

# FEDERAL REGISTER

VOLUME 30 • NUMBER 177

Tuesday, September 14, 1965 • Washington, D.C.

Pages 11705-11746

**Agencies in this issue—**

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Agriculture Department  
Army Department  
Atomic Energy Commission  
Business and Defense Services  
Administration  
Civil Aeronautics Board  
Consumer and Marketing Service  
Customs Bureau  
Federal Aviation Agency  
Federal Communications Commission  
Federal Crop Insurance Corporation  
Federal Home Loan Bank Board  
Federal Maritime Commission  
Fish and Wildlife Service  
General Services Administration  
Great Lakes Pilotage Administration  
Interstate Commerce Commission  
Navy Department  
Post Office Department  
Securities and Exchange Commission  
Small Business Administration  
Treasury Department  
Wage and Hour Division

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# 5-Year Compilations of Presidential Documents Supplements to Title 3 of the Code of Federal Regulations

The Supplements to Title 3 of the Code of Federal Regulations contain the full text of proclamations, Executive orders, reorganization plans, trade agreement letters, and certain administrative orders issued by

the President and published in the Federal Register during the period June 2, 1938–December 31, 1963. Tabular finding aids and subject indexes are included. The individual volumes are priced as follows:

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# Presidential Documents

## Title 3—THE PRESIDENT

### Executive Order 11243

#### CREATING AN EMERGENCY BOARD TO INVESTIGATE DISPUTE BETWEEN THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, LINES EAST AND WEST, AND CERTAIN OF THEIR EMPLOYEES

WHEREAS a dispute exists between the Atchison, Topeka and Santa Fe Railway Company, Lines East and West, and certain of their employees represented by the Brotherhood of Railroad Trainmen, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive a section of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by Section 10 of the Railway Labor Act, as amended (45 U.S.C. 160), I hereby create a board of three members, to be appointed by me, to investigate this dispute. No member of the board shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier.

The board shall report its findings to the President with respect to the dispute within thirty days from the date of this order.

As provided by Section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the carrier or by their employees, in the conditions out of which the dispute arose.

LYNDON B. JOHNSON

THE WHITE HOUSE,  
September 11, 1965.

[F.R. Doc. 65-9789; Filed, Sept. 13, 1965; 10:21 a.m.]

# Presidential Documents

THE WHITE HOUSE  
WASHINGTON, D. C. 20503

January 20, 1963

Dear Mr. [Name]:

I am pleased to hear that you are interested in the work of the President's Commission on the Assassination of President John F. Kennedy. The Commission is currently conducting a thorough and impartial investigation into the assassination of our late President.

I am sure that your interest in this matter is well-founded.

I am sure that your interest in this matter is well-founded.

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# Rules and Regulations

## Title 7—AGRICULTURE

### Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 76]

#### PART 401—FEDERAL CROP INSURANCE

#### Subpart—Regulations for the 1961 and Succeeding Crop Years

##### COTTON ENDORSEMENT

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1966 crop year in the following respects:

##### § 401.3 [Amended]

1. The portion of the table following paragraph (a) of § 401.3 of this chapter under the heading "Cotton" is amended effective beginning with the 1966 crop year to read as follows:

##### (CLOSING DATES)

##### COTTON

Alabama:	
Randolph, Clay, Talladega, Shelby, Tuscaloosa and Pickens Counties, and all Alabama counties lying south thereof.....	Apr. 10
All other Alabama counties.....	Apr. 20
Arizona and California.....	Mar. 31
Arkansas and South Carolina.....	Apr. 20
Florida and Louisiana.....	Apr. 10
Georgia:	
Burke, Jefferson, Washington, Baldwin, Jones, Monroe, Lamar, Pike, Meriwether, and Troup Counties, and all Georgia counties lying south thereof.....	Do.
All other Georgia counties.....	Apr. 20
Kentucky, Missouri, and Tennessee.....	Apr. 25
Mississippi:	
Hinds, Jefferson Davis, and Madison Counties.....	Apr. 10
All other Mississippi counties.....	Apr. 20
New Mexico:	
Robeson, Hoke, Cumberland, Iredell Lincoln, Mecklenberg, Cleveland and Rutherford Counties.....	Apr. 15
All other North Carolina Counties.....	Apr. 30
Oklahoma and Virginia.....	Do.
Texas:	
Childress, Cottle, King, Stone-wall, Fisher, Scurry, Borden, Dawson, and Gaines Counties and all Texas counties lying north and west thereof.....	Do.
Aransas, Refugio, Bee, Live Oak, McMullen, La Salle, and Dimmit Counties and all Texas counties lying south thereof.....	Jan. 31
Gollad, Calhoun, Victoria, and Jackson Counties.....	Feb. 28
El Paso County.....	Apr. 15
All other Texas counties.....	Mar. 31

2. The cotton endorsement, published in § 401.21 of this chapter, is amended effective beginning with the 1966 crop year to read as follows:

##### § 401.21 The cotton endorsement.

The provisions of the cotton endorsement for the 1966 and succeeding crop years are as follows:

1. *Causes of loss insured against.* The insurance provided is against unavoidable loss of lint cotton production on the cotton crop due to wildlife, insect infestation, plant disease, earthquake, drought, flood, hail, wind, frost, freeze, lightning, fire, excessive rain, snow, hurricane, tornado, and any other unavoidable cause of loss due to adverse weather conditions, subject however, to any exceptions, exclusions, or limitations with respect to such causes of loss that are set forth in the county actuarial table (hereinafter referred to as the "actuarial table").

2. *Insured crop.* The insured crop shall be American Upland lint cotton. Insurance shall not be considered to have attached on any acreage on which it is determined by the Corporation that cotton was (a) planted following in the same year a small grain crop which reached the heading stage, (b) planted on new ground acreage, or (c) planted in excess of the allotment, permitted acreage, or any other acreage limitation established under any program administered by the Secretary of Agriculture but destroyed by natural causes or by the insured and not considered as cotton under the provisions of such program.

3. *Annual premium.* There will be a reduction in the annual cotton premium for each unit of 4 percent for each full hundred acres of insured acreage on the unit, except that the total reduction shall not exceed 20 percent.

4. *Premium rates, pound guarantee and price for computing indemnities.* (a) The provisions of section 3 of the policy shall not be applicable under this endorsement. For each crop year of the contract the premium rates and the prices for computing indemnities shall be established by the Corporation and shown on the actuarial table.

(b) The pound guarantees per acre are progressive as follows: (1) First Stage—after it is too late to plant cotton until the first blossoms are shed, (2) Second Stage—after the first blossoms are shed and until acreage qualifies for the third stage, or (3) Third Stage—after harvest of at least 20 percent of the pound guarantee per acre for this stage and to the end of the insurance period, except that, and notwithstanding section 8(b) of this endorsement or any other provisions of the contract, acreage on which the Corporation determines the cotton crop has been damaged to the extent that normally farmers would not further care for the crop, shall be deemed to have been destroyed at the time of such damage even though the cotton crop on such acreage was further cared for or harvested. The pound guarantee applicable to such acreage shall be that established for the stage reached by the crop at the time of such damage as determined by the Corporation.

(c) At the time the application for insurance is made the applicant shall elect a price per pound for computing indemnities from among those shown on the actuarial table. Any insured with a contract in force prior to the 1966 crop year may elect the price per pound to be in effect beginning with the 1966 crop year. If for the 1966 or any succeeding crop year any applicant, or insured, has not elected such a price or has elected a price per pound not shown on the actuarial table for that crop year, the price election which shall be applicable under such contract, and which the insured is deemed

to have elected, shall be the price provided on the actuarial table for such purposes.

The insured may with the consent of the Corporation make a new price election for any crop year at any time before the closing date for filing applications for that year.

5. *Insurance period.* Insurance on any insured acreage shall attach at the time the cotton is planted, and with respect to any portion of the crop shall cease upon removal from the field, or upon being housed, or upon either disposal or transfer of interest in unharvested cotton, after harvest has commenced, but in no event shall insurance remain in effect later than the applicable date set forth below immediately following the beginning of the normal harvest period:

Alabama:	
Randolph, Clay, Talladega, Shelby, Tuscaloosa, and Pickens Counties, and all Alabama counties lying south thereof.....	Nov. 30
All other Alabama counties.....	Dec. 15
Arkansas, Missouri, and South Carolina.....	
Do.....	Do
Arizona and California.....	Jan. 31
Florida.....	Nov. 30
Georgia:	
Burke, Jefferson, Washington, Baldwin, Jones, Monroe, Lamar, Pike, Meriwether, and Troup Counties, and all Georgia counties lying south thereof.....	Do
All other Georgia counties.....	Dec. 15
Louisiana.....	Nov. 30
Mississippi:	
Noxubee, Winston, Attala, Holmes, Yazoo, and Issaquena Counties, and all Mississippi counties lying south thereof.....	Do
All other Mississippi counties.....	Dec. 15
Texas:	
Jackson, Victoria, Gollad, Bee, Live Oak, Atascosa, Medina, Uvalde, and Kinney Counties, and all Texas counties lying south thereof.....	Sept. 30
Andrews, Martin, Howard, Mitchell, Scurry, Kent, Dickens, Motley, Hall, and Collingsworth Counties, and all Texas counties lying north and west thereof, and Haskell, Knox, and Wilbarger Counties.....	Dec. 31
All other Texas counties.....	Nov. 30
Kentucky, North Carolina, New Mexico, Oklahoma and Tennessee.....	Dec. 31

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

7. *Claims for loss.* (a) In lieu of subsection 11(c) of the policy, the following shall apply: Losses shall be determined separately for each unit. The amount of loss with respect to any unit shall be determined by (1) multiplying the insured acreage of cotton on the unit by the applicable guarantee per acre, which product shall be the guarantee for the unit, (2) subtracting therefrom the total production to be counted for the unit, (3) multiplying this result by the applicable price for computing indemnities and (4) multiplying the remainder by the insured interest. However, if for the unit the insured fails to report all of his in-

terest or insurable acreage the amount of loss shall be determined with respect to all of his interest and insurable acreage, but in such cases or otherwise, if the premium computed on the basis of the insurable acreage and interest exceeds the premium on the reported acreage and interest, or the acreage and interest when determined by the Corporation under section 2 of the policy, the amount of loss shall be reduced proportionately.

The total production to be counted for any unit shall be determined by the Corporation and, subject to the provisions hereinafter, shall include all harvested production and any appraisals made by the Corporation for unharvested, or potential production, poor farming practices, uninsured causes of loss, or for acreage abandoned or put to another use without the consent of the Corporation; *Provided, however*, That the total production to be counted for any acreage not eligible for the third stage guarantee shall be the amount by which the total of any appraised and harvested production to be counted exceeds the difference between the guarantee applicable to such acreage and the third stage guarantee established for such acreage; *Provided, further*, That the guarantee and the production to be counted on any acreage of cotton which is abandoned or put to another use without the consent of the Corporation shall be the maximum guarantee provided on the actuarial table for such acreage.

(b) The cotton stalks on any acreage with respect to which a loss is claimed shall not be destroyed until the Corporation makes an inspection.

(c) Notwithstanding paragraph (a) of this section, the total production to be counted for any unit shall not include any harvested production destroyed due to insurable causes occurring within the insurance period before being housed or removed from the field.

(d) Notwithstanding any provisions of this section for determining the production to be counted, in any case where the quality of any production of cotton is reduced solely by insured causes to the extent that the value per pound, as determined by the Corporation, is less than 75 percent of the market price at the local market at the time the loss is adjusted, for cotton of the grade and staple length shown on the actuarial table for this purpose, the number of pounds of such poor quality cotton shall be adjusted downward to the number of pounds obtained by dividing the total value of the damaged production, as determined by the Corporation, by 75 percent of the market price per pound at the local market at the time the loss is adjusted, for cotton of the grade and staple length shown on the actuarial table for this purpose.

8. *Meaning of terms.* For the purpose of insurance on cotton, the terms:

(a) "Cotton" means only a crop of American Upland cotton and does not include such cotton if planted primarily for experimental purposes.

(b) "Harvest" means the removal of seed cotton from the open cotton boll or the severance of the open cotton boll from the stalk by either manual or mechanical means.

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

(d) "New ground acreage" in all States except Arizona, California, and New Mexico, means acreage on which it was necessary to remove or deaden timber and remove undergrowth to carry out established cultural practices. Pasture land, other than woodland pasture, cleared of underbrush and brought into cultivation will not be considered new ground acreage. In Arizona, California, and New Mexico, "new ground acreage" means any acreage which has not been planted to a crop in any one of the previous three crop years, except that acreage in tame hay or rotation pasture during the previous crop year shall not be considered new ground acreage.

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

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

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

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

(b) For each year of the contract the termination date for indebtedness shall be the following applicable date immediately preceding the beginning of the crop year for which the termination is to become effective:

Alabama:	
Randolph, Clay, Talladega, Shelby, Tuscaloosa, and Pickens Counties, and all Alabama counties lying south thereof.....	Apr. 10
All other Alabama counties.....	Apr. 20
Arizona and California.....	Mar. 31
Arkansas and South Carolina.....	Apr. 20
Florida and Louisiana.....	Apr. 10
Georgia:	
Burke, Jefferson, Washington, Baldwin, Jones, Monroe, Lamar, Pike, Meriwether, and Troup Counties, and all Georgia counties lying south thereof.....	Do.
All other Georgia counties.....	Apr. 20
Kentucky, Missouri, and Tennessee.....	Apr. 25
Mississippi:	
Hinds, Jefferson Davis, and Madison Counties.....	Apr. 10
All other Mississippi counties.....	Apr. 20
New Mexico.....	Apr. 15
North Carolina:	
Robeson, Hoke, Cumberland, Iredell, Lincoln, Mecklenberg, Cleveland, and Rutherford Counties.....	Do.
All other North Carolina counties.....	Apr. 30
Oklahoma and Virginia.....	Do.

Texas:

Childress, Cottle, King, Stone-wall, Fisher, Scurry, Borden, Dawson, and Gaines Counties and all Texas counties lying north and west thereof.....	Do.
Aransas, Refugio, Bee, Live Oak, McMullen, La Salle, and Dimmit Counties and all Texas counties lying south thereof.....	Jan. 31
Goliad, Calhoun, Victoria, and Jackson Counties.....	Feb. 28
El Paso County.....	Apr. 15
All other Texas counties.....	Mar. 31

10. *Irrigated acreage.* In any county where so provided on the actuarial table, the following provisions shall apply in lieu of subsection 22(a) of the policy in any case where no damage to the cotton crop on insured acreage occurs due to drought or failure to apply irrigation water: "The acreage of an insured crop which shall be insured on an irrigated basis in any year shall not exceed that acreage which normally could be irrigated adequately with the facilities available, taking into consideration the amount of water available after providing the water required to irrigate the acreage of all irrigated crops on the farm."

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

Adopted by the Board of Directors on September 8, 1965.

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

Approved: September 9, 1965.

JOHN A. SCHNITTKER,  
Under Secretary.

[F.R. Doc. 65-9724; Filed, Sept. 13, 1965; 8:51 a.m.]

[Amdt. 77]

## PART 401—FEDERAL CROP INSURANCE

### Subpart—Regulations for the 1961 and Succeeding Crop Years

#### WHEAT ENDORSEMENT

Pursuant to the authority contained in the Federal Crop Insurance Act, as amended, the above-identified regulations are amended effective beginning with the 1966 crop year for wheat in the following respects:

1. The portion of the table following paragraph (a) of § 401.3 of this chapter under the heading "Wheat" and pertaining to Idaho is amended effective beginning with the 1966 crop year to read as follows:

(CLOSING DATES)  
WHEAT

Idaho:	
Idaho County and all Idaho counties lying north thereof.....	Oct. 31
All other Idaho counties.....	Sept. 15

2. In section 8 of the wheat endorsement shown in § 401.32 of this chapter, the table at the end thereof is amended effective beginning with the 1966 crop year by amending the portion of the table pertaining to Idaho to read as follows:

State and county	Cancellation date	Termination date for indebtedness
Idaho: Idaho County and all Idaho counties lying north thereof.	Mar. 15	Oct. 31
All other Idaho counties.....	Mar. 15	Sept. 15

3. Section 2 of the wheat endorsement shown in § 401.32 of this chapter is amended effective beginning with the 1966 crop year to read as follows:

2. *Insured crop.* Insurance shall not attach on acreage on which it is determined by the Corporation that wheat is (a) seeded with flax or other small grains, vetch, Austrian winter peas, or dry edible peas, or (b) not seeded for harvest as grain as determined by the Corporation. Insurance on winter wheat will not be provided for the 1966 crop year to insureds in Bingham, Canyon, Gooding, Jefferson, Jerome, Lincoln, Minidoka, and Twin Falls Counties, Idaho, with a contract in force during the 1965 crop year or who file an application prior to October 31, 1965, unless such insureds make an election in writing prior to October 31, 1965, to include winter wheat as an insurable crop and waive all rights with respect to cancellation under section 15(a) of the policy for the 1966 crop year.

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

Adopted by the Board of Directors on September 8, 1965.

[SEAL] EARL H. NIKKEL,  
Secretary,

Federal Crop Insurance Corporation.

Approved: September 9, 1965.

JOHN A. SCHNITTKER,  
Under Secretary.

[P.R. Doc. 65-9725; Filed, Sept. 13, 1965; 8:51 a.m.]

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

PART 927—BEURRE D'ANJOU, BEURRE BOSC, WINTER NELIS, DOYENNE DU COMICE, BEURRE EASTER, AND BEURRE CLAIRGEAU PEARS GROWN IN OREGON, WASHINGTON, AND CALIFORNIA  
Expenses and Rate of Assessment

On August 25, 1965, notice of rule making was published in the FEDERAL REGISTER (30 F.R. 10992) regarding proposed expenses and the related rate of assessment for the period beginning July 1, 1965, and ending June 30, 1966, pursuant to the marketing agreement, as amended, and Order No. 927, as amended (7 CFR Part 927), regulating the handling of Beurre D'Anjou, Beurre Bosc, Winter Nelis, Doyenne du Comice, Beurre Easter, and Beurre Clairgeau varieties of pears grown in Oregon, Washington, and California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including

the proposals set forth in such notice which were submitted by the Control Committee (established pursuant to said amended marketing agreement and order), it is hereby found and determined that:

§ 927.205 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and necessary to be incurred by the Control Committee during the period July 1, 1965, through June 30, 1966, will amount to \$44,041.55.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 927.41, is fixed at \$0.01 per standard western pear box of pears, or an equivalent of pears in other containers or in bulk.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) shipment of fresh pears are now being made; (2) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable pears handled during the aforesaid period; and (3) such period began on July 1, 1965, and the rate of assessment will automatically apply to all such pears beginning with such date.

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

Dated: September 8, 1965.

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

[P.R. Doc. 65-9689; Filed, Sept. 13, 1965; 8:47 a.m.]

[Grapefruit Reg. 7, Amdt. 8]

PART 944—FRUIT; IMPORT REGULATIONS  
Grapefruit

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph (a) of Grapefruit Regulation 7 (§ 944.103, 29 F.R. 12762, 13603, 30 F.R. 257, 754, 4055, 5359, 6065, 6638) are hereby amended to read as follows:

§ 944.103 Grapefruit Regulation 7.

(a) On and after 12:01 a.m., e.s.t., September 20, 1965, the importation of any grapefruit into the United States is prohibited unless such grapefruit are inspected and meet the following applicable requirements:

(1) Seeded grapefruit shall grade at least U.S. No. 1 Golden and be of a size not smaller than 3 1/16 inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the

U.S. Standards for Florida grapefruit; or (2) Seedless grapefruit shall grade at least U.S. No. 1 Golden and be of a size not smaller than 3 1/16 inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted; which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the U.S. Standards for Florida grapefruit.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective time of this amendment beyond that hereinafter specified (5 U.S.C. 1001-1011) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) such regulation imposes the same restrictions on imports of all grapefruit as the grade and size restrictions being made applicable to the shipment of all grapefruit grown in Florida under Grapefruit Regulation 58 (§ 905.466); (c) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; (d) notice hereof in excess of three days, the minimum that is prescribed by said section 8e, is given with respect to this amended import regulation; and (e) such notice is hereby determined, under the circumstances, to be reasonable.

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

Dated, September 9, 1965, to become effective at 12:01 a.m., e.s.t., September 20, 1965.

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

[P.R. Doc. 65-9723; Filed, Sept. 13, 1965; 8:51 a.m.]

[Orange Reg. 7, Amdt. 1]

PART 944—FRUIT; IMPORT REGULATIONS  
Oranges

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), the provisions of paragraph (a) of § 944.306 (Orange Regulation 7; 29 F.R. 13602) are hereby amended to read as follows:

§ 944.306 Orange Regulation 7.

(a) On and after 12:01 a.m., e.s.t., September 20, 1965, the importation into the United States of any oranges is prohibited unless such oranges are inspected and grade at least U.S. No. 3, and are of a size not smaller than 2 1/16 inches in diameter, except that not more than 10 percent, by count, of such oranges in any lot of containers, and not more

than 15 percent, by count, of such oranges in individual containers in such lot, may be of a size smaller than  $2\frac{7}{16}$  inches in diameter.

It is hereby found that it is impracticable and contrary to the public interest to postpone the effective time of this regulation beyond that hereinafter specified (5 U.S.C. 1001-1011) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation mandatory; (b) the grade and size requirements of this import regulation are the same as those in effect on domestic shipments of oranges under Orange Regulation 6 (§906.313); (c) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time; (d) notice hereof in excess of three days, the minimum that is prescribed by said section 8e, is given with respect to this import regulation; and (e) such notice is hereby determined, under the circumstances, to be reasonable.

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

Dated, September 9, 1965, to become effective at 12:01 a.m., e.s.t., September 20, 1965.

FLOYD F. HEDLUND,  
Director, Fruit and Vegetable  
Division, Consumer and Mar-  
keting Service.

[F.R. Doc. 65-9726; Filed, Sept. 13, 1965;  
8:51 a.m.]

## Title 12—BANKS AND BANKING

### Chapter V—Federal Home Loan Bank Board

#### SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

[No. 19,384]

#### PART 525—ADVANCES

##### Short Term Advances

SEPTEMBER 8, 1965.

Resolved that, notice and public procedure having been duly afforded (30 F.R. 9366), and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of § 525.32 of the regulations for the Federal Home Loan Bank System (12 CFR 525.32) to permit the Federal Home Loan Banks, with the prior approval of the Board, to make short term advances to members in excess of 5 percent of withdrawable accounts, and for the purpose of effecting such amendment, hereby amends said § 525.32 to read as follows, effective September 15, 1965:

##### § 525.32 Short term advances.

In addition to unsecured or secured advances with a maturity of not to exceed 1 year which may be made under

the provisions of section 11(g)(4) of the Act, advances on an unsecured basis or on any kind of security that may be readily available may be made to members under the provisions of section 11(g)(3) of the Act. Such advances must have been unanimously approved by the executive committee of the Bank or by a majority of the directors or by 2 officers of the Bank and shall either be paid at maturity or refunded with eligible collateral. Except with the prior approval of the Board, the resulting aggregate of advances made under this section, together with the unpaid principal of any other advances having an unexpired maturity of more than 30 days, excluding advances made in accordance with or secured as provided in § 525.10, § 525.25, or § 525.26, shall not exceed 5 per centum of the member's withdrawable accounts.

(Sec. 17, 47 Stat. 736, as amended; 12 U.S.C. 1437. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved further that, inasmuch as the foregoing amendment relieves restriction, the Board hereby finds that postponement of the effective date under the provisions of § 508.14 of the general regulations of the Federal Home Loan Bank Board and section 4(c) of the Administrative Procedure Act is not required and the Board hereby provides that the above said amendment shall become effective as hereinbefore set forth.

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,  
Secretary.

[F.R. Doc. 65-9727; Filed, Sept. 13, 1965;  
8:51 a.m.]

#### SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

[No. 19,387]

#### PART 545—OPERATIONS

##### Purchase of Loans

SEPTEMBER 8, 1965.

Whereas, by Resolution No. 19,336, dated August 12, 1965, and duly published in the FEDERAL REGISTER on August 18, 1965 (30 F.R. 10248), this Board proposed, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), that § 545.6-5 of the rules and regulations for the Federal Savings and Loan System be amended by amendments the substance of which was set out in said publication, and

Whereas, all relevant material presented or available having been considered by it;

It is resolved that, this Board hereby determines to adopt the amendment, as proposed, without change.

It is further resolved that, inasmuch as the foregoing amendment relieves restriction, the Board hereby finds that postponement of the effective date under the provisions of § 508.14 of the general regulations of the Federal Home Loan Bank Board and section 4(c) of the Ad-

ministrative Procedure Act is not required and the Board hereby provides that the said amendment shall become effective September 15, 1965.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,  
Secretary.

##### § 545.6-5 Purchase of loans.

(a) *General provisions.* A Federal association may purchase any loan that it may make, unless expressly prohibited by other provisions of this part, and may also purchase any insured loan secured by a home or combination of home and business property located outside of its regular lending area at an investment not exceeding the sum of (a) \$40,000 for each single-family dwelling, (b) an amount per dwelling unit within the limits set forth in section 207(c)(3) of the National Housing Act, with such increases therein as may be made from time to time by the Federal Housing Commissioner in accordance therewith, and (c) the percentage of value acceptable to the insuring agency of such part of the property as is not attributable to dwelling use. No loan may be purchased by a Federal association from an affiliated institution without the prior approval of the Board, or from a director, officer or employee of such association, or from any person or firm regularly serving such association in the capacity of attorney-at-law. If a Federal association increases its savings accounts as a part of the purchase of any loan, it shall obtain such approval as is required by the rules and regulations for insurance of accounts.

(b) *Purchase from Federal Savings and Loan Insurance Corporation.* A Federal association may purchase from the Federal Savings and Loan Insurance Corporation any loan that such association may make; and, without regard to any other provision of this Part 545 except § 545.6-7, may purchase from such Corporation any loan on the security of a first lien on improved real estate if a portion of the loan is guaranteed by such Corporation under a guaranty contract made by such Corporation with the purchasing association.

[F.R. Doc. 65-9731; Filed, Sept. 13, 1965;  
8:51 a.m.]

[No. 19,383]

#### PART 545—OPERATIONS

##### Loan Payments

SEPTEMBER 8, 1965.

