producers who enter the market this spring consequently would receive a price for all their milk which would be about 80 cents lower than the prices other producers would receive for eligible milk. Deletion of the plan would eliminate the lower prices for new producers who have begun shipping milk to pool plants since last fall or will begin shipments in the future.

Use of the quotas in the spring of 1964 also would create special difficulties for certain other producers. Producers in the counties most affected by last fall's drought established reduced eligible milk quotas which would cover a less than normal percentage of their production this spring. As a result they would receive ineligible prices for a relatively large share of their milk. Thus, the quota plan would have unusually heavy impact on those regular producers hardest hit by the drought last fall.

Without the quota plan it will be possible for producers to be paid at all times on the same basis as farmers selling to nearby markets most of which are under other Federal orders. This will eliminate dissatisfaction over price differences which has occurred in many instances when producers in the North Central Ohio market were paid prices for eligible and ineligible milk while neighbors shipping to regulated handlers in other markets received uniform prices directly reflecting the handlers' milk utilization.

No opposition to discontinuance of the quota plan was expressed at the hearing. In view of the foregoing, it should be removed from the order.

(4) *Emergency procedure.* The omission of a recommended decision, to expedite amendment procedure, is not warranted in the circumstances.

At the hearing proponent requested that emergency action be taken to discontinue the quota plan as soon as possible. It was requested that the Secretary issue a partial decision covering only the quota plan before considering other issues, and that he omit issuance of a recommended decision in order that any order amendment may be expedited. As an alternative, termination was requested if amendment procedure could not be completed before April 1, 1964 when the producers begin to be paid on quotas. In this instance, however, normal amendment procedure is expected to accommodate the problem. Omission of the recommended decision is not warranted under the conditions found.

Rulings on proposed findings and conclusions. No briefs were filed on behalf of interested parties on the issues covered in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. No exceptions were filed on behalf of interested parties.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the North Central Ohio Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the North Central Ohio Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of December 1963 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the order set forth below, as amended and as hereby proposed to be amended, regulating the handling of milk in the North Central Ohio marketing area, is approved or favored by producers, as defined under the terms of the order, as amended and as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Signed at Washington, D.C., on March 20, 1964.

GEORGE L. MEHREN,
Assistant Secretary.

Order [1] Amending the Order Regulating the Handling of Milk in the North Central Ohio Marketing Area

§ 1037.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the North Central Ohio marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the North Central Ohio marketing area shall be in conformity to and in compliance with the terms and conditions of the foresaid order, as

[1] This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

amended and as hereby amended, as follows:

The provisions of the proposed marketing agreement and order amending the order contained in the recommended decision issued by the Deputy Administrator, Regulatory Programs, on March 9, 1964, and published in the FEDERAL REGISTER on March 12, 1964 (29 F.R. 3308; F.R. Doc. 64-2424), shall be and are the terms and provisions of this order, and are set forth in full herein:

§§ 1037.18, 1037.19 [Revoked]

1. Sections 1037.18 and 1037.19 are revoked.

§ 1037.22 [Amended]

2. In paragraph (i) (2) of § 1037.22, the word "price(s)" is changed to "price" and the reference "§ 1037.62 and" is revoked; paragraph (j) of § 1037.22 is revoked, and paragraphs (k), (l) are redesignated (j), (k), respectively.

§ 1037.30 [Amended]

3. In paragraph (a) (1) of § 1037.30, the comma following the words "Producer milk" is changed to a semi-colon and the text "including for the months of April through June the pounds of eligible and ineligible milk;" is revoked.

§ 1037.60 [Amended]

4. In paragraph (e) of § 1037.60, the reference "or § 1037.62(d)" is revoked.

5. In § 1037.61 the introductory text to paragraph (a) is revised to read as follows:

§ 1037.61 Computation of uniform price.

For each month, the market administrator shall compute for each pool plant a "uniform price" per hundredweight, on the basis of 3.5 percent butterfat content, for producer milk received at such pool plant as follows:

* * * * *

§ 1037.62 [Revoked]

6. Section 1037.62 is revoked.

§ 1037.63 [Amended]

7. In paragraph (b) of § 1037.63 the word "price(s)" is changed to "price", and the reference "§§ 1037.61 and 1037.62" is changed to "§ 1037.61".

§§ 1037.64, 1037.65 [Revoked]

8. Sections 1037.64, 1037.65 and the center head "Determination of Eligible Milk Quota" are revoked.

§ 1037.70 [Amended]

9. In § 1037.70 the phrase "uniform price(s)" is changed to "uniform price".

[F.R. Doc. 64-2856; Filed, Mar. 23, 1964; 8:51 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-AL-24]

FEDERAL AIRWAY AND CONTROLLED AIRSPACE

Proposed Alteration

In consonance with ICAO International Standards and Recommended Practices, notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] of the Federal Aviation Regulations. This proposal relates to navigable airspace both within and outside the United States.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the U.S. is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state, the U.S. agreed by Article 3(d) that its state aircraft will be operating in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

VOR Federal airway No. 440 extends in part from Middleton Island, Alaska, via the intersection of the Middleton Island 320° and the Anchorage, Alaska, 118° True radials to Anchorage. This segment of Victor 440 is expanded beginning at 45 nautical miles from Middleton Island to 14 miles wide to 45 nautical miles from Anchorage. Control 1310 extends in part from the Anchorage radio range via the Whittier, Alaska, Intersection (intersection of the Anchorage radio range southeast course and the Hinchinbrook, Alaska, radio range northwest course) to the Middleton Island radio beacon. The segment of Control 1310 from Anchorage to the Whittier Intersection is designated as 10 miles wide and from the Whittier Intersection to Middleton Island, it is designated as 32 miles wide.

The FAA has under consideration the realignment of this segment of Victor 440 direct between Middleton and Anchorage and expanding this portion of the airway in width, beginning at 45 nautical miles from Middleton Island in graduated steps of one mile for every 5 nautical miles in length to 60 nautical miles from Middleton Island, thence 14 miles wide to 60 nautical miles from Anchorage, thence decreasing in width of one mile for every 5 nautical miles in length to 45 nautical miles from Anchorage. Control 1310 would be realigned from the Anchorage VOR direct to the Middleton Island VOR and expanded in width in the same manner to coincide with the Middleton I.-Anchorage segment of Victor 440. The segment of Control 1310 southeast of Middleton Island would remain unaltered except that it would be based on the Middleton Island VOR in lieu of the Middleton Island radio beacon.

The realignment of this portion of Victor 440 would provide for a lower MEA along this route and would shorten the distance 3 nautical miles. The expanded width of the airway would provide adequate controlled airspace for aircraft operating along the airway while at a distance greater than 45 nautical miles from either facility. The realignment and continued designation of Control 1310 would be for flight planning simplification.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Alaskan Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 632 Sixth Avenue, Anchorage, Alaska, 99501. 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 Regulations and Procedures 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 Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Ave. SW., Washington, D.C. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under sections 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 March 16, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-2770; Filed, Mar. 23, 1964; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-LAX-7]

FEDERAL AIRWAY

Proposed Alteration

In consonance with ICAO International Standards and Recommended Practices, notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] of the Federal Aviation Regulations. This proposal relates to navigable airspace both within and outside the United States.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the U.S. is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply in those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state the U.S. agreed by Article 3(d) that its state aircraft will be operating in international airspace with due regard for the safety of civil aircraft.

Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator has consulted with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

VOR Federal airway No. 25 is designated, in part, from Los Angeles, Calif., via the intersection of the Los Angeles VOR 257° and the Ventura, Calif., VOR 155° True radials to Ventura. The FAA is considering a realignment of this segment of V-25 from Los Angeles via the intersection of the Los Angeles VOR 261° and the Ventura VOR 145° True radials to Ventura. This realignment would reduce the airway mileage for this segment which is utilized as a transition route to and from the Santa Monica, Calif., Municipal Airport.

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 Branch, Federal Aviation Agency, Western Region Area Office, P.O. Box 45018, Los Angeles, California, 90045. 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 Chief, Air Traffic Branch, Western Region Area Office, or the Chief, Airspace Regulations and Procedures 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 Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C. An informal docket will also be available for examination at the office of the Branch Chief, Western Region Area Office.

This amendment is proposed under sections 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 March 16, 1964.

D. E. BARROW,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-2771; Filed, Mar. 23, 1964; 8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 64-WA-10]

FEDERAL AIRWAYS SEGMENTS

Proposed Revocation and Alteration

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

VOR Federal airway No. 21 is designated in part from Idaho Falls, Idaho, to Dubois, Idaho, including an east alternate via the intersection of Idaho Falls 030° and Dubois 155° True radials. The Federal Aviation Agency is considering the revocation of the east alternate and altering the main airway via the alignment of the east alternate.

The latest Federal Aviation Agency IFR peak day airway traffic survey for these segments of Victor 21 and Victor 21 east alternate shows a combined maximum count of only four aircraft movements between Dubois and Idaho Falls. Accordingly, it would appear that retention of both airway segments is unjustified as an assignment of airspace. When IFR weather conditions exist at Idaho Falls, aircraft approaching this terminal from Dubois via Victor 21 are required to make a procedure turn when executing the instrument approach procedure at Fanning Field. Under the same weather conditions, aircraft approaching Idaho Falls from Dubois via Victor 21 east alternate are authorized straight-in approaches to Fanning Field. Accordingly, it would appear to be in the public interest to revoke the direct airway segment between these terminals and renumber the alternate as Victor 21.

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 Branch, Federal Aviation Agency, Western Region Area Office, P.O. Box 45018, Los Angeles, California, 90045. 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 Chief, Air Traffic Branch, Western Region Area Office, or the Chief, Airspace Regulations and Procedures 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 Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C. An informal docket will also be available for examination at the office of the Branch Chief, Western Region Area Office.

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 March 16, 1964.

H. B. HELSTROM,
Acting Chief, Airspace Regulations and Procedures Division.

[F.R. Doc. 64-2772; Filed, Mar. 23, 1964; 8:46 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 2038]

AIRWORTHINESS DIRECTIVES; LOCKHEED MODELS 188A AND 188C SERIES AIRCRAFT

Notice of Withdrawal of Proposed Rule Making

The Flight Standards Service of the Federal Aviation Agency has had under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive for Lockheed Models 188A and 188C Series aircraft, to require inspection of the rudder trailing edge. The reasons therefor were set forth in the preamble to the notice of proposed rule making which was published in the FEDERAL

REGISTER November 2, 1963 (28 F.R. 11737).

Upon further investigation by the agency of the condition which prompted the issuance of the notice of proposed rule making, and in the light of the comments received in response to the notice of proposed rule making, it has now been determined that the rudder problem does not presently exist to the extent originally believed. In consideration of the above and since the rudder is structurally adequate and remains flutter-free during flight, no airworthiness directive is required at this time.

Withdrawal of this notice of proposed rule making constitutes only such action, and does not preclude the agency from issuing another notice in the future, or commit the agency to any course of action in the future.

In consideration of the foregoing, the notice of proposed rule making published in the FEDERAL REGISTER November 2, 1963 (28 F.R. 11737), is hereby withdrawn.

(Secs. 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)

Issued in Washington, D.C., on March 17, 1964.

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

[F.R. Doc. 64-2773; Filed, Mar. 23, 1964; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 11, 21]

[Docket Nos. 14895, 15233]

AUTHORIZATIONS IN BUSINESS RADIO SERVICE AND DOMESTIC PUBLIC POINT-TO-POINT MICROWAVE RADIO SERVICE

Proposed Rule Making Regarding Extending Time for Filing Comments and Reply Comments

In the matters of amendment of Subpart L, Part 11, to adopt rules and regulations to govern the grant of authorizations in the Business Radio Service for microwave stations to relay television signals to community antenna systems, Docket No. 14895; amendment of Subpart I, Part 21, to adopt rules and regulations to govern the grant of authorizations in the Domestic Public Point-to-Point Microwave Radio Service for microwave stations used to relay television broadcast signals to community antenna television systems, Docket No. 15233.

The Commission having under consideration its order (FCC 64-128) in the above-captioned proceedings, extending the time for filing comments to March 25, 1964, and the time for filing reply comments to April 14, 1964; and

It appearing, in the light of recent developments, that interested persons will require additional time in which to prepare complete and meaningful comments; and

It further appearing, that the public interest, convenience, and necessity will be served by extending the date for filing comments to April 20, 1964, and the date for filing reply comments to May 11, 1964;

It is ordered, This 16th day of March 1964 pursuant to § 0.251(b) of the rules and regulations, that the time for filing comments in the above-captioned proceedings is extended to April 20, 1964; and that the time for filing reply comments extended to May 11, 1964.

Released: March 16, 1964.

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

[F.R. Doc. 64-2776; Filed, Mar. 23, 1964; 8:46 a.m.]

[47 CFR Part 73]

[Docket No. 15389; FCC 64-238]

FM BROADCAST STATIONS; SOUTH BEND, IND.

Table of Assignments

In the matter of amendment of § 73.202(b), Table of Assignments, FM Broadcast Stations (South Bend, Indiana); Docket No. 15389, RM-580.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has before it for consideration a petition requesting rule making filed on March 5, 1964 by Lester Sumrall Evangelistic Association, Inc., applicant for a new FM broadcast station in South Bend, Indiana. The petitioner requests the assignment of Channel 276A to South Bend in lieu of presently assigned Channel 252A.