Whereas, by Resolution No. 19,242, dated June 29, 1965, and duly published in the FEDERAL REGISTER on July 3, 1965 (30 F.R. 8544), this Board proposed, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1), that § 545.6-12 of the rules and regulations for the Federal Savings and Loan System be amended by amend-

ments the substance of which was set out in said publication, and

Whereas, all relevant material presented or available having been considered by it;

It is resolved that, this Board hereby determines to adopt the amendment, as proposed, without change.

It is further resolved that the said amendment shall become effective October 15, 1965.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,  
Secretary.

§ 545.6-12 Loan payments.

Payments on the principal indebtedness of all loans on real estate security shall be applied direct to the reduction of such indebtedness, but prepayments made on an installment loan may be re-applied from time to time in whole or in part by a Federal association to offset payments which subsequently accrue under the loan contract. Payments on all monthly installment loans, other than construction loans, insured loans, and guaranteed loans, shall begin not later than 60 days after the advance of the loan; insured loans and guaranteed loans may be repayable upon terms acceptable to the insuring or guaranteeing agency and the Board hereby approves for use by any Federal association a loan plan wherein payments on any construction loans that such association may otherwise make under §§ 545.6 to 545.6-13 shall begin not later than 12 months after the date of the first advance. Borrowers from Federal associations shall have the right to prepay their loans without penalty except that the Board hereby approves for use by any Federal association, other than Federal associations that have Charter E, a loan plan wherein the association may require payment of not more than 6 months' advance interest on that part of the aggregate amount of all prepayments made on a loan in any 1 year which exceeds 20 percent of the original principal amount of the loan: *Provided*, That the loan contract makes express provision therefor.

[P.R. Doc. 65-9728; Filed, Sept. 13, 1965; 8:51 a.m.]

[No. 19,385]

PART 545—OPERATIONS

Service Corporations

SEPTEMBER 8, 1965.

Resolved that, notice and public procedure having been duly afforded (30 F.R. 8543) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) to permit Federal savings and loan associations to invest in service corporations, and for the pur-

pose of effecting such amendment, hereby amends said Part 545 as hereinafter set forth, effective October 15, 1965:

Part 545 of the rules and regulations for the Federal Savings and Loan System is hereby amended by adding, immediately after § 545.9, a new section, § 545.9-1, as follows:

§ 545.9-1 Service corporations.

(a) *General service corporations.* Subject to the provisions of this section, a Federal association may, if permitted by the terms of its charter, invest in the capital stock, obligations, or other securities of any service corporation organized under the laws of the State, District, Commonwealth, territory, or possession in which the home office of such association is located if:

(1) The entire capital stock of such service corporation is available for purchase by, and only by, any and all savings and loan associations with a home office in that State, District, Commonwealth, territory, or possession, and the capital stock is owned by more than one savings and loan association;

(2) Not more than 10 percent of the outstanding capital stock of such service corporation is, or may be, owned by any savings and loan association, except that in any State, District, Commonwealth, territory or possession in which the home offices of less than 15 savings and loan associations are located, not more than 33 1/2 percent of the outstanding capital stock of such service corporation is, or may be, owned by any savings and loan association;

(3) Every eligible savings and loan association is permitted to own an equal amount of the capital stock of such service corporation or, on such uniform basis as may be fixed by such corporation, each such association is permitted to own an amount of capital stock that is a stated percentage of its assets or savings capital at the time of any purchase by it of such stock, but capital stock outstanding on December 31, 1964, may be disregarded in determining compliance with this requirement; and

(4) Substantially all of the activities of such service corporation consist of originating, purchasing, selling and servicing loans upon real estate and participating interests therein, and/or clerical, bookkeeping, accounting, statistical, or similar functions performed primarily for savings and loan associations, plus such other activities as the Board may approve.

(b) *Approved service corporations.* A Federal association may form a service corporation or invest in the capital stock, obligations or other securities of a service corporation other than as set forth in paragraph (a) of this section only with the prior specific approval of the Board. Each application for approval to invest in a service corporation pursuant to this paragraph (b) shall contain a statement setting forth the need for such corporation, the services to be performed by the corporation, the names of all institutions participating in the formation of the corporation, the amount of capital stock investment by each such institution, and such other information as the Board may require. The Board

hereby approves, without application therefor, the investment by any Federal association in a service corporation which meets the requirements of § 545.14-3 if the entire capital stock of such service corporation is available for purchase only by savings and loan associations of the same State, District, Commonwealth, territory, or possession in which any such investing Federal association has its home office.

(c) *Limitations.* A Federal association may make any investment under this section if its aggregate outstanding investment in the capital stock, obligations, or other securities of service corporations would not thereupon exceed 1 percent of the association's assets. For the purposes of this section, the term "aggregate outstanding investment" means the sum of amounts paid for the acquisition of capital stock or securities and amounts invested in obligations of service corporations less amounts received from the sale of capital stock or securities of service corporations and amounts paid to the Federal association to retire obligations of service corporations.

(d) *Examination.* No Federal association may invest in the capital stock, obligations, or other securities of any service corporation unless there has been obtained a written agreement with the Board by such service corporation that:

(1) In the case of a service corporation described in paragraph (a) of this section, such corporation will permit and pay the cost of such examination of the corporation by the Board as the Board from time to time deems necessary to determine the propriety of any investment by a Federal association under this section; and

(2) In the case of a service corporation approved by the Board under paragraph (b) of this section, such corporation, if not one which meets the requirements of § 545.14-3, will permit and pay the cost of such examination and/or audit by the Board as the Board may from time to time deem necessary.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,  
Secretary.

[P.R. Doc. 65-9729; Filed, Sept. 13, 1965; 8:51 a.m.]

[No. 19,386]

PART 545—OPERATIONS

Offices and Records

SEPTEMBER 8, 1965.

Resolve that, notice and public procedure having been duly afforded (30 F.R. 8544) and all relevant material presented or available having been considered by it, the Federal Home Loan Bank Board, upon the basis of such consideration and of determination by it of the advisability of amendment of Part 545 of the rules and regulations for the Federal Savings and Loan System (12 CFR Part 545) to provide for control of

operations, maintenance of records and investment in data processing services, and for the purpose of effecting such amendments, hereby amends said Part 545 as hereinafter set forth, effective October 15, 1965:

1. Section 545.13 of the aforesaid Part 545 is hereby amended to read as follows:

§ 545.13 Home office.

All operations of a Federal association shall be subject to direction from its home office.

2. Part 545 aforesaid is hereby amended by adding, immediately after § 545.14-1, two new sections, §§ 545.14-2 and 545.14-3, as follows:

§ 545.14-2 Data Processing Service Office.

Subject to the provisions of § 545.10, a Federal association may establish or maintain, at a location separate and apart from any other office or offices maintained by the association, a service office the functions, facilities, and operations of which are limited to the providing of data processing services, primarily for such association; such service office shall be located within 100 miles of the home office of the association. A Federal association shall not provide data processing facilities or services to others as a business venture but may provide such facilities or services to others when incidental or secondary to the main objective of meeting the needs of the association. As used in this and succeeding sections, the term "data processing services" means the maintenance of book-keeping, accounting, or other records primarily by mechanical or electronic methods.

§ 545.14-3 Data Processing Service Center.

(a) *General provisions.* Subject to the provisions of this section, a Federal association may participate only with one or more institutions, each of which (1) is insured by the Federal Savings and Loan Insurance Corporation and (2) has legal power to do so, in the establishment or maintenance of a service center the functions, facilities, and operations of which are limited to the providing of data processing services, primarily for such participating institutions.

(b) *Participation arrangements.* Participation in the establishment or maintenance of such a service center may be by means of a partnership or other non-corporate arrangement between or among the participating institutions or by arrangement for capital investment in a service corporation approved by the last sentence of paragraph (b) of § 545.9-1, but a Federal association shall not be a participating institution if:

(1) Its investments, costs, and profit or loss in connection with such service center, as a percentage of the total investment, costs, and profit or loss in connection with such service center, is substantially greater than the facilities and services that are to be used by such Federal association, as a percentage of the total facilities and services provided by such service center; or

(2) Such service center is established or maintained to provide data processing facilities or services to others as a business venture but this shall not prevent the service center from providing such facilities or services to others when incidental or secondary to the main objective of meeting the needs of the participating institutions.

(c) *Maintenance of records and examinations.* Any arrangement under this section shall include a written agreement with the Board by each participating institution and the legal entity, if any, which establishes or maintains a service center under this section requiring the service center to:

(1) Establish and maintain such books, records, and accounting practices as will clearly and fully disclose its operations in relation to paragraph (b) of this section;

(2) Permit such examination and/or audit by the Board's examiners of the operations and affairs of such service center as the Board may from time to time deem necessary, and to pay the cost thereof as determined by the Board; and

(3) Make available to the Board's examiners upon request, for purposes of examination and/or audit, all books and records of such service center and any books and records of any participating institution which, at the time of such request, are physically in the possession of the service center.

3. The undesignated center head appearing in Part 545 immediately preceding § 545.20 is hereby amended by the addition of the word "Accounting" so that such head will read "ACCOUNTING, RECORDS AND REPORTS".

4. Section 545.20 of the aforesaid Part 545 is hereby amended to read as follows:

§ 545.20 Accounting; records.

A Federal association shall use such forms and follow such accounting practices as the Board may from time to time require, and shall close its books as of June 30 and December 31 of each year. The fiscal year of a Federal association shall be the calendar year. A Federal association shall maintain a complete record of all business transacted by it, and shall maintain either at its home office, or at a branch or service office located within 100 miles of the home office, all general accounting records, including all control records, of all business transacted by such association at each of its offices and agencies. Neither the general accounting or control records nor the maintenance thereof shall be transferred by a Federal association from its home office to a branch or service office, or from a branch or service office to its home office or to another branch or service office unless and until (a) the board of directors of the association has by resolution authorized such transfer or maintenance, and (b) the association has sent a certified copy of such resolution to the Chief Examiner of the Federal home loan bank district in which the home office of the association is located. A Federal association which determines to maintain any of its records by means of data proc-

essing services shall so notify the Chief Examiner of the Federal home loan bank district in which the home office of such association is located, in writing, at least 90 days prior to the date on which such maintenance of records will begin. Such notification shall include identification of the records to be maintained by data processing services and a statement as to the location at which such records will be maintained. Any contract, agreement, or arrangement made by a Federal association pursuant to which data processing services are to be performed for such association shall be in writing and shall expressly provide that the records to be maintained by such services shall at all times be available for examination and audit.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464, Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,  
Secretary.

[F.R. Doc. 65-9730; Filed, Sept. 13, 1965;  
8:51 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

[Airspace Docket No. 65-WE-95]

#### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS

##### Alteration of Control Zone

The purpose of this amendment to § 71.171 of the Federal Aviation Regulations is to alter the time of designation of the Palmdale, Calif., control zone.

The Palmdale control zone is presently designated as a full-time control zone. However, effective September 30, 1965, the Palmdale, Calif., air traffic control tower will operate from 0600 to 2200 hours, local time, daily. Therefore, action is taken herein to redesignate the Palmdale control zone with effective hours coincidental with those within which control tower services are provided.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon is unnecessary and it may be made effective September 30, 1965.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., September 30, 1965, as hereinafter set forth.

In § 71.171 (30 F.R. 480), the Palmdale, Calif., control zone is amended to read:

##### PALMDALE, CALIF.

Within a 5-mile radius of AF Plant No. 42, Palmdale, Calif. (latitude 34°37'45" N., longitude 118°04'54" W.); within 2 miles each side of the Palmdale VORTAC 045° radial, extending from the 5-mile radius zone to 9 miles northeast of the VORTAC and within 2 miles each side of the Palmdale VORTAC 079° radial, extending from the

5-mile radius zone to 5 miles east of the VORTAC, from 0600 to 2200 hours, local time, daily.

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

Issued in Los Angeles, Calif., on September 2, 1965.

JOSEPH H. TIPPETS,  
Director, Western Region.

[F.R. Doc. 65-9675; Filed, Sept. 13, 1965; 8:46 a.m.]

Chapter II—Civil Aeronautics Board

SUBCHAPTER E—ORGANIZATION  
REGULATIONS

[Reg. OR-14]

PART 387—ORGANIZATION AND  
OPERATION DURING EMERGENCY  
CONDITIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 8th day of September 1965.

The Board, consonant with section 5(c) of Executive Order 11090, dated February 26, 1963 (28 F.R. 1841), has determined to adopt the following regulations which will enable the Board to carry out its duties and responsibilities in the event emergency conditions prevent it from functioning normally. The regulations contain delegations of authority to the Members, and to the Board's staff in certain contingencies, and are designed to allow for the continuation of operations during a period of national emergency. Once the Board can resume its normal operations, action taken during the emergency period by less than three Board Members, will be subject to reconsideration by the Board.

Since these regulations are rules of agency organization, the Board finds that notice and public procedures hereon are unnecessary. The Board further finds the regulations may be made immediately effective.

Accordingly the Board hereby adopts the new Part 387 of the Organization Regulations (14 CFR Part 387), effective immediately, to read as follows:

- Sec. 387.1 Purpose.
- 387.2 Emergency conditions, effective date and duration.
- 387.3 Offices, and information and submittals.
- 387.4 Organization and delegations of authority.
- 387.5 Board meetings.
- 387.6 Personnel and fiscal functions.
- 387.7 Effect on existing Board requirements.

**AUTHORITY:** The provisions of this Part 387 issued under Executive Order No. 11090 (28 F.R. 1841); Reorganization Plan No. 3 of 1961, 75 Stat. 837, 49 U.S.C. 1324 (note); sec. 204(a), Federal Aviation Act of 1958, 72 Stat. 743, 49 U.S.C. 1324).

§ 387.1 Purpose.

This part describes the plan of organization and operation which will be observed by the Civil Aeronautics Board in discharging its duties and responsibilities in the event of a national emergency as defined in the following section.

§ 387.2 Emergency conditions, effective date and duration.

For purposes of this part, emergency conditions shall be deemed to commence at a time of official notification of an armed attack upon the United States, its territories and possessions, at the time of official notification of the likelihood or imminence of such attack, or at a time specified by authority of the President, whichever may first occur. The provisions of this part shall become operative as of the commence of emergency conditions and shall continue until the Board, by notice and order, shall resume its normal organization and operations.

§ 387.3 Offices, and information and submittals.

During emergency conditions:

(a) The location or headquarters of the Board, and the location of each field office of the Board, if different from the normal location, shall be as designated by the Chairman or his successor. In the absence of communication with the Chairman or his successor, the location of a field office shall be as designated by the head of that office.

(b) All formal or informal requests for information, filings, reports, or other submittals to the Board, shall be addressed to Civil Aeronautics Board, Official Mail and Messenger Service, Washington, D.C., 20428, unless otherwise specified by authority of the Board.

§ 387.4 Organization and delegations of authority.

During emergency conditions:

(a) The respective functions and responsibilities of the Board, individual Board Members, and Board staff members, and the delegations of authority, shall to the extent possible, be as set forth in Public Notice PN-15 (26 F.R. 7231), or any subsequent Public Notice modifying its provisions, and the several parts of the Board's published regulations, unless otherwise modified or revoked by authority of the Chairman, Board, or other requirement of law.

(b) In the event less than three Members of the Board are capable of acting, actions in the name and authority of the Board shall be taken by such acting Member or Members, whose authority shall mean and include the delegated authority to act for all other Members.

(c) In the event no Board Member is capable of acting, actions in the name and authority of the Board shall be taken by the following: the Executive Director; the Director, Bureau of Economic Regulation; the General Counsel; the Director, Bureau of Enforcement; and the Director, Bureau of Safety. If one or more of them cannot act, his or their deputies or staff in line of succession as provided in section (g) hereof shall act. The authority of the above designees, or their successors, shall mean and include the delegated authority to act for the Board.

(d) The authority of the Chairman, in the event he is incapacitated or in-

capable of acting, shall be exercised by the Vice Chairman, and in the event he is unable to act, by the other Members of the Board in order of seniority; if any Board Member is unable to act as Chairman, then members of the Board's staff shall act as Chairman in the following order: The Executive Director; the Director, Bureau of Economic Regulation; the General Counsel; the Director, Bureau of Enforcement; the Director, Bureau of Safety; their respective deputies or staff in line of succession to the preceding staff members.

(e) Actions taken in the name and authority of the Board by less than the statutory quorum of its Members shall be effective immediately (or as specified by the Board order) but shall be subject to reconsideration by the Board within 30 days of the date upon which public notice is given that the Board has been reestablished and is functioning.

(f) If and when a Board Member, or staff member previously incapacitated or otherwise unavailable again because available, he shall thereupon have all the powers and functions he would have had if he had not been incapacitated or otherwise unavailable.

(g) Except as may be determined otherwise by the Chairman or his successor, the respective duties of the Executive Director shall be filled by the Assistant Executive Director or Assistant Executive Director for Operations in that order; the duties of the Secretary and heads of offices and bureaus, and heads of field offices, shall be discharged, in the absence or incapacity of such persons during the emergency conditions, by the available staff member next in line of succession in that office or bureau. The head of each office and bureau shall designate the line of succession within his office or bureau. If no such designation has been made, or the designee is unavailable, such duties shall be assumed by the available subordinate officer or employee in the particular office or bureau who is highest in grade and has served longest with the Board.

§ 387.5 Board meetings.

As soon as possible following the occurrence of emergency conditions, the Board or the person or persons acting in the name and authority of the Board shall provide for the place, time, and method of giving notice of future Board meetings to those entitled thereto as shall be feasible and reasonable in the circumstances, subject to further order of the Board. Any Board action shall be by majority vote of those participating whether physically present or participating in Board consideration through any means of communication.

§ 387.6 Personnel and fiscal functions.

Subject to modification or revocation by authority of the Chairman or his successor, authority to effect temporary appointment of such additional officers and employees, to classify and allocate positions to their proper grades, to issue travel orders, and to effect emergency purchases of supplies, equipment, and

services shall be exercised by the respective heads of offices and bureaus, their deputies or staff in line of succession, as may be required for the discharge of the lawful duties of the respective offices and bureaus. In the event the duly authorized Board certifying officers cannot act, then the Chairman or his successor, or employees designated by the Chairman or his successor, shall act as certifying officers.

#### § 387.7 Effect on existing Board requirements.

Except as herein otherwise provided, all outstanding Board orders, rules, and regulations shall remain in force and effect during the continuance of emergency conditions, subject to all lawful requirements and such changes as may be authorized by authority of the Board.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 65-9704; Filed, Sept. 13, 1965;  
8:49 a.m.]

## Title 32—NATIONAL DEFENSE

### Chapter VI—Department of the Navy

#### SUBCHAPTER C—PERSONNEL

### PART 729—NAVY AND MARINE CORPS MILITARY PERSONNEL SECURITY PROGRAM

#### Miscellaneous Amendments

*Scope and purpose.* The amendments are intended to update Part 729 in accordance with recent changes to the corresponding departmental regulations, distributed to Navy and Marine Corps commands as Change 4 to Secretary of the Navy Instruction 5521.6A.

1. Section 729.6 is amended by adding paragraph (a) (14) to read as follows:

#### § 729.6 Criteria.

(a) *Activities, associations, and attributes of primary security significance.*

(14) Any excessive indebtedness, recurring financial difficulties, unexplained affluence or repetitive absences without leave which furnish reason to believe that the individual may act contrary to the best interests of national security.

2. Section 729.7 is amended by revising the introductory paragraph to read as follows:

#### § 729.7 Investigative responsibility.

The Director of Naval Intelligence is responsible for providing investigative coverage of the matters referred to in § 729.6(a) (1) through (14) in cases involving members or prospective members of any component of the Navy or Marine Corps. The Director of Naval Intelligence will also provide investigative assistance in the categories enumerated in § 729.6(b) when so requested. These investigations will develop all relevant facts with special emphasis on that information which supports or refutes allegations

stemming from the foregoing matters of security significance.

3. Section 729.8 is revised to read as follows:

#### § 729.8 Investigative requirements.

(a) A National Agency Check shall be conducted prior to the appointing or commissioning of any individual as an officer or warrant officer.

(b) The National Agency Checks for members of the Naval Reserve Officers Training Corps shall be initiated immediately upon enrollment. The results of this National Agency Check should be available during the first term, quarter, or semester following enrollment.

(c) Upon being ordered to extended active duty, a National Agency Check will be initiated at the officer's first duty station, if not already accomplished.

(d) Effective October 1, 1965, enlistees and inductees will complete a Statement of Personal History (DD Form 398) at the time of enlistment or induction and prior to entry on active duty. Effective November 1, 1965, a National Agency Check will be initiated immediately for such individuals upon reporting for duty at recruit training.

(R.S. 161, sec. 5031, 70A Stat. 278, as amended, sec. 133, 76 Stat. 517; 5 U.S.C. 22, 10 U.S.C. 133, 5031)

Dated: September 7, 1965.

By direction of the Secretary of the Navy.

R. H. HARE,  
Rear Admiral, U.S. Navy, Acting  
Judge Advocate General of the  
Navy.

[F.R. Doc. 65-9679; Filed, Sept. 13, 1965;  
8:47 a.m.]

### Chapter XVIII—Office of Civil Defense, Office of the Secretary of the Army

### PART 1808—LABOR STANDARDS FOR FEDERALLY ASSISTED CONTRACTS

#### Contract Provisions

Paragraphs (a) and (e) of § 1808.4 are respectively revised to read as follows:

#### § 1808.4 Contract provisions.

(a) *Wage determination decision.* (1) All mechanics and laborers employed by the contractor or subcontractor in the performance of construction work hereunder will be paid unconditionally and not less than once a week and without subsequent deduction or rebate on any account, except such payroll deductions as are permitted by the Copeland Regulations (29 CFR Part 3) of the Secretary of Labor, the full amounts due at time of payment computed at wage rates not less than those contained in the wage determination decision of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractor and such laborers and mechanics; and the wage determination decision shall be posted by the contractor at the site of the work in a prominent place where it can be easily seen by the workers. For the purpose of this clause, contributions made or costs reason-

ably anticipated under section 1(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv). Also for the purpose of this clause, regular contributions made or costs incurred for more than a weekly period under plans, funds, or programs, but covering the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

(2) The contracting officer of the (write in the name of the State or political subdivision) shall require that any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract, shall be classified or reclassified conformably to the wage determination, and a report of the action taken shall be sent by the State through the Office of Civil Defense, Office of the Secretary of the Army to the Secretary of Labor. In the event the interested parties cannot agree on the proper classification or reclassification of a particular class of laborers and mechanics to be used, the question accompanied by the recommendation of the contracting officer of the (write in the name of the State or political subdivision) shall be referred by the State through the Office of Civil Defense, Office of the Secretary of the Army to the Secretary of Labor for final determination.

(3) The contracting officer of the (write in the name of the State or political subdivision) shall require, whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly wage rate and the contractor is obligated to pay a cash equivalent of such a fringe benefit, an hourly cash equivalent thereof to be established. In the event the interested parties cannot agree upon a cash equivalent of the fringe benefit, the question accompanied by the recommendation of the contracting officer of the (write in the name of the State or political subdivision) shall be referred by the State through the Office of Civil Defense, Office of the Secretary of the Army to the Secretary of Labor for determination.

(4) The contractor may consider as part of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2)(B) of the Davis-Bacon Act, or any bona fide fringe benefits not expressly listed in section 1(b)(2) of the Davis-Bacon Act or otherwise not listed in the wage determination decision of the Secretary of Labor which is included in this contract, only when the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis-Bacon Act have been met. Whenever practicable, the contractor should request the Secretary of Labor to make such findings before the making of the contract. In the case of unfunded plans and programs, the Secretary of Labor may require the contractor to set aside in a separate account assets for the meeting of obligations under the plan or program.

(e) *Payrolls and basic records.* (1) Payrolls and basic records relating thereto will be maintained during the course of the work and preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records will contain the name and address of each such employee, his correct classification, rates of pay (including rates of contributions or costs anticipated of the types described in section 1(b)(2) of the Davis-Bacon Act), daily and weekly number of hours worked, deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5(a)(1)(iv)

that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefits under a plan or program described in section 1(b)(2) (B) of the Davis-Bacon Act, the contractor shall maintain records which show that the commitment to provide such benefits is enforceable, that the plan or program is financially responsible, and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits.

(2) The contractor will submit weekly a copy of all payrolls to the (write in the name of the State or political subdivision) accompanied by a statement signed by the employer or his agent indicating that the payrolls are correct and complete, that the wage rates contained therein are not less than those determined by the Secretary of Labor and that the classifications set forth for each laborer or mechanic conform with the work he performed. A submission of a "Weekly Statement of Compliance" which is required under this contract and the Copeland Regulations (29 CFR Part 3) of the Secretary of Labor and the filing with the initial payroll or any subsequent payroll of a copy of any findings by the Secretary of Labor under 29 CFR 5.5(a)(1)(iv) shall satisfy this requirement. The prime contractor shall be responsible for the submission of copies of payrolls of all subcontractors. The contractor will make the records required under the labor standards clauses of the contract available for inspection by authorized representatives of the (write in the name of the State and the political subdivision, if any); the Office of Civil Defense, Office of the Secretary of the Army; and the Department of Labor; and will permit such representatives to interview employees during working hours on the job.

**Effective date.** This amendment is effective immediately.

(64 Stat. 1250, 1255, 50 U.S.C. App. 2253, 2281; Reorg. Plan No. 1 of 1958 as amended, 72 Stat. 1799-1801, 23 F.R. 4991; E.O. 10952, as amended, 26 F.R. 6577; Establishment of the Office of Civil Defense and Delegation of Authority Regarding Civil Defense Functions, published 10 April 1964, 29 F.R. 5017)

Dated: September 3, 1965.

WILLIAM P. DURKEE,  
Director of Civil Defense.

[F.R. Doc. 65-9686; Filed, Sept. 13, 1965; 8:47 a.m.]

## Title 39—POSTAL SERVICE

### Chapter I—Post Office Department PART 17—MAIL ADDRESSED TO MILITARY POST OFFICES OVERSEAS

#### PART 54—PAYMENT FOR LOSSES Miscellaneous Amendments

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

##### § 17.2 [Amended]

I. In § 17.2 *Conditions applicable to mail addressed to certain military post offices overseas*, as published in 30 F.R. 2659-2660, make the following changes:

A. In paragraph (a) *Military post offices by ZIP Code designations*, make the following changes:

1. Delete military post office numbers "09042, 09124, 09147, 09191, 09232, 09305, 09322, and 96324" and the data related thereto.

2. Amend the data opposite post office number 09683 to read: A-B-F.

3. Insert in proper numerical order the following post office numbers and their accompanying data:

Military post office No.	See Footnotes
09090	B-C-D.
09188	A-B-C-E.
96250	A.
96309	A.
96311	A-K.
96312	A.
96316	A.
96317	A.
96318	A.
96345	A.
96347	A.

**NOTE:** The corresponding Postal Manual section is 127.21.

B. In paragraph (b) *Military post offices by former APO and NPO numbers*, delete military post office numbers "42, 124, 147, 191, 232, 305, 322, 324, and 683" and their accompanying data.

**NOTE:** The corresponding Postal Manual section is 127.22.

II. In § 54.3, a new subparagraph (b) (15) has been added to prevent the payment of claims for undamaged returned insured and COD parcels refused by the sender. As so added, subparagraph (b) (15) reads as follows:

##### § 54.3 Nonpayable claims.

(b) Payment will not be made when:

(15) Undamaged returned insured and COD mail refused by sender.

**NOTE:** The corresponding Postal Manual section is 164.32a.

IV. In § 54.4, paragraph (a) is revised to clarify the name of Form 3812. As so revised, paragraph (a) reads as follows:

##### § 54.4 How to request payment.

(a) *Forms.* Use Forms 565, *Application for Indemnity for Registered Mail* to request payment for registered mail losses, and Form 3812, *Request for Payment of Domestic Postal Insurance*, to request payment for insured and COD mail losses. These forms may be obtained from your local postmaster.

**NOTE:** The corresponding Postal Manual section is 164.41.

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

HARVEY H. HANNAH,  
Acting General Counsel.

[F.R. Doc. 65-9695; Filed, Sept. 13, 1965; 8:48 a.m.]

### PART 31—STAMPS, ENVELOPES, AND POSTAL CARDS

#### PART 53—COD

#### PART 61—MONEY ORDERS

##### Miscellaneous Amendments

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

I. In Part 31 make the following changes for the purpose of clarification and to specify a prohibition against coating and covering stamps in such a manner that cancelling or defacing marks cannot be imprinted directly thereon.

A. In § 31.6 insert new paragraph (c) and renumber present paragraphs (c) through (f) as (d) through (g) respectively. As so amended, § 31.6 reads as follows:

##### § 31.6 Validity of stamps.

(c) Stamps covered or coated in such manner that the cancelling or defacing marks cannot be imprinted directly on the stamps.

**NOTE:** The corresponding Postal Manual section is 141.6c.

II. In Part 53 make the following change to give instructions to postal patrons on how to make requests for Form 3849-D.

A. In § 53.4 add a new paragraph (c) to read as follows:

##### § 53.4 Special services.

(c) *Notice to sender.* Senders desiring a notice of undelivered COD mail must request Form 3849-D by endorsement on the address label. This request must appear conspicuously, directly under the return name and address of the sender, and separate from any other instructions, as follows:

##### FORM 3849-D REQUESTED

A mailer's request may include directions to send the notice to the mailer or to his representative. When the mailer's representative is designated, the representative's name and local or nearby address must be shown in a bordered space with instructions, reading: Do not deliver to mailer's designated representative without collecting COD charges, or Deliver without collecting COD charges to mailer's designated representative.

**NOTE:** The corresponding Postal Manual section is 163.43.

III. In Part 61 make the following changes for the purpose of clarification and to provide information as to how Star Route patrons obtain Money Orders.

A. In § 61.1 insert a new paragraph (f) and renumber former paragraph (f) as (g).

As so amended, § 61.1 reads as follows:

##### § 61.1 Issuance of domestic money orders.

(f) *Issuance to star route patrons.* If required to do so by the contract, star route carriers will accept money and applications for money orders and give receipts on Form 1096, Cash Receipt, for the money. Except when an intermediate office is involved, the application and money shall be turned in for issuance of the money order at the post office at which the carrier begins and ends his trips. Wherever possible, without delay to the issuance of the money order or to the proper dispatch of mail, the carrier will submit the money order application and money to the intermediate

office for issuance. When the money order will not be issued before the carrier leaves the post office, he shall be given a receipt on Form 1096 for the funds turned in. In all other respects, money order procedures for star route carriers are the same as provided in paragraph (e) in this section.

NOTE: The corresponding Postal Manual section is 161.16.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 506, 507, 2502, 5101-5105)

HARVEY H. HANNAH,  
Acting General Counsel.

[F.R. Doc. 65-9696; Filed, Sept. 13, 1965;  
8:48 a.m.]

## PART 43—MAIL DEPOSIT AND COLLECTION

### Custody and Control of Mail Chutes and Receiving Boxes

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

I. In § 43.6 paragraph (f) (5) has been amended to cover the Department's responsibility where leased mail chutes are involved. Notice of proposed rule making and advance notice as to the effective date of the amendment has not been given since the purpose of the amendment is to state more clearly in the regulations the existing policy of the Post Office Department. As so amended, paragraph (f) reads as follows:

§ 43.6 Mail chutes and receiving boxes.

(f) *Custody and control of chutes and receiving boxes.*

(5) When mail chutes and receiving boxes are installed under lease, the postmaster is authorized to sign an agreement, endorsed on the back of the contract, between the owner or lessee of the building and the person or company installing the chutes and boxes, providing that if the lessors shall request return of the equipment, the postmaster will, after due notice to the owner or lessee, discontinue collections, remove the lock from the receiving box, and permit the removal of the equipment by the lessors. This arrangement is limited to situations in which the building owner or lessee has (i) personally entered into the lease, or (ii) explicitly agreed to be bound by the terms of the lease, where he is not the original owner or lessee. It is not applicable whenever there is a transfer of ownership or lease of property involving leased mail chute equipment, and the new owner or lessee does not expressly agree in writing to be bound by the lease. Unless a subsequent owner or lessee explicitly agrees to be bound by the lease terms applicable to mail chutes and receiving boxes, the lease will be considered as having been terminated upon transfer of ownership or lease of the building. Postmasters will not endorse contracts and sign agreements between building owners or lessees and firms installing mail chute equipment except under either one of the two conditions.

## RULES AND REGULATIONS

NOTE: The corresponding Postal Manual section is 153.665.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 505, 6003)

HARVEY H. HANNAH,  
Acting General Counsel.

[F.R. Doc. 65-9697; Filed, Sept. 13, 1965;  
8:48 a.m.]

## Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

### Chapter 9—Atomic Energy Commission

#### PART 9-15—CONTRACT COST PRINCIPLES AND PROCEDURES

##### Subpart 9-15.50—Cost Principles and Procedures

###### OUTSIDE TECHNICAL AND PROFESSIONAL CONSULTANTS

Section 9-15.5010-6 *Outside technical and professional consultants*, is revised to read as follows:

§ 9-15.5010-6 *Outside technical and professional consultants.*

Technical and professional consultants, as used here, refers to private individuals acting in their own behalf who make their services available on a fee or per diem basis. Consultant arrangements may permit bringing to contract work the services of outstanding specialists who would not be available on a full-time basis, or whose employment on a full-time basis would not be economically feasible. Costs of such outside consultant services are normally allowable (however, see AECPR 9-7.5006-9 (e) (26); -10(e) (24); -11(b); and 12(e) (22)) when approved by the contracting officer, provided that: the services are essential to and will make a material contribution to the performance of contract work; the services may be performed more economically or more successfully by a consultant than by the contractor's regular personnel; and the fee or per diem charged is reasonable. If the cost of such services is charged directly to the AEC contract, the cost of like items properly chargeable only to other work of the contractor must be eliminated from indirect costs allocable to the AEC contract (see AECPR 15.5009-1).

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

*Effective date.* These regulations are effective thirty days after publication in the FEDERAL REGISTER, but may be observed earlier.

Dated at Germantown, Md., this 7th day of September 1965.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,  
Director, Division of Contracts.

[F.R. Doc. 65-9680; Filed, Sept. 13, 1965;  
8:47 a.m.]

## Chapter 101—Federal Property Management Regulations

### SUBCHAPTER E—SUPPLY AND PROCUREMENT

#### PART 101-26—PROCUREMENT SOURCES AND PROGRAMS

##### Subpart 101-26.3—Procurement From GSA Stores Stock

###### CANCELLATION OF ORDERS AND RETURN OF GSA STOCK ITEMS

###### Correction

In Federal Register Document 65-9162, published at page 11138 in the issue of Saturday, August 28, 1965, subparagraph (6) of § 101-26.310(a) should read as follows:

§ 101-26.310 Ordering and shipping orders.

(a) \* \* \* \*  
(6) The merchandise to be returned will not adversely affect the GSA nationwide inventory situation. This provision will not apply if the material was originally shipped in error by GSA.

## Title 46—SHIPPING

### Chapter III—Great Lakes Pilotage Administration, Department of Commerce

#### PART 401—GREAT LAKES PILOTAGE REGULATIONS

##### Subpart B—Registration of Pilots

###### REQUIREMENTS FOR TRAINING OF APPLICANT PILOTS

Notice is hereby given that Part 401 is amended to add an alternate phrase to § 401.211(a) (3). The following amendment is effective at noon September 1, 1965. In accordance with the provisions of section 4(a) of the Administrative Procedure Act (5 U.S.C. 1003(a)) it is hereby determined: Notice and public procedure on the amendment is impracticable and contrary to the public interest; there is an immediate demand for additional registered pilots to provide adequate and efficient pilotage service on the Great Lakes; there is a limited number of qualified applicants for pilotage registration from commercial shipping sources, and there are members or former members of the armed forces of the United States qualified by experience on other than commercial vessels who would contribute to the alleviation of the current pilot recruitment problem. Accordingly, this amendment is determined to be in the public interest.

Section 401.211 *Requirements for training of Applicant Pilots* is amended to add an alternate phrase, subdivision (v), to paragraph (a) (3).

§ 401.211 *Requirements for training of Applicant Pilots.*

(a) \* \* \* \*  
(3) \* \* \* \* or (v) in sea service within the past 5 years as a member of the Armed Forces of the United States on

vessels of at least 1,000 gross tons or equivalent, in capacities as determined by the Administrator to be equivalent to those required under subdivisions (i), (ii), (iii), or (iv) of this subparagraph.

So ordered, August 31, 1965.

A. T. MESCHTER,  
Administrator.

[F.R. Doc. 65-9707; Filed, Sept. 13, 1965; 8:49 a.m.]

## Title 50—WILDLIFE AND FISHERIES

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

#### PART 32—HUNTING

##### Bowdoin National Wildlife Refuge, Mont.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

#### MONTANA

##### BOWDOIN NATIONAL WILDLIFE REFUGE

The public hunting of ducks, coots, and gallinules on the Bowdoin National Wildlife Refuge, Mont., is permitted from October 9 through October 26, and from November 24 through December 11, 1965, and the hunting of geese is permitted from October 2 through December 15, 1965, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 4,040 acres, is delineated on maps available at refuge headquarters, Malta, Mont., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland, Oreg., 97208.

Hunting shall be in accordance with all applicable State and Federal regulations and subject to the following special conditions:

(1) The use of air-thrust boats for hunting waterfowl is prohibited.

(2) Hunters will report at such checking stations as may be established when entering or leaving the public hunting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 15, 1965.

PAUL T. QUICK,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

AUGUST 30, 1965.

[F.R. Doc. 65-9682; Filed, Sept. 13, 1965; 8:47 a.m.]

No. 177—3

#### PART 32—HUNTING

##### Medicine Lake National Wildlife Refuge, Mont.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rule making.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

#### MONTANA

##### MEDICINE LAKE NATIONAL WILDLIFE REFUGE

The public hunting of ducks, coots and gallinules on the Medicine Lake National Wildlife Refuge, Mont., is permitted from October 9 through October 26, 1965, and from November 24 through December 11, 1965, and the hunting of geese is permitted from October 2 through December 15, 1965, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 2,735 acres, is delineated on maps available at refuge headquarters, Medicine Lake, Mont., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland, Oreg., 97208.

Hunting shall be in accordance with all applicable State and Federal regulations and subject to the following special condition:

(1) Hunters shall report at such designated checking stations as may be established when entering or leaving the public hunting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 15, 1965.

PAUL T. QUICK,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

AUGUST 30, 1965.

[F.R. Doc. 65-9683; Filed, Sept. 13, 1965; 8:47 a.m.]

#### PART 32—HUNTING

##### St. Marks National Wildlife Refuge, Fla.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

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

#### FLORIDA

##### ST. MARKS NATIONAL WILDLIFE REFUGE

Public hunting of turkey, quail, squirrel, rabbit, raccoon, bobcat, and fox on the St. Marks National Wildlife Refuge, Fla., is permitted only on the area designated by signs as open to hunting. This open area, comprising 1,800 acres is delineated on a map available at the refuge headquarters and from the Regional

Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of turkey, quail, squirrel, rabbit, raccoon, bobcat, and fox subject to the following special condition.

(1) The open season for hunting turkey, quail, squirrel, rabbit, raccoon, bobcat, and fox on the refuge extends from November 13, 1965 through January 16, 1966.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 16, 1966.

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

#### FLORIDA

##### ST. MARKS NATIONAL WILDLIFE REFUGE

Public hunting of deer on the St. Marks National Wildlife Refuge, Fla., is permitted only on the area designated by signs as open to hunting. This open area, comprising 1,800 acres is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of deer subject to the following special condition.

(1) The open season for hunting deer on the refuge extends from November 13, 1965, through January 16, 1966.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 16, 1966.

WALTER A. GRESH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

SEPTEMBER 3, 1965.

[F.R. Doc. 65-9681; Filed, Sept. 13, 1965; 8:47 a.m.]

#### PART 32—HUNTING

##### Tennessee National Wildlife Refuge, Tenn.

The following special regulations are issued and are effective on date of publication in the FEDERAL REGISTER.

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

#### TENNESSEE

##### TENNESSEE NATIONAL WILDLIFE REFUGE

Public hunting of squirrels on the Tennessee National Wildlife Refuge, Tenn., is permitted only on the area designated by signs as open to hunting. This open area, comprising 5,000 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Hunting shall be in accordance with all applicable

State regulations governing the hunting of squirrels subject to the following special conditions:

(1) The open season for hunting squirrels on the refuge extends from September 18 through September 30, 1965.

(2) The use of dogs is not permitted.

(3) Camping on the area is not permitted.

(4) Bobcats, gray foxes, woodchucks and crows may be taken.

(5) Hunters may enter public hunting area one hour before sunrise and must be out by one hour after sunset.

(6) A Federal permit is not required to enter the public hunting area.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 30, 1965.

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

TENNESSEE

TENNESSEE NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Tennessee National Wildlife Refuge, Tenn.,

is permitted only on the areas designated by signs as open to hunting. These open areas, comprising 3,200 acres, are delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta, Ga., 30323. Hunting shall be in accordance with all applicable State regulations governing the hunting of deer subject to the following special conditions:

(1) The open season for archery hunting of deer on the refuge extends from October 1 through October 10, 1965. The open season for gun hunting of deer on the refuge extends from November 20 through November 24, 1965. Archery hunting shall be permitted during this latter period.

(2) The use of dogs is not permitted.

(3) Camping on the area is not permitted.

(4) Bobcats, gray foxes, woodchucks, and crows may be taken.

(5) Hunters shall wear red, orange or yellow as part of field dress.

(6) Hunters may enter public hunting area one hour before sunrise and must be out by one hour after sunset.

(7) A Federal permit is required to enter the public hunting area. Interested persons should apply in writing to the Tennessee National Wildlife Refuge, Box 646, Paris, Tenn., 38242. Each applicant must apply individually and should include a self-addressed unstamped envelope. A public drawing will be held on October 4, 1965, and the hunters selected will be notified by mail. The number of hunters participating will be limited to 250 daily. Applications will be accepted until 4 p.m., September 30, 1965, from persons over 15 years old. Hunters selected must report to the checking station designated on the permit mailed to them.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through November 24, 1965.

WALTER A. GRESH,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

SEPTEMBER 3, 1965.

[F.R. Doc. 65-9684; Filed, Sept. 13, 1965;  
8:47 a.m.]

# Proposed Rule Making

## DEPARTMENT OF THE TREASURY

Bureau of Customs

[19 CFR Part 54]

[514.15]

### ALCOHOLIC BEVERAGES IMPORTED BY GOVERNMENT PERSONNEL

#### Amount Allowed Free of Duty

Public Law 89-62 (79 Stat. 208), approved June 30, 1965, made certain changes with respect to the exemption from duty allowed returning residents of the United States. These changes included a general limitation of the exemption for alcoholic beverages and a provision limiting the free entry privilege accorded returning residents under items 813.30 and 813.31 of the Tariff Schedules of the United States (19 U.S.C. 1202) to articles accompanying such returning resident, effective as to persons arriving on or after October 1, 1965.

The exemption under item 915.20, Tariff Schedules of the United States (19 U.S.C. 1202), for alcoholic beverages and tobacco products allowed to persons in the service of the United States returning from extended duty assignments outside the United States has generally been kept approximately equivalent to that allowed returning residents. Accordingly, notice is hereby given that under the discretionary power vested in the Secretary of the Treasury with respect to the amount of alcoholic beverages and tobacco products which may be imported free of duty under item 915.20 of the Tariff Schedules of the United States, it is proposed to amend § 54.2(c) of the customs regulations to reduce the amount of alcoholic beverages which may be imported free of duty under item 915.20 to 1 quart (or 1 wine gallon of such beverages if the person claiming the exemption arrives directly or indirectly from American Samoa, Guam, or the Virgin Islands of the United States, not more than 1 quart of which shall have been acquired elsewhere than in such insular possession) and to provide that free entry of alcoholic beverages and tobacco products will not be accorded unless such beverages and products accompany the person claiming the exemption on his entry into the United States.

Section 54.2(c) as it is proposed to be amended is set forth in tentative form as follows:

§ 54.2 Free entry of personal and household effects of certain classes of persons in the service of the United States, or of their families, and of evacuees.

(c) Not more than 1 quart of alcoholic beverages (or 1 wine gallon of such beverages if such individual arrives directly or indirectly from American Samoa,

Guam, or the Virgin Islands of the United States, not more than 1 quart of which shall have been acquired elsewhere than in such insular possessions) and not more than 100 cigars shall be accorded free entry under item 915.20 of the Tariff Schedules of the United States. Such entry free of duty shall not be accorded to any alcoholic beverages or tobacco products which do not accompany such person upon his arrival in the United States. Free entry of alcoholic beverages and tobacco products under item 915.20 shall not be accorded to a person who has concurrently claimed such an exemption as a returning resident under items 813.30 and 813.31, Tariff Schedules of the United States.

This notice is published pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003). Prior to final action on the proposal, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Commissioner of Customs, Washington, D.C., and received within a period of 20 days from the date of the publication of this notice in the FEDERAL REGISTER. No hearings will be held.

[SEAL] LESTER D. JOHNSON,  
Commissioner of Customs.

Approved: September 7, 1965.

JAMES POMEROY HENDRICK,  
Acting Assistant Secretary  
of the Treasury.

[F.R. Doc. 65-9702; Filed, Sept. 13, 1965;  
8:48 a.m.]

## DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 52]

### GRADES OF GREEN OLIVES

#### Standards; Notice of Proposed Rule Making

Notice is hereby given that the U.S. Department of Agriculture is considering the revision of the U.S. Standards for Grades of Green Olives pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624). This revision, if made effective, will be the second issue by the Department of grade standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file the same in duplicate, not later than January 1, 1966, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, where they will be available for public inspection during official hours of busi-

ness (paragraph (b) of § 1.27, as amended, at 29 F.R. 7311).

NOTE: Compliance with the provisions of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

Statement of consideration leading to the proposed revision of the standard. The existing U.S. Standards for Grades of Green Olives, effective since June 1946, have not been codified under the provisions of the Administrative Procedure Act. Codification of the standards and bringing the standards into accord with present commercial practices is of sufficient importance to propose a revision to the standards.

The proposed revision expands the style and size criteria. Recommended drained weights for all styles and an expanded definition for defects to recognize existing consumer acceptance have been included. These changes, together with changes in format, presentation, and scoring plan, are designed to make the standard more useful in their application to green olives.

Comments and suggestions from many industry leaders, including the Standards Committee of the California Olive Association, have been fully considered in the provisions of this proposal. Most of these comments, when appropriate, have been incorporated in the proposed revision.

Proposed major changes include:

(1) Addition of halved, sliced, and chopped styles; a broken pitted style; and a provision for added garnishes;  
(2) Expansion of the size designations to include blended sizes, such as "family," "king," "royal," and other blends of sizes similar to those in canned ripe olives.

(3) Addition of both single or blends of sizes for pitted and stuffed style olives, similar to those for whole olives.

(4) Recommendation for drained weights for all styles by size and/or container size.

(5) Definitions and tolerances for pit material, stems, mutilated olives, and wrinkled olives:

(6) Classification of blemishes as to degrees of insignificant, minor, or major;

(7) Realignment of score points to conform to current practices in most other U.S. Grade Standards for processed fruits and vegetables.

The proposed revision is as follows:

#### Subpart—United States Standards for Grades of Green Olives

PRODUCT DESCRIPTION, TYPES, STYLES, GRADES

Sec.  
52.5441 Product description.  
52.5442 Types of green olive pack.  
52.5443 Styles of green olives.  
52.5444 Grades of green olives.

#### SIZE DESIGNATIONS

52.5445 Sizes of whole style green olives.

Sec.  
52.5446 Size of pitted and stuffed styles of green olives.

RECOMMENDED MINIMUM DRAINED WEIGHTS  
52.5447 Recommended minimum drained weights.

52.5448 Compliance with recommended minimum drained weights.

#### FACTORS OF QUALITY

52.5449 Ascertaining the grade of a sample unit.

52.5450 Ascertaining the rating for the factors which are scored.

52.5451 Color.

52.5452 Uniformity of size.

52.5453 Absence of defects.

52.5454 Character.

#### DEFINITION OF TERMS AND METHODS OF ANALYSIS

52.5455 Definition of terms.

52.5456 Methods of analysis.

#### LOT INSPECTION AND CERTIFICATION

52.5457 Ascertaining the grade of a lot.

#### SCORE SHEET

52.5458 Score sheet for green olives.

AUTHORITY: The provisions of this subpart issued under sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624.

#### PRODUCT DESCRIPTION, TYPES, STYLES, GRADES

##### § 52.5441 Product description.

Green olives are the completely fermented and cured fruit of the olive tree (*Olea europaea*) which have been prepared from a firm fruit of suitable maturity and variety that have been properly treated to partially remove the characteristic bitterness. The cured olives and the brine packing media have a pH of not more than 4.00 and a sodium chloride content of not less than 7.00 percent. Not more than a trace of reducing sugars may be present.

##### § 52.5442 Types of green olive pack.

(a) "Thrown pack" means green olives packaged without regard to placement or arrangement within the package.

(b) "Placed (or stick) pack" means green olives packaged in such a manner as to indicate that the individual olives have been carefully positioned in a definite pattern.

##### § 52.5443 Styles of green olives.

(a) "Whole" green olives are those which have not been pitted and to which garnishes and/or spices may be added.

(b) "Pitted" green olives are those from which the pits have been removed and to which garnishes and/or spices may be added.

(c) "Stuffed" green olives are pitted green olives that have (1) pimiento; (2) onion; (3) almond; (4) celery; or (5) any other suitable ingredient stuffed into the pit cavity.

(d) "Halved" green olives are pitted green olives that have been cut lengthwise into two approximately equal parts and to which garnishes and/or spices may be added.

(e) "Sliced" green olives are pitted green olives cut into parallel slices of fairly uniform thickness and to which garnishes and/or spices may be added.

(f) "Chopped" or "Minced" (or "Relish-type") green olives are random-

sized cut pieces or cut bits prepared from pitted green olives and to which garnishes and/or spices may be added.

(g) "Broken pitted" green olives are substantially large pieces that may have been broken in pitting but have not been cut or sliced and to which garnishes and/or spices may be added.

(h) "Garnishes" for the purpose of this subpart mean diced, cut, or chopped pimiento or sweet pepper; sliced, cut, chopped, or whole onions; or other similar ingredients.

##### § 52.5444 Grades of green olives.

(a) "U.S. Grade A" (or "U.S. Fancy") is the quality of whole, pitted, stuffed, halved, and sliced green olives that: (1) Have similar varietal characteristics; (2) have normal flavor and odor; (3) have good color; (4) are practically uniform in size in whole, pitted, and stuffed styles of single sizes; (5) are practically free of defects; (6) have good character; and (7) score not less than 90 points when scored in accordance with the scoring system outlined in this subpart.

(b) "U.S. Grade B" (or "U.S. Choice") is the quality of whole, pitted, stuffed, halved, sliced, and chopped or minced styles of green olives that: (1) Have similar varietal characteristics; (2) have normal flavor and odor; (3) have reasonably good color; (4) are reasonably uniform in size in whole, pitted, and stuffed styles of single sizes; (5) are reasonably free of defects; (6) have reasonably good character; and (7) score not less than 80 points when scored in accordance with the scoring system outlined in this subpart.

(c) "U.S. Grade C" (or "U.S. Standard") is the quality of whole, pitted, stuffed, halved, sliced, chopped or minced, and broken pitted styles of green olives that: (1) Have similar varietal characteristics; (2) have normal flavor and odor; (3) have fairly good color; (4) are fairly uniform in size in whole, pitted, and stuffed styles of single sizes; (5) are fairly free of defects; (6) have fairly good character; and (7) score not less than 70 points when scored in accordance with the scoring system outlined in this subpart.

(d) "Substandard" is the quality of any style of green olives that fails to meet the applicable requirements of U.S. Grade C.

#### SIZE DESIGNATIONS

##### § 52.5445 Sizes of whole style green olives.

(a) *General.* The average count for green olives is calculated on the basis of the drained weight of the olives from all sample units comprising the sample.

(b) *Determining compliance.*—(1) *Single size.* Green olives shall be considered of a single size designation if the olives are fairly uniform in size and approximate the size illustrated in Table I of this section and are of the average count for such size. Olives that do not conform to the average count for the size illustrated shall be considered to be the next size smaller.

(2) *Blended sizes.*—(i) *Family; King; Royal.* Green olives shall be considered

of the blended size designation of "Family", "King", or "Royal" when the olives conform visually to the illustrations in Table I of this subpart for the single sizes which compose the blend and conform to the average count for such size designations (see Table II).

(ii) *Other blends.* Green olives shall be considered "Other blends" (other than "Family", "King", or "Royal") when the olives in the blend consist of two or three adjacent sizes which conform visually to the illustrations in Table I of this subpart: *Provided*, That not more than 15 percent, by count, may be definitely of a size or sizes smaller than the two or three sizes in the blend.