3. Petitioner submits that it is an applicant for a new FM station on Channel 252A at South Bend; that in order to meet the separation requirements of the rules a station on this channel would have to locate in an area where no suitable sites are available due to proximity of homes, college campuses and an airport; that at this location the ground elevation is such that a tower height of 300 feet would be needed to obtain an antenna height of 300 feet above average terrain; and that in order to take advantage of the more suitable sites south of the city it was necessary to request a waiver of the spacing rules. Petitioner urges that Channel 276A would meet all the requirements of the rules; that a site could be used south of the city of South Bend at the location of other radio stations; and that it would permit greater flexibility in selecting a suitable site for the proposed station.

4. The Commission is of the view that it is in the public interest that rule making should be instituted on this proposal so as to permit all interested parties to submit their views and other relevant data. Comments are therefore invited on the following:

City	Channel No.	
	Present	Proposed
South Bend, Ind.	225, 252A, 268, 280A.	225, 268, 276A, 280A.

5. Authority for the adoption of the amendment proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

6. Pursuant to applicable procedures set out in § 1.415 of the Commission rules, interested persons may file comments on or before March 31, 1964 and reply comments on or before April 8, 1964. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

7. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission. Attention is directed to the provisions of paragraph (c) of § 1.419 which require that any person desiring to file identical documents in more than one docketed rule making proceeding shall furnish the Commission two additional copies of any such document for each additional docket unless the proceedings have been consolidated.

Adopted: March 18, 1964.

Released: March 19, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-2798; Filed, Mar. 23, 1964; 8:49 a.m.]

[47 CFR Part 73]

[Docket No. 15390, FCC 64-239]

FM BROADCAST STATIONS; CONNEAUT, OHIO, AND ERIE, PA.

Table of Assignments

In the matter of amendment of § 73.202, Table of Assignments, FM Broadcast Stations (Conneaut, Ohio and Erie, Pa.); Docket No. 15390, RM-581.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission has before it for consideration a petition requesting rule making filed on March 10, 1964 by Louis W. Skelly, permittee of FM Station WFIZ, Conneaut, Ohio. The petitioner requests that Channel 288A, Erie, Pa., be deleted and substituted for Channel 285A at Conneaut, Ohio.

3. Petitioner states that it has constructed its station in accordance with the construction permit and has begun equipment tests prior to commencement of regular operation. The frequency of Channel 285A is 104.9 Mc/s. The second

[1] Commissioners Hyde and Bartley absent.

harmonic of this frequency is 209.8 Mc/s. TV Station WICU–TV operates on Channl 12 (204–210 Mc/s) at Erie, Pa. The aural carrier of WICU–TV is 209.75 Mc/s. Thus, the difference between the second harmonic of WFIZ and the aural carrier of WICU–TV is only 50 kc/s. As a result, petitioner found that the aural reception of WICU–TV is a wide area in Conneaut was blanked out by the transmissions of WFIZ.

4. Mr. Skelly submits that extensive tests in the area showed that the TV interference was caused either by the second harmonic radiation from WFIZ or the generation of a second harmonic signal within the television receivers due to the blanketing effect of the strong FM signal. The second harmonic radiation was determined to be at least 100 db below that of the unmodulated carrier. In view of the above it was decided that the only solution to this problem was the assignment of another channel to Conneaut for use by WFIZ.

5. Petitioner urges that Channel 288A, presently assigned to Erie, be deleted from that city and assigned to Conneaut to replace Channel 285A. He points out that this assignment would meet all the spacing requirements of the rules and the "Working Arrangement for Allocation of FM Broadcasting Stations on Channels 221–300 Under the Canada-United States FM Agreement of 1947". Channel 288A was selected because it would require the least changes in the transmitting equipment of WFIZ due to the closeness of the two channels.

6. While we believe that this type of "interference" is essentially a problem of transmitter and receiver design and ordinarily not a factor in the assignment of FM channels, we have in the past made changes in assignments where a simple solution was found to be accepable to all parties concerned. The proposed solution to the immediate problem described above is simple and does not adversely affect any other stations. While petitioner does not suggest a replacement for Channel 288A in Erie, it appears that Channel 272A may be assigned to Erie as a substitute for 288A. Since the assignments proposed herein are within 250 miles of the U.S.-Canadian border, they require coordination with the Canadian Government under the terms of the Canadian-United States FM Agreement of 1947 and the Working Arrangement of 1963.

7. In view of the foregoing, comments are invited on the following proposal:

City	Channel No.	
	Present	Proposed
Conneaut, Ohio	285A	288A
Erie, Pa.	260, 279, 288A, 292A.	260, 272A, 279 292A.

Since WFIZ is authorized to operate on Channel 285A it will be necessary to modify the authorization for this station to specify operation on Channel 288A in the event the proposed changes are adopted.

8. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303 and 307(b) of the Communications Act of 1934, as amended.

9. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested persons may file comments on or before March 31, 1964, and reply comments on or before April 8, 1964. All submissions by parties to this proceeding or persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

10. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission. Attention is directed to the provisions of paragraph (c) of § 1.419 which require that any person desiring to file identical documents in more than one docketed rule making proceeding shall furnish the Commission two additional copies of any such document for each additional docket unless the proceedings have been consolidated.

Adopted: March 18, 1964.

Released: March 19, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[1]

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64–2799; Filed, Mar. 23, 1964; 8:49 a.m.]

[1] Commissioners Hyde and Bartley absent.

Notices

DEPARTMENT OF STATE

Agency for International Development

DEPUTY U.S. COORDINATOR FOR THE ALLIANCE FOR PROGRESS

Redelegation of Authority

By virtue of the authority delegated to me by Delegation of Authority No. 35, dated March 4, 1964, from the Administrator of the Agency for International Development, I hereby redelegate to the Deputy U.S. Coordinator for the Alliance for Progress all of the authorities so delegated to or vested in the Assistant Secretary of State for Inter-American Affairs and U.S. Coordinator for the Alliance for Progress. This delegation of authority shall be deemed to have become effective as of March 4, 1964. All redelegations of authority from the Assistant Administrator of the Bureau for Latin America executed prior to the effective date of this delegation are hereby ratified and confirmed and shall continue in full force and effect.

THOMAS C. MANN,
Assistant Secretary of State for Inter-American Affairs, and U.S. Coordinator, Alliance for Progress.

MARCH 13, 1964.

[F.R. Doc. 64-2782; Filed, Mar. 23, 1964; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

ALASKA

Notice of Filing of Protraction Diagrams for Northern Alaska and of Availability of Lands for Noncompetitive Oil and Gas Leasing

Notice is hereby given that the following approved protraction diagrams will be officially filed in the Land Office, Bureau of Land Management, Fairbanks, Alaska, at 10 a.m. on March 31, 1964.

ALASKA PROTRACTION DIAGRAMS (UNSURVEYED)

APPROVED MAY 17, 1962

UMIAT MERIDIAN

Folio No. 3, Sheet No. 14, Tps. 1 to 4 N., Rs. 9 to 12 E.
Folio No. 3, Sheet No. 9, Tps. 5 to 8 N., Rs. 9 to 12 E.
Folio No. 3, Sheet No. 15, Tps. 1 to 4 N., Rs. 13 to 16 E.
Folio No. 3, Sheet No. 8, Tps. 5 to 8 N., Rs. 13 to 16 E.
Folio No. 11, Sheet No. 2, Tps. 1 to 4 S., Rs. 9 to 12 E.
Folio No. 11, Sheet No. 7, Tps. 5 to 8 S., Rs. 9 to 12 E.
Folio No. 11, Sheet No. 1, Tps. 1 to 4 S., Rs. 13 to 16 E.
Folio No. 11, Sheet No. 8, Tps. 5 to 8 S., Rs. 13 to 16 E.
Folio No. 12, Sheet No. 4, Tps. 1 to 4 S., Rs. 17 to 20 E.
Folio No. 12, Sheet No. 5, Tps. 5 to 8 S., Rs. 17 to 20 E.

(1) By Public Land Order 1621 of April 18, 1958 (23 F.R. 2637), the lands in the above described townships and ranges were opened to oil and gas leasing, subject to the filing of approved leasing maps.

(2) The foregoing protraction diagrams, additionally labeled "Official Leasing Map—PLO 1621," and "Revised December 23, 1963 to show leasing blocks," are hereby approved and will be officially filed simultaneously with the protraction diagrams. They constitute the approved leasing maps required by Public Land Order 1621.

(3) On the date the approved leasing maps are officially filed in the Fairbanks Land Office, the lands described therein will become available for noncompetitive oil and gas leasing pursuant to the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. sec. 181 et seq.), as amended, the regulations 43 CFR Part 192, and the provisions of this notice.

(a) In accordance with section 6 of Public Land Order 1621, all offers to lease the above described lands must describe the land applied for by block numbers in the specified townships as shown on the approved leasing maps. Each leasing block will be deemed to be a legal subdivision, subject to the restriction on assignments of part of a legal subdivision as set forth in 43 CFR 192.140.

(b) Offers to lease these lands in the manner set out in paragraph (c) may be filed in the Fairbanks Land Office of the Bureau of Land Management from the date the above listed approved leasing maps are officially filed in that office until 10 a.m. June 2, 1964. Such offers will be considered as having been simultaneously filed. The priorities of all conflicting offers will be determined in accordance with the regulation 43 CFR 295.8.

(c) Offers to lease must be submitted on a "Special Oil and Gas Drawing Entry Card," Form 4–1720, signed by the applicant. The card will constitute the applicant's offer to lease the described block of land by participating in the drawing to determine the successful drawee. By signing and submitting the entry card, the applicant agrees that he will be bound to a lease on Form 4–1158 for the described block if such a lease is issued to him as the result of the drawing. Only one entry card will be drawn for each leasing block. The entry card must be accompanied by a $10 filing fee and the first year's advance rental for the total area as shown on the appropriate approved leasing map. The advance rental must be paid by cash, money order, certified check, bank draft, or bank cashiers check. The "Special Oil and Gas Drawing Entry Cards" may be obtained from the land offices of the Bureau of Land Management in Fairbanks and Anchorage, Alaska, from the Field Administrative Office of the Bureau of Land Management, at the Federal Center, Denver, Colorado, or from the office of the Director of the Bureau of Land Management, Washington 25, D.C.

(d) Upon the determination of the successful drawee for a particular block, and upon execution of the lease in behalf of the United States by the authorized officer, the first year's rental will be immediately earned and deposited in the United States Treasury, and will not be returnable. However, if an offeror withdraws his offer to lease prior to the drawing or if his offer is rejected, the advance rental will be returned to him. Unsuccessful drawees will be notified thereof by the return of their respective entry cards.

(e) Any lands which are not included in offers to lease filed during the simultaneous filing period, or for which leases do not issue, will become subject to leasing in the usual manner on a priority of filing basis and in accordance with the regulations in 43 CFR Part 192, except that such offers to lease must describe the lands by the leasing blocks as shown on the approved leasing maps.

(4) Copies of the protraction diagrams listed herein and the approved leasing maps may be purchased at $1 per sheet from the Fairbanks Land Office, Bureau of Land Management, 516 Second Avenue, Fairbanks, Alaska.

STEWART L. UDALL,
Secretary of the Interior.

MARCH 19, 1964.

[F.R. Doc. 64-2794; Filed, Mar. 23, 1964; 8:48 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

CONSTRUCTION OF NONCOMMERCIAL EDUCATIONAL TELEVISION BROADCAST FACILITIES

Notice of Acceptance for Filing of Applications for Federal Financial Assistance

Notice is hereby given that effective with this publication the following described applications for federal financial assistance in the construction of noncommercial educational television broadcast facilities are accepted for filing in accordance with 45 CFR 60.7:

Clover Park School District No. 400, Lakewood Center, Washington, File No. 58, to improve and replace production facilities of the noncommercial educational television broadcasting station KPEC–TV, Channel 56, Lakewood Center, Washington.

The trustees of Indiana University, Bloomington, Indiana, 47405, File No. 59, for the establishment of a new noncommercial educational television broadcasting station on Channel 30, Bloomington, Indiana.

State Board of Higher Education for the use and benefit of University of North Dakota and North Dakota State University, University of North Dakota, Grand Forks, North Dakota, File No. 60, for the establishment of a new noncommercial educational television broadcasting station on Channel 2, Grand Forks, North Dakota.

Any interested person may, pursuant to 45 CFR 60.8, within 30 calendar days from the date of this publication, file comments regarding the above applications with the Director, Educational Television Facilities Program, U.S. Office of Education, Washington, D.C., 20202.

(76 Stat. 64, 47 U.S.C. 390)

RAYMOND J. STANLEY,
Director, Educational Television Facilities Program, U.S. Office of Education.

[F.R. Doc. 64-2796; Filed, Mar. 23, 1964; 8:49 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 15374-15376; FCC 64M-231]

KTIV TELEVISION CO. (KTIV) ET AL.

Order Scheduling Hearing

In re applications of KTIV Television Company (KTIV), Sioux City, Iowa, Docket No. 15374, File No. BPCT-3127; for construction permit to make changes in the facilities of Television Broadcast Station KTIV; Peoples Broadcasting Corporation (KVTV), Sioux City, Iowa, Docket No. 15375, File No. BPCT-3128; for construction permit to make changes in the facilities of Television Broadcast Station KVTV; Central Broadcasting Company (WHO-TV), Des Moines, Iowa, Docket No. 15376, File No. BPCT-3138; for construction permit to make changes in the facilities of Television Broadcast Station WHO-TV.