(3) *Mixed sizes.* Green olives shall be considered "Mixed sizes" when the olives are not classifiable as a single size or as blended sizes.

##### § 52.5446 Size of pitted and stuffed styles of green olives.

The size of pitted and stuffed styles of green olives shall be a single size or blend of sizes which conforms most closely to the size or sizes illustrated in Table I of this subpart.

TABLE I

Designation (a)	Single sizes		Allowances
	Illustration	Approximate count (per pound)	
Peewee.....	Olive size-shapes are the same as those for canned ripe olives, depicted in Table I of Subpart, U.S. Standards for Grades of Canned Ripe Olives, 7 C.F.R. 62.1751-62.1796.	.....	181 to 220.
Midget.....		.....	141 to 180.
Small (or) Select (or) Standard (s).		136.....	128 to 140 inclusive.
Medium.....		113.....	106 to 127 inclusive.
Large.....		98.....	91 to 105 inclusive.
Extra Large.....		82.....	76 to 90 inclusive.
Mammoth.....		70.....	65 to 75 inclusive.
Giant.....		53 to 64 inclusive.	53 to 64 inclusive.
Jumbo.....		42 to 52 inclusive.	42 to 52 inclusive.
Colossal.....		33 to 41 inclusive.	33 to 41 inclusive.
Super Colossal.....		Not to exceed 32.	32 or less.

TABLE II

Designation	Blended sizes		Average count (per pound of drained olives)
	Composition of blend		
Family.....	Medium, Large, and Extra Large and no more than 15 percent, by count, of Standard (s).		91 to 106 inclusive.
King.....	Giant, Jumbo, and the smaller half of Colossal and no more than 15 percent, by count, of Mammoth.		45 to 53 inclusive.
Royal.....	Large half of Colossal; and Super Colossal.		Not to exceed 34.
Other blends.	Two or three adjacent sizes, as in Table I, and no more than 15 percent, by count, of smaller size (s).		Not applicable.

RECOMMENDED MINIMUM DRAINED WEIGHTS

§ 52.5447 Recommended minimum drained weights.

(a) *General.* The minimum drained weight recommendations for the various styles in Table III and Table IV are not incorporated in the grade of the finished product since drained weight, as such, is not a factor of quality for the purposes of these grades.

(b) *Method for determining drained weight.* The drained weight of green

olives is determined by emptying the container contents upon a U.S. Standard No. 8 sieve, of proper diameter, containing 8 meshes to the inch (0.0937-inch, ±3 percent, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for 2 minutes. The drained weight is the weight of the sieve and olives minus the weight of the dry sieve. A sieve 8 inches in diameter is used for the equivalent of one-quart size containers and smaller, and a sieve 12 inches in diameter for larger containers.

TABLE III—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR GREEN OLIVES (WHOLE, PITTED, AND STUFFED STYLES)

Container sizes	1/2 pint		1 pint		1 quart		1 gallon
	Whole	Pitted and stuffed	Whole	Pitted and stuffed	Whole	Pitted and stuffed	
<i>Size designations</i>	<i>Ounces</i>	<i>Ounces</i>	<i>Ounces</i>	<i>Ounces</i>	<i>Ounces</i>	<i>Ounces</i>	<i>Ounces</i>
Peewee; Midgets.....	5 1/2	4	11	9	22	18	88
Small Select; Standard (s).....	5	3 3/4	10	8	21	17	88
Medium.....	5	3 3/4	10	8	21	17	88
Large.....	5	4	10	8 1/2	21	18	88
Extra Large.....	5	4	10	8 1/2	21	18	88
Mammoth.....	5	4	10	8 1/2	21	18	88
Giant.....	4 1/2	3 3/4	9 1/2	8	20 1/2	17	86
Jumbo.....	4 1/2	3 3/4	9 1/2	8	20 1/2	17	86
Colonial.....	4 1/2	3 3/4	9 1/2	8	20 1/2	17	86
Super Colonial.....	4 1/2	3 3/4	9 1/2	7 1/2	19	16 1/2	85
Family.....	5	4	10	8 1/2	21	18	88
King.....	4 1/2	3 3/4	9 1/2	7 1/2	20 1/2	16 1/2	86
Royal.....	4 1/2	3 3/4	9 1/2	7 1/2	19	16 1/2	86
Other blends.....	5	4	10	8 1/2	21	18	88
Mixed sizes.....	5	4	10	8 1/2	21	18	88

TABLE IV—RECOMMENDED MINIMUM DRAINED WEIGHTS FOR GREEN OLIVES (HALVED, CHOPPED OR MINCED, SLICED, AND BROKEN PITTED STYLES)

Container sizes	4.4 ounces	1 pint	1 quart	1 gallon
<i>Styles</i>	<i>Ounces</i>	<i>Ounces</i>	<i>Ounces</i>	<i>Ounces</i>
Halved.....	3 1/4	8	16	72
Chopped or minced.....	5 1/2	13 1/4	31	122
Sliced.....	3 1/4	7 1/4	15	72
Broken pitted.....		7 1/4	15	77

§ 52.5448 Compliance with recommended minimum drained weights.

Compliance with the recommended minimum drained weights for green olives is determined by averaging the drained weights from all the containers which are representative of a specific lot and such lot is considered as meeting the recommendations if the following criteria are met:

- (a) The average of the drained weights from all of the containers meets the recommended minimum drained weight;
- (b) One-half or more of the containers meet the recommended minimum drained weight; and
- (c) The drained weights from the containers which do not meet the minimum recommended drained weight are within the range of variability for good commercial practice.

FACTORS OF QUALITY

§ 52.5449 Ascertaining the grade of a sample unit.

(a) *General.* In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

- (1) Factor not rated by score points.
- (i) Flavor and odor.

(2) Factors rated by score points.

The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given each factor are:

- (i) Color..... 20
  - (ii) Uniformity of size..... 20
  - (iii) Absence of defects..... 30
  - (iv) Character..... 30
- Total score..... 100

§ 52.5450 Ascertaining the rating for the factors which are scored.

The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

(a) *General.* The evaluation of color shall be determined immediately after the container has been opened and, as applicable for the style, is based upon the exterior color, the interior flesh color, and general appearance. Color of "halved" style is determined on the uncut surfaces.

(b) (A) *Classification.* Green olives that have good color may be given a score

of 18 to 20 points. "Good color" has the following meaning for the applicable styles:

(1) *Whole; pitted; stuffed; halved.* The olives have a practically uniform bright yellow-green exterior color, a light colored flesh, and not more than 5 percent, by count, of the olives or units thereof may vary from such color that is typical of the variety from which prepared: *Provided*, That in stuffed style or when garnish is added the stuffing or garnish shall have a good characteristic color typical of the product used.

(2) *Sliced.* The general color of the olives is normal and typical of these styles prepared from olives having at least reasonably good color and when garnish is added the garnish shall have a good characteristic color typical of the product used.

(c) (B) *Classification.* Green olives that have reasonably good color may be given a score of 16 to 17 points. "Reasonably good color" has the following meaning for the applicable styles:

(1) *Whole; pitted; stuffed; halved.* The olives have a reasonably uniform yellow-green to green exterior color, a light colored flesh, and not more than 10 percent, by count, of the olives or units thereof may vary from such color that is typical of the variety from which prepared: *Provided*, That in stuffed style or when garnish is added the stuffing or garnish shall have a reasonably good characteristic color typical of the product used.

(2) *Sliced; chopped or minced.* The general color of the olives is normal and typical of the styles prepared from olives having at least fairly good color and when garnish is added the garnish shall have a reasonably good characteristic color typical of the product used.

(d) (C) *Classification.* Green olives that have fairly good color may be given a score of 14 or 15 points. Green olives that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly good color" has the following meaning for the applicable styles:

(1) *Whole; pitted; stuffed; halved.* The olives do not have a normal light colored flesh, and not more than 20 percent, by count, of the olives vary from the yellow-green to green color typical of the variety from which prepared: *Provided*, That in stuffed style or when garnish is added the stuffing or garnish shall have a fairly good characteristic color typical of the product used.

(2) *Sliced; chopped or minced.* The general color of the olives is normal and varies more markedly than these styles prepared from olives with fairly good color.

(3) *Broken pitted.* The general color of the olives is normal and may be variable, but is typical of this style prepared from olives with good, reasonably good, or fairly good color.

(e) (SStd) *Classification.* Green olives that are extremely dull grey-green, dark, oxidized, or other abnormal color or that fail to meet the require-

ments of paragraph (d) of this subpart may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

#### § 52.5452 Uniformity of size.

(a) *General.* (1) Uniformity of size refers to the variation in diameters of whole, pitted, and stuffed styles. "Diameter" means the shortest measurement at the greatest diameter thickness of the olive when measured at right angles to the pit or pit cavity.

(2) The factor of uniformity of size is not applicable to blended sizes of pitted, or stuffed olives; nor to halved, sliced, or chopped or minced, and broken pitted styles; and is not scored. For these styles the sum of the scores for the other factors (color, defects, and character) is multiplied by 10 and divided by 8, dropping any fractions, to determine the total score.

(b) (A) *Classification.* Whole, pitted, and stuffed style green olives of a single size that are practically uniform in size may be given a score of 18 to 20 points. "Practically uniform in size" means that of all the olives, the variation in diameters does not exceed  $\frac{1}{16}$  inch; and that of all the olives, in 90 percent, by count, that are most uniform in diameter, the olive with the largest diameter does not exceed the olive with the smallest diameter by more than  $\frac{1}{16}$  inch.

(c) (B) *Classification.* Whole, pitted, and stuffed style green olives of a single size that are reasonably uniform in size may be given a score of 16 or 17 points. "Reasonably uniform in size" means that of all the olives, the variation in diameters does not exceed  $\frac{3}{16}$  inch; and that of all the olives, in 80 percent, by count, that are most uniform in diameter, the olive with the largest diameter does not exceed the olive with the smallest diameter by more than  $\frac{1}{16}$  inch. Green olives of midget size (or that count 141 to 180 per pound) shall not be graded above U.S. Grade B or U.S. Choice, regardless of the total score for the product.

(d) (C) *Classification.* Whole, pitted, and stuffed style green olives of a single size that are fairly uniform in size or whole, pitted, or stuffed style green olives of mixed sizes may be given a score of 14 or 15 points. "Fairly uniform in size" means that of all the olives, in 60 percent, by count, that are most uniform in diameter the olive with the largest diameter does not exceed the olive with the smallest diameter by more than  $\frac{1}{16}$  inch. Olives of Peewee size (or that count 181 to 220 per pound) shall not be graded above U.S. Grade C or U.S. Standard, regardless of the total score for the product.

(e) (SStd) *Classification.* Green olives that have an average count of more than 220 per pound or that otherwise fail to meet the requirements of paragraph (d) of this subpart may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

#### § 52.5453 Absence of defects.

(a) *General.* Defects refer to the degree of freedom from harmless extraneous material, pit material, stems and portions thereof, blemishes, wrinkles, mutilated olives, internal gas pockets, and from any other defects which affect the appearance or edibility of the product.

(b) *Definitions of defects.* (1) "Harmless extraneous material" means any vegetable substance that is harmless.

(2) Pit material is classified as follows:

(i) "Pit" means any whole pit in other than whole olives, whether loose or partially attached to the flesh.

(ii) "Piece of pit" means any portion of pit regardless of size in pitted, stuffed, halved, sliced, or broken pitted styles.

(iii) "Fragments of pit" means any portion of pit in chopped or minced style that weighs more than 5 milligrams.

(3) Stem: A stem or any portion thereof that measures  $\frac{3}{32}$  inch or less from the shoulder of the olive is not considered a defect. Stems are classified as follows:

(i) A "minor stem" is a stem or portion thereof that measures  $\frac{3}{32}$  inch, but not more than  $\frac{5}{32}$  inch, from the shoulder of the olive.

(ii) A "major stem" is a stem or portion thereof that measures more than  $\frac{5}{32}$  inch from the shoulder of the olive.

(4) *Blemishes:* "Blemishes" mean dark-colored surface marks which may or may not penetrate into the flesh or internal discoloration. Blemishes are classified as follows:

(i) "Insignificant blemishes" are surface marks which do not penetrate perceptibly into the flesh and which individually or collectively do not more than slightly affect the appearance of the olive or unit.

(ii) "Minor blemishes" are surface marks which do not penetrate perceptibly into the flesh and which individually or collectively materially affect the appearance of the olive or unit.

(iii) "Major blemishes" include: (a) Surface marks or similar injury which may or may not be associated with a soft texture below the skin and which individually or collectively seriously affect the appearance or edibility, or both, of the olive or unit;

(b) Surface marks or bruises or similar injury which penetrate perceptibly into the flesh and which individually or collectively seriously affect the appearance or edibility, or both, of the olive or unit; and

(c) Internal discolorations of any type, or intensity, involving any portion of the flesh.

(5) Wrinkles: Classification of wrinkles shall be determined while olives are moist and any increase in wrinkling due to dehydration after removing from the container shall not be considered. Wrinkles are classified as follows:

(i) "Insignificant wrinkles" are those which are hairline in appearance and approximate less than  $\frac{1}{64}$  inch in width and, regardless of area covered, are not considered as defects.

(ii) "Minor wrinkles" are those which approximate  $\frac{1}{64}$  inch but not more than  $\frac{1}{32}$  inch in width and cover not more than approximately one-sixth of the area of the olive.

(iii) "Major wrinkles" are: (a) Minor wrinkles which cover more than one-sixth of the area on the olive; or (b) are wrinkles which are more than  $\frac{1}{32}$  inch in width and cover not more than approximately one-third of the area of the olive.

(iv) "Serious wrinkles" are wrinkles which are more than  $\frac{1}{32}$  inch in width and cover more than one-third of the area of the olive.

(6) Mutilated: A "mutilated" olive in whole, pitted, or stuffed styles means an olive that is so pitter-torn or damaged by other means that the entire pit cavity is exposed or the appearance of the olive is seriously affected to the same degree.

(7) Internal gas pockets: Only internal gas pockets that exceed  $\frac{1}{8}$  inch in length are scoreable.

(c) (A) *Classification.* Green olives of whole, pitted, stuffed, halved, and sliced styles that are practically free of defects may be given a score of 27 to 30 points. "Practically free of defects" means that the green olives are practically free of any defects not specifically mentioned and that these defects may no more than slightly affect the appearance or edibility of the olives; that the packing media of stuffed olives is practically free of detached pieces of stuffing; that the overall appearance of the product is not materially affected by olives or units with insignificant blemishes; and, in addition, has the following meanings for the applicable styles:

(1) *Whole; pitted; stuffed; halved.* (i) There may be present, on an average, per 100 whole, pitted, or stuffed olives or per 200 units in halved style:

(a) Not more than one piece of harmless extraneous material;

(b) Not more than one pit or one piece of pit in pitted style;

(c) Not more than 6 minor and major stems of which not more than 3 stems may be major stems;

(d) Not more than 5 stuffed olives that may have darkened or blemished pieces of stuffing; and

(ii) Not more than a total of 10 percent, by count, of the olives or units may have minor and major blemishes; minor, major, and serious wrinkles and internal gas pockets; and may be mutilated olives: *Provided*, That not more than 5 percent, by count, of the olives or units may have major blemishes, major wrinkles, and serious wrinkles; and not more than 3 percent, by count, of the olives may be mutilated, or have internal gas pockets or one olive may be mutilated if there are less than 50 olives in the container.

(2) *Sliced.* Harmless extraneous material, stems or pieces thereof of any size, pieces of pit, or any other defects not specifically mentioned may be present provided such defects do not more than slightly affect the appearance or edibility of the product.

(d) (B) *Classification.* Green olives of whole, pitted, stuffed, halved, sliced,

and chopped or minced styles that are reasonably free of defects may be given a score of 24 to 26 points. Green olives that fall into this classification shall not be graded above U.S. Grade B, regardless of the total score of the product (this is a limiting rule).

"Reasonably free of defects" means that the green olives are reasonably free of any defects not specifically mentioned and that these defects may more than slightly, but not materially, affect the appearance or edibility of the olives; that the packing media of stuffed olives is reasonably free of detached pieces of stuffing; that the over-all appearance of the product may be materially affected by olives or units with insignificant blemishes; and, in addition, has the following meanings for the applicable styles:

(1) *Whole; pitted; stuffed; halved.*  
(i) There may be present, on an average, per 100 whole, pitted, or stuffed olives or per 200 units in halved style:

(a) Not more than 2 pieces of harmless extraneous material;

(b) Not more than a total of 2 pits and pieces of pit in pitted style;

(c) Not more than 10 minor and major stems of which not more than 5 stems may be major stems;

(d) Not more than 7 stuffed olives that may have darkened or blemished pieces of stuffing; and

(ii) Not more than a total of 15 percent, by count, of the olives or units may have minor and major blemishes; minor, major, and serious wrinkles; internal gas pockets; or be mutilated olives: *Provided*, That not more than 10 percent, by count, of the olives or units may have major blemishes, major wrinkles, serious wrinkles, or internal gas pockets; and not more than 5 percent, by count, of the olives may be mutilated.

(2) *Sliced; chopped or minced.* Harmless extraneous material, stems or pieces thereof of any size, pieces of pit or fragments of pit, or any other defects not specifically mentioned may be present provided such defects do not affect materially the appearance or edibility of the product.

(e) (C) *Classification.* Green olives of whole, pitted, stuffed, halved, sliced, chopped or minced, and broken pitted styles that are fairly free of defects may be given a score of 21 to 23 points. Green olives that fall into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule).

"Fairly free of defects" means that the olives are fairly free of any defects not specifically mentioned and that these defects may materially, but not seriously, affect the appearance and edibility of the olives; that the packing media of stuffed olives is fairly free of detached pieces of stuffing; that the over-all appearance of the product may be seriously affected by olives or units with insignificant blemishes; and, in addition, has the following meanings for the applicable styles:

(1) *Whole; pitted; stuffed; halved.*  
(i) There may be present on an average,

per 100 whole, pitted, or stuffed olives or per 200 units in halved style:

(a) Not more than 3 pieces of harmless extraneous material;

(b) Not more than a total of 3 pits and pieces of pit in pitted styles;

(c) Not more than 20 minor and major stems of which not more than 10 stems may be major stems;

(d) Not more than 10 stuffed olives that may have darkened or blemished pieces of stuffing.

(ii) Not more than a total of 25 percent, by count, of the olives or units may have minor and major blemishes; minor, major, and serious wrinkles; internal gas pockets; or be mutilated olives: *Provided*, That not more than 15 percent, by count, of the olives or units may have major blemishes, major wrinkles, serious wrinkles, or internal gas pockets, and not more than 8 percent, by count, of the olives may be mutilated.

(2) *Sliced; chopped or minced.* Harmless extraneous material, stems or pieces thereof of any size, pieces of pit or fragments of pit, or any other defects not specifically mentioned may be present provided such defects do not seriously affect the appearance or edibility of the product.

(3) *Broken pitted.* (i) There may be present, on an average, per one pound of drained olives:

(a) Not more than 2 pieces of harmless extraneous material;

(b) Not more than 2 pits and pieces of pit;

(c) Not more than 4 stems or pieces of stem, regardless of size; and

(ii) Not more than 15 percent, by weight, of the drained olives may be pieces affected by minor and major blemishes.

(f) (SStd) *Classification.* Green olives that fail to meet the requirements of paragraph (e) of this subpart may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

#### § 52.5454 Character.

(a) *General.* Character refers to the firmness, crispness, and texture characteristic for the variety and considers the condition of the epidermal tissue.

(b) *Definition of term.* (1) "Slip skin" refers to epidermal tissue that has become loosened and/or detached from the underlying flesh of the olive.

(c) (A) *Classification.* Green olives of whole, pitted, stuffed, halved, and sliced styles that have good character may be given a score of 27 to 30 points. "Good character" means that the olives have a uniform texture that is characteristic of the variety and that is firm, crisp, and fleshy; and that the olives are practically free of slip skins.

(d) (B) *Classification.* Green olives of whole, pitted, stuffed, halved, sliced, and chopped or minced styles that have reasonably good character may be given a score of 24 to 26 points. Green olives that score into this classification shall not be graded above U.S. Grade B, re-

gardless of the total score (this is a limiting rule). "Reasonably good character" means that the olives have a reasonably uniform texture that is characteristic of the variety; that there may be a moderate variation in the firmness, crispness, and fleshiness; and that the olives are reasonably free of slip skins.

(e) (C) *Classification.* Green olives of whole, pitted, stuffed, halved, sliced, chopped or minced, and broken pitted styles that have fairly good character may be given a score of 21 to 23 points. Green olives that score into this classification shall not be graded above U.S. Grade C, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that the olives have a fairly good texture that is typical of the variety; that they may vary from fairly firm and crisp to fairly hard and tough; and that the olives are fairly free of slip skins.

(f) (SStd) *Classification.* Green olives that fail to meet the requirements of paragraph (e) of this subpart may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

#### DEFINITION OF TERMS AND METHODS OF ANALYSIS

##### § 52.5455 Definition of terms.

(a) "Completely fermented olives" means that the olives and brine contain not more than a trace of reducing sugars. Reducing sugars shall not exceed the following limits:

(1) *Packaged stock.* The precipitate formed may be equal to, or less than, that formed by mixing 5 ml. of 0.015 percent dextrose solution with 5 ml. of Fehling's solution.

(2) *Barreled stock.* The precipitate formed may be equal to, or less than, that formed by mixing 5 ml. of 0.025 percent dextrose solution with 5 ml. of Fehling's solution.

(b) "Normal flavor and odor" means that the green olives are free of any objectionable flavors or odors including, but not limited to, Zapatera and/or butyric acid flavors or odors.

##### § 52.5456 Methods of analysis.

The reducing sugars and salt in green olives is determined in accordance with the latest official method outlined in Official Methods of Analysis of the Association of Official Agricultural Chemists or any other method that gives equivalent results.

#### LOT INSPECTION AND CERTIFICATION

##### § 52.5457 Ascertaining the grade of a lot.

The grade of a lot of green olives covered by these standards is determined by the procedures set forth in the Regulations Governing Inspection and Certification of Processed Fruits and Vegetables, Processed Products Thereof, and Certain Other Processed Food Products (§ 52.1 through 52.37).

## SCORE SHEET

## § 52.5458 Score sheet for green olives.

Number, size, and kind of container.....	.....
Label (including size declaration).....	.....
Container mark or identification.....	.....
Net weight (ounces).....	.....
Vacuum (inches) if any.....	.....
Drained weight (ounces).....	.....
Type of pack.....	.....
Size.....	.....
Style.....	.....
Average count per pound (whole style).....	.....
pH.....	.....
Percent NaCl (sodium chloride).....	.....

Factors	Score points
Color.....	20 (A) 18-20 (B) 16-17 (C) 14-15 (Std) 10-13
Uniformity of size.....	20 (A) 18-20 (B) 16-17 (C) 14-15 (Std) 10-13
Defects.....	30 (A) 27-30 (B) 24-26 (C) 21-23 (Std) 10-20
Character.....	30 (A) 27-30 (B) 24-26 (C) 21-23 (Std) 10-20
Total score.....	100

Flavor ( ) Good ( ) Normal ( ) Off.....  
Grade.....

- 1 Limiting rule.  
2 Limiting rule for Midget size.  
3 Limiting rule for Peewee size.  
4 Limiting rule for applicable styles including count limit.

Dated: September 8, 1965.

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

[P.R. Doc. 65-9662; Filed, Sept. 13, 1965;  
8:45 a.m.]

## [ 7 CFR Part 926 ]

HANDLING OF TOKAY GRAPES  
GROWN IN SAN JOAQUIN  
COUNTY, CALIF.Notice of Proposed Rule Making With  
Respect to Approval of Expenses  
and Fixing of Rate of Assessment  
for 1965-66 Fiscal Period

Consideration is being given to the following proposals submitted by the Tokay Industry Committee, established under the marketing agreement, as amended, and Order No. 926, as amended (7 CFR Part 926), regulating the handling of Tokay grapes grown in San Joaquin County, Calif., effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer the terms and provisions thereof: (1) That expenses that are reasonable and likely to be incurred by the Tokay Industry Committee, during the period from April 1, 1965, through March 31, 1966, will amount to \$30,882.50, and (2) that there be fixed, at \$0.01 per standard package or equivalent quantity of Tokay grapes, the rate of assessment payable by each handler in accordance with § 926.46 of the aforesaid marketing agreement and order.

All persons who desire to submit written data, views, or arguments in connec-

tion with the aforesaid proposals should file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than the 10th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

Dated: September 8, 1965.

FLOYD F. HEDLUND,  
Director, Fruit and Vegetable  
Division, Consumer and Mar-  
keting Service.

[P.R. Doc. 65-9691; Filed, Sept. 13, 1965;  
8:48 a.m.]

## [ 9 CFR Part 201 ]

STOCKYARD OWNERS, MARKET  
AGENCIES AND LICENSEESTime and Place To File Schedules and  
Amendments

Notice is hereby given that pursuant to section 407(a) of the Packers and Stockyards Act (7 U.S.C. 228), the Consumer and Marketing Service, proposes to amend § 201.22 (9 CFR 201.22) of the regulations under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), so as to modify, under certain conditions, the filing and notice requirements contained in section 306(c) of the Act (7 U.S.C. 207(c)) with respect to tariff supplements relating only to changes in feed charges.

*Statement of considerations.* Section 201.22 of the regulations under the Act requires that all amendments to tariff schedules changing a rate or charge shall be filed with the Director, Packers and Stockyards Division, not less than 10 days before the effective date thereof unless the requirements as to filing and notice are specifically waived. That section provides, however, that in the case of tariff supplements which relate only to changes in feed charges which are determined on a cost plus specified margin basis, such supplements shall be filed with the area supervisor and shall become effective 2 days thereafter. Section 201.20 of the regulations requires stockyard owners and market agencies operating at posted stockyards to file a complete new schedule containing all rates and charges after 30 amendments to a schedule have been filed. Many tariffs now provide that feed charges shall be based upon a specified margin above the cost of the feed, which margin covers the cost of labor involved in handling and delivering feed to pens, storage, truck expense, shrink, et cetera. Fluctuations in the price of feed necessitate the filing of feed supplements often, thereby causing expense and inconvenience in connection with the reprinting of basic tariff schedules when in some instances the only change has been in the feed charges.

The proposed amendment would relieve stockyard owners and market agencies from filing a tariff supplement each time the average cost of the feed on hand changes and would thereby relieve them from reprinting the basic tariff schedule so often.

It is proposed that § 201.22 be amended by inserting a period after the word "thereof" in the third sentence of the section; deleting the colon and the proviso following such word; and adding the following sentence to the section: "The provisions of this section apply to changes in feed charges and specified margins above cost of feed contained in basic tariff schedules: *Provided, however,* That the requirements as to filing and notice contained in section 306(c) of the Act are specifically waived with respect to changes in feed charges when (1) the basic tariff schedule provides that such feed charges are to be based on an average cost plus a specified margin, and (2) the records of the stockyard or market agency involved clearly disclose the average cost of the feed on hand, and (3) a schedule of the current feed charges computed in accordance with the basic tariff schedule and showing the effective date thereof is conspicuously posted at the stockyard and a copy is furnished to the Area Supervisor for informational purposes."

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C., on or before September 30, 1965.

All written submissions made pursuant to this notice will be made available for public inspection at such times and places and in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., this 7th day of September 1965.

ROY W. LENNARTSON,  
Associate Administrator,

[P.R. Doc. 65-9690; Filed, Sept. 13, 1965;  
8:47 a.m.]

## DEPARTMENT OF COMMERCE

Business and Defense Services  
Administration

[ 44 CFR Part 401 ]

[Foreign Excess Property Order No. 1]

## FOREIGN EXCESS PROPERTY

Property Sold by Foreign Governments  
Not Acting as Agents for U.S. Gov-  
ernment; Statement of General  
Policy

Insofar as the Administrative Procedure Act may be applicable herein, the Administrator hereby gives notice of his intention to issue a General Policy Statement that personal property sold by foreign governments will not be classified as foreign excess property under the definitions in the Federal Property and Administrative Services Act of 1949, as

amended, Section 3 (40 U.S.C. 472) and Section 402 (40 U.S.C. 512).

Foreign governments may acquire personal property, of the same types sold outside the United States by agencies of the U.S. Government, in various ways, including:

a. By direct purchase from manufacturers and/or distributors in the United States;

b. From domestic surplus disposals in the United States either directly or from U.S. dealers;

c. By transfer from agencies of the U.S. Government under lend-lease, military assistance programs, Agency for International Development programs, etc.;

d. By purchase either directly from agencies of the U.S. Government conducting excess property sales overseas or from others who acquired the property at such excess property sales; and

e. By various combinations of the above or through other channels of distribution.

The issuance of this General Policy Statement is necessary since:

a. It has been found to be impracticable to try to differentiate between property disposed of by foreign governments which under the definitions of the Federal Property and Administrative Services Act of 1949, as amended, may be classified as foreign excess and such property which, if the facts were known, should not be classified as foreign excess;

b. Exactly the same kind of property may have been acquired by foreign governments through all of the channels listed above and the inventories commingled so as to be inseparable; and

c. Specific items or types of property do not possess characteristics which enable accurate classification by foreign excess property status.

It is proposed to issue the Statement of General Policy in the following form:

Personal property sold by foreign governments, when such governments or agencies thereof are not acting as sales agents for agencies of the U.S. Government, may be admitted into the economy of the United States, Puerto Rico, and the Virgin Islands without presentation to the Collector of Customs of an FEP Import Authorization.

The Foreign Excess Property Officer and the Collectors of Customs at ports of entry in the United States, Puerto Rico, and the Virgin Islands will accept as prima facie evidence that property qualifies for entry under this Statement of General Policy when the importer presents, in addition to other entry documents required by Customs regulations:

1. A copy of the sales brochure issued by the foreign government which identifies the specific item presented for importation, and
2. A copy of the Notice of Award or Contract of Sale issued by the foreign government to the purchaser of the property which document must identify the property being presented for entry as being the same as that listed in the sales brochure.

If the documents described in 1 and 2 immediately above are in foreign languages, the importer of record must simultaneously present English translations thereof.

It is proposed to issue this Statement of General Policy in not less than 30 days subsequent to the publication of this notice. This Statement of General Policy

will be effective on publication in the FEDERAL REGISTER.

Interested persons may submit to the Foreign Excess Property Officer, Business and Defense Services Administration, Department of Commerce, Room 4324, Washington, D.C., 20230, data, facts or arguments in writing, but not orally, relative to the proposed issuance of this Statement of General Policy. All relevant material received within twenty (20) days following the date of publication of this notice will be considered.

BUSINESS AND DEFENSE SERVICES  
ADMINISTRATION,  
FORREST D. HOCKERSMITH,  
Acting Administrator.

[F.R. Doc. 65-9694; Filed, Sept. 13, 1965;  
8:48 a.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 16392]

[ 14 CFR Parts 241, 399 ]

### CAPITALIZATION OF INTEREST

#### Supplemental Notice of Proposed Rule Making

SEPTEMBER 10, 1965.

The Board, by publication in 30 F.R. 10056 and by circulation of a notice of proposed rule making, EDR-97/PSDR-12, dated August 9, 1965, gave notice that it has under consideration proposed amendments to Parts 241 and 399 of the regulations (14 CFR Parts 241 and 399) to prohibit inclusion of equipment purchase deposits in the investment base and to permit all air carriers to capitalize interest on equipment purchase deposits and on funds used in developmental and preoperating projects. Interested persons were invited to participate in the rule making proceeding through submission of ten (10) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C., 20428, on or before September 13, 1965.

A number of air carriers have requested that the time for filing comments be extended 30 days. The carriers state that additional time is required to explore the feasibility of developing and submitting a composite statement in response to the proposal.

The undersigned finds that good cause has been shown for the extension of time requested. Accordingly, pursuant to authority delegated under section 7.3C of Public Notice PN-15, dated July 3, 1961, the undersigned hereby extends the date for submitting comments on the subject proposal to October 13, 1965. All relevant matter received on or before that date will be considered by the Board before taking action on this proposal. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 710, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

(Secs. 204(a) and 407, Federal Aviation Act of 1958 as amended, 72 Stat. 743, 766, 49

U.S.C. 1324 and 1377; sec. 3, Administrative Procedure Act, 60 Stat. 238, 5 U.S.C. 1002.)

By the Civil Aeronautics Board.

[SEAL] ARTHUR H. SIMMS,  
Associate General Counsel,  
Rules and Special Counsel Division.

[F.R. Doc. 65-9773; Filed, Sept. 13, 1965;  
8:51 a.m.]

[ 14 CFR Part 243 ]

[Docket No. 16477]

### SERVICES PERFORMED FOR DEPARTMENT OF DEFENSE

#### Reporting Results; Notice of Proposed Rule Making

SEPTEMBER 8, 1965.

Notice is hereby given that the Civil Aeronautics Board has under consideration promulgation of new Part 243 of the economic regulations and related CAB Form 243,<sup>1</sup> which would provide for the separate reporting of results of charter services performed under contracts with the Military Air Transport Service and a summary of revenues and traffic derived from specified Department of Defense sources.

The principal features of the proposed rule are explained in the attached Explanatory Statement. The rule is proposed under the authority of sections 204 (a) and 407 of the Federal Aviation Act of 1958 (72 Stat. 743, 766; 49 U.S.C. 1324, 1377).

Interested persons may participate in the proposed rule making through submission of ten (10) copies of written data, views, or arguments pertaining thereto, addressed to the Docket Section, Civil Aeronautics Board, Washington, D.C., 20428. All relevant matter in communications received on or before October 14, 1965, will be considered by the Board before taking action. Copies of communications will be available for examination by interested persons upon receipt in the Docket Section of the Board, Room 710 Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

*Explanatory statement.* The Board has recently concluded an exhaustive review of rates for services performed by air carriers for the Military Air Transport Service (MATS), which culminated in the establishment of new rate levels under Parts 288 and 399 of the Board's regulations. (See ER-432 and PS-26, effective July 1, 1965.) This review, compressed within a period of approximately five months, involved the preparation of schedules and instructions for reporting operating results for the prior and current fiscal year contracts, the analysis and adjustment of these data on an industry-wide basis, and compliance with procedural requirements of a rulemaking proceeding. MATS had requested the review because

<sup>1</sup> CAB Form 243 filed as part of original document.

the large new turbojet aircraft used in increasing numbers by MATS operators promised significant reductions in unit operating costs and, hence, lower minimum reasonable rates. As reliable consistent data become available for these new aircraft, it is to be expected that operating results will be closely scrutinized and the rates reviewed before procurement for the succeeding fiscal year. It is therefore apparent that suitable techniques must be devised for the collection of cost data on a current basis to avoid the otherwise disruptive effects of a rate review on the normal workload of the Board, the MATS contractors, and MATS itself.

The reporting requirements proposed in new Part 243 and CAB Form 243 are designed to identify and separate all costs and revenues properly allocable to charter services performed by air carriers under contracts with MATS. The data to be reported on Schedules D-1 through D-6 of Form 243 are substantially similar to those previously obtained by special request, except that some cost elements would be reported in greater detail, particularly in relation to aircraft types. A quarterly report of revenues, costs and traffic and a semi-annual report of capital investment would permit analysis of current cost trends. The allocation procedures for separating the financial results of MATS charter operations from the results of other operations would not be prescribed, but a statement of these procedures would be required as a basis for interpretation of data.

Proposed Schedules D-2 through D-6 of CAB Form 243 apply only to MATS charter services known as "Category B" (air transportation of persons and/or cargo in international and territorial operations) and "Logair" and "Quicktrans" (all-cargo domestic services on routes between Air Force and Navy installations, respectively). However, proposed Schedule D-1 would provide a summary of revenues and traffic derived from specified Department of Defense sources. When used in conjunction with CAB Form 41 reports, this schedule would indicate the relative contribution of military services and commercial services to overall operating results. Proposed Schedule D-1 would supplant present Schedule D-1 of CAB Form 41. It is intended that Part 243, if adopted, would be made effective as of July 1, 1965 to coincide with the beginning of the fiscal year.

In commenting upon the proposed reporting requirements and forms, the air carriers are requested to estimate the annual man-hour burden involved in compiling and reporting the information, taking into consideration the proposed replacement of Schedule D-1 of CAB Form 41 with Schedule D-1 of CAB Form 243.

**Proposed rule.** The Board proposes to amend Chapter II of Title 14 of the Code of Federal Regulations (14 CFR) by adding new Part 243 to Subchapter A—Economic Regulations, and new CAB Form 243, to read as follows:

## PART 243—REPORTING RESULTS OF SERVICES PERFORMED FOR THE DEPARTMENT OF DEFENSE

Sec.	Definitions.
243.1	Applicability and CAB Form 243 filing requirements.
243.2	Extension of filing time.
243.3	Statement of allocation procedures.
243.4	Certification.
243.5	Schedule D-1—summary of revenues and traffic from Department of Defense Sources.
243.6	Schedule D-2—invested capital—MATS charter contracts.
243.7	Schedule D-3—summary of financial results of operations—MATS charter contracts.
243.8	Schedule D-4—passenger service, aircraft servicing and traffic servicing expense—MATS charter contracts.
243.9	Schedule D-5—station data—MATS charter contracts.
243.10	Schedule D-6—summary of traffic statistics—MATS charter contracts.

### § 243.1 Definitions.

Terminology used to identify or classify types of service performed under contracts between certificated air carriers and agencies of the Department of Defense is adopted for reporting purposes and used in the contract sense herein; the terms "international," "territorial" and "domestic" are used in the sense of their Part 241 definitions. For ready reference, the principal services performed for the Department of Defense are as follows:

**Category A:** Air transportation of individually ticketed passengers or individually waybilled cargo in scheduled international and territorial operations pursuant to contracts with the Military Air Transport Service (MATS).

**Category B:** Air transportation of payload charters of passengers and/or cargo in international and territorial operations pursuant to contracts with MATS.

**Category X:** Air transportation of passengers in full payloads inbound to the United States at "Category B" round-trip passenger rates, at the option of MATS, in fixed proportion to "Category A" cargo outbound from the United States.

**Category Z:** Essentially MATS "Category A" individually ticketed passenger service, but procured by military agencies for their own use.

**Logair:** All-cargo domestic charters over routes principally between Air Force installations pursuant to contracts with MATS.

**Quicktrans:** All-cargo domestic charters over routes principally between Navy installations pursuant to contracts with MATS.

**DOD Airmail/ordinary mail:** Air transportation of airmail and military ordinary mail, tendered by the Post Office Department, for the Department of Defense in scheduled international and territorial operations.

**MTMATS charters:** Commercial air movements used by the Military Traffic Management and Terminal Service (MTMATS) in transportation of personnel and cargo within the United States.

### § 243.2 Applicability and CAB Form 243 filing requirements.

(a) This part applies to all certificated air carriers. Each certificated air carrier shall prepare and file, in triplicate, CAB Form 243 entitled "Report of Services Performed for the Department of Defense." Upon its own initiative or upon written carrier application, the Board may exempt any air carrier from compliance with this part or waive any provision thereof where it finds that unusual circumstances justify such exemption or waiver.

(b) The CAB Form 243 report consists of:

	<i>Filing frequency</i>
(1) Certification .....	Quarterly.
(2) Schedule D-1—summary of revenues and Traffic from Department of Defense sources.	Do.
(3) Schedule D-2—invested capital—MATS charter contracts.	Semi-annually.
(4) Schedule D-3—summary of financial results of operations—MATS charter contracts.	Quarterly.
(5) Schedule D-4—passenger service, aircraft servicing and traffic servicing expense—MATS charter contracts.	Do.
(6) Schedule D-5—station data—MATS charter contracts.	Do.
(7) Schedule D-6—summary of traffic statistics—MATS charter contracts.	Do.
(8) A statement of the various allocation procedures by which the financial results for Department of Defense charter services are separated from results for other services.	Initially and upon revision (see § 243.4).

(c) Schedule D-2 shall be prepared as of June 30 and December 31 of each year, and Schedules D-1, D-3, D-4, D-5, and D-6 shall be prepared for the quarters ending September 30, December 31, March 31, and June 30 of each fiscal year. The allocation statement shall be filed with the initial report, and with any subsequent report for a period in which the allocation procedure is changed. Form 243 shall be filed (postmarked) with the Board not more than forty (40) days after the end of each reporting period, except that the December report shall be filed not more than sixty (60) days after the end of the reporting period. The report shall be addressed to the Civil Aeronautics Board, Attention of the Bureau of Accounts and Statistics, Washington, D.C., 20428.

(d) Where no services were performed for the Department of Defense during a reporting period, it will be unnecessary to file Schedules D-2 through D-6 for that period. In such cases, only the certification and Schedule D-1 shall be filed and completed by checking the box

preceding item (a) at the top of the schedule.

#### § 243.3 Extension of filing time.

If circumstances prevent the filing of a report within the prescribed time limit, consideration will be given to the granting of an extension upon receipt of a written request therefor. Such a request must give good and sufficient reason to justify granting the extension, must set forth the date when the report can be filed, and be submitted sufficiently in advance of the due date to permit proper time for consideration and communication to the air carrier of the action taken. Except in cases of emergency, no such request will be entertained which is not received in sufficient time to enable the Board to pass thereon before the prescribed due date. If a request is denied, the air carrier remains subject to the filing requirements to the same extent as if no request for extension of time had been made.

#### § 243.4 Statement of allocation procedures.

(a) Each air carrier shall submit with its initial report on CAB Form 243 a statement of the various allocation procedures by which the investment in and operating results of charter services for the Department of Defense are separated from those of other services. With respect to working capital the statement should describe the balance sheet elements included as well as the method of allocation. A complete description shall be given for the bases used in reporting each indicated balance sheet classification on Schedule D-2—Invested Capital; and each profit and loss classification on Schedules D-3—Summary of Financial Results of Operations; D-4—Passenger Service, Aircraft Servicing and Traffic Servicing Expense; and D-5—Station Data.

(b) Whenever allocation procedures are subsequently revised, a supplementary statement shall be filed with the Form 243 report for the period in which such revisions are made, and shall clearly and completely describe the procedures upon which such revised reports are based. The effect of such change in procedures on the current report and reports previously filed shall be clearly and completely described in the supplementary statement.

#### § 243.5 Certification.

The certificate of the officer in charge of the carrier's accounts, executed in triplicate, shall accompany each Form 243 filed with the Board. This certificate is the cover sheet of Form 243 and applies to all schedules and documents filed therewith.

#### § 243.6 Schedule D-1—Summary of revenues and traffic from Department of Defense sources.

(a) This schedule shall be prepared for the quarters ending September 30, December 31, March 31, and June 30 of each fiscal year.

(b) Item (a) or (b) at the top of the schedule shall be checked, as appropriate, to indicate the status of the carrier

with respect to services performed for the Department of Defense (DOD).

(c) The value and volume of services performed for the Department of Defense shall be indicated, where item (b) has been checked, by inserting the required information.

(d) Column (2) shall include, for services performed for the Department of Defense, all gross revenues and fees, together with reimbursements of expenses which are properly chargeable against income under the principles set out in Part 241 of the Economic Regulations.

(e) Columns (3) and (4) shall reflect the revenue passenger-miles and revenue ton-miles, respectively, as applicable to the services shown in column (1).

(f) Amounts reported in column (2) for lines 7 "Category B", 8 "Logair", and 9 "Quicktrans" shall agree with total operating revenues for all aircraft types reported on line 6 "Total MATS Charters" on Schedule D-3 for the respective services.

(g) Line 14 "Other" shall reflect data related to non-transport activities, such as equipment modification or maintenance or personnel training, performed under contract for DOD agencies.

(h) In the space for "Explanation," present a breakdown of the amount on line 14, and state the total gross revenue from wet leases and substitute services performed for prime MATS contractors.

#### § 243.7 Schedule D-2—invested capital—MATS charter contracts.

(a) This schedule shall be prepared as of December 31 and June 30 of each fiscal year.

(b) Data reported on this schedule shall conform with the instructions pertaining to balance sheet classifications within Part 241.

(c) Each indicated asset classification shall be allocated between Category B, Logair and Quicktrans services (with a further allocation by type of aircraft) and other services in accordance with procedures that are submitted as required by § 243.4.

(d) A detailed breakdown of amounts reported on line 30 shall be provided in the space entitled "Explanation."

#### § 243.8 Schedule D-3—summary of financial results of operations—MATS charter contracts.

(a) This schedule shall be prepared for the quarters ending September 30, December 31, March 31 and June 30 of each fiscal year.

(b) Separate sets of this schedule shall be filed for each type of charter contract—Category B, Logair and Quicktrans. Identification shall be made in the space provided opposite "Type of Contract."

(c) Data reported on this schedule shall conform with the instructions pertaining to profit and loss classifications within Part 241.

(d) Each indicated classification of revenues, operating expenses, income taxes, and interest expenses shall be allocated between Category B, Logair and Quicktrans services (with a further allocation by type of aircraft) and other services in accordance with procedures

that are submitted as required by § 243.4.

(e) Amounts reported on lines 20, 21, and 22 shall agree with lines 6, 13, and 19, respectively, on Schedule D-4 for the related Category B, Logair and Quicktrans expenses.

#### § 243.9 Schedule D-4—passenger service, aircraft servicing and traffic servicing expense—MATS charter contracts.

(a) This schedule shall be prepared for the quarters ending September 30, December 31, March 31, and June 30 of each fiscal year.

(b) Separate sets of this schedule shall be filed for each type of charter contract—Category B, Logair and Quicktrans. Identification shall be made in the space provided opposite "Type of Contract."

(c) Data reported on this schedule shall conform with the instructions pertaining to the classifications of Passenger Service Expense, Aircraft Servicing Expense, and Traffic Servicing Expense within Part 241.

(d) Each indicated classification of expense shall be allocated between Category B, Logair, and Quicktrans services (with a further allocation by type of aircraft) and other services in accordance with procedures that are submitted as required by § 243.4.

#### § 243.10 Schedule D-5—station data—MATS charter contracts.

(a) This schedule shall be prepared for the quarters ending September 30, December 31, March 31, and June 30 of each fiscal year.

(b) Data reported on this schedule shall relate only to Category B, Logair and Quicktrans services. Each station contributing in whole or in part to these services shall be listed in column 1 in alphabetical sequence and the indicated data reported in columns (2) through (12) inclusive.

(c) Columns (2) and (3) shall reflect for each station an allocation of the total aircraft servicing expense and total traffic servicing expense, respectively, reported on lines 11 and 17 of Schedule D-4 for Category B, Logair and Quicktrans services collectively. The allocation shall be based on procedures that are submitted as required by § 243.4.

#### § 243.11 Schedule D-6—summary of traffic statistics—MATS charter contracts.

(a) This schedule shall be prepared for the quarters ending September 30, December 31, March 31, and June 30 of each fiscal year.

(b) Data reported on this schedule shall relate only to Category B, Logair and Quicktrans services.

(c) The pay ferry miles reported on line 9 are for ferry miles paid for by MATS.

(d) On trips designated to be convertible by MATS, the portion of trip or trips flown with passengers is to be reported on line 7 and not line 2; and with cargo, on line 8 and not line 4.

(e) The utilization reported on line 16 and average speed on line 18 shall reflect the total miles flown under MATS char-

ter contracts (including return flights from one-way MATS charters, both commercial and nonpay) but exclusive of other nonrevenue flights and training flights.

(f) The average aircraft days assigned to MATS reported on line 17 are:

(1) If specific aircraft are exclusively or essentially assigned full time to MATS charter services, the number of days that these specific aircraft (owned, rented, or leased) are in possession of the reporting carrier. Days that these aircraft are out of service for periodic maintenance or major overhaul and days that such aircraft are used in commercial services are included, but days that newly acquired aircraft are on hand prior to availability for productive use or are rented or leased to others are excluded.

(2) If specific aircraft are not used exclusively or essentially full time in MATS charter services, or a fleet of aircraft is used interchangeably in joint MATS and commercial services, a proportion of total number of days that the specific aircraft or fleet (owned, rented, or leased) are in possession of the reporting carrier that is equal to the ratio of the revenue hours in MATS services (including all hours for charter return flights) to the total revenue hours in all services (including all hours for charter return flights). Days that the aircraft are out of service for periodic maintenance or major overhaul and days that such aircraft are used in commercial services are included, but days that newly acquired aircraft are on hand prior to availability for productive use or are rented or leased to others are excluded.

[F.R. Doc. 65-9705; Filed, Sept. 13, 1965; 8:49 a.m.]

## FEDERAL AVIATION AGENCY

[ 14 CFR Part 39 ]

[Docket No. 6901]

### AIRWORTHINESS DIRECTIVES

#### Piper Model PA-24 Airplanes

The Federal Aviation Agency is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Piper Model PA-24 airplanes. There have been failures of the nose landing gear drag link clevis that could result in a collapsed nose gear on the subject airplanes. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed AD would require repetitive inspection of the clevis until modified on Piper Model PA-24 airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before October 14, 1965, will be considered by the Administrator before taking action upon

the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

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

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

**PIPER.** Applies to Models PA-24 and PA-24-250 airplanes, Serial Numbers 24-1 through 24-3225 except 24-923.

Compliance required as indicated.

To prevent further failures of the nose landing gear drag link clevis, accomplish the following:

(a) Inspect nose landing gear drag link clevis, P/N's 20859-03(HT), 20859-02, or 20859-00, as applicable, for cracks in the thread roots and the shank-to-clevis fillet radius using water-washable or water-emulsifiable dye penetrant methods or an FAA-approved equivalent within the next 25 hours' time in service after the effective date of this AD, unless already accomplished within the last 75 hours' time in service and thereafter at intervals not to exceed 100 hours' time in service from the last inspection until modified in accordance with subparagraphs (b) (2) or (3).

(b) If a crack is found, before further flight—

(1) Replace the clevis with an uncracked clevis in accordance with Piper Service Letter No. 366, dated January 3, 1962, or later FAA-approved revision;

(2) Replace the clevis with an uncracked drag link clevis, P/N 20859-03(HT), reinforced with drag link clevis reinforcement bracket, Piper P/N 25257, in accordance with the sketch on the back of Piper Service Letter No. 445, dated April 21, 1965, or later FAA-approved revision, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region; or

(3) Install Piper Kit Number 754429, or an equivalent approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

Issued in Washington, D.C., on September 7, 1965.

G. S. MOORE,

Director, Flight Standards Service.

[F.R. Doc. 65-9676; Filed, Sept. 13, 1965; 8:46 a.m.]

## [ 14 CFR Part 67 ]

[Docket No. 6900; Notice 65-22]

### DISTANT VISUAL ACUITY; FIRST- AND SECOND-CLASS MEDICAL CERTIFICATES

#### Notice of Proposed Rule Making

The Federal Aviation Agency is considering amending Part 67 of the Federal Aviation Regulations to change the distant visual acuity requirement for an applicant for a first- or second-class medical certificate from at least 20/50 to 20/100 in each eye separately before correction.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communi-

cations should identify the regulatory docket or notice number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C., 20553. All communications received on or before October 14, 1965, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Rules Docket before and after the closing date for comments.

Sections 67.13(b) (1) and 67.15(b) (1) of Part 67 of the Federal Aviation Regulations currently require an applicant for a first- or second-class medical certificate, respectively, to have distant visual acuity of at least 20/50 in each eye separately, before correction to 20/20 or better with corrective glasses. This standard has been in effect unchanged since 1938. Since that time, significant technological advances have occurred in design and performance of aircraft, and in the environment in which they are operated. Cockpits are no longer open for airline transport and commercial pilots, goggles are not needed, the interference of atmospheric conditions on visual functions has been lessened considerably, and modern aids to navigation make as near-perfect distant visual acuity less critical.

Except in cases of gross myopic conditions, applicants with uncorrected distant visual acuity less than that specified in the present standards generally have been allowed to show to the Federal Air Surgeon or his representatives, under the provisions in § 67.19 of the Federal Aviation Regulations, whether they have been able to operate aircraft without endangering safety in air commerce despite that disqualification. The bulk of these cases have involved applicants whose uncorrected distant visual acuity was less than 20/50 but no less than 20/100. If these applicants have not had other major disturbances in visual functions, they almost invariably have been able to demonstrate favorably, and they have received special issue of medical certificates on an individual basis. This process has required applicants to seek special detailed evaluation of all aspects of their vision to assure that no previously unknown related visual problem, other than the defect in distant visual acuity, was present. These evaluations rarely have disclosed a previously unknown visual problem that would not allow special issuance of the certificate sought. The process has been expensive to the applicants, both in money expended for ophthalmological examinations, and in issuance delay time. It also has entailed considerable effort and time on the part of the Agency.