It is ordered, This 16th day of March 1964, that Jay A. Kyle will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on May 11, 1964, in Washington, D.C.: *And it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 10:00 a.m., April 6, 1964.

Released: March 17, 1964.

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

[F.R. Doc. 64-2777; Filed, Mar. 23, 1964; 8:46 a.m.]

[Docket Nos. 14425, 14440; FCC 64M-234]

SAUL M. MILLER AND BI-STATES BROADCASTERS

Order Continuing Hearing

In re applications of Saul M. Miller, Kutztown, Pennsylvania, Docket No. 14425, File No. BP-13844; Chandler W. Drummond and E. Theodore Mallyck, d/b as Bi-States Broadcasters Annville-Cleona, Pennsylvania, Docket No. 14440, File No. BP-14890; for construction permit.

Upon oral request of counsel for Saul M. Miller, and with the consent of the other parties to this proceeding: *It is ordered,* This 17th day of March 1964 that the hearing presently scheduled to be held on March 17, 1964 at 2:00 p.m., be and the same is, hereby continued to April 1, 1964 at 2:00 p.m.

Released: March 17, 1964.

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

[F.R. Doc. 64-2778; Filed, Mar. 23, 1964; 8:46 a.m.]

[Docket No. 15322; FCC 64M-232]

SPARTAN RADIOCASTING CO.

Order Continuing Hearing

In re application of Spartan Radiocasting Company, Asheville, North Carolina, Docket No. 15322, File No. BPTTV-1996; for construction permit for new Television Broadcast Translator Station.

Pursuant to agreement of counsel arrived at during the prehearing conference in the above-styled proceeding held on this date: *It is ordered,* This 16th day of March 1964, that the hearing presently scheduled to commence on March 31, 1964, is continued to a date to be fixed at the further prehearing conference on May 1, 1964.

Released: March 17, 1964.

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

[F.R. Doc. 64-2779; Filed, Mar. 23, 1964; 8:47 a.m.]

[Docket No. 15373; FCC 64M-230]

WHITNEY TELEPHONE ANSWERING SERVICE

Order Scheduling Hearing

In re application of Helen J. Monaco, d/b as Whitney Telephone Answering Service, Docket No. 15373, File No. 4028-C2-P-63; for a construction permit to establish new facilities in the Domestic Public Land Mobile Radio Service at Hamden, Connecticut.

It is ordered, This 16th day of March 1964, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on May 25, 1964, in Washington, D.C.: *And it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 10:00 a.m., April 6, 1964.

Released: March 17, 1964.

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

[F.R. Doc. 64-2780; Filed, Mar. 23, 1964; 8:47 a.m.]

[Docket No. 15380]

RICHARD H. SANDERS

Order To Show Cause

In the matter of Richard H. Sanders, Fort Lauderdale, Florida, Docket No. 15380; order to show cause why there should not be revoked the license for Radio Station 7W2005 in the Citizens Radio Service.

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the captioned station;

It appearing, that, on July 8, 1962, and January 13, May 25, July 20, and December 20, 1963, Citizens radio station 7W2005 was used to communicate with units of other stations in the Citizens Radio Service when such use was not necessary for the exchange of substantive messages related to the business or personal activities of the individuals concerned, in violation of § 95.81(a) (formerly § 19.61(a)) of the Commission's rules; and

It further appearing, that, on January 13, July 20, and December 20, 1963, the communications of Citizens radio station 7W2005 with other Citizens radio stations were not restricted to five consecutive minutes, in violation of § 95.81 (f) (formerly § 19.61(f)) of the Commission's rules;

It further appearing, that, on September 8, and 26, and November 10, 1963, the communications of Citizens radio station 7W2005 with other Citizens radio stations were not followed by silent periods of 2 minutes each, in violation of § 95.81(f) (formerly § 19.61(f)) of the Commission's rules; and

It further appearing, that, on May 25, 1963, communications of Citizens radio station 7W2005 were not addressed to specific persons or stations within the direct groundwave coverage range of station 7W2005, in violation of § 95.81(g) (formerly § 19.61(g)) of the Commission's rules; and

It further appearing, that, on January 13, July 20, September 28, October 19, and December 20, 1963, Citizens radio station 7W2005 was not identified at the beginning and end of each exchange of communications by the call sign assigned to such station, in violation of § 95.87 (formerly § 19.62) of the Commission's rules; and

It further appearing, that the alleged violations of the Commission's rules set forth above, except the alleged violation of § 95.81(a) of the rules occurring on

December 20, 1963, were brought to the licensee's attention by Official Notices of Violation mailed on July 12, 1962, and January 18, June 1, July 25, September 16, October 10, October 22, November 26 and December 27, 1963; and

It further appearing, that, notwithstanding the licensee's receipt of the above-mentioned notices advising him of the violations of the Commission's rules described therein, the licensee continued to violate such rules; and

It further appearing, that, in view of the foregoing, the licensee has repeatedly violated §§ 95.81 (a) and (f) and 95.87 of the Commission's rules, and has wilfully violated § 95.81(g) of the Commission's rules; and

It further appearing, that the licensee's repeated and/or willful violations of § 95.81(a) of the rules, as alleged above, create apparent liability to a monetary forfeiture of $100 under section 510 of the Communications Act of 1934, as amended, and § 1.80 of the Commission's rules; and also subject him to revocation proceedings under the provisions of section 312 of the Communications Act of 1934, as amended; but further proceedings in this docket should be limited to action looking toward a determination as to whether an order of revocation should be issued:

It is ordered, This 17th day of March 1964, pursuant to section 312 (a)(4) and (c) of the Communications Act of 1934, as amended, and § 0.331(b)(8) of the Commission's rules, that the licensee show cause why the license for the captioned radio station should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Secretary send a copy of this order by certified mail—return receipt requested (air mail) to the licensee at his last known address of 5890 Rose Terrace, Plantation, Fort Lauderdale, Florida.

Released: March 18, 1964.

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

[F.R. Doc. 64-2800; Filed, Mar. 23, 1964; 8:49 a.m.]

[List 55; FCC 64-235]

STANDARD BROADCAST APPLICATION

Ready and Available for Processing

MARCH 19, 1964.

In accordance with the Commission's action of March 18, 1964, granting a waiver of § 1.571(c) allowing the below-described application to be placed at the top of the processing line, notice is hereby given that on April 28, 1964, the following application:

New, Saratoga Springs, New York, Community Radio of Saratoga Springs, New York, Inc.; Req: 900 kc, 250 watts, Day, Class II.

will be considered as ready and available for processing, and that pursuant to §§ 1.227(b)(1) and 1.591(c) of the Commission's rules, an application, in order to be considered with this application or with any other application on file by the close of business on April 27, 1964, which involves a conflict necessitating a hearing with this application, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by whichever date is earlier: (a) The close of business on April 27, 1964, or (b) the earlier effective cut-off date which this application or any other conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The Commission hereby waives the provisions of the Interim Criteria to Govern Acceptance of Standard Broadcast Applications adopted May 10, 1962 (see note to § 1.571 of the Commission's rules), to the extent necessary to permit the acceptance of other applications specifying substantially the same facilities requested by Community Radio of Saratoga Springs, New York, Inc.

The attention of any party in interest desiring to file pleadings concerning the above application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: March 18, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-2802; Filed, Mar. 23, 1964; 8:50 a.m.]

[List 54; FCC 64-233]

STANDARD BROADCAST APPLICATION

Ready and Available for Processing

MARCH 19, 1964.

By Order of March 4, 1964, the Commission waived the Interim Criteria to Govern Acceptance of Standard Broadcast Applications adopted May 10, 1962 (See Note to §1.571 of the rules) in order that the application listed below might be accepted for filing. Accordingly, notice is hereby given that on April 28, 1964, the following application:

BP-16000, New, Loiza, Puerto Rico, Luis Prado Martorell; Req: 1030 kc, 10 kw, Day, Class III.

will be considered as ready and available for processing. Pursuant to §§ 1.227(b)(1) and 1.591(b) of the rules, an application in order to be considered with this application, or with any other application on file by the close of business on April 27, 1964 which involves a conflict necessitating a hearing with this application, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C. by whichever date is earlier: (a) The close of business on April 27, 1964; or (b) the earlier effective cut-off date which this application or any conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The Commission hereby waives the provisions of the Interim Criteria to Govern Acceptance of Standard Broadcast Applications adopted May 10, 1962 to the extent necessary to permit the acceptance of applications specifying substantially the same facilities requested by Luis Prado Martorell.

The attention of any party in interest desiring to file pleadings concerning the above application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for the provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: March 18, 1964.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-2801; Filed, Mar. 23, 1964; 8:50 a.m.]

[1] Commissioner Bartley absent.

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

COTTON TEXTILES AND COTTON TEXTILE PRODUCTS UNDER THE LONG TERM ARRANGEMENT REGARDING INTERNATIONAL TRADE IN COTTON TEXTILES

Amendments to Long Term International Cotton Textile Arrangement Category by Tariff Schedules of the United States Annotated Numbers

MARCH 16, 1964.

There is published below an amendment to the list of Tariff Schedules of the United States Annotated Numbers, arranged by the 64 categories of cotton textiles and cotton textile products. This amendment replaces the list for Categories 25 through 27, 40 through 53, and 59 through 64, published in the FEDERAL REGISTER on October 1, 1963 (28 F.R. 10551). The amendment to the list published in the FEDERAL REGISTER on January 30, 1964 (29 F.R. 1603), is hereby superseded.

JAMES S. LOVE, Jr.,
Chairman, Interagency Textile Administrative Committee, and Deputy to the Secretary of Commerce for Textile Programs.

AMENDMENTS TO LONG TERM INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORY BY TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS

Category	Description	Item	Statistical suffix
25	Woven fabric, not elsewhere specified, yarn dyed, combed	322.	74
		322.	82
		322.	86
		325.	74
		325.	82
		325.	86
		[3] 328.	74
		328.	82
		328.	86
		331.	74
		331.	82
		331.	86
26	Woven fabric, not elsewhere specified, other, carded [4]	320.	01
		320.	02
		320.	03
		320.	04
		320.	06
		320.	08
		320.	*22
		320.	34
		320.	*68
		320.	76
		320.	88
		320.	92
		321.	01
		321.	02
		321.	03
		321.	04
		321.	06
		321.	08
		321.	*22
		321.	34
		321.	*68
		321.	76
		321.	88
		321.	92
		322.	01
		322.	02
		322.	03
		322.	04
		322.	06
		322.	08
		322.	*22
		322.	34
		322.	*68
		322.	76
		322.	88
		322.	92
		323.	*22
		323.	*68
		323.	76
		323.	88
		323.	92
		324.	22
		324.	*68
		324.	76
		324.	88
		324.	92
		325.	*22
		325.	*68
		325.	76
		325.	88
		325.	92
		[3] 326.	01
		[3] 326.	02
		[3] 326.	03
		[3] 326.	04
		[3] 326.	06
		[3] 326.	08
		[3] 326.	*22
		[3] 326.	34
		[3] 326.	*68
		[3] 326.	76
		[3] 326.	88
		[3] 326.	92
		[3] 327.	01
		[3] 327.	02
		[3] 327.	03
		[3] 327.	04
		[3] 327.	06
		[3] 327.	08
		[3] 327.	*22
		[3] 327.	34
		[3] 327.	*68
		[3] 327.	76
		[3] 327.	88
		[3] 327.	92
		[3] 328.	01
		[3] 328.	02
		[3] 328.	03
		[3] 328.	04
		[3] 328.	06
		[3] 328.	08
		[3] 328.	*22
		[3] 328.	34
		[3] 328.	*68
		[3] 328.	76
		[3] 328.	88
		[3] 328.	92
		[3] 329.	*22

* See footnote 5.