The Agency now desires to accommodate the distant visual acuity standard for first- and second-class medical certificates to current conditions, and to dispense with special testing that in the great majority of cases would result in the special issue of a certificate anyway, all without adverse effect upon safety. It therefore is proposed that an appli-

cant be required to have distant visual acuity of at least 20/100 instead of the current 20/50 in each eye separately before correction, in order to allow a regular instead of a special issue of the applicable medical certificate.

In consideration of the foregoing, it is proposed to amend Part 67 of the Federal Aviation Regulations, as follows:

1. Paragraph (b) (1) of § 67.13 would be amended by striking out the figures "20/50" and inserting the figures "20/100" in place thereof.

2. Paragraph (b) (1) of § 67.15 would be amended by striking out the figures "20/50" and inserting the figures "20/100" in place thereof.

This amendment is proposed under the authority of sections 313(a), 601, and 602 of the Federal Aviation Act of 1958 (49 U.S.C. 1354, 1421, 1422).

Issued in Washington, D.C., on September 7, 1965.

M. S. WHITE, M.D.,  
Federal Air Surgeon.

[F.R. Doc. 65-9677; Filed, Sept. 13, 1965;  
8:46 a.m.]

#### [ 14 CFR Part 105 ]

[Regulatory Docket No. 6762; Notice No. 65-23]

### PARACHUTE JUMPING RESTRICTIONS

#### Advance Notice of Proposed Rule Making and Notice of Public Hearing

The Agency has under consideration proposals from the Air Transport Association of America (ATA) and the Air Line Pilots Association (ALPA) to revise Part 105 (Parachute Jumping) of the Federal Aviation Regulations by placing certain restrictions on parachute jumping in controlled airspace and approved off-airway routes.

This advance notice of proposed rule making is being issued pursuant to the Agency's policy for the early institution of public rulemaking proceedings. An "advance" notice is issued when it is found that the resources of the Agency and reasonable inquiry outside the Agency do not yield a sufficient basis to identify and select tentative or alternate courses of action upon which a rule-making procedure might be undertaken, or when it would otherwise be helpful to invite early public participation in the identification and selection of such tentative or alternate courses of action. The subject matter has been found to involve the situation contemplated by this policy.

Notice is hereby given that the Agency will hold a public hearing at 10 a.m., Thursday, November 4, 1965, at the Federal Aviation Building, 800 Independence Avenue SW., Washington, D.C., to receive the views of all interested persons on the ATA and ALPA proposals. Although the Agency is primarily concerned with these proposals, additional proposals by interested persons pertinent to any aspect of parachute jumping under the Regulations will also be received.

Interested persons are invited to attend the hearing and present oral or written statements on the matters set forth herein which will be made a part of the record of the hearing. Any person who wishes to make an oral statement at the hearing should notify the Agency by October 28, 1965, stating the amount of time requested for his initial statement. In addition, any person who is unable to attend the hearing may submit relevant written comments. These comments must also be received by the Agency by October 28, 1965, to be made a part of the hearing record. All communications concerning this hearing should be addressed to the Office of the General Counsel, Rules Docket, Federal Aviation Agency, Washington, D.C., 20553, marked "Attention: Presiding Officer, Public Hearing on Part 105, Parachute Jumping."

After evaluating the comments received at the hearing and other available data, the Agency will determine whether or not further rule making action is warranted. If it is determined that such action is warranted, a subsequent notice of proposed rule making will be issued containing the specific terms of a proposed rule.

The rules in Part 105 are directed primarily to 3 major areas of concern with respect to parachute jumping. They are: (1) Jumps over or within the congested areas of cities, towns, settlements or an open air assembly of persons; (2) jumps made in controlled airspace; and, (3) parachute equipment requirements. In addition, Part 105 prescribes certain basic operating rules.

Parachute jumping is conducted at several hundred locations throughout the United States. There are extreme variations between the frequency and duration of parachute jumping activities at these various sites. At several sites there is nearly continuous jumping on an organized basis during a large part of the year; at many sites the jumping is infrequent, of short duration, and limited almost entirely to good weather months. Sites are located in both controlled and uncontrolled airspace throughout the country. This wide-spread activity, therefore, obviously affects all users of the navigable airspace of the United States.

By letter of February 1, 1965, the Air Line Pilots Association (ALPA) petitioned the Agency to accomplish certain rule making as follows:

We submit that if the parachutist is to use controlled airspace, he should do it under the same rules as other users who cannot be seen and avoided. It should be required that an ATC clearance be obtained by the pilot of the jump airplane, assuring that altitudes below are clear of conflicting IFR traffic. This would be no undue burden, requiring only two-way radio and contact with ATC, an FSS or even via Unicom and telephone.

On June 16, 1965, the Air Transport Association of America (ATA) petitioned the Agency for amendment of Part 105 of the Federal Aviation Regulations. This petition was submitted by the ATA on behalf of its member airlines in accordance with § 11.25 of the Federal

Aviation Regulations. The basic recommendations of that petition were to: "(1) prohibit nonemergency parachute jumps within Federally controlled airspace, and (2) prohibit nonemergency parachute jumps in or into off-airways routes approved by the Federal Aviation Agency outside of controlled airspace."

In addition, ATA's petition included the following specific recommendations:

1. To prohibit military jumps made in or into an approved off-airway route, although outside of controlled airspace.

2. To prohibit jumps that "create a conflict with the flow of air traffic in the airspace".

3. To prohibit jumps in or into the traffic pattern for an airport without a functioning control tower operated by the United States.

4. To apply the notice requirement in § 105.23 to a person making a jump in or into uncontrolled airspace, other than an approved off-airway route.

5. To prohibit jumps over or within restricted or prohibited areas unless authorization has been obtained from the using as well as the controlling agency.

6. To prohibit jumps anywhere at a distance of less than 1,000 feet under, 1,000 feet over, or one mile horizontally from a cloud formation.

7. To prohibit jumps anywhere when the flight visibility is less than five miles.

8. To prohibit jumps at night unless the jumper is equipped with an approved and functioning anti-collision light (visible for 360 degrees azimuth and elevation at a distance of at least five statute miles), and displays it from his time of exit from the aircraft until he reaches the surface.

9. To authorize the issuance of, under certain circumstances, a certificate of waiver permitting deviation from any of the operating rules of Part 105.

By letter of July 9, 1965, the Air Line Dispatchers Association endorsed the ATA proposals and urged the Agency to call hearings on those proposals.

By letter of July 20, 1965, the Air Traffic Control Association, Inc., urged the Agency "to favorably consider promulgation of the regulatory revisions proposed by the [ATA]."

The hearing will be an informal hearing conducted by a designated representative of the Agency under § 11.33 of the Federal Aviation Regulations. It will not be a judicial or evidentiary type hearing so there will be no cross-examination of persons presenting statements.

An Agency spokesman will open the hearing with a statement presenting, in brief, the background and rationale for the present provisions of Part 105, and proposed revisions to that Part as submitted by interested persons. Interested persons will then have an opportunity to present their initial oral statements. These statements should focus on the issue of whether the proposed restrictions should be placed on parachute jumping with respect to its effect on the safe and efficient use of the navigable airspace. Of particular relevance to this problem are §§ 105.17 through 105.33 of Part 105.

Although the Agency is primarily concerned with the matters set forth above,

persons making oral statements may direct them to any phase of the Agency's regulations covering parachute jumping. Statements respecting provisions of Part 105 or any proposed amendments thereto may be submitted in writing and will be made a part of the record for the hearing. After all initial statements have been completed, those persons who wish to make rebuttal statements will be given an opportunity to do so in the same order in which they made their initial statements.

A transcript of the hearing will be made; anyone may buy a copy of the transcript from the reporter.

This advance notice of proposed rule making is issued under the authority of sections 307, 313(a), and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1348, 1354(a), and 1421).

Issued in Washington, D.C., on September 7, 1965.

G. S. MOORE,

Director, Flight Standards Service.

[F.R. Doc. 65-9678; Filed, Sept. 13, 1965; 8:47 a.m.]

## SMALL BUSINESS ADMINISTRATION

[ 13 CFR Part 121 ]

### SIZE STANDARDS

#### Notice of Proposal To Amend Definition of Small Business Manufacturer for Purpose of Bidding on Government Procurements for Products Classified in SIC Industry No. 2026, Fluid Milk

Notice is hereby given that the Administrator of the Small Business Administration proposes to amend the Small Business Size Standards Regulation (Revision 5) by establishing a new definition of a small business manufacturer for the purpose of bidding on Government procurements for products classified in SIC Industry 2026, fluid milk.

The present definition of a small business manufacturer for the purpose of

bidding on Government procurements for products classified in SIC Industry 2026, fluid milk, is a concern which is independently owned and operated, is not dominant in its field of operation, and together with its affiliates, employs no more than 500 persons.

It has come to the attention of the Small Business Administration that local dairies are faced with increasing competitive pressure from giant national and regional dairies. Many smaller local dairies have gone out of business or have been acquired by or merged with other small local dairies in order to compete with national and regional dairies. Due to such mergers, or acquisitions, the smaller local dairies sometimes exceed the present size standard of 500 employees or less. Therefore, it is proposed to establish a size standard of 750 employees for manufacturing concerns in SIC 2026, fluid milk.

Interested persons may file with the Small Business Administration within thirty days after publication in the FEDERAL REGISTER written statements of facts, opinions, or arguments concerning the new definition.

All correspondence shall be addressed to:

Office of Economic Analysis, Small Business Administration, Washington, D.C., 20416.

It is proposed to change the definition of a small business manufacturer for the purpose of bidding on Government procurements for products classified in SIC Industry 2026, fluid milk as follows:

The Small Business Size Standards Regulation (Revision 5), is hereby further amended by adding to Schedule B of § 121.2-5 the following industry size standard:

Census classification code	Industry	Employment size standard
2026	Fluid milk	750

Dated: August 31, 1965.

EUGENE P. FOLEY,  
Administrator.

[F.R. Doc. 65-9687; Filed, Sept. 13, 1965; 8:45 a.m.]

# Notices

## DEPARTMENT OF THE TREASURY

### Office of the Secretary

[Order 167-66]

[CGFR 65-40]

## COMMANDANT, U.S. COAST GUARD

### Delegation of Functions

By virtue of the authority vested in the Secretary of the Treasury by Reorganization Plan No. 26 of 1950 and 14 U.S.C. 631, and pursuant to the authority delegated to me by Treasury Department Order No. 190 (Revision 2), there are transferred to the Commandant, U.S. Coast Guard, the functions of the Secretary of the Treasury contained in the Act of July 30, 1965 (Public Law 89-99, 79 Stat. 424), concerning the exemption of oceanographic research vessels from the application of certain vessel inspection laws.

The Commandant may provide for the performance by subordinates in the Coast Guard of any function herein delegated.

Dated: September 8, 1965.

[SEAL]

JAMES HENDRICK,  
Acting Assistant  
Secretary of the Treasury.

[P.R. Doc. 65-9703; Filed, Sept. 13, 1965;  
8:49 a.m.]

## DEPARTMENT OF AGRICULTURE

### Agricultural Research Service

## HANDLING OF ANTI-HOG-CHOLERA SERUM AND HOG-CHOLERA VIRUS

### Decision and Determination Concerning Special Inventory Dates for 1966

Pursuant to the provisions of § 131.79 of the order regulating the handling of anti-hog-cholera serum and hog-cholera virus (9 CFR Part 131), application was filed prior to September 1, 1965, by Phillips Roxane, Inc., requesting a date other than April 1, for the year 1966, upon which such applicant shall have in inventory the reserve supply of completed anti-hog-cholera serum specified by § 131.79 (a) of said order. The date so requested by said applicant is as follows: Phillips Roxane, Inc., April 30, 1966.

After consideration of all relevant and material matters submitted with said application and all other available information and data relating to the application, including data on file in the Department, and the factors set forth in § 131.80(d) of said order, it is hereby found that the granting of such date of April 30, 1966, with respect to the aforesaid application will tend to effec-

tuate the purposes of the Anti-Hog-Cholera Serum and Hog-Cholera Virus Marketing Agreement Act (7 U.S.C. 851 et seq.).

It is, therefore, determined that the inventory date upon which the aforesaid applicant shall have the reserve supply of completed anti-hog-cholera serum required by § 131.79(a) of said order for the year 1966 shall be as follows:

Phillips Roxane, Inc.—April 30, 1966.

Such applicant shall file the report specified in § 131.48(c) of said order within 30 days after the inventory date herein set for such applicant, setting forth the cubic centimeter volume of completed serum such applicant had in inventory in his own possession on the date herein specified, identifying such serum in the manner and to the extent required by § 131.48(c) of said order.

Done at Washington, D.C., this 8th day of September 1965.

R. J. ANDERSON,  
Acting Administrator,  
Agricultural Research Service.

[P.R. Doc. 65-9688; Filed, Sept. 13, 1965;  
8:47 a.m.]

### Office of the Secretary

## MICHIGAN

### Designation and Extension of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Michigan a natural disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

#### MICHIGAN

Arenac.	Lapeer.
Bay.	Leelanau.
Benzie.	Livingston.
Clare.	Macomb.
Clinton.	Manistee.
Eaton.	Mecosta.
Genesee.	Midland.
Gladwin.	Oakland.
Grand Traverse.	Oceana.
Gratiot.	Oscoda.
Ingham.	Saginaw.
Ionia.	St. Clair.
Iosco.	Sanilac.
Isabella.	Shiawassee.
Kalkaska.	Tuscola.

It has also been determined that in the hereinafter-named counties in the State of Michigan the above-mentioned natural disaster has caused a continuing need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Branch	Michigan	Previous Destination
Calhoun	-----	30 F.R. 5713.
Cheboygan	-----	29 F.R. 13838.
Emmet	-----	30 F.R. 2414.
Kalamazoo	-----	30 F.R. 2414.
Kent	-----	29 F.R. 13838.
Lenawee	-----	30 F.R. 5713.
Menominee	-----	29 F.R. 13838.
Monroe	-----	30 F.R. 2287.
Montcalm	-----	29 F.R. 13838.
Ogemaw	-----	29 F.R. 18514.
Ottawa	-----	30 F.R. 7048.
Washtenaw	-----	30 F.R. 5713.
		29 F.R. 13838.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after December 31, 1966, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 8th day of September 1965.

ORVILLE L. FREEMAN,  
Secretary.

[P.R. Doc. 65-9692; Filed, Sept. 13, 1965;  
8:48 a.m.]

## DEPARTMENT OF COMMERCE

### Great Lakes Pilotage Administration

#### REGISTERED PILOTS

### Notice of Registration of Pilots District No. 1 (St. Lawrence River), St. Regis to Snell Lock Section

In accordance with the written arrangement proposed by the Minister of Transport of Canada on May 28, 1965, accepted by the Secretary of Commerce on July 29, 1965, the Government of Canada will register Canadian Pilots for service on the U.S. and Canadian waters of that section of District No. 1 (St. Lawrence River) on the Great Lakes between the international boundary at St. Regis and Snell Lock where Registered Pilots have not heretofore been provided.

Notice is hereby given that all U.S. registered and foreign vessels subject to the provisions of the Great Lakes Pilotage Act of 1960 (74 Stat. 259-262, 46 U.S.C. 216-2161) shall have in their service a Canadian Registered Pilot who shall, subject to the customary authority of the master, direct the navigation of the vessel in said waters.

All provisions of the Act and the Memorandum of Arrangements between the Secretary of Commerce and the Minister of Transport now in force and effect on the Great Lakes shall be equally applicable in said waters.

Effective: September 10, 1965.

A. T. MESCHTER,  
Administrator.

[P.R. Doc. 65-9757; Filed, Sept. 10, 1965;  
3:45 p.m.]

## CIVIL AERONAUTICS BOARD

[Docket No. 15353; Order E-22633]

### INTERNATIONAL AIR TRANSPORT ASSOCIATION

#### Order Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its Office in Washington, D.C., on the 9th day of September 1965.

Pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's economic regulations, an agreement has been filed with the Board between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Joint Conferences 1-2, 3-1, and 1-2-3 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreement, adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated July 26, August 3, and August 12, 1965, as set forth in the attachment hereto<sup>1</sup> (1) names rates under a new commodity description, and (2) names additional specific commodity rates for existing commodity descriptions. The proposed rates reflect reductions ranging from 17.4 to 47.7 percent of the otherwise applicable rates and are consistent with the present specific commodity rates within the applicable areas.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreement to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered, That Agreement CAB 18169, R-20 through R-22, be approved, provided that such approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[P.R. Doc. 65-9706; Filed, Sept. 13, 1965; 8:49 a.m.]

<sup>1</sup> Agreement filed as part of original document.

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 15941; FCC 65M-1157]

### J. BOTTI ENTERPRISES

#### Order Continuing Hearing

In the matter of J. Botti, doing business as J. Botti Enterprises, Redwood City, Calif., Docket No. 15941; order to show cause why the license for business radio station KEQ-728 should not be revoked.

Instead of October 12, 1965, the hearing will be held on October 13, 1965. This is the only change being effected for the prospective hearing.

So ordered, This 8th day of September 1965.

Released: September 8, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-9709; Filed, Sept. 13, 1965; 8:50 a.m.]

[Docket Nos. 16031, 16032; FCC 65M-1156]

### CAPITAL BROADCASTING CORP. AND CAPITAL NEWS, INC.

#### Statement and Order After Prehearing Conference

In re applications of Capital Broadcasting Corp., Frankfort, Ky., Docket No. 16031, File No. BPH-4195; Capital News, Inc., Frankfort, Ky., Docket No. 16032, File No. BPH-4249; for construction permits.

In accordance with the understanding reached at today's prehearing conference, the hearing scheduled for September 9 was rescheduled to October 8, 1965, without prejudice to the setting of a complete procedural schedule should negotiations for the settlement of this controversy not be successful.

So ordered, This 8th day of September 1965.

Released: September 8, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-9710; Filed, Sept. 13, 1965; 8:50 a.m.]

[Docket No. 14293; FCC 65M-1152]

### DOWNRIVER BROADCASTING ASSOCIATION

#### Order Continuing Hearing

In re application of Robert R. Groth, Eugene A. Robinson, and Rev. Lawrence Kenneth Zank, doing business as the Downriver Broadcasting Association, Napoleon, Ohio, Docket No. 14293, File No. BP-15412; for construction permit.

The Hearing Examiner having under consideration a Motion for Continuance of Hearing Date filed September 3, 1965, on behalf of the above-entitled applicant requesting that the hearing now scheduled to begin Wednesday, September 8, 1965, be continued for a period of 30 days; and

It appearing that the applicant intends to file a petition requesting the dismissal of the application and requests the additional time within which to prepare and secure the supporting affidavits of No Consideration; and

It further appearing that all other parties have consented to the immediate favorable action on the Motion for Continuance, and good cause for granting the same having been shown;

It is ordered, This the 7th day of September 1965, that the Motion for Continuance of Hearing is granted, and the evidentiary hearing now scheduled to begin Wednesday, September 8, 1965, is continued to October 8, 1965, beginning at 10 a.m. in the offices of the Commission in Washington, D.C.

Released: September 7, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-9711; Filed, September 13, 1965; 8:50 a.m.]

[Docket Nos. 15826, 15827; FCC 65M-1153]

### KXYZ TELEVISION, INC., AND CREST BROADCASTING CO.

#### Order Scheduling Prehearing Conference

In re applications of KXYZ Television, Inc., Houston, Tex., Docket No. 15826, File No. BPCT-3220; Crest Broadcasting Co., Houston, Tex., Docket No. 15827, File No. BPCT-3302; for construction permit for new television broadcast station (Channel 26).

The Hearing Examiner having for consideration the order of the Review Board released herein on September 3, 1965;

It appearing, that the posture of this proceeding will now permit the scheduling of further procedural dates, and that it is appropriate to convene a further prehearing conference for the purpose of setting such dates;

It is ordered, This 7th day of September 1965, that a further prehearing conference herein shall be convened on September 14, 1965, commencing at 9 a.m. in the offices of the Commission at Washington, D.C.

Released: September 7, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,  
Secretary.

[P.R. Doc. 65-9712; Filed, Sept. 13, 1965; 8:51 a.m.]

[Docket Nos. 15877, 15878; FCC 65M-1159]

**SMILES OF VIRGINIA, INC., AND PETERSBURG BROADCASTING CO., INC.**

**Order Continuing Prehearing Conference**

In re applications of Smiles of Virginia, Inc., Petersburg, Va., Docket No. 15877, File No. BPH-4641; Petersburg Broadcasting Co., Inc., Petersburg, Va., Docket No. 15878, File No. BPH-4700; for construction permits.

The Hearing Examiner having under consideration a motion filed on August 31, 1965, by Smiles of Virginia, Inc., requesting continuance of the prehearing conference in the above-entitled proceeding from September 17, 1965, to October 29, 1965, in order to allow time for action by the Commission on Petition for Rule Making requesting the addition of Channel 237 to Petersburg, Va., filed on April 23, 1965, by Smiles of Virginia, Inc., and the preparation and filing of other documents by applicants, depending upon action taken relative to the Petition for Rule Making; and

It appearing, That counsel for the other applicant and counsel for the Broadcast Bureau have informally agreed to a waiver of the four-day requirement of the Commission's Rules and indicated that they have no objection to a grant of the instant request for continuance;

It is ordered, This 8th day of September 1965, that the motion for continuance of the prehearing conference be and it is hereby granted; and the prehearing conference presently scheduled for September 17, 1965, be and it is hereby continued to October 29, 1965, at 10 a.m., in the offices of the Commission in Washington, D.C.

Released: September 9, 1965.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE, Secretary.

[P.R. Doc. 65-9713; Filed, Sept. 13, 1965; 8:51 a.m.]

**FEDERAL MARITIME COMMISSION**

**PORTLAND PUBLIC DOCKS AND PACIFIC MOLASSES CO.**

**Notice of Agreement Filed for Approval**

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

Interested parties may inspect and obtain a copy of the agreement at the Washington Office of the Federal Maritime Commission, 1321 H Street NW., Room 301; or may inspect agreement at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with refer-

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ence to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 15 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter), and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Portland Public Docks, 3070 Northwest Front Avenue, Portland, Oreg.

Agreement No. T-1863 between Portland Public Docks (Portland) and Pacific Molasses Company (Pacific) provides for the lease of industrial and public properties at Municipal Terminal No. 4, together with the rehabilitation and reconstruction of certain facilities thereon. Pacific will use the industrial property for conducting its own business of owning, processing and distributing molasses and molasses products, and will operate the public facilities for use of the general public in storing and distributing tallow, vegetable oils and products other than molasses and molasses products or substitutes. Rental will be a fixed annual sum plus certain tariff charges as set forth in the agreement. Pacific will retain storage charges assessable under Portland's terminal tariff as well as a portion of charges collected on tallow shipments. Agreement No. T-1863 will supersede and cancel Agreement No. T-2 between the parties.

Dated: September 9, 1965.

By order of the Federal Maritime Commission.

THOMAS LISI, Secretary.

[P.R. Doc. 65-9708; Filed, Sept. 13, 1965; 8:50 a.m.]

**SECURITIES AND EXCHANGE COMMISSION**

[File No. 1-3393]

**VTR, INC.**

**Order Suspending Trading**

SEPTEMBER 8, 1965.

The common stock, \$1 par value, of VTR, Inc., being listed and registered on the American Stock Exchange, pursuant to provisions of the Securities Exchange Act of 1934; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15 (c) (5) and 19 (a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the

period September 9, 1965, to September 18, 1965, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DuBOIS, Secretary.

[P.R. Doc. 65-9700; Filed, Sept. 13, 1965; 8:48 a.m.]

**SMALL BUSINESS ADMINISTRATION**

[Declaration of Disaster Area 544]

**COLORADO**

**Declaration of Disaster Area**

Whereas, it has been reported that during the month of July 1965, because of the effects of certain disasters, damage resulted to residences and business property located in Arapahoe, Clear Creek, Denver, Jefferson, and El Paso Counties in the State of Colorado;

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 Office listed below from persons or firms whose property, situated in the aforesaid counties and areas adjacent thereto, suffered damage or destruction resulting from flash floods and accompanying conditions occurring on or about July 23, 1965.

**OFFICE**

Small Business Administration, Regional Office, 1961 Stout Street, Denver, Colo., 80202.

2. Temporary offices will be established as are necessary, addresses to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to January 31, 1966.

Dated: July 28, 1965.

ROSS D. DAVIS, Executive Administrator.

[P.R. Doc. 65-9674; Filed, Sept. 13, 1965; 8:46 a.m.]

[Declaration of Disaster Area 542]

**COLORADO**

**Declaration of Disaster Area**

Whereas, it has been reported that during the month of August 1965, because of the effects of certain disasters, damage resulted to residences and business property located in El Paso, Fremont, and Pueblo Counties in the State of Colorado;

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 Counties and areas adjacent thereto, suffered damage or destruction resulting from flash floods and accompanying conditions occurring on or about August 23, 1965.

#### OFFICE

Small Business Administration, Regional Office, 1961 Stout Street, Denver, Colo., 80202.

2. A temporary office will be established at Suite 408, Colorado Building, Pueblo, Colo.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to February 28, 1966.

Dated: August 26, 1965.

ROSS D. DAVIS,  
Executive Administrator.

[P.R. Doc. 65-9668; Filed, Sept. 13, 1965; 8:45 a.m.]

[Declaration of Disaster Area 541]

## IOWA

### Declaration of Disaster Area

Whereas, it has been reported that during the month of August 1965, because of the effects of certain disasters, damage resulted to residences and business property located in Des Moines County in the State of Iowa:

Whereas, the Small Business Administration has investigated and has received other reports of investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area 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 County and areas adjacent thereto, suffered damage or destruction resulting from a tornado, and accompanying conditions occurring on or about August 25, 1965.

#### OFFICE

Small Business Administration, Regional Office, Fifth and Grand Avenue, Des Moines, Iowa, 50309.

2. A temporary office will be established in Danville, Iowa, address to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to February 28, 1966.

Dated: August 27, 1965.

ROSS D. DAVIS,  
Executive Administrator.

[P.R. Doc. 65-9669; Filed, Sept. 13, 1965; 8:45 a.m.]

[Delegation of Authority No. 30—Boise, Idaho, Region (Rev. 1)]

### ACTIVITIES BOISE REGIONAL AREA Delegation of Authority To Conduct Program

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Pacific Coastal Area, 30 F.R. 3340, as revised, 30 F.R. 8080, as amended, 30 F.R. 8978; Delegation of Authority 30 F.R. 9968 is hereby revised to read as follows:

I. The following authority is hereby redelegated to the specific positions as indicated herein:

A. Reserved.  
B. Eligibility determinations. (Delegated to the positions as indicated below:)

To determine the eligibility of applicants for assistance under any program of the Agency in accordance with Small Business Administration standards and policies.

C. Chief, Financial Assistance Division. 1. Reserved.

2. Item I.B. (Eligibility Determinations for Financial Assistance only).

3. To approve business and disaster loans not exceeding \$350,000 (SBA share).

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business and disaster loan participation agreement with banks.

7. To execute loan authorizations for Washington and Area approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,

By \_\_\_\_\_

(Name)

Title of person signing.

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and to certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on an interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. [Reserved]

E. [Reserved]

F. [Reserved]

G. [Reserved]

H. Regional Counsel. To disburse approved loans.

I. Administrative Assistant. 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date, August 23, 1965.

OLIVER T. DAVIS,

Regional Director, Boise, Idaho.

[P.R. Doc. 65-9670; Filed, Sept. 13, 1965; 8:45 a.m.]

[Delegation of Authority No. 30—Helena, Mont., Region (Rev. 1)]

### HELENA REGIONAL AREA

#### Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Rocky Mountain Area, 30 F.R. 2741, as amended, 30 F.R. 8080, and 30 F.R. 8426; Delegation of Authority 30 F.R. 9968 is hereby revised to read as follows:

I. The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations.* (Delegated to the positions as indicated below:)

To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Eligibility determinations.* (Delegated to the positions as indicated below:)

To determine the eligibility of applicants for assistance under any program of the agency in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division (and Assistant Chief, if assigned).* 1. Item I.A. (Size determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve business and disaster loans not exceeding \$350,000 (SBA share).

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business and disaster loan participation agreements with banks.

7. To execute loan authorizations for Washington and Area approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,

By \_\_\_\_\_

(Name)

Title of person signing.

8. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and to certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection, and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse, or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or lease or sublease, quit-claim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, re-leases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. [Reserved]

E. [Reserved]

F. [Reserved]

G. [Reserved]

H. *Chief, Procurement and Management Assistance.* 1. Item I.A. (Size Determinations on PMA Activities only.)

2. Item I.B. (Eligibility Determinations on PMA Activities only.)

I. *Regional Counsel.* To disburse approved loans.

J. *Administrative Assistant.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by U.S. Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issue Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b)

rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Service Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date, August 26, 1965.

R. B. ZACHARY,

Regional Director,

Helena, Mont.

[P.R. Doc. 65-9671; Filed, Sept. 13, 1965; 8:45 a.m.]

[Delegation of Authority No. 30; San Francisco Rev. 1]

### SAN FRANCISCO REGIONAL AREA

#### Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30—Pacific Coastal Area, 30 F.R. 3340, as revised, 30 F.R. 8080, as amended 30 F.R. 8978, Delegation of Authority 30 F.R. 4376 is hereby revised to read as follows:

I. The following authority is hereby redelegated to the specific positions as indicated herein:

A. *Size determinations.* (Delegated to the positions as indicated below:)

To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. *Eligibility determinations.* (Delegated to the positions as indicated below:)

To determine the eligibility of applicants for assistance under any program of the agency in accordance with Small Business Administration standards and policies.

C. *Chief, Financial Assistance Division.* 1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve business and disaster loans not exceeding \$350,000 (SBA share).

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business and disaster loan participation agreements with banks.

7. To execute loan authorizations for Washington and Area approved loans

and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,  
By \_\_\_\_\_  
(Name)  
Title of person signing.

8. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undischarged portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and to certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents, and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrators;

b. The execution and delivery of contracts of sale or lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. Supervisor, Loan Processing Staff.

1. Item I.C.3.

2. To decline business and disaster loans of any amount.

3. Items I.C.6. through 10.

4. Item I.A. (Size Determinations for Financial Assistance only.)

5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

E. Supervisor, Loan Administration and Liquidation Staff. 1. Item I.C.3.

2. To decline business and disaster loans of any amount.

3. Item I.C.6. through 10.

4. Item I.C.12. including subitems a. and b., but excluding subitem c.

5. To approve the amendments and modifications of loan conditions for loans that have been fully disbursed.

6. Item I.A. (Size Determinations for Financial Assistance only.)

7. Item I.B. (Eligibility Determinations for Financial Assistance only.)

F. [Reserved]

G. Chief, Procurement and Management Assistance. 1. Item I.A. (Size Determinations on PMA Activities only.)

2. Item I.B. (Eligibility Determinations on PMA Activities only.)

H. Regional Counsel. To disburse approved loans.

I. Administrative Officer. 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up, dismantling and moving SBA exhibits; and (d) issued Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to actions taken under such Delegations of Authority prior to the date hereof.

Effective date. August 27, 1965.

ROBERT STRAUSS,  
Regional Director,  
San Francisco, Calif.

[P.R. Doc. 65-9672; Filed, Sept. 13, 1965; 8:45 a.m.]

[Delegation of Authority No. 30; Seattle Region—Rev. 1]

### SEATTLE REGIONAL AREA

#### Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30, Pacific Coastal Area, 30 F.R. 3340 as revised, 30 F.R. 8080, as amended 30 F.R. 8978, Delegation of Authority 30 F.R. 5610 is hereby revised to read as follows:

I. The following authority is hereby redelegated to the specific positions as indicated herein:

A. Size determinations. (Delegated to the positions as indicated below:)

To make initial size determinations in all cases within the meaning of the Small Business Size Standards Regulations, as amended, and further, to make product classification decisions for financial assistance purposes only. Product classification decisions for procurement purposes are made by contracting officers.

B. Eligibility determinations. (Delegated to the positions as indicated below:)

To determine the eligibility of applicants for assistance under any program of the agency in accordance with Small Business Administration standards and policies.

C. Chief, Financial Assistance Division. 1. Item I.A. (Size Determinations for Financial Assistance only.)

2. Item I.B. (Eligibility Determinations for Financial Assistance only.)

3. To approve business and disaster loans not exceeding \$350,000 (SBA share).

4. To decline business and disaster loans of any amount.

5. To disburse unsecured disaster loans.

6. To enter into business and disaster loan participation agreements with banks.

7. To execute loan authorizations for Washington and Area approved loans and loans approved under delegated authority, said execution to read as follows:

(Name), Administrator,  
By \_\_\_\_\_  
(Name)  
Title of person signing.

8. To cancel, reinstate, modify and amend authorization for business or disaster loans.

9. To extend the disbursement period on all loan authorizations or undischarged portions of loans.

10. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and to certify to the participating bank that such documents are in compliance with the participation authorization.

11. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding principal balance on construction loans and loans involving accounts receivable and inventory financing.

12. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do and to perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, mortgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or

hereafter held by the Small Business Administration or its Administrator;

b. The execution and delivery of contracts of sale or lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordination, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privilege under the loan guaranty plan.

D. *Supervisor, Loan Processing Staff.*

1. Item I.C. 3.  
2. To decline business and disaster loans of any amount.  
3. Items I.C. 6, 8, 9 and 10.

4. Item I.A. (Size Determinations for Financial Assistance only.)  
5. Item I.B. (Eligibility Determinations for Financial Assistance only.)

E. *Supervisor, Loan Administration and Liquidation Staff.* 1. To approve the amendments and modifications of loan conditions for loans that have been fully disbursed.

2. Item I.C. 12—only the authority for servicing, administration, collection, liquidation (including collateral purchased), and subitems a. and b.

F. *Reserved.*  
G. *Chief, Procurement and Management Assistance Division.* 1. Item I.A. (Size Determinations on PMA Activities only.)

2. Item I.B. (Eligibility Determinations on PMA activities only.)

H. *Regional Counsel.* To disburse approved loans.

I. *Administrative Officer.* 1. To purchase reproductions of loan documents, chargeable to the revolving fund, requested by United States Attorney in foreclosure cases.

2. To (a) purchase all office supplies and expendable equipment, including all desk-top items, and rent regular office equipment; (b) contract for repair and maintenance of equipment and furnishings; (c) contract for services required in setting up and dismantling and moving SBA exhibits and (d) issued Government bills of lading.

3. In connection with the establishment of Disaster Loan Offices, to (a) obligate Small Business Administration to reimburse General Services Administration for the rental of office space; (b) rent office equipment; and (c) procure (without dollar limitation) emergency supplies and materials.

4. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

IV. All previously delegated authority is hereby rescinded without prejudice to

actions taken under such Delegations of Authority prior to the date hereof.

Effective date. July 1, 1965.

LARRY C. GOURLIE,  
Acting Regional Director,  
Seattle, Wash.

[P.R. Doc. 65-9673; Filed, Sept. 13, 1965; 8:46 a.m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 579 (28 F.R. 11524), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates are from September 3, 1965, to September 2, 1966, except as otherwise indicated. Pursuant to § 519.6 (b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the act.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR, Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below \$1 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is less, in occupations of the same general classes in which the establishment employed full-time students at wages below \$1 an hour in the base period.

Angell's Super Valu, food store; 318 West Adams, Iron River, Mich.

Ann & Hope Factory Outlet, Inc., department store; Mill Street, Cumberland, R.I.

B. & B. Dry Goods Co., Inc., department store; 1416 Assembly Street, Columbia, S.C.; 10-1-65 to 9-30-66.

Bill Sodd Food Store, food stores: No. 1, Fort Worth, Tex.; No. 2, Fort Worth, Tex.; No. 3, Fort Worth, Tex.

Cannata's Super Market, Inc., food store; 813 Brashear Avenue, Morgan City, La.

Cat & Fiddle Super Markets, Inc., food stores: 714 South Main Street, Danville, Va.; Riverside Drive, Danville, Va.

W. T. Grant Co., variety stores: No. 688, Jacksonville, Fla.; No. 70, Atlanta, Ga.; 4377 Tri-City Plaza, Gary, Ind.; No. 74, Canton, Ohio; 3415 Pleasant Valley Boulevard, Altoona, Pa.; 639 Clariton Boulevard, Pittsburgh, Pa.

R. Guinan & Co., department store; 117 South Oak Street, Mount Carmel, Pa.

H. E. B. Food Store, food stores: No. 27, Alice, Tex.; No. 73, Aransas Pass, Tex.; No. 30, Austin, Tex.; No. 31, Austin, Tex.; No. 32, Austin, Tex.; No. 33, Austin, Tex.; No. 34 Austin, Tex.; No. 39, Austin, Tex.; No. 45, Austin, Tex.; No. 51, Austin, Tex.; No. 79, Austin, Tex.; No. 10, Beeville, Tex.; No. 1, Brownsville, Tex.; No. 14, Brownsville, Tex.; No. 15, Brownsville, Tex.; No. 17, Corpus Christi, Tex.; No. 19, Corpus Christi, Tex.; No. 21, Corpus Christi, Tex.; No. 23, Corpus Christi, Tex.; No. 35, Corpus Christi, Tex.; No. 37, Corpus Christi, Tex.; No. 38, Corpus Christi, Tex.; No. 46, Corpus Christi, Tex.; No. 65, Corpus Christi, Tex.; No. 80, Cuero, Tex.; No. 88, Del Rio, Tex.; No. 9, Donna, Tex.; No. 75, Eagle Pass, Tex.; No. 6, Edinburg, Tex.; No. 78, El Campo, Tex.; No. 3, Harlingen, Tex.; No. 55, Harlingen, Tex.; No. 77, Harlingen, Tex.; No. 89, Kerrville, Tex.; No. 72, Killeen, Tex.; No. 26, Kingsville, Tex.; No. 8, Laredo, Tex.; No. 16, Laredo, Tex.; No. 7, McAllen, Tex.; No. 86, McAllen, Tex.; No. 4, Mercedes, Tex.; No. 13, Mission, Tex.; No. 62, New Braunfels, Tex.; No. 12, Pharr, Tex.; No. 11, Raymondville, Tex.; No. 24, Refugio, Tex.; No. 22, Robstown, Tex.; No. 40, San Antonio, Tex.; No. 41, San Antonio, Tex.; No. 42, San Antonio, Tex.; No. 43, San Antonio, Tex.; No. 44, San Antonio, Tex.; No. 47, San Antonio, Tex.; No. 48, San Antonio, Tex.; No. 49, San Antonio, Tex.; No. 52, San Antonio, Tex.; No. 53, San Antonio, Tex.; No. 57, San Antonio, Tex.; No. 60, San Antonio, Tex.; No. 61, San Antonio, Tex.; No. 66, San Antonio, Tex.; No. 67, San Antonio, Tex.; No. 68, San Antonio, Tex.; No. 69, San Antonio, Tex.; No. 2, San Benito, Tex.; No. 63, San Marcos, Tex.; No. 29, Taft, Tex.; No. 71, Temple, Tex.; No. 74, Uvalde, Tex.; No. 25, Victoria, Tex.; No. 28, Victoria, Tex.; No. 50, Waco, Tex.; No. 64, Waco, Tex.; No. 70, Waco, Tex.; No. 76, Waco, Tex.; No. 87, Waco, Tex.; No. 5, Weslaco, Tex.; No. 81, Yoakum, Tex.

Harry's Food Stores, Inc., food store; 135 West Twohigh, San Angelo, Tex.

Kornmeyer Furniture Co., Inc., furniture store; 149 Saint Ferdinand Street, Baton Rouge, La.; 8-23-65 to 8-23-66.

S. S. Kresge Co., variety stores: No. 485, Adrian, Mich.; No. 160, Ann Arbor, Mich.; No. 16, Dearborn, Mich.; No. 350, Dearborn, Mich.; No. 166, Detroit, Mich.; No. 241, Detroit, Mich.; No. 352, Detroit, Mich.; No. 395, Detroit, Mich.; No. 527, Detroit, Mich.; No. 652, Detroit, Mich.; No. 4538, Detroit, Mich.; No. 12, Flint, Mich. (9-15-65 to 9-14-66); No. 642, Flint, Mich.; No. 571, Fraser, Mich.; No. 278, Hazel Park, Mich.; No. 211, Highland Park, Mich.; No. 103, Jackson, Mich.; No. 549, Lansing, Mich.; No. 27, Livonia, Mich.; No. 623, Plymouth, Mich.; No. 13, Pontiac, Mich.; No. 2, Port Huron, Mich.; No. 577, River Rouge, Mich.; No. 415, Roseville, Mich.; No. 315, Sault Sainte Marie, Mich. (9-15-65 to 9-14-66); No. 568, Wayne, Mich.; No. 658, Barberton, Ohio; No. 47, Cincinnati, Ohio; No. 28, Cleveland, Ohio; No. 118, Cleveland, Ohio; No. 240, Cleveland, Ohio; No. 449, Cleveland, Ohio; No. 614, Cleveland, Ohio; No. 4567, Cleveland, Ohio (9-16-65 to 9-15-66); No. 328, Columbus, Ohio; No. 640, Columbus, Ohio; No. 9, Dayton, Ohio; No. 631, Dayton, Ohio; No. 644, Dayton, Ohio (9-21-65 to 9-20-66); No. 51, Lima, Ohio; 630 Broadway, Lorain, Ohio; No. 503, Maple Heights, Ohio; No. 541, Marietta, Ohio; No. 488, Fiqua, Ohio; No. 316, Springfield, Ohio; No. 284, Altoona, Pa.; No. 302, Bridgeville, Pa.; No. 76, Erie, Pa.; No. 143, Hazleton, Pa.; No. 4599, Johnstown, Pa.; No. 64, Lancaster, Pa.; No. 476, Levittown, Pa.; No. 200, Morrisville, Pa.; No. 191, Philadelphia, Pa.; No. 269, Philadelphia, Pa.; No. 327, Philadelphia, Pa.; No. 379, Philadelphia, Pa.; No. 435, Philadelphia, Pa.; No. 545, Philadelphia, Pa.; No. 182, Pittsburgh, Pa.; No. 675, Pittsburgh, Pa.; No. 92, Scranton, Pa.; No.

492, Springfield, Pa.; No. 475, Uniontown, Pa.; No. 68, Wilkes-Barre, Pa.

McCrory-McLellan-Green Stores, variety stores: No. 1106, Birmingham, Ala.; No. 442, Gadsden, Ala.; No. 509, Little Rock, Ark.; No. 331, East Dover, Del.; No. 1114, Wilmington, Del.; No. 73, Daytona Beach, Fla.; No. 270, Fort Lauderdale, Fla.; No. 173, Kissimmee, Fla.; No. 157, Lake City, Fla.; No. 1313, Lake Wales, Fla.; No. 74, Miami, Fla.; No. 81, Palatka, Fla.; No. 150, Plant City, Fla.; No. 310, Saint Petersburg, Fla.; No. 324, Saint Petersburg, Fla.; No. 69, Sanford, Fla.; No. 1211, Atlanta, Ga.; No. 1113, Augusta, Ga.; No. 1107, Columbus, Ga.; No. 1219, Columbus, Ga.; No. 1121, Macon, Ga.; No. 1305, Savannah, Ga.; No. 111, Tallahassee, Fla.; No. 432, Athens, Ga.; No. 191, Atlanta, Ga.; No. 327, East Point, Ga.; No. 435, Marietta, Ga.; No. 176, Savannah, Ga.; No. 424, Thomasville, Ga.; No. 449, Kankakee, Ill.; No. 44, Anderson, Ind.; No. 315, Baton Rouge, La.; No. 229, New Orleans, La.; No. 1125, Shreveport, La.; No. 234, Baltimore, Md.; No. 314, Baltimore, Md.; No. 1111, Baltimore, Md.; No. 1202, Baltimore, Md.; No. 21, Cumberland, Md.; No. 68, Easton, Md.; No. 46, Frederick, Md.; No. 31, Hagerstown, Md.; No. 1138, Silver Spring, Md.; No. 542, Albuquerque, N. Mex.; No. 189, Canton, Ohio; No. 1059, Portsmouth, Ohio; No. 24, Springfield, Ohio; No. 8, Allentown, Pa.; No. 9, Altoona, Pa.; No. 151, Barnesboro, Pa.; No. 155, Canonsburg, Pa.; No. 87, DuBois, Pa.; No. 1022, Easton, Pa.; No. 315, Edwardsville, Pa.; No. 39, Hanover, Pa.; No. 1024, Harrisburg, Pa.; No. 323, Hazleton, Pa.; No. 1122, Hollidaysburg, Pa.; No. 51, Indiana, Pa.; No. 80, Lancaster, Pa.; No. 1066, Lancaster, Pa.; No. 42, Lebanon, Pa.; No. 1046, Lebanon, Pa.; No. 1029, McKeesport, Pa.; No. 326, North York, Pa.; No. 63, Philadelphia, Pa.; No. 1012, Philadelphia, Pa.; No. 1052, Philadelphia, Pa.; No. 104, Phillipsburg, Pa.; No. 11, Pittsburgh, Pa.; No. 53, Pittsburgh, Pa.; No. 1037, Pottsville, Pa.; No. 334, Reading, Pa.; No. 14, York, Pa.; No. 85, Waynesboro, Pa.; No. 164, Aiken, S.C.; No. 1103, Charleston, S.C.; No. 1136, Spartanburg, S.C.; No. 415, Sumter, S.C.; No. 429, Chattanooga, Tenn.; No. 533, McAllen, Tex.; No. 216, Wichita Falls, Tex.; No. 142, Harrisonburg, Va.

Morgan & Lindsey, Inc., variety stores: No. 3090, Arabi, La.; No. 3063, Morgan City, La.

G. C. Murphy Co., variety stores: No. 261, Huntsville, Ala.; No. 263, Tuscaloosa, Ala.; No. 255, Daytona Beach, Fla.; No. 276, Haleah, Fla.; No. 279, Holly Hill, Fla.; No. 262, Jacksonville, Fla.; No. 264, Miami, Fla.; No. 253, Pensacola, Fla.; No. 272, Saint Petersburg, Fla.; No. 274, West Palm Beach, Fla.; No. 259, Atlanta, Ga.; No. 243, Moultrie, Ga.; No. 250, Rome, Ga.; No. 458, Mount Vernon, Ill.; No. 104, Indianapolis, Ind.; No. 123, Indianapolis, Ind.; No. 215, Indianapolis, Ind.; No. 244, Indianapolis, Ind.; No. 260, Indianapolis, Ind.; No. 445, Kendallville, Ind.; No. 203, Linton, Ind.; No. 422, Peru, Ind.; No. 405, Portland, Ind.; No. 100, Rockville, Ind.; No. 17, Ashland, Ky.; No. 111, Maysville, Ky.; No. 204, Paintsville, Ky.; No. 176, Pikeville, Ky.; No. 239, Pleasure Ridge Park, Ky.; No. 435, Albion, Mich.; No. 436, Charlotte, Mich.; No. 444, Coldwater, Mich.; No. 406, Hillsdale, Mich.; No. 270, Saint Paul, Minn.; No. 249, Hickory, N.C.; No. 181, Alliance, Ohio; No. 140, Barnesville, Ohio; No. 65, Bellare, Ohio; No. 36, Bellefontaine, Ohio; No. 415, Bryan, Ohio; No. 234, Cincinnati, Ohio; No. 110, Circleville, Ohio; No. 255, Columbus, Ohio; No. 418, Defiance, Ohio; No. 441, Franklin, Ohio; No. 460, Gallon, Ohio; No. 2, Gallipolis, Ohio; No. 468, Gallipolis, Ohio; No. 37, Greenville, Ohio; No. 456, Hillsboro, Ohio; No. 459, Jackson, Ohio; No. 269, Kettering, Ohio; No. 446, Lebanon, Ohio; No. 20, Washington C. H., Ohio; No. 192, Wilmington, Ohio; No. 187, Youngstown, Ohio; No. 222, Youngstown, Ohio; No. 198, Alexandria, Va.; No. 241, Alexandria, Va.; No. 214, Arlington, Va.; No. 24, Newport News, Va.; No. 142, Richmond,

Va.; No. 208, Richmond, Va.; No. 245, Richmond, Va.; No. 132, Beckley, W. Va.; No. 50, Buckhannon, W. Va.; No. 171, Clarksburg, W. Va.; No. 209, East Rainelle, W. Va.; No. 15, Elkins, W. Va.; No. 172, Fairmont, W. Va.; No. 137, Hinton, W. Va.; No. 22, Keyser, W. Va.; No. 194, Logan, W. Va.; No. 42, Montgomery, W. Va.; No. 197, Morgantown, W. Va.; No. 18, Moundsville, W. Va.; No. 182, Mullens, W. Va.; No. 168, North Fork, W. Va.; No. 213, Oak Hill, W. Va.; No. 212, Parkersburg, W. Va.; No. 185, Philippi, W. Va.; No. 49, Piedmont, W. Va.; No. 62, Point Pleasant, W. Va.; No. 154, Princeton, W. Va.; No. 180, Richwood, W. Va.; No. 189, Shinnston, W. Va.; No. 19, Sistersville, W. Va.; No. 207, South Charleston, W. Va.; No. 195, Spencer, W. Va.; No. 162, Weirton, W. Va.; No. 254, Weirton, W. Va.; No. 133, Welch, W. Va.; No. 14, Wellsburg, W. Va.; No. 21, Weston, W. Va.; No. 33, Wheeling, W. Va.; No. 131, Williamson, W. Va.

Nelsner Brothers, Inc., variety stores: No. 162, Cocoa, Fla.; No. 158, Fort Lauderdale, Fla.; No. 99, Gainesville, Fla.; No. 175, Key West, Fla.; No. 21, Miami, Fla.; No. 136, Miami, Fla.; No. 164, Miami Beach, Fla.; No. 14, Ocala, Fla.; No. 40, Pompano Beach, Fla.; No. 157, Tallahassee, Fla.; No. 146, Tampa, Fla.; No. 147, Tampa, Fla.; No. 50, Joliet, Ill.; No. 32, Detroit, Mich.; No. 43, Detroit, Mich.; No. 63, Detroit, Mich.; No. 82, Detroit, Mich.; No. 58, Escanaba, Mich.; No. 13, Hamtramck, Mich.; No. 62, Highland Park, Mich.; No. 17, Pontiac, Mich.; No. 107, Royal Oak, Mich.; No. 73, Wyandotte, Mich.; No. 100, Cincinnati, Ohio; No. 29, Cleveland, Ohio; No. 53, Cleveland, Ohio; No. 113, Cleveland, Ohio; No. 15, Elyria, Ohio; No. 132, Lorain, Ohio; No. 19, Mansfield, Ohio; No. 36, Massillon, Ohio; No. 39, Norwood, Ohio; No. 114, Sandusky, Ohio; No. 131, Brownsville, Tex.; No. 75, Corpus Christi, Tex.; No. 144, Houston, Tex.; No. 45, Laredo, Tex.; No. 172, Port Arthur, Tex.; No. 120, San Antonio, Tex.; No. 141, San Antonio, Tex.; No. 160, San Antonio, Tex.; No. 134, Wichita Falls, Tex.

Piggly Wiggly, food stores: No. 1, Columbus, Ga.; No. 2, Columbus, Ga.; No. 6, Columbus, Ga.

Rayless Department Store, department stores: 835-841 Broad Street, Augusta, Ga.; 202 Hay Street, Fayetteville, N.C.; 342 North Main Street, Hendersonville, N.C.; 112 Pendleton Street, Easley, S.C.; 144-146 South Main Street, Rock Hill, S.C.; 335 Main Street, Danville, Va.

Rose's Stores, Inc., variety stores: No. 71, Ahsokle, N.C.; No. 145, Asheville, N.C.; No. 98, Chapel Hill, N.C.; No. 121, Charlotte, N.C.; No. 43, Clinton, N.C.; No. 26, Dunn, N.C.; No. 64, Durham, N.C.; No. 24, Edenton, N.C.; No. 72, Fayetteville, N.C.; No. 99, Greenville, N.C.; No. 1, Henderson, N.C.; No. 134, Jacksonville, N.C.; No. 122, Kannapolis, N.C. (11-1-65 to 4-30-66); No. 50, Kinston, N.C.; No. 8, Lenoir, N.C.; No. 45, Lumberton, N.C.; No. 60, Marion, N.C.; No. 59, Morehead City, N.C.; No. 51, Morganton, N.C.; No. 130, Raleigh, N.C.; No. 21, Roanoke Rapids, N.C.; No. 32, Sanford, N.C.; No. 22, Smithfield, N.C.; No. 131, West Jefferson, N.C.; No. 52, Whiteville, N.C.; No. 143, Wilson, N.C.; No. 133, Winston-Salem, N.C.; No. 79, Charlottesville, Va.; No. 15, Galax, Va.; No. 70, Marion, Va.; No. 20, Portsmouth, Va.; No. 109, Portsmouth, Va.; No. 17, Suffolk, Va.; No. 137, Virginia Beach, Va.