AMENDMENTS TO LONG TERM INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORY BY TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS—Continued

Category	Description	Item	Statistical suffix
26	Woven fabric, not elsewhere specified, other, carded [4] (Continued)	[3] 329.	*68
		[3] 329.	76
		[3] 329.	88
		[3] 329.	92
		[3] 330.	*22
		[3] 330.	*68
		[3] 330.	76
		[3] 330.	88
		[3] 330.	92
		[3] 331.	*22
		[3] 331.	*68
		[3] 331.	76
		[3] 331.	88
		[3] 331.	92
		332.10	20
		346.30	20
		346.32	20
		346.35	20
		346.40	20
		346.45	20
		346.70	00
		357.05	12
		357.05	16
		364.11	20
27	Woven fabric, not elsewhere specified, other combed	320.	*24
		320.	*70
		320.	78
		320.	90
		320.	94
		321.	*24
		321.	*70
		321.	78
		321.	90
		321.	94
		322.	*24
		322.	*70
		322.	78
		322.	90
		322.	94
		323.	*24
		323.	*70
		323.	78
		323.	90
		323.	94
		324.	*24
		324.	*70
		324.	78
		324.	90
		324.	94
		325.	*24
		325.	*70
		325.	78
		325.	90
		325.	94
		326.	*24
		326.	*70
		326.	78
		326.	90
		326.	94
		327.	*24
		327.	*70
		327.	78
		327.	90
		327.	94
		328.	*24
		328.	*70
		328.	78
		328.	90
		328.	94
		329.	*24
		329.	*70
		329.	78
		329.	90
		329.	94
		330.	*24
		330.	*70
		330.	78
		330.	90
		330.	94
		331.	*24
		331.	*70
		331.	78
		331.	90
		331.	94
		332.10	40
		346.30	40
		346.32	40
		346.35	40
		346.40	40
		346.45	40
		357.05	14
		357.05	18
40	Hose and half hose	374.05	20
		374.10	20
		374.40	20
		374.45	20
41	T-shirts, all white, knit, men's and boys'	380.06	35
42	T-shirts, other knit	380.03	07
		380.03	08
		380.06	40

AMENDMENTS TO LONG TERM INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORY BY TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS—Continued

Category	Description	Item	Statistical suffix
42	T-shirts, other knit—Con.	382.03	11
		382.06	60
43	Shirts, knit, other than T-shirts and sweatshirts	380.06	50
		382.06	70
44	Sweaters and cardigans	380.06	55
		382.06	80
45	Shirts, dress, not knit, men's and boys'	380.03	57
		380.03	58
		380.27	52
		380.27	55
		380.27	59
		380.27	62
		380.27	65
		380.27	69
		382.03	98
		382.33	70
46	Shirts, sport, not knit, men's and boys'	380.03	59
		380.27	82
		380.27	85
		380.27	87
		380.27	89
		380.27	92
		380.27	95
		380.27	97
		380.27	99
		382.03	97
		382.33	68
47	Shirts, work, not knit, men's and boys'	380.27	72
		380.27	75
		380.27	77
		380.27	78
		380.27	79
48	Raincoats, ¾ length or longer, not knit	380.09	10
		380.09	20
		380.12	10
		380.12	20
		382.09	02
		382.09	04
		382.09	06
		382.09	08
		382.09	10
		382.09	12
		382.12	02
		382.12	04
		382.12	06
		382.12	08
		382.12	10
		382.12	12
49	Coats, other, not knit	380.09	40
		380.09	60
		380.09	80
		380.09	90
		380.12	40
		380.12	60
		380.12	80
		380.12	90
		382.09	14
		382.09	16
		382.09	18
		382.09	20
		382.09	22
		382.09	24
		382.12	14
		382.12	16
		382.12	18
		382.12	20
		382.12	22
		382.12	24
50	Trousers, slacks and shorts (outer), not knit, men's and boys'	380.39	22
		380.39	25
		380.39	27
		380.39	29
		380.39	32
		380.39	35
		380.39	37
		380.39	39
51	Trousers, slacks and shorts (outer), not knit, women's, girls' and infants'	382.03	74
		382.03	75
		382.33	46
		382.33	48
		382.33	50
		382.33	52
		382.33	54
		382.33	56
		382.33	58
		382.33	60
		382.33	62
		382.33	64
52	Blouses, not knit	382.03	54
		382.03	55
		382.03	56
		382.03	57
		382.03	58
		382.03	59
		382.33	02

AMENDMENTS TO LONG TERM INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORY BY TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS—Continued

Category	Description	Item	Statistical suffix
52	Blouses, not knit—Con.	382.33	04
		382.33	06
		382.33	08
		382.33	10
		382.33	12
53	Dresses (including uniforms) not knit	382.03	63
		382.03	64
		382.03	65
		382.03	66
		382.03	67
		382.03	68
		382.33	14
		382.33	16
		382.33	18
		382.33	20
		382.33	22
		382.33	24
59	All other underwear, not knit	378.05	62
		378.05	64
		378.05	71
		378.20	18
		378.20	30
		378.25	18
		378.25	30
60	Pajamas and other nightwear	380.03	05
		380.06	25
		380.21	00
		380.24	00
		380.39	09
		382.03	09
		382.06	50
		382.21	00
		382.24	00
		382.33	26
61	Brassieres and other body supporting garments	376.24	25
		376.24	65
		376.24	90
		376.28	25
		376.28	65
		376.28	90
62	Wearing apparel, knit, not elsewhere specified	372.10	10
		372.15	20
		373.05	10
		373.10	10
		374.15	20
		378.10	12
		378.15	12
		380.03	01
		380.03	02
		380.03	03
		380.03	06
		380.03	09
		380.03	11
		380.03	12
		380.03	13
		380.03	16
		380.06	10
		380.06	15
		380.06	20
		380.06	45
		380.06	30
		380.06	60
		380.06	90
		382.03	01
		382.03	02
		382.03	03
		382.03	04
		382.03	05
		382.03	06
		382.03	07
		382.03	08
		382.03	10
		382.03	12
		382.03	13
		382.03	14
		382.03	15
		382.03	17
		382.03	18
		382.06	05
		382.06	10
		382.06	15
		382.06	20
		382.06	25
		382.06	30
		382.06	35
		382.06	40
		382.06	45
		382.06	55
		382.06	65
		382.06	75
		382.06	85
		382.06	90
		382.06	95
		386.10	00
		702.05	12
		702.05	16
		702.05	22
		702.05	26

AMENDMENTS TO LONG TERM INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORY BY TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS—Continued

Category	Description	Item	Statistical suffix
63	Wearing apparel, not knit, not elsewhere specified	372.10	40
		372.15	40
		372.15	60
		373.05	40
		373.10	45
		376.54	00
		380.03	50
		380.03	51
		380.03	52
		380.03	54
		380.03	55
		380.03	60
		380.03	61
		380.03	63
		380.30	00
		380.33	00
		380.36	00
		380.39	90
		382.03	60
		382.03	61
		382.03	62
		382.03	70
		382.03	72
		382.03	73
		382.03	76
		382.03	77
		382.27	00
		382.30	00
		382.33	34
		382.33	36
		382.33	38
		382.33	40
		382.33	42
		382.33	44
		382.33	90
		702.10	12
		702.10	16
		702.10	22
		702.10	26
64	All other cotton textiles	300.60	20
		300.60	22
		300.60	24
		300.60	26
		300.60	28
		303.10	00
		303.20	40
		303.20	42
		315.05	00
		315.10	00
		315.15	00
		332.40	20
		332.40	40
		345.10	20
		345.10	40
		346.45	60
		347.10	00
		347.15	00
		347.25	20
		347.33	20
		347.33	40
		347.33	80
		348.00	10
		348.05	10
		349.10	10
		349.10	12
		350.00	10
		351.05	00
		351.25	10
		351.40	10
		351.46	10
		351.50	10
		351.60	10
		351.80	10
		351.90	10
		352.10	10
		352.30	10
		352.40	10
		352.50	00
		352.80	10
		353.10	10
		353.50	12
		353.50	14
		353.50	16
		355.05	10
		355.50	00
		355.65	10
		356.10	10
		356.15	10
		356.20	00
		356.25	10
		357.60	10
		357.70	10
		357.80	10
		358.05	10
		358.10	10
		358.24	10
		358.26	10
		359.10	20
		359.10	40
		359.10	60
		360.20	00
		360.25	00

AMENDMENTS TO LONG TERM INTERNATIONAL COTTON TEXTILE ARRANGEMENT CATEGORY BY TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED NUMBERS—Continued

Category	Description	Item	Statistical suffix
64	All other cotton textiles—Continued	360.30	00
		360.75	22
		360.80	22
		361.05	22
		361.05	42
		361.15	10
		361.50	00
		361.54	22
		361.56	22
		363.01	00
		363.05	10
		363.05	25
		363.40	20
		363.40	40
		363.45	20
		363.45	40
		363.60	25
		363.60	40
		364.12	20
		364.15	20
		365.00	00
		365.15	10
		365.25	10
		365.31	10
		365.35	10
		365.40	10
		365.50	10
		365.55	00
		365.60	10
		365.70	10
		365.75	10
		365.78	40
		366.03	00
		366.06	00
		366.09	00
		366.15	20
		366.45	00
		366.46	00
		366.47	00
		366.57	20
		366.60	00
		366.63	00
		366.65	00
		366.69	00
		366.77	00
		366.79	00
		372.05	10
		376.04	20
		385.25	00
		385.30	00
		385.40	00
		385.55	20
		385.60	20
		385.70	20
		385.75	20
		385.80	20
		386.05	10
		386.20	00
		386.25	00
		386.30	00
		386.40	00
		386.50	00
		706.20	10
		706.20	20
		706.20	30
		706.22	20
		706.22	40
		706.22	60
		706.24	10
		706.24	20
		706.24	30
		727.80	20
		727.80	40
		731.40	00
		734.50	45
		745.74	20

[F.R. Doc. 64-2670; Filed, Mar. 23, 1964; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 14938]

TRANS-TEXAS AIRWAYS "USE IT OR LOSE IT" INVESTIGATION

Notice of Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled proceeding is assigned to be held on May 5, 1964, at 10:00

a.m., local time, in the Travis Room of the Sheraton-Dallas Hotel, Dallas, Texas, before the undersigned Examiner.

Dated at Washington, D.C., March 18, 1964.

[SEAL] THOMAS L. WRENN,
Associate Chief Examiner.

[F.R. Doc. 64-2797; Filed, Mar. 23, 1964; 8:49 a.m.]

[Docket 15073]

LUFTHANSA

Notice of Prehearing Conference

Application of LUFTHANSA to amend its foreign air carrier permit by extending its route beyond New York to Santiago, Chile, via the intermediate points Montego Bay, Jamaica; Kingston, Jamaica; Quito, Ecuador; Guayquil, Ecuador; and Lima, Peru.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on March 26, 1964, at 10:00 a.m., e.s.t., in Room 701, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Ross I. Newmann.

Dated at Washington, D.C., March 20, 1964.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 64-2850; Filed, Mar. 23, 1964; 8:51 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1760]

DOHENY LEASING CO., INC.

Notice of Filing of Application Exempting Transaction Between Affiliates

MARCH 19, 1964.

Notice is hereby given that Doheny Leasing Company, Inc. ("Doheny"), 776 East Washington Boulevard, Los Angeles, Calif., a California corporation engaged in the business of leasing business machine equipment to other business enterprises has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 17(a) certain proposed transactions between Doheny and Westland Capital Corporation ("Westland"), a California corporation and a registered closed-end nondiversified management investment company. All interested persons are referred to the application filed with the Commission for a complete statement of the representations therein which are summarized below.

Westland is a small business investment company licensed under the Small Business Investment Act of 1958, as amended. Doheny is a small business concern within the requirements of the Small Business Investment Act of 1958, as amended and the regulations thereunder. On November 5, 1962, Doheny and its 85 percent owned subsidiary Associated Business Machine Sales, Inc. ("ABMS") entered into a loan agreement with Westland pursuant to which, among other things, Doheny, on December 10, 1962, borrowed from Westland $100,000 and issued a 7 percent subordinated debenture in the principal amount of the loan and a detachable stock purchase warrant entitling Westland to purchase an aggregate of 1,250 shares of Doheny's common stock, par value $10 per share, at varying prices. In addition to the loan Doheny sold to Westland 4,166⅔ shares, or approximately 45 percent, of its common stock for an aggregate consideration of $1.00 and the president of Doheny, who owned the balance of its common stock, executed and delivered to Westland an irrevocable proxy to insure the election of two Westland representatives to Doheny's board of seven directors. Pursuant to the loan agreement, an agreement of Doheny and Westland for the rendition of financial and advisory services to Doheny by Westland for a period of six years for compensation of $150 per month became effective. The loan agreement also gave Doheny the right to repurchase from Westland the 4,166⅔ shares of Doheny common stock for $100,000.

It is represented that since Doheny has a need for additional funds with which to finance the expansion of its business and since Westland is not in a position to lend Doheny additional funds because Westland is in the process of liquidation and dissolution, having recently filed with the California Secretary of State a certificate of election to dissolve, Doheny on March 3, 1964, entered into a Loan and Stock Purchase Agreement including supplemental letter agreements with Capital For Technical Industries ("CTI"), a California corporation also a small business investment company registered under the Act and licensed under the Small Business Investment Act of 1958. The Loan and Stock Purchase Agreement provides, among other things, for borrowing by Doheny from CTI of $450,000, for which Doheny will issue to CTI its 7½ percent eight year subordinated debentures in the principal amount of $450,000 and sale and issuance by Doheny to CTI of 2,400 shares of Doheny's capital stock for an aggregate consideration of $50,000.

Since performance of the CTI Loan and Stock Purchase Agreement would conflict with many of the provisions of the loan agreement between Doheny and Westland, Doheny, ABMS, and Westland executed an Agreement on March 3, 1964 which provides, among other things, for redemption, at principal amount plus accrued interest, by Doheny of the $100,000 7 percent subordinated debenture held by Westland, surrender by Westland to Doheny for cancellation of 3,366⅔ of the 4,166⅔ shares of Doheny's stock owned by Westland, cancellation and termination of the stock purchase warrant issued by Doheny to Westland, and cancellation of the Loan Agreement including the consultation arrangement. It was also agreed that the consummation of this agreement is conditional, among other things, upon concurrent consummation of the transactions contemplated by the CTI Loan and Stock Purchase Agreement and that Doheny will obtain a bank commitment to lend it at least $2,000,000. Upon consummation of these transactions, the outstanding stock of Doheny will be owned 60 percent (4,800 shares) by its President, 30 percent (2,400 shares) by the CTI and 10 percent (800 shares) by Westland.

By reason of Westland's acquisition of approximately 45 percent of Doheny's presently outstanding stock which Westland still owns, Doheny is an "affiliated person" of Westland within section 2(a)(3) of the Act. Section 17(a) of the Act prohibits an affiliated person of a registered investment company, or an affiliated person of such a person, from selling to or purchasing from such registered company or any company controlled by such registered company, any security or other property, subject to certain exceptions, unless the Commission upon application pursuant to section 17(b) of the Act grants an exemption from the provisions of section 17(a), after finding that the terms of the proposed transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the Act, and is consistent with the general purposes of the Act.

Applicant represents that the Agreement among Doheny, ABMS and Westland dated March 3, 1964, is the result of arms-length negotiations among them and that the terms of the transactions proposed thereunder are fair and reasonable and do not involve overreaching on the part of any person or corporation concerned; and that there is no affiliation among said persons and corporations except as stated in the application.

Notice is further given that any interested person may, not later than March 31, 1964, at 12:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless

an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 64-2789; Filed, Mar. 23, 1964; 8:47 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 456]

PENNSYLVANIA, WEST VIRGINIA, OHIO, KENTUCKY, INDIANA, ILLINOIS, AND MISSOURI

Declaration of Disaster Area

Whereas, it has been reported that during the month of March 1964, because of the effects of floods, damage resulted to residences and business property located in the States of Pennsylvania, West Virginia, Ohio, Kentucky, Indiana, Illinois, and Missouri;

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the areas affected:

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act, as amended.

Now, therefore, as Executive Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the offices below indicated from persons or firms whose property situated in the aforesaid states, and areas adjacent thereto, suffered damage or other destruction as a result of flooding of the Ohio and Mississippi Rivers and their tributaries beginning on or about March 10, 1964.

OFFICES

Small Business Administration Regional Office, 1015 Chestnut Street, Philadelphia, Pa.

Small Business Administration Branch Office, 107 Sixth Street, Pittsburgh, Pa.

Small Business Administration Regional Office, 1904 Byrd Avenue, Richmond, Va.

Small Business Administration Branch Office, 500 Quarrier Street, Charleston, W. Va.

Small Business Administration Branch Office, 227 West Pike Street, Clarksburg, W. Va.

Small Business Administration Regional Office, 1370 Ontario Street, Cleveland 13, Ohio.

Small Business Administration Branch Office, Beacon Building, 50 West Gay Street, Columbus, Ohio.

Small Business Administration Branch Office, Fourth and Broadway, Louisville 2, Ky.

Small Business Administration Regional Office, 105 West Adams Street, Chicago 3, Ill.

Small Business Administration Branch Office, 130 East Washington Street, Indianapolis 4, Ind.

Small Business Administration Regional Office, 911 Walnut Street, Kansas City 6, Mo.

Small Business Administration Branch Office, 1520 Market Street, St. Louis 3, Mo.

2. Temporary disaster offices may be established in the areas, announcements to be made locally.

3. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to September 30, 1964.

Dated: March 12, 1964.

ROSS D. DAVIS, *Executive Administrator.*

[F.R. Doc. 64-2781; Filed, Mar. 23, 1964; 8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

DESCRIPTION OF THE CENTRAL AND FIELD ORGANIZATION

JANUARY 1, 1964.

The following revised current description of the central and field organization of the Interstate Commerce Commission is supplemental to the "Organization Minutes of the Interstate Commerce Commission Relating to the Organization of Divisions and Boards and Assignments of Work" 26 F.R. 4773, 5167, 8434, and 10991 and 12789; 27 F.R. 1234, 1747, 2500, 3830, and 9997; and 28 F.R. 198, 896, 8013, and 8185, and is published pursuant to the provisions of section 3(a) of the Administrative Procedure Act (60 Stat. 237). For last prior statement as amended see 27 F.R. 2424 and 28 F.R. 7693.

1. *The Commission.* The Interstate Commerce Commission is a Federal independent regulatory agency existing under the Interstate Commerce Act (49 U.S.C. 11, 24).

(a) *Offices.* The central and principal office of the Commission is located at 12th Street and Constitution Avenue NW., Washington, D.C., 20423. In the field, there are 7 Regional Offices and 82 detached offices, located in the more important transportation centers throughout the United States. A listing of these offices is included in an appendix attached hereto.

(b) *Hours.* Office hours in Washington, D.C., are from 8:30 a.m. to 5:00 p.m. Office hours of field offices are also from 8:30 a.m. to 5:00 p.m., local time of the place where located, except where local conditions require otherwise.

(c) *Sessions.* General sessions of the Commission are held at Washington, D.C., but special sessions may be held at any place in the United States. Hearings or investigations may be conducted by one or more Commissioners, by one or more hearing examiners, by boards authorized by sections 17 and 205 of the Interstate Commerce Act, or by other authorized personnel, at any place in the United States or its territories. (Sections 17, 19, and 205; 49 USC 17, 19, 305.)

(d) *Definitions*—(1) *Acts.* The words "Act" or "the Act" used in this part shall be construed to mean the Interstate Commerce Act and other acts administered by the Commission, unless the context indicates that a different meaning is intended.

(2) *Commission.* Where reference is made to the exercise of any authority or the determination of any matter by the "Commission", the term shall be construed to mean the entire Commission, a division thereof, an individual Commissioner, a board of employees, a joint board, or an examiner to whom, according to the assignment of duties, that authority or the determination of such matters has been assigned, unless the context indicates that a different meaning was intended.

(3) *Carrier.* Where reference is made to a carrier, in this part, the term will include railroads, express companies and sleeping car companies, common and contract motor carriers and brokers of motor transportation, private and exempt motor carriers, pipelines (other than those for water or gas), freight forwarders and certain domestic water carriers.

2. *Public information*—(a) *Releases by the Commission.* All releases to the public and press are issued through the Office of the Secretary, which is the first point of contact for information relating to any matter or proceeding pending before the Commission.

(b) *Requests for information.* Requests for information or advice concerning any matter within the jurisdiction of the Commission may be addressed to the Secretary, the Director of the bureau or office which handles the particular subject matter, or to field offices of various bureaus to the extent stated in the description of bureau organization.

(c) *Reports and orders.* The reports and orders of the Commission are initially prepared for service upon the parties to the proceedings in duplicated form. Copies of all such reports and orders are made available for public inspection at the time of issuance through the Secretary's Office and, to the extent that copies are available, are furnished to interested persons without charge.

The more important reports of the Commission are printed and sold in advance sheet form and in bound volumes by the Superintendent of Documents, Government Printing Office, Washington, D.C., 20402. Reports concerning other than valuation and motor carrier application matters are published in volumes entitled "Interstate Commerce Commission Reports," commonly cited "—— I.C.C. ——." Reports concerning motor carrier application matters are published in a separate series of reports entitled, "Interstate Commerce Commission Reports, Motor Carrier Cases," commonly cited "—— MCC ——." The first 21 volumes of reports relating to valuation matters are included in the "ICC" series of reports, but beginning with Volume 22, these reports are published in a separate series entitled, "Interstate Commerce Commission Valuation Reports," commonly cited "—— Val Rep ——."

Copies of reports and orders, including those printed as described above may

be examined at the Washington office of the Commission.

(d) *Inspection of records.* (1) The following specific files and records in the custody of the Secretary are available to the public (sections 16, 204, 316, and 417 of the Act, 49 USC 16, 304, 916, and 1017), and may be inspected at the Commission's office in Washington, upon reasonable request:

(i) Copies of tariffs, rate schedules, Section 22 quotations or tenders, classifications, powers of attorney, concurrences and contracts filed with the Commission pursuant to sections 6, 22, 217, 218, 306, 405, and 409 of the Act (49 USC 6, 22, 317, 318, 906, 1005, and 1009).

(ii) Annual and other periodic reports filed with the Commission pursuant to sections 20, 220, 313, and 412 of the Act (49 USC 20, 320, 913, and 1012).

(iii) Annual reports, maps, profiles, and other data filed with the Commission pursuant to section 19a.

(iv) All docket files, including pleadings, depositions, exhibits, transcripts of testimony, recommended and proposed reports, exceptions, briefs, and reports and orders of the Commission in any proceeding.

(v) File of instruments or documents recorded pursuant to section 20c and index thereto.

(vi) Other files and records, depending on their nature, may be available for public inspection where the disclosure would be consistent with the public interest and the duties of the Commission.

(2) *Requests to inspect records.* Requests to inspect public records should be made at the Secretary's Office or at one of the public reference rooms, in the Commission's Washington office. Copies of certain rate schedules, tariffs, reports and operating authorities filed by and applicable to motor carriers are available for inspection at field offices where personnel of the Bureau of Motor Carriers are located.

(3) *Certified copies of records, etc.* Copies of and extracts from public records will be certified by the Secretary, under the seal of the Commission. Persons requesting the Commission to prepare such copies should clearly state the material to be copied, and whether they shall be certified. A charge will be made for certification and for the preparation of copies.

3. *Bureau and Office Organization*—(a) *Central Organization.* The Commission's staff is organized into 10 bureaus, and 3 offices, the duties of which will be hereafter described. Each bureau is headed by a director, and the bureaus are divided into sections headed by section chiefs. Boards of employees provided for by section 17 are shown as units within the bureaus of which they form a part. The portions of the work, business, and functions of the Commission which have been assigned to the boards are described in the Organization Minutes and will not be repeated in this publication. Immediately following the name of each board is a reference, in parentheses, to the pertinent item number of the Organization Minutes. Each bureau and office reports as provided in item 9.1 of the Organization Minutes.

(b) *Field Organization.* The regional and other field offices are staffed with employees who perform certain investigative and other duties more specifically outlined as part of the functional descriptions of the individual bureaus to which they are attached and to which they are generally responsible. The Regional Offices are headed by Regional Managers who are responsible to the Managing Director for certain administrative and managerial matters.

(c) *Office of the Managing Director.* The Managing Director is responsible for the day-to-day administration of the Commission and the management of Commission operations, and reports to the Chairman through the Vice Chairman.

(1) *Budget and Fiscal Office.* Responsible for the preparation and execution of the Commission's budget; assessment of manpower utilization and requirements; for analysis of work processes as relate thereto; for fiscal accounting, auditing, payrolling, and leave administration; and for internal fiscal audit.

(2) *Personnel Office.* Is responsible for planning, organizing, directing, accomplishing and evaluating the overall personnel program and providing organizational and functional management studies in the Commission.

(3) *Section of Administrative Services.* Responsible for all property supply, maintenance, space and facilities functions within the Commission; for providing central stenographic and typing services for the Commission; for the preparation of administrative and other issuances; and for the operation of the Commission's Class "A" printing plant.

(4) *Section of Systems Development.* Responsible for conducting studies to determine the feasibility of applying automatic and other data processing methods to Commission operations and work processes. Develops and implements complete systems for those areas determined to be susceptible to such methods. Designs, develops and implements work measurement and work reporting systems and conducts paperwork management program for the Commission. Utilizing electronic data processes operates automated control system which reflects the status of proceedings cases and specifically identifies those cases and steps in which processing should be reviewed for expediting action.

(d) *Office of the Secretary.* The Secretary is the official through whom the Commission, its divisions, individual Commissioners, boards of employees, joint boards, and examiners issue their orders and decisions; he is custodian of the seal and records of the Commission and is responsible for the proper documentation of Commission decisions, procedures, and other transactions; pursuant to the Rules of Practice, he is responsible for processing the official documents pending before the Commission and for service on parties to formal proceedings; and he supervises the Sections of Dockets, Reference Services, and Mails and Files. The Secretary's Office, which includes the Public Information Officer, is the medium through which decisions, orders, statements, releases and other information, including individual votes contained in the Commission's minutes, are made available to the press and public.

(1) *Section of Dockets.* Is responsible for maintaining all docket files of the Commission proceedings; serving all reports, orders, notices, etc.; scheduling or arranging for the use of hearing rooms and oral argument in Washington and the field; preparing and maintaining records of motor carrier applications for authority to operate and the Commission disposition thereof; the progressive status of all proceedings; the recording of documents evidencing the lease, mortgage, etc., of railroad equipment; and processing applications for admission to practice and maintenance of the roster of practitioners.

(2) *Section of Mails and Files.* Processes all incoming and outgoing mail in the Commission; provides messenger services in the Washington office; and maintains the Commission's central files.

(3) *Section of Reference Services.* For the use of Commission personnel, other Government agencies, practitioners and the public, compiles and maintains the following publications and reference facilities: (i) index-digests and tables for publication in the Commission's bound report volumes; (ii) consolidated digests and consolidated tables, covering reports 1887 to date; and (iii) the Interstate Commerce Acts annotated, a bound set which is supplemented by Advance Bulletins in the intervals between issuance of bound volumes. In addition, maintains a special library of transportation materials and provides a coordinated reference service.

(e) *Office of the General Counsel.* This Office, under the direction of the General Counsel, furnishes general legal advisory service to the Commission in all matters involving its functions and activities under the Act and other statutes administered by it and concerning other laws or statutes applicable to or affecting the Commission; and defends, on behalf of the Commission, in all court proceedings to set aside, enjoin, cancel, or annul orders of the Commission. This Office does not participate as public counsel in Commission proceedings nor does it act as investigator or prosecutor in proceedings to enforce the requirements of the Act or to exact penalties for violations.

(f) *Bureau of Accounts.* Performs the accounting, cost finding and valuation functions necessary in the regulatory work of the Commission to bring about accurate, uniform and comprehensive disclosure of financial data by carriers in the public interest. This includes the development of uniform systems of accounts, valuation regulations, regulations governing the destruction of carrier records, and other related regulations for all transportation companies subject to the Act; examining the accounts, records and financial statements filed by such companies to ascertain compliance with Commission accounting and related regulations; development of equitable and reasonable depreciation rates for carrier property; preparing studies and analyses of the costs and revenues of transportation services of carriers subject to the Act; maintaining

inventories of railroad and pipeline properties, and developing property valuation data; preparing accounting, cost and valuation data for use in proceedings before the Commission; rendering assistance in accounting matters in finance proceedings; and analyzing cost evidence presented by other parties in rate proceedings.

(1) *Section of Accounting.* Prepares uniform systems of accounts and general accounting rules applicable to carriers in the several modes of transportation subject to Commission regulation. Prepares regulations governing the destruction of carrier records, and the forms and recording of passes for free transportation or at reduced fares. Prepares modifications and revisions of such systems and rules to keep them abreast of current conditions including special rules for carriers undergoing financial reorganization, merger, consolidation, acquisition or abandonment of property, etc. Furnishes interpretations of accounting and related rules as required to meet needs of the Commission and the carriers subject to its regulation. Renders assistance in proceedings before the Commission, the courts and Congressional Committees involving the application of accounting rules and principles. Reviews and disposes of accounting entries submitted by carriers pursuant to Commission orders in finance proceedings. Reviews for approval by the Commission agreements between common carriers by railroad or express companies with persons furnishing protective services against heat or cold to property transported in interstate or foreign commerce.

(2) *Section of Cost Finding.* Prepares cost formulas and studies to reflect the cost of transportation by railroads; motor carriers; inland, coastal and intercoastal water carriers. Furnishes cost data for use in considering rate proposals. Analyzes cost evidence submitted by carriers in petitions for vacation of suspension orders and in rate proceedings, and evaluates the adequacy of the studies in relation to the issues. Prepares cost exhibits and supplies witnesses in a variety of cases when directed by the Commission.

(3) *Section of Field Service—Departmental.* Directs and coordinates the field work program covering the examination of carrier accounting, valuation and related records and practices. Reviews and evaluates all reports and related working papers pertaining to general accounting and valuation examinations made by the Bureau's field staff; ascertains the appropriate disposition of all deviations from prescribed regulations and other matters reported therein.

Field Staff. Examines accounts and records of carriers to ascertain compliance with accounting, valuation and related regulations prescribed by the Commission. Ascertains that the payments made by railroads or express companies are just and reasonable and in accordance with agreements with persons furnishing protective services. Provides expert testimony in courts of law and proceedings before the Commission with respect to matters developed in field examinations and investigations.

(4) *Section of Valuation and Reports.* Performs work necessary to ascertain the value of railroad and pipeline properties pursuant to section 19a of the Act and to determine equitable and reasonable depreciation rates for carrier property as required by section 20(4). This includes maintaining current inventories of carrier property; ascertaining the original and current reproduction cost of carrier property; ascertaining the present value of land and the development of other pertinent information for finding final property values. Examines accounting elements of annual reports filed by motor carriers of property and passengers to determine that accounts and related cost data are being maintained in conformity with prescribed regulations.

(g) *Bureau of Finance.* Performs duties in connection with the Commission's proceedings involving rail carriers, motor carriers, water carriers, and freight forwarders, under the various sections of the Act, relative to: authority to construct, acquire, or abandon lines of a railroad or the operation thereof; proposed discontinuance or changes in the operation by railroads of trains or ferries; approval for motor carriers, water carriers and railroads to enter into contracts and agreements for the pooling or division of traffic and earnings; authority to consolidate, merge, transfer ownership, or acquire control of carriers, and when directly related to such authority the granting of certificates or permits to motor carriers in connection therewith; authority for a railroad to acquire trackage rights over, or joint ownership or use of railroad lines and terminals; ordering the use by one railroad of terminal facilities of another; authority to issue securities or to assume obligation and liability with respect to securities of others; authority to sell securities without competitive bidding; authority to alter or modify outstanding securities and obligations; transfers of brokers' licenses and of certificates and permits of motor carriers, water carriers, and permits of freight forwarders; authority to hold position of officer or director of more than one railroad; the guaranty of loans to railroads in financing additions or betterments or other capital expenditures, or for the financing of expenditures for maintenance of property; and formal investigations concerning possible violations of the act relating to the foregoing subjects; and, under provisions of the Uniform Bankruptcy Act, the approval of plans of reorganization, the submission thereof to creditors and stockholders for acceptance or rejection, the recommendation of formulas for the segregation of earnings, the ratification of trustees, the fixing of maximum limits of allowances to trustees and other parties in interest, and the authorization of persons, including protective committees, to solicit and act under proxies, authorizations, or deposit agreements in connection with railroad reorganization or receivership proceedings.

(1) *Section of Hearings.* Schedules hearings in all bureau proceedings requiring an oral hearing and handles procedural questions arising in connection therewith until the report and recommended order are served. Conducts hearings, prepares initial reports on proceedings handled in the Bureau and releases for service all initial reports and recommended orders. Reviews procedures and makes recommendations for changes designed to promote efficiency and to expedite the processing of proceedings.

(2) *Section of Proceedings.* Performs duties in connection with the handling of all applications, petitions, and other pleadings (except in matters handled by The Transfer Board, pleadings filed in proceedings pending at the time in the Section of Hearings, and matters related to the guaranty of loans to railroads) in proceedings handled by the Bureau of Finance; recommends the appropriate procedure necessary for their disposition; and refers to the Section of Hearings matters which require a hearing. In all such cases except loan guaranty and Transfer Board matters, prepares drafts of final reports and orders (in those cases on a Commissioner's personal docket, under the direction and supervision of the Commissioner) for the consideration and adoption by the Commission, a division, a single Commissioner, or a board of employees.

(3) *Section of Financial Analysis.* Performs duties in connection with the handling of the proceedings described above relating to the guaranty of loans to railroads in financing additions or betterments or other capital expenditures, or for the financing of expenditures for maintenance of property. Also, prepares financial analyses in connection with the other proceedings described above.

(4) *Transfer Board.* See Item 7.5 of the Organization Minutes as amended for functions and duties.

(5) *Finance Board No. 1.* See Item 7.6 of the Organization Minutes as amended for functions and duties.

(6) *Finance Board No. 2.* See Item No. 7.6 of the Organization Minutes as amended for functions and duties.

(7) *Finance Board No. 3.* See Item No. 7.6 of the Organization Minutes as amended for functions and duties.

(8) *Finance Review Board.* See Item 7.6 of the Organization Minutes as amended for functions and duties.

(h) *Bureau of Inquiry and Compliance.* Investigates violations, prosecutes in court and assists the Department of Justice in prosecuting civil and criminal proceedings arising under all parts of the Act (except violations of the Safety Acts which are handled by the Section of Railroad Safety, Bureau of Safety and Service), and related acts such as the Elkins Act, the Clayton Anti-Trust Act and the Transportation of Explosives Act. When specifically authorized by the Commission, a division thereof, or the Vice Chairman, in any particular case or class of cases, participates in Commission proceedings, for the purpose of developing the facts and issues.

(1) *Section of Motor Carrier Enforcement.* Supervises and handles the legal activities involved in the enforcement of Part II of the Act, the Explosives and Dangerous Articles Act, the Clayton Anti-Trust Act and related acts involving motor vehicle transportation.

Field Staff Regional Trial Attorneys. Provides legal advice in connection with investigation of violations and makes recommendations with respect to enforcement action to be taken; prosecutes or assists United States Attorneys in the prosecution of civil and criminal proceedings in Federal Courts; and participates in Commission proceedings as counsel.

(2) *Section of Rail, Water and Forwarder Enforcement.* Supervises and handles the legal activities involved in the enforcement of Parts I, III, and IV of the Act (except violations of the Safety Acts which are handled by the Section of Railroad Safety, Bureau of Safety and Service), and the Elkins Act, and related acts as they relate to railroads, water carriers and freight forwarders; prosecutes or assists United States Attorneys in the prosecution of civil and criminal proceedings arising under the aforesaid acts; and participates as counsel in Commission proceedings.

(3) *Section of Investigations.* Plans, programs and directs conduct of investigations made by field staff of special agents; initiates and prepares procedures, instructions and manuals to facilitate investigative work; coordinates investigative activities so as to obtain a balanced program of enforcement; provides interchangeable utilization of special agents' services between the Sections of Rail, Water and Freight Forwarder Enforcement and Motor Carrier Enforcement.

Field Staff Regional Special Agents. Conducts investigations of carriers and shippers to obtain evidence of violations. Appear as witnesses in court cases and Commission proceedings.

(i) *Bureau of Motor Carriers.* Performs duties in connection with the Commission's programs involving the regulation of motor carriers and brokers under Part II of the Act insofar as they involve: initiating and administering the rules and regulations governing the filing and approval of security or insurance for the protection of the public and designation of agents for service of process; initiating and administering safety regulations concerning qualifications and maximum hours of service of employees and safety of operation and equipment of all for-hire and private carriers in interstate or foreign commerce; initiating and administering the rules and regulations governing the lease and interchange of vehicles by motor carriers; investigating and reporting on serious accidents and the transportation of explosives and other dangerous articles; initiating and administering regulations relating to the safe transportation of migratory workers; inspecting the operations and records of the carriers and others in the field to inform them of the requirements of the Act and regulations and to discover unauthorized operations or violations with regard to tariffs, rebates, accounts, insurance, annual reports, extensions of credit or unsafe operating practices; and issuing informal interpretations of Commission's certificates, permits and regulations affecting motor carrier operations.

(1) *Interpretations Staff.* Advises the Director and others regarding legal interpretations and other information concerning the motor carrier provisions of the Act and the regulations and operating authorities issued thereunder; advises and assists in the development of recommendations and proposals pertaining to motor carrier regulations; and assembles, prepares and maintains reference materials on these matters.

(2) *Section of Insurance.* Performs work in connection with the administration of Section 215 of the Act pertaining to the furnishing of insurance or other security by motor carriers and brokers for the protection of shippers and the public. This includes the preparation of recommendations to the Commission with regard to applications to self insure. The section also approves or disapproves certificates of insurance and bonds, and in connection therewith evaluates the acceptability of the issuing agency. In addition, performs work similar to that described above, in connection with the administration of section 403(c) of the Act applicable to freight forwarders. Also performs work in connection with the administration of section 221(a) and (c) of the Act pertaining to the designations of the agents to receive service of judicial process.

(3) *Section of Motor Carrier Safety.* Performs work in connection with the promulgation of regulations pertaining to safety, hours of service of employees, and standards of equipment; compiles and publishes statistical and other information pertaining to these matters; presents evidence in Commission proceedings where the matter of carriers' safety records is involved; prepares accident reports for Board approval; and provides guidance to the field staff respecting the administration of the motor carrier safety regulations and procedures.

(4) *Section of Field Service—Departmental.* Plans, programs and supervises the work of the field staff; initiates and prepares procedures and instructions to facilitate execution of field work in coordination with the work of the other sections of the bureau, as well as other bureaus to the extent that the field staff provides services for them; and reviews the effectiveness of the field work performed to insure that the Commission's policies in this area are properly accomplished.

(5) *Field Staff.* Conducts inspections and investigations of the activities of motor carriers to ascertain their compliance with the law and regulations under Part II of the Act, including: safety of operations and equipment, hours of service, posting and adherence to rate and tariff schedules, filing of insurance, operating in accordance with authority and like matters; provides reports on applications for temporary operating authority; prepares investigation reports; recommends prosecutions and serves as witnesses in prosecutions and other proceedings respecting these matters.

(6) *Motor Carrier Board No. 1.* See Item 7.8 of the Organization Minutes as amended for functions and duties.

(7) *Motor Carrier Board No. 2.* See Item 7.8 of the Organization Minutes as amended for functions and duties.

(8) *Motor Carrier Board No. 3.* See Item 7.8 of the Organization Minutes as amended for functions and duties.

(j) *Bureau of Operating Rights.* Performs duties in connection with the Commission's proceedings involving motor common and contract carriers, brokers of motor carrier transportation, water carriers, and freight forwarders, under the various sections of the Act, relative to operating authority matters, provisions, and exemptions, including investigations looking to the prescription of rules and regulations governing operations of such carriers; formal complaints and investigations concerning failure of carriers to comply with the Act or any requirement established thereunder, with respect to operating practices under the jurisdiction of Division 1; the suspension, change, or revocation of certificates, permits, and licenses; and the granting of temporary authorities for motor carrier service. Operations are conducted on functional bases by and through the Director's Office, the sections, the Operating Rights Review Board, the Temporary Authorities Board, and Operating Rights Boards Nos. 1 and 2. The Director's Office is responsible for, among other things, maintenance of the case processing and other statistical records; handling of correspondence; official travel authorizations; Joint Board appointments; case status information; special studies and projects; clerical support for the scheduling and postponement of hearings and modified procedure; extensions of dates for filing pleadings; processing of uncontested filings of State certificates under the second proviso of section 206(a)(1) of the Interstate Commerce Act; and the handling of uncontested requests for authority under the Deviation Rules.

(1) *Section of Hearings.* Schedules hearings in all bureau proceedings requiring an oral hearing and handles procedural questions arising in connection therewith until the report and recommended order are served. Conducts hearings, prepares initial reports on proceedings handled in the Bureau and releases for service all initial reports and recommended orders. Reviews procedures and makes recommendations for changes designed to promote efficiency and to expedite the processing of proceedings.

(2) *Section of Proceedings.* After analysis of the record and consideration of briefs, exceptions, other pleadings, and oral argument, if any, report writers assigned to this section (a) under the direction and supervision of the Commissioner to whom the case is assigned, prepare draft final reports and orders and (b) in cases which have not been assigned to individual Commissioners independently prepare draft reports and orders for circulation to boards of employees for consideration and adoption.

(3) *Section of Appeals.* Independently prepares and reviews memoranda recommending the action the Commission, a Division, or an individual Commissioner should take on petitions for rehearing, reargument, or reconsideration, and petitions for other relief.

(4) *Section of Certificates and Captions.* Examines applications for operating rights, prepares correspondence to applicants concerning sufficiency of such applications, prepares summaries of such applications for publication in the FEDERAL REGISTER as notice to the public. Prepares certificates, permits, and licenses specifying permanent grants of authorities approved by the Commission; processes orders reissuing such authorities upon approval of transfer in finance proceedings, and orders vacating or amending such operating authorities after action by the Commission; and processes uncontested revocation proceedings.

(5) *Temporary Authorities Board.* See Item 7.4 of the Organization Minutes as amended for functions and duties.

(6) *Operating Rights Board No. 1.* See Item 7.11 of the Organization Minutes as amended for functions and duties.

(7) *Operating Rights Board No. 2.* See Item 7.11 of the Organization Minutes as amended for functions and duties.

(8) *Operating Rights Review Board.* See Item 7.11 of the Organization Minutes as amended for functions and duties.

(k) *Bureau of Rates and Practices.* Performs duties in connection with the Commission's proceedings involving rail carriers, motor carriers, water carriers, and freight forwarders, under the various sections of the Act, relative to rates, fares, charges and practices and relief from anti-trust laws relative to collective rate-making agreements; and conducts proceedings arising under a number of miscellaneous provisions of the Act and other acts such as the Railway Mail Service Pay Act, Railroad Retirement Act, etc., which require Commission findings and determinations.

(1) *Section of Administration.* Performs the Bureau's administrative work pertaining to cases processed which includes maintaining records, handling procedural matters, preparing notices and orders, and conducting correspondence with parties to the cases.

(2) *Section of Hearings.* Schedules hearings in all bureau proceedings requiring an oral hearing and handles procedural questions arising in connection therewith until the report and recommended order are served. Conducts hearings, prepares initial reports on proceedings handled in the Bureau and releases for service all initial reports and recommended orders. Reviews procedures and makes recommendations for changes designed to promote efficiency and to expedite the processing of proceedings.

(3) *Section of Proceedings.* After analysis of the record and consideration of briefs, exceptions, other pleadings, and oral arguments, if any, report writers assigned to this section (a) under the direction and supervision of the Commissioner to whom the case is assigned, prepare draft-final reports and orders and (b) in cases which have not been assigned to individual Commissioners (generally those which have not been the subject of an oral hearing) independently prepare draft-final reports and orders for circulation to the Commission or to the Rates and Practices Review Board for decision; and (c) prepare and present memoranda recommending disposition of petitions to the Commission.

(4) *Rates and Practices Review Board.* See Item 7.12 of the Organization Minutes as amended for functions and duties.

(l) *Bureau of Safety and Service.* Performs duties in connection with the Commission's programs respecting: (1) car service provisions of the Act which include preparing proposed regulations and emergency orders regarding the use, control, supply, movement, distribution, interchange and return of locomotives, cars and other vehicles used in the transportation of property; (2) the Locomotive Inspection Act, to promote safety of employees and travelers on railroads, making the inspections to determine that locomotives are in proper condition, safe to operate and comply with the rules and regulations, and to determine that the required inspections of locomotives are made by the carriers and the defects are repaired before the locomotive is returned to service; (3) the Safety Appliance Act, the Ashpan Act, the Hours of Service Act, Accident Reports Act, Block Signal Resolution, Power Brake Law of 1958, etc., relating to investigation of safety appliances or systems intended to promote safety of railway operation; and (4) the transportation of explosives and other dangerous articles by rail, highway and water.

(1) *Section of Car Service.* Performs necessary duties relating to the administration of the car service provisions of the Act, pertaining to use, control, supply, movement, distribution, exchange, interchange and return of locomotives, cars and other vehicles used in the transportation of property, including special types of equipment, and supervises the field staff engaged in inspecting for compliance with respect to these items.

(2) *Section of Locomotive Inspection.* Performs necessary duties relating to the administration of the Locomotive Inspection Act, 45 U.S.C. 22–34, as amended, which requires compliance by carriers engaged in interstate commerce upon whose line any locomotive is used; makes inspections to determine if locomotives are equipped and maintained by carriers in accordance with the Commission's regulations and are in safe condition to operate; takes corrective action in connection with locomotives not conforming to requirements; makes investigations of accidents caused by failure of any part of a locomotive; and prepares reports for Commission approval on such investigations when such action is in the public interest. Supervises the field staff of district inspectors engaged in inspection and investigation to assure compliance with respect to these item.

(3) *Section of Railroad Safety.* Performs necessary duties respecting the administration of various Safety Appliance Acts (45 U.S.C. 1–16, 17–21, 36), the Accident Reports Act (15 U.S.C. 38–43), the Hours of Service Act (45 U.S.C. 61–64), the Block Signal Resolution (45 U.S.C. 35), and section 25 of the Act (49 U.S.C. 25), as related to railways, other than those pertaining particularly to locomotives and the transportation of explosives and other dangerous articles by rail, highway, and water; supervises the field staff engaged in making inspections of carrier operations as prescribed and recommends reporting of violations to the proper United States District Attorneys for prosecution; investigates applications for approval of material modifications of block signal systems and interlocking devices; and investigates train accidents and makes recommendations as to corrective measures to be taken by the carriers.

(4) *Field Staff.* Conducts investigations and performs other field work in connection with the duties of the sections described above.

(5) *Safety and Service Board No. 1.* See item 7.7 of the Organization Minutes as amended for functions and duties.

(6) *Safety and Service Board No. 2.* See Item 7.7 of the Organization Minutes as amended for functions and duties.

(m) *Bureau of Traffic.* Performs duties relative to the filing of schedules or tariffs of rates, fares and charges, and of transportation and protective service contracts, of carriers subject to the Act; the suspension of tariff provisions pending investigation of their lawfulness, and the administration of the long-and-short-haul and aggregates-of-intermediate-rate provisions of the Act; confers and corresponds with carriers, shippers and other interested parties, expressing its views, concerning the application of rates and other tariff provisions, as a possible means of settling controversies; processes applications of carriers requesting authority to make reparation on past shipments; and advises with, and acts as consultant to, the Commission and its staff with respect to tariff policies, rate adjustments, general rate investigations, tariff interpretations, and rate-making principles.

(1) *Section of Tariffs.* Receives, examines and maintains the official files of all tariff publications, except passenger and express publications; processes applications for special permission to es-

tablish rates and charges or other tariff provisions on less than statutory notice or for waiver of tariff circular rules, including those of motor carriers when such carriers have been granted temporary operating authority by the Commission; receives, examines and files powers of attorney, concurrences, also quotations filed under section 22 of the Act; makes recommendations to the Commission as to changes in tariff circular rules; and maintains a complete file of tariffs of all carriers, section 22 quotations and contracts between freight forwarders and motor carriers filed under section 409 of the Act, for use of the public.

(2) *Section of Rates and Informal Cases.* Provides rate information and interpretations of published tariffs and schedules for the Commission and its staff; assists in the settlement of informal negotiations as between shippers and carriers of controversies involving the proper interpretation of tariffs; processes reparation applications; performs the administrative work in connection with contracts covering protective service filed by railroads and by express companies; receives, examines and maintains the official files of tariff publications for passenger and express transportation; and ascertains and computes short-line distances and first-class rates for waybill study purposes.

(3) *Board of Suspension.* See Item 7.3 of the Organization Minutes as amended for functions and duties.

(4) *Fourth Section Board.* See Item 7.2 of the Organization Minutes as amended for functions and duties.

(5) *Released Rates Board.* See item 7.10 of the Organization Minutes as amended for functions and duties.

(6) *Special Permission Board.* See Item 7.9 of the Organization Minutes as amended for functions and duties.

(n) *Bureau of Transport Economics and Statistics.* Performs economic, statistical and related analytical work, concerning transportation, necessary to the Commission in the performance of its functions to foster sound economic conditions consistent with the National Transportation Policy. In performing this work, the bureau advises the Commission on economic matters and develops and prepares for publication data concerning such matters as finances, physical characteristics, operations and traffic consist of the various carriers, as well as statistical and economic evaluations of the effects of the Commission's regulatory policies on carriers, shippers, consumers, and the national economy and the effects of developments pertaining to the latter on the Commission's responsibilities.

(1) *Section of Reports.* Prepares in coordination with other bureaus and offices the statistical and accounting reporting requirements of carriers; sets forth policies and practices to be followed in filing the annual and periodic reports, including railroad accident reports; examines and verifies carrier reports to determine accuracy, completeness and compliance with reporting requirements and conducts correspondence with carriers regarding same; initiates action leading to institution of appropriate proceedings against carriers failing to observe reporting requirements; compiles and prepares for publication transportation statistics based on reports submitted by the carriers covering such matters as finances, operations, and railroad accidents; prepares special statistical and financial analysis for the Commission, Congress, and other governmental agencies; and advises industry, Government agencies, and others regarding the scope and content of the reports and related matters.

(2) *Section of Traffic Statistics.* Provides traffic statistics based primarily on a one percent sample of carload shipments terminated by Class I railroads; compiles and makes special and continuing studies of these data to determine the effect of Commission decisions on rate structures; and to analyze other traffic characteristics; issues a continuing series of annual and other periodical publications based upon the carload sample showing various distributions of traffic characteristics; develops and maintains an inventory of motor carrier authorities to facilitate identification of operating rights with given characteristics for Commission information and utilization; operates automatic data processing equipment for these and other bureaus and Commission processing requirements; provides technical and professional advice and assistance in statistical matters, the waybill sample and operating authorities inventory, and automatic data processing.

(3) *Section of Research.* Conducts formal research studies of basic transportation problems and developments affecting the several modes of transportation or the national transportation system to assist the Commission in the performance of its regulatory and administrative functions; advises the Commission on economic matters and prepares special studies and analyses of economic data to meet specific current needs of the Commission; and provides economic, statistical and other material for Commission and Bureau publications.

(o) *Bureau of Water Carriers and Freight Forwarders.* Performs duties in connection with the Commission's programs involving the regulation of water carriers, freight forwarders, and rate bureaus under Parts III and IV, and Section 5a of the Act. Processes the applications (1) of water carriers for temporary authorities and exemptions, and (2) of common carriers for approval of collective rate-making agreements. Inspects the operations of water carriers, freight forwarders and rate bureaus to inform them of the requirements of the Act and Commission regulations and to discover unauthorized operations or violations with regard to tariffs, rebates, accounts, annual reports, extensions of credit or procedures for collective rate-making under approved agreements.

(1) *Field Staff.* Conducts the investigations and performs the other field work included in the functional statement for the Bureau.

[SEAL] HAROLD D. McCOY,
Secretary.

INTERSTATE COMMERCE COMMISSION FIELD OFFICES

ICC regions	Location of offices	Bureaus and offices represented
1	Boston, Mass.; Regional Headquarters, 15 Court Square.	A, I&C, MC, OMD, S&S.
	Lebanon, N.H., 6 Campbell St.	MC.
	Portland, Maine; 305 Post Office and Court House, 76 Pearl St.	MC.
	Providence, R.I., 187 Westminster St.	MC.
	Springfield, Mass., 338 Federal Building, 436 Dwight St.	MC.
	New York, N.Y.,[1] Room 1111, 346 Broadway.	A, I&C, MC, S&S, WC.
	Albany, N.Y., 518 Federal Building, Maiden Lane and Broadway.	MC, S&S.
	Binghamton, N.Y., 215 Post Office and Court House.	MC.
	Buffalo, N.Y., 324 Post Office Building, 121 Ellicott St.	MC, S&S.
	Hartford, Conn., 223 Federal Building, 135 High St.	MC.
	Newark, N.J., 363 Industrial Office Building, 1060 Broad St.	A, MC, S&S.
	Syracuse, N.Y., 1025 Chimes Building, 109 West Onondaga St.	MC, S&S.
	Trenton, N.J., 410 Post Office Building, 402 East State St.	MC.
2	Philadelphia, Pa.; Regional Headquarters, 900 Custom House, 2d and Chestnut Sts.	A, I&C, MC, OMD, S&S.
	Baltimore, Md., 312 Appraisers' Stores Building, 103 South Gay St.	MC, S&S.
	Harrisburg, Pa., 218 Central Industrial Building, 100 North Cameron St.	MC.
	Norfolk, Va., 250 Post Office Building, 600 Granby St.	S&S.
	Richmond, Va., 10-502 Federal Building, 400 North Eighth St.	A, I&C, MC, S&S.
	Roanoke, Va., 215 Campbell Avenue, SW.	MC, S&S.
	Salisbury, Md., 206-B Post Office Building East Main and Baptist Sts.	MC.
	Scranton, Pa., 309 Post Office Building, North Washington Ave. and Linden St.	MC.
	Washington, D.C., Interstate Commerce Commission, Building, 12th and Constitution Avenue NW.	A, MC, S&S.
	Columbus, Ohio, 236 New Post Office Building, 85 Marconi Blvd.	I&C, MC, S&S.
	Charleston, W. Va., 3202 Federal Office Building, 500 Quarrier St.	MC, S&S.
	Cincinnati, Ohio, 753 Post Office and Court House.	MC, S&S.
	Cleveland, Ohio, 118 Federal Building, 215 Superior Ave. NE.	MC, S&S.
	Pittsburgh, Pa., 303 Victory Building, 2129th St.	A, I&C, MC, S&S.
	Toledo, Ohio, 5234 Federal Building, 234 Summit St.	MC, S&S.
	Wheeling, W. Va., 531 Hawley Building, 1025 Main St.	MC.
	Youngstown, Ohio, 610 Schween Wagner Building, 125 West Commerce St.	S&S.

[1] Regional director of Water Carriers and Freight Forwarders stationed in this office also responsible for water carrier and freight forwarder matters in Region II.

INTERSTATE COMMERCE COMMISSION FIELD OFFICES—Continued

ICC regions	Location of offices	Bureaus and offices represented
3	Atlanta, Ga.; Regional Headquarters, 680 West Peachtree St. NW.	A, I&C, MC, S&S OMD.
	Birmingham, Ala., 1325 City Federal Building, 2026 2d Ave. North.	MC, S&S.
	Charlotte, N.C., Room 206, 327 North Tryon St.	A, MC, S&S.
	Columbia, S.C., 509 Federal Office Building, 901 Sumter St.	MC.
	Coral Gables, Fla., Room 3, 4112 Aurora St.	MC.
	Jacksonville, Fla., 428 Post Office Building, 311 West Monroe.	A, MC, S&S.
	Mobile, Ala., 317 U.S. Court and Custom House.	S&S.
	Raleigh, N.C., 401 Oberlin Rd.	MC.
	Tampa, Fla., Room 154, 300 Tampa St.	S&S.
	Nashville, Tenn., 706 U.S. Court House, 801 Broadway.	A, I&C, MC, S&S.
	Jackson, Miss., 320 Post Office and Courthouse.	MC.
	Lexington, Ky., 207 Exchange Building, 147 North Upper St.	MC.
	Louisville, Ky., 426 Post Office Building, 601 West Broadway.	MC, S&S.
	Memphis, Tenn., 1121 Falls Building, 22 North Front St.	I&C, MC, S&S.
4	Chicago, Ill.; Regional Headquarters, 852 Custom House, 610 South Canal St.	A, I&C, MC, S&S, WC, OMD.
	Detroit, Mich., 1439 Book Building, 1249 Washington Blvd.	A, MC, S&S.
	Fort Wayne, Ind., 308 Federal Building.	MC.
	Indianapolis, Ind., 8th Floor, Century Building, 36 South Pennsylvania St.	MC, S&S.
	Lansing, Mich., 221 Federal Building, 325 West Allegan St.	MC.
	Springfield, Ill., 719 Meyers Building, 5th and Washington Sts.	MC.
	Minneapolis, Minn., 448 Federal Building and U.S. Court House, 110 South Fourth St.	A, I&C, MC, S&S.
	Duluth, Minn., 425 Post Office Building.	S&S.
	Fargo, N. Dak., 116 South Plaza Building, 1621 South University Dr.	MC, S&S.
	Madison, Wis., Room 100, 214 North Hamilton St.	MC.
	Milwaukee, Wis., 511 Cawker Building, 108 West Wells St.	MC.
	Pierre, S. Dak., Karcher Building, 366½ South Pierre St.	MC.
5	Fort Worth, Tex.; Regional Headquarters, 816 Texas and Pacific Building, Throckmorton and Lancaster Sts.	A, I&C, MC, S&S, OMD.
	Amarillo, Tex., 443 Amarillo Petroleum Building, 8th and Tyler Sts.	MC, S&S.
	Dallas, Tex., 3-101 Mart Building, 500 South Ervay St.	A, MC, S&S.
	El Paso, Tex., 203 U.S. Court House.	S&S.
	Houston, Tex., 8610 Federal Building and U.S. Courthouse, 515 Rusk Ave.	A, I&C, MC, S&S.
	Little Rock, Ark., 2519 Federal Office Building.	MC.
	New Orleans, La.,[2] 709 Masonic Temple, 333 St. Charles Ave.	MC, S&S, WC.

[2] Regional director of Water Carriers and Freight Forwarders stationed in this office also responsible for water carrier and freight forwarder matters in Region III.

INTERSTATE COMMERCE COMMISSION FIELD OFFICES—Continued

ICC regions	Location of offices	Bureaus and offices represented
5	Fort Worth, Tex.—Con. Oklahoma City, Okla., Room 350, American General Building, 210 Northwest Sixth St.	MC, S&S.
	San Antonio, Tex., 583 Post Office and Court House, 615 East Houston St.	MC, S&S.
	Shreveport, La., 625 Ricon-Brewster Building, 425 Milam St.	S&S.
	Kansas City, Mo., 1100 Federal Office Building, 911 Walnut St.	A, I&C, MC, S&S.
	Davenport, Iowa, 235 Post Office Building, 4th and Perry Sts.	MC.
	Des Moines, Iowa, 227 Federal Office Building, 5th St. and Court Ave.	MC., S&S.
	Lincoln, Nebr., 315 U.S. Courthouse and Post Office Building.	MC.
	Omaha, Nebr., 705 Federal Building, 106 South 15th St.	MC, S&S.
	Sioux City, Iowa, 304 Post Office Building.	MC.
	St. Louis, Mo., 3248 Federal Building, 1520 Market St.	A, MC, S&S.
	Topeka, Kans., 309 Federal Building.	MC.
	Wichita, Kans., 906 Schweiter Building, 106 North Main St.	MC, S&S.
6	Portland, Oreg.;[3] Regional Headquarters, 538 Pittock Block, 921 Southwest Washington St.	A, I&C, MC, OMD, S&S, WC.
	Boise, Idaho, 203 Eastman Building, 105 North 8th St.	MC.
	Seattle, Wash., 6130 Arcade Building, 1319 2d Ave.	A, MC, S&S.
	Spokane, Wash., 401 Post Office Building, West 914 Riverside Ave.	MC, S&S.
	Billings, Mont., 318 Post Office and Courthouse.	MC.
	Great Falls, Mont., Civic Center Building.	S&S.
	Anchorage, Alaska,[4] Room 51-52, Federal Building.	MC.
7	San Francisco, Calif.;[5] Regional Headquarters, 602 Sheldon Building, 9 First St.	A, I&C, MC, OMD, OR, S&S.
	Carson City, Nev., 212 Telegraph Building, 11 West Telegraph St.	MC.
	Los Angeles, Calif., 1819 West 6th St.	A, I&C, MC, S&S.
	Phoenix, Ariz., 5045 Federal Building, 230 North 1st St.	MC, S&S.
	Salt Lake City, Utah, 114 Atlas Building, 36½ West 2d South St.	MC, S&S.
	Denver, Colo., 502 Denham Building, 635 18th St.	A, I&C, MC, S&S.
	Albuquerque, New Mexico, 109 U.S. Court House, 4th and Gold Sts.	MC, S&S.

*A —Accounts
I&C —Inquiry and Compliance
MC —Motor Carriers
OMD—Office of the Managing Director
OR —Operating Rights
S&S —Safety and Service
WC —Water Carriers and Freight Forwarders

[3] Regional director of Water Carriers and Freight Forwarders also responsible for water carrier and freight forwarder matters in Region VII.

[4] Receives technical direction from Central Office in Washington, D.C.

[5] Regional Auditor also responsible for accounting matters in Region VI.

TERRITORIAL COVERAGE OF THE FIELD OFFICES OF THE BUREAU OF MOTOR CARRIERS

District No.	Headquarters office	States
1	Boston, Mass.	Massachusetts, Maine, New Hampshire, Vermont, Rhode Island.
2	New York, N.Y.	New York, New Jersey, Connecticut.
3	Philadelphia, Pa.	Eastern Pennsylvania, Maryland, Delaware, District of Columbia, Virginia.
4	Columbus, Ohio	Ohio, Western Pennsylvania, West Virginia.
6	Atlanta, Ga.	Georgia, Florida, Alabama, North Carolina, South Carolina.
7	Nashville, Tenn.	Tennessee, Kentucky, Mississippi.
8	Chicago, Ill.	Illinois, Indiana, Michigan.
9	Minneapolis, Minn.	Minnesota, Wisconsin, North Dakota, South Dakota.
10	Kansas City, Mo.	Missouri, Iowa, Nebraska, Kansas.
12	Fort Worth, Tex.	Texas (excluding El Paso County), Oklahoma, Arkansas, Louisiana.
13	Denver, Colo.	Colorado, Wyoming, New Mexico, Utah, Montana, El Paso County, Texas.

[F.R. Doc. 64-2737; Filed, Mar. 23, 1964; 8:45 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

MARCH 19, 1964.

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. 38896: *Unground Barytes to Natrium, W. Va.* Filed by Missouri Pacific Railroad Company (No. 1131), for itself and on behalf of The Baltimore and Ohio Railroad Company. Rates on barytes (not ground), not further processed than washed, jigged, tabled, crushed or decrepitated, in bulk, in carloads, subject to aggregate minimum weight of 350 net tons, from Lumtie and Potosi, Mo., to Natrium, W. Va.

Grounds for relief: Carrier competition.

Tariff: Supplement 51 to Missouri Pacific Railroad Company, tariff I.C.C. A-10237.

AGGREGATE-OF-INTERMEDIATES

FSA No. 38897: *Unground Barytes to Natrium, W. Va.* Filed by Missouri Pacific Railroad Company (No. 1132), for interested rail carriers. Rates on barytes (not ground), not further processed, than washed, jigged, tabled, crushed or decrepitated, in bulk, in carloads, subject to aggregate minimum weight of 350 net tons, from Lumtie and Potosi, Mo., to Natrium, W. Va.

Grounds for relief: Maintenance of depressed rates published to meet market competition without use of such rates

as factors in constructing combination rates.

Tariff: Supplement 51 to Missouri Pacific Railroad Company, tariff I.C.C. A–10237.

By the Commission.

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

[F.R. Doc. 64–2790; Filed, Mar. 23, 1964; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—MARCH

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during March.

1 CFR

	Page
App. A	3029
CFR Checklist	2909

3 CFR

	Page
PROCLAMATIONS:	
3576	2983
EXECUTIVE ORDERS:	
July 27, 1898 (See PLO 3341)	3010
July 2, 1910 (See PLO 3344)	3111
2242 (See PLO 3345)	3306
7373 (Revoked in part by PLO 3348)	3524
10204 (Amended by EO 11146)	3417
10857 (See EO 11144)	3129
11007 (See EO 11143)	3127
11116 (See F.R. Doc. 64–2626)	3445
11120 (See EO 11146)	3417
11143	3127
11144	3129
11145	3189
11146	3417
11147	3463

5 CFR

	Page
213	3221, 3331, 3595, 3643
332	3643
511	3559
534	3559
890	3595

7 CFR

	Page
301	3643
354	2985
401	2925
728	2925
730	2909, 3107, 3612
775	3332
811	3221
842	2985
846	2986
877	3561
905	3355, 3389
907	2926, 3148, 3389, 3467, 3613
908	3148, 3390, 3613
909	3390
910	2909, 3149, 3391, 3419, 3614, 3650
916	3419
944	3391
950	3565
970	3650
971	3304
987	2986
1008	2926
1009	2926
1031	2926
1035	2927
1036	2927
1040	2927
1041	2927
1042	2927
1043	2927
1047	2927
1048	2927
1049	2927
1062	2927
1066	2928
1067	2928
1072	2928
1075	2928
1090	2928
1096	2928
1098	2928
1101	2928
1120	2928
1125	2928
1126	2928
1128	2928
1129	2929
1130	2929
1131	2929
1132	2929
1133	2929
1134	2929
1135	2929
1137	2929
1138	2929
1421	2930, 3419, 3467, 3614
1438	3467
PROPOSED RULES:	
52	3364
55	3403
70	3404
729	3439
949	3582
990	3625
1003	3205
1005	3205
1008	3205
1009	3205
1011	3205
1013	3205
1016	3205
1030	3205
1031	3205
1032	3205, 3364
1033	3205, 3365, 3668
1034	3205, 3365, 3668
1035	3205, 3365, 3668
1036	3205
1037	3205, 3308, 3671
1038	3205
1039	3205
1040	3205
1041	3205, 3308, 3671
1042	3205
1043	3205
1044	3205
1045	3205
1046	3205
1047	3205
1048	3205
1049	3160, 3205, 3534
1050	3205, 3364
1051	3205
1061	3205
1062	3205
1063	3205, 3364
1064	3205
1065	3206
1066	3206
1067	3205
1068	3205
1069	3205
1070	3205
1071	3206
1072	3206
1073	3206
1074	3206
1075	3206
1076	3206
1078	3205
1079	3205
1090	3205
1094	3205, 3625
1096	3205
1097	3205
1098	3205
1099	3205
1101	3205
1102	3205
1103	3205
1104	3206
1105	3205
1106	3206
1107	3205
1108	3205
1120	3206
1125	3206
1126	3206
1127	3206
1128	3206
1129	3206
1130	3206
1131	3206
1132	3206
1133	3206
1134	3206
1135	3206
1136	3206
1137	3206, 3309, 3626
1138	3206, 3434

8 CFR

	Page
214	3468
299	3468

9 CFR

	Page
74	2910, 3331
203	3304

46 CFR

47 CFR

48 CFR

49 CFR

50 CFR