Seessel's, food stores: 1761 Union Avenue, Memphis, Tenn.

T. G. & Y. Stores Co., variety store: 429 North West Tenth Street, Oklahoma City, Okla.; 8-16-65 to 8-15-66.

Toudouze Mart, food store: 4007 South Flores Street, San Antonio, Tex.

Wade's Super Market, food store: 305 Roanoke Street, Christiansburg, Va.

White's Stores, Inc., variety store: Greenville, N.C.

Wood's 5 & 10 Cent Stores, Inc., variety stores: Lumberton, N.C.; Rockingham, N.C.; Whiteville, N.C.

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR, Part 519. The certificates permit the employment of full-time students at rates of not less than 85 percent of the minimum applicable under section 6 of the act in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below the applicable statutory minimum to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

Ann-Hope Factory Outlet, Inc., department store: 1689 Post Road, Warwick, R.I.; baggers, messengers, stock clerk; between 15 percent and 3.4 percent.

Bill Sodd Food Store, food stores for the occupation of sack boys: No. 4, Fort Worth, Tex. (between 6.0 percent and 8.2 percent); No. 5, Fort Worth, Tex. (between 6.5 percent and 10 percent).

Centers, variety store: 151-159 Main Street, Waterville, Maine; sales clerk, janitorial; 10 percent for each month.

Eagle Stores Co., variety store: No. 27, Collinsville, Va.; sales clerk, stock clerk; 19 percent for each month.

W. T. Grant Co., variety stores for the occupations of sales clerk, stock clerk, clerical, cashier, except as otherwise indicated: No. 1096, Independence, Ohio (between 3.8 percent and 10 percent); No. 958, Bristol, Tenn. (sales clerk, cashier, between 6.3 percent and 10 percent).

H.E.B. Food Store, food stores for the occupations of package boy, sack boy, bottle boy: No. 36, Austin, Tex. (10 percent for each month); No. 82, Bay City, Tex. (10 percent for each month); No. 93, Belton, Tex. (10 percent for each month); No. 18, Corpus Christi, Tex. (10 percent for each month); No. 92, Corpus Christi, Tex. (10 percent for each month); No. 95, Del Rio, Tex. (10 percent for each month); No. 85, Falfurrias, Tex. (10 percent for each month); No. 84, McAllen, Tex. (10 percent for each month); No. 20, Port Lavaca, Tex. (10 percent for each month); No. 96, Rockport, Tex. (10 percent for each month); No. 58, San Antonio, Tex. (10 percent for each month); No. 59, San Antonio, Tex. (10 percent for each month); No. 83, San Antonio, Tex. (10 percent for each month); No. 90, San Antonio, Tex. (10 percent for each month); No. 97, Seguin, Tex. (10 percent for each month); No. 56, Taylor, Tex. (10 percent for each month); No. 54, Waco, Tex. (10 percent for each month); No. 91, Wharton, Tex. (10 percent for each month).

Home Town Super Market, food store: 6850 West Bank Expressway, Marrero, La.; grocery packer; 10 percent for each month; 8-19-65 to 8-18-66.

King Mart, food store: 1301 East Levee, Brownsville, Tex.; bagger, carry-out janitorial, errand boy; between 9.4 percent and 10 percent.

S. S. Kresge Co., variety stores for the occupation of sales clerk, except as otherwise indicated: 4661 North Broadway, Chicago, Ill. (10 percent for each month); No. 4035, Anderson, Ind. (10 percent for each month, 8-26-65 to 8-25-66); U.S. 30 Bypass East, Fort Wayne, Ind. (between 7.6 percent and 10 percent, 8-26-65 to 8-25-66); 455 River-view Drive, Benton Harbor, Mich. (10 percent for each month); No. 681, Birmingham, Mich. (10 percent for each month); No. 4020, Detroit, Mich. (10 percent for each month); No. 4027, Detroit, Mich. (10 percent for each month); G 3083 Miller Road, Flint, Mich. (between 8.4 percent and 10 percent, 8-24-65 to 8-23-66); No. 477, Grand Rapids, Mich.

(between 2.5 percent and 10 percent, 8-23-65 to 8-22-66); No. 465, Grosse Pointe, Mich. (10 percent for each month); No. 536, Holland, Mich. (sales clerk, stock clerk, between 9.5 percent and 10 percent, 8-20-65 to 8-19-66); No. 4511, Jackson, Mich. (10 percent for each month); No. 679, Kalamazoo, Mich. (10 percent for each month); No. 42, Southfield, Mich. (10 percent for each month); 25700 West Eight Mile Road, Southfield, Mich. (10 percent for each month); 21111 Van Born Road, Taylor, Mich. (sales clerk, office clerk, stock clerk, 10 percent for each month); 29240 Van Dyke Avenue, Warren, Mich. (10 percent for each month); No. 364, Warren, Mich. (between 8.1 percent and 10 percent); No. 678, Wayne, Mich. (10 percent for each month, 8-23-65 to 8-22-66); No. 494, Cleveland, Ohio (10 percent for each month); No. 663, Columbus, Ohio (between 5.4 percent and 10 percent); No. 199, Dayton, Ohio (between 9.3 percent and 10 percent, 8-19-65 to 8-18-66); No. 686, Tiffin, Ohio (10 percent for each month, 8-23-65 to 8-22-66); No. 4556, Zanesville, Ohio (10 percent for each month); No. 4045, Butler, Pa. (between 6.5 percent and 10 percent, 8-20-65 to 8-19-66); No. 422, New Castle, Pa. (between 4.3 percent and 10 percent, 10-1-65 to 9-30-66); No. 4054, New Kensington, Pa. (between 6.5 percent and 10 percent, 10-1-65 to 9-30-66); No. 4513, Philadelphia, Pa. (between 3.0 percent and 10 percent); No. 97, Pittsburgh, Pa. (between 4.3 percent and 10 percent, 9-30-65 to 9-29-66); No. 4504, Reading, Pa. (between 4.5 percent and 10 percent); No. 4514, Shamokin, Pa. (between 0.3 percent and 9.4 percent); No. 509, Upper Darby, Pa. (between 2.3 percent and 10 percent); No. 4009, Washington, Pa. (between 6.5 percent and 10 percent, 10-1-65 to 9-30-66); No. 4025, Tyler, Tex. (between 7.2 percent and 10 percent, 10-21-65 to 10-20-66).

Margie Bridals, Inc., apparel store; Golf Mill Shopping Center, Niles, Ill.; checkwriter; between 0.2 percent and 10 percent.

McCrory-McLellan-Green Stores, variety stores for the occupations of sales clerk, stock clerk, clerical, except as otherwise indicated; No. 379, Phoenix, Ariz. (between 4.9 percent and 10 percent); No. 355, Jacksonville, Fla. (between 9.0 percent and 6.1 percent); No. 347, Leesburg, Fla. (between 6.9 percent and 10 percent); No. 339, Winter Garden, Fla. (sales clerk, between 4.1 percent and 10 percent); No. 359, Dalton, Ga. (between 6.6 percent and 10 percent); No. 1301, Baltimore, Md. (sales clerk, stock clerk, 10 percent for each month, 9-29-65 to 9-28-66); No. 354, Salisbury, Md. (sales clerk, between 4.2 percent and 10 percent); No. 332, Shavertown, Pa. (10 percent for each month); No. 333, Wyoming, Pa. (between 0.7 percent and 10 percent); No. 337, Murfreesboro, Tenn. (porter, sales clerk, clerical, between 1.8 percent and 10 percent).

G. C. Murphy Co., variety stores for the occupations of sales clerk, stock clerk, clerical, janitorial; No. 298, Decatur, Ala. (between 9.0 percent and 10 percent); No. 297, Gadsden, Ala. (between 9.0 percent and 10 percent); No. 289, Gainesville, Fla. (between 9.4 percent and 10 percent); No. 150, Jacksonville, Fla. (between 9.4 percent and 10 percent); No. 284, Orlando, Fla. (between 3.3 percent and 10 percent); No. 287, Panama City, Fla. (10 percent for each month); No. 292, Pensacola, Fla. (10 percent for each month); No. 290, West Hollywood, Fla. (between 9.8 percent and 10 percent); No. 102, Tifton, Ga. (between 9.0 percent and 9.7 percent); No. 300, Kokomo, Ind. (10 percent for each month); No. 277, Mount Prospect, Ill. (10 percent for each month); No. 282, Shreveport, La. (10 percent for each month); No. 161, Minneapolis, Minn. (10 percent for each month); No. 291, Cleveland, Ohio (between 2.3 percent and 10 percent); No. 281, Dayton, Ohio (between 7.9 percent and 10 percent); No. 295, Chattanooga, Tenn. (between 4.7 percent and 10 percent); No. 288, Abilene, Tex.

(10 percent for each month); No. 219, Fort Worth, Tex. (10 percent for each month); No. 286, Lubbock, Tex. (10 percent for each month); No. 294, Odessa, Tex. (10 percent for each month); No. 283, Texarkana, Tex. (10 percent for each month); No. 107, Danville, Va. (between 9.2 percent and 10 percent); No. 278, Lynchburg, Va. (between 9.2 percent and 10 percent); No. 240, Roanoke, Va. (between 9.2 percent and 10 percent); No. 156, Woodbridge, Va. (10 percent for each month).

Nelsner Brothers, Inc., variety stores for the occupations of sales clerk, stock clerk, clerical, except as otherwise indicated; No. 192, Avon Park, Fla. (sales clerk, stock clerk, between 6.0 percent and 10 percent); No. 183, Dade City, Fla. (between 9.8 percent and 10 percent); No. 197, DeLand, Fla. (between 7.6 percent and 10 percent); No. 179, Lake City, Fla. (sales clerk, between 7.6 percent and 10 percent); No. 196, Marathon, Fla. (sales clerk, stock clerk, between 7.2 percent and 10 percent); No. 187, New Port Richey, Fla. (between 9.8 percent and 10 percent); No. 184, Palmetto, Fla. (sales clerk, stock clerk, porter, between 9.8 percent and 10 percent); No. 194, Tallahassee, Fla. (between 4.3 percent and 10 percent); No. 307, Williamsport, Pa. (between 0.8 percent and 10 percent, 8-25-65 to 8-24-66); No. 180, Del Rio, Tex. (between 5.9 percent and 10 percent); No. 195, San Antonio, Tex. (between 1.2 percent and 10 percent).

Rayless Department Store, department store; Dunn, N.C.; clerical, sales clerk, stock clerk, janitorial; 10 percent for each month, 8-19-65 to 8-18-66.

Rogers-Fay Grocery Co., food store; 836 West 11th Street, Panama City, Fla.; stock clerk, box boy, carry-out boy; 10 percent for each month.

Rose's Stores, Inc., variety stores for the occupations of sales clerk, stock clerk, clerical, checker, except as otherwise indicated; No. 154, Burlington, N.C. (10 percent for each month); No. 63, Charlotte, N.C. (10 percent for each month); No. 155, Gastonia, N.C. (10 percent for each month); No. 96, High Point, N.C. (10 percent for each month); No. 78, Rocky Mount, N.C. (between 4.1 percent and 10 percent); No. 4, Roxboro, N.C. (sales clerk, stock clerk, 10 percent for each month); No. 153, Shelby, N.C. (10 percent for each month); No. 149, Tarboro, N.C. (sales clerk, checker, between 0.0 percent and 10 percent); No. 156, Kingsport, Tenn. (between 1.7 percent and 7.8 percent, 9-17-65 to 9-16-66); No. 151, Ronakoe, Va. (between 0.0 percent and 4.9 percent, 10-6-65 to 10-5-66).

Seessel's, food store; 576 South Perkins, Memphis, Tenn.; stock clerk, bagging, carry-out; between 0.4 percent and 0.8 percent.

Wade's Super Market, Inc., food store; Dublin, Va.; bag boy, checker, stock clerk, carry-out, wrapper; between 2.7 percent and 10 percent.

Wrights Velda Rose, food store; 5700 East Main, Mesa, Ariz.; carry-out, bag boys, bottle boy; 10 percent for each month.

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in

the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 3d day of September 1965.

ROBERT G. GRONEWALD,  
Authorized Representative,  
of the Administrator.

[F.R. Doc. 65-9701; Filed, Sept. 13, 1965; 8:48 a.m.]

## INTERSTATE COMMERCE COMMISSION

[Notice 45]

### MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

SEPTEMBER 9, 1965.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules in Ex Parte No. MC 67 (49 CFR Part 240), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field office named in the FEDERAL REGISTER publication, within 15 calendar days after the date notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined, at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

#### MOTOR CARRIERS OF PROPERTY

No. MC 86779 (Sub-No. 28 TA), filed September 3, 1965. Applicant: ILLINOIS CENTRAL RAILROAD COMPANY, 135 East 11th Place, Chicago, Ill., 60605. Applicant's representative: John H. Doeringer (same address as above). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General Commodities* (except household goods and commodities in bulk), between Redwood, Miss., and the plantsite of International Paper Co., near Redwood, Miss., from Redwood over Mississippi Highway 3 to the plantsite of International Paper Co., about 6 miles, and return over the same route, serving no intermediate points, for 180 days. Supporting shipper: International Paper Co., Post Office Drawer A, Mobile, Ala., 36601. Send protests to: District Supervisor William E. Gallagher, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Room 1088, Chicago, Ill., 60604.

No. MC 109397 (Sub-No. 128 TA), filed September 3, 1965. Applicant: TRI-

STATE MOTOR TRANSIT CO., Post Office Box 113, 315 East Seventh Street Road, Joplin, Mo. Applicant's representative: Max G. Morgan, 450 American National Building, Oklahoma City, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Class A explosives*, from Sioux Ordnance Works, Sidney, Nebr., to Du Pont, Wash., for 150 days. Supporting shipper: E. I. du Pont de Nemours & Co., Inc., Wilmington, Del. Send protests to: H. J. Simmons, Regional Director, Interstate Commerce Commission, Bureau of Operations and Compliance, 911 Walnut Street, Kansas City, Mo., 64106.

No. MC 114301 (Sub-No. 42 TA), filed September 3, 1965. Applicant: DELAWARE EXPRESS CO., Post Office Box 97, Elkton, Md., 21921. Applicant's representative: James E. Spry (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphate rock*, pulverized, from Philadelphia, Pa., to Bridgeville, Frankford, Laurel, Millsboro, and Seaford, Del., Baltimore, Easton, Parsonburg, Princess Anne, and Salisbury, Md., for 180 days. Supporting shipper: L. B. Pim, Director, Domestic Transportation, H. J. Baker & Bro., 733 Third Avenue, New York, N.Y., 10017. Send protests to: Paul J. Lowry, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, Post Office Building, Salisbury, Md., 21801.

No. MC 123639 (Sub-No. 37 TA), filed September 7, 1965. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver, Colo., 80216. Applicant's representative: Edward R. Driskell (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat byproducts, dairy products, and articles distributed by meat packinghouses*, as described in sections A, B, C, and D of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk in tank vehicles), from Garden City, Kans., and points within ten (10) miles thereof, to points in Colorado (except Denver), Illinois (except Chicago), Iowa, Nebraska, and Michigan, for 180 days. Supporting shippers: Consumers Co-operative Association, Kansas City, Mo., and Producers Packing Co., Garden City, Kans. Send protests to: District Supervisor Luther H. Oldham, Interstate Commerce Commission, Bureau of Operations and Compliance 1961 Stout Street, 2022 Federal Building, Denver, Colo., 80202.

No. MC 124111 (Sub-No. 7 TA), filed September 3, 1965. Applicant: SANDUSKY TRUCK AND TRAILER COMPANY, 530 South Maple Street, Bowling Green, Ohio. Applicant's representative: Earl J. Thomas, 5850 North High Street, Post Office Box 70, Worthington, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts*, as defined in paragraph A of appendix I to

the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Cleveland and Sandusky, Ohio, to Tampa, Fla., for 180 days. Supporting shipper: The Selected Meat Co., Box 1489, Sandusky, Ohio. Send protests to: Keith D. Warner, District Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 5234 Federal Office Building, 234 Summit Street, Toledo, Ohio, 43604.

No. MC 124774 (Sub-No. 27 TA), filed September 7, 1965. Applicant: CARAVELLE EXPRESS, INC., Post Office Box 384, Norfolk, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses*, as described in appendix I, parts A and C in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite of Producers Packing Co., at or near Garden City, Kans., to points in Iowa, Illinois, Michigan, and Ohio, for 180 days. Supporting shippers: Consumers Cooperative Association, Kansas City, Mo.; and Producers Packing Co., Garden City, Kans. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 304 Post Office Building, Sioux City, Iowa, 51101.

No. MC 126045 (Sub-No. 1 TA), filed September 3, 1965. Applicant: ALTER TRUCKING AND TERMINAL CORPORATION, 2333 Rockingham Road, Davenport, Iowa. Applicant's representative: Lord, Bissell & Brook, 135 South La Salle Street, Chicago, Ill., 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Scrap iron or steel and scrap metals, machinery and supplies* used in the preparation of scrap metals, between Minneapolis and St. Paul, Minn.; La Crosse, Wis.; Waterloo, Davenport, Council Bluffs, Iowa; Omaha, Nebr.; Moline, Rock Island, Quincy, Ill.; La Grange, Mo.; and points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North and South Dakota, Ohio, Oklahoma, Pennsylvania, Tennessee, West Virginia, and Wisconsin, for 180 days. Supporting shipper: Alter Co., Davenport, Iowa. Send protests to: Chas. C. Biggers, District Supervisor, Interstate Commerce Commission, Bureau of Operations and Compliance, 235 U.S. Post Office Building, Davenport, Iowa, 52801.

No. MC 126049 (Sub-No. 2 TA), filed September 7, 1965. Applicant: DODEN TRUCKING COMPANY, INC., Woden, Iowa. Applicant's representative: Clayton L. Wornson, 206 Brick and Tile Building, Mason City, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bulk and packaged ice cream, ice milk and sherbet; and ice cream, ice milk, sherbet, and fruit flavor novelty items*, from Milwaukee, Wis., to Mason City, Waterloo, Des Moines, and Marshalltown, Iowa, for 180 days. Supporting shipper: The Borden Co., 115 First Street SW., Mason City, Iowa. Send protests to: Ellis L. Annett, District

Supervisor, Bureau of Operations and Compliance, Interstate Commerce Commission, 227 Federal Office Building, Des Moines, Iowa, 50309.

No. MC 127547 TA, filed September 3, 1965. Applicant: ALDRON LEASING CORPORATION, 610 West Walnut Street, Fairbury, Ill. Applicant's representative: Robert H. Levy, 105 West Adams Street, Chicago, Ill., 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Steel tubing, electrical conduit, and wrought steel pipe*, from plantsite of Fairbury division of International Tube Co., at or near Fairbury, Ill., to points in Indiana, Kentucky, Michigan, Missouri, Ohio, Tennessee, and Wisconsin, for 180 days. Supporting shipper: International Nikoh Corp., 326 North Michigan Avenue, Chicago, Ill., 60601. Send protests to: District Supervisor William E. Gallagher, Interstate Commerce Commission, U.S. Courthouse and Federal Office Building, 219 South Dearborn Street, Room 1086, Chicago, Ill., 60604.

By the Commission.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-9698; Filed, Sept. 13, 1965.  
8:48 a.m.]

[Notice 1232]

### MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 9, 1965.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-68100. By order of September 7, 1965, the Transfer Board approved the transfer to Las Vegas Transfer & Storage Inc., 222 South Main Street, Post Office Box 219, Las Vegas, Nev., 89101, of the operating rights in Certificate of Registration No. MC-99722 (Sub-No. 3), issued September 8, 1964, to Clark County Transfer & Storage, a corporation, Post Office Box 2266 Hunt-ridge Station, Las Vegas, Nev., corresponding to the grant of intrastate authority in Certificates Nos. CPC A-652, dated April 13, 1956, as amended November 4, 1960, and CPC A-726, dated March 1, 1961, issued by the Public Service Commission of Nevada.

No. MC-FC-68064. By order of September 7, 1965, the Transfer Board approved the transfer to Union Street Railway Co., a corporation, New Bedford, Mass., of the operating rights in Certifi-

cate No. MC-72349 (Sub-No. 18), issued December 8, 1964, to Eastern Massachusetts Street Railway Co., a corporation, Brockton, Mass., authorizing the transportation, over a regular route, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, between Brockton, Mass., and Boston, Mass., and of that portion of the operating rights in Second Corrected Certificate No. MC-72349 (Sub-No. 20), issued October 29, 1964, to Eastern Massachusetts Street Railway Co., a corporation, Brockton, Mass., authorizing the transportation over regular routes, of passengers and their baggage, and express and newspapers, in the same vehicle with passengers, between Brockton, Mass., and Providence, R.I. Neal Holland, 77 Franklin Street, Boston, Mass., 02110, attorney for applicants.

No. MC-FC-68116. By order of September 7, 1965, the Transfer Board approved the transfer to Knight's Express & Warehouse, Inc., Providence, R.I., of Certificate No. MC-44875, issued to Alfred C. Ethier, Inc., Pawtucket, R.I., au-

thorizing the transportation over irregular routes of household goods, between Barrington, Cranston, East Providence, Pawtucket, and Providence, R.I., on the one hand, and, on the other, points in Connecticut and Massachusetts: floral decorative baskets, between Rehoboth, Mass., and Providence, R.I.; paper tubes and paper boxes, between East Providence and Providence, R.I., on the one hand, and, on the other, Ashland, Attleboro, Dedham, New Bedford, Southbridge, Mass., and Jewett City and Sterling, Conn.; shellfish, theatrical scenery, and potted plants, between Providence and East Providence, R.I., on the one hand, and, on the other, Boston, Mass. Russell B. Curnett, 36 Circuit Drive, Edgewood Station, Providence, R.I., 02905, attorney for transferee. William Gerstenblatt, 634 Hospital Trust Building, Providence, R.I., 02903, attorney for transferor.

No. MC-FC-68128. By order of September 7, 1965, the Transfer Board approved the transfer to Intercity Motor Transportation Company, Inc., North

Bergen, N.J., of the operating rights in Certificate No. MC-43768 issued March 11, 1943, to Julius J. Boeglin, doing business as Intercity Motor Transportation Co., Nutley, N.J., authorizing the transportation of: General commodities, except those of unusual value, and except high explosives, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, over irregular routes, between New York, N.Y., and points and places on Long Island, N.Y., on the one hand, and, on the other, points and places in Hudson, Bergen, Passaic, Essex, Union, Middlesex, Somerset, Morris, Sussex, and Monmouth Counties, N.J. Frank J. Aiello, 99 Lloyd Road, Montclair, N.J., attorney for applicants.

[SEAL]

H. NEIL GARSON,  
Secretary.

[F.R. Doc. 65-9699; Filed, Sept. 13, 1965; 8:48 a.m.]

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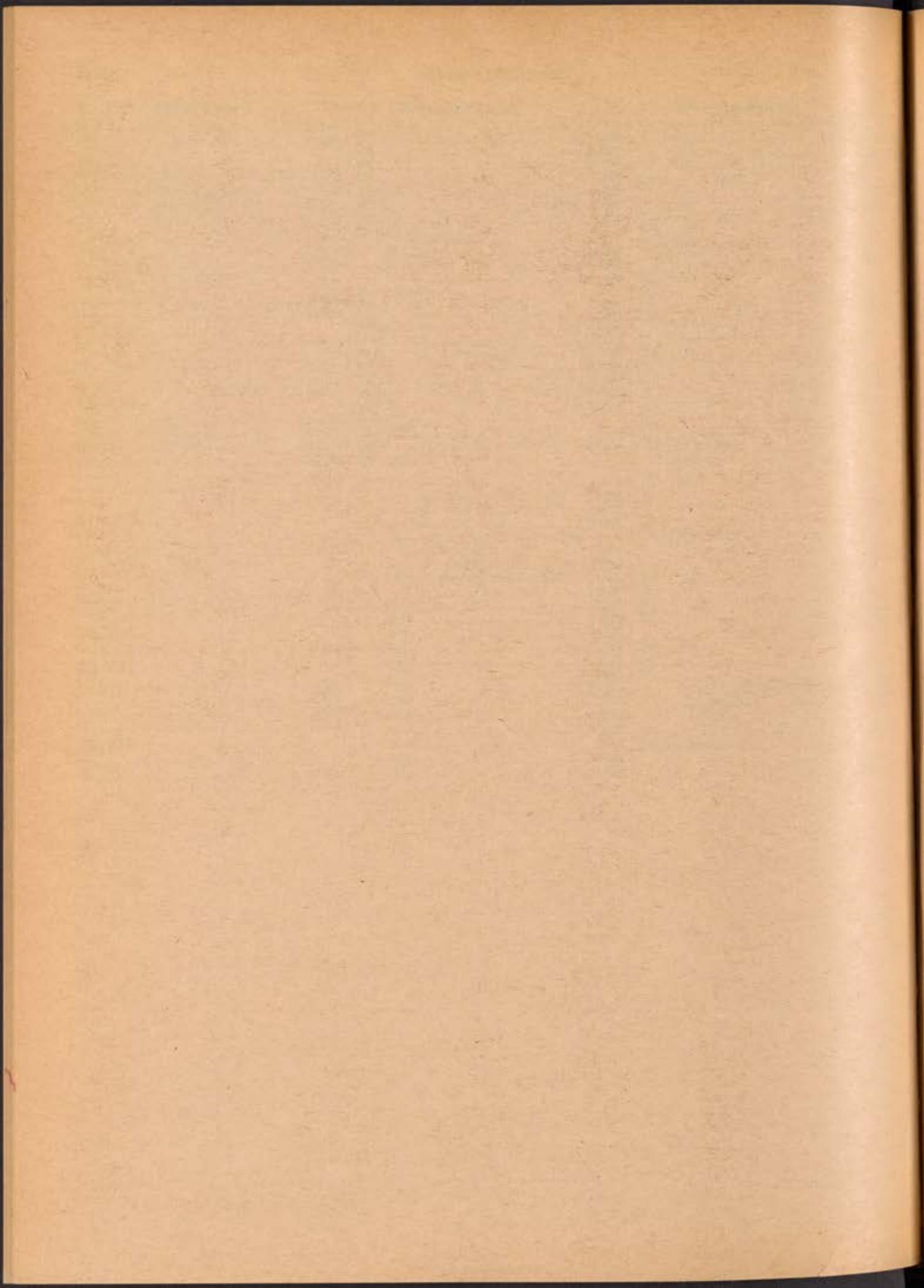
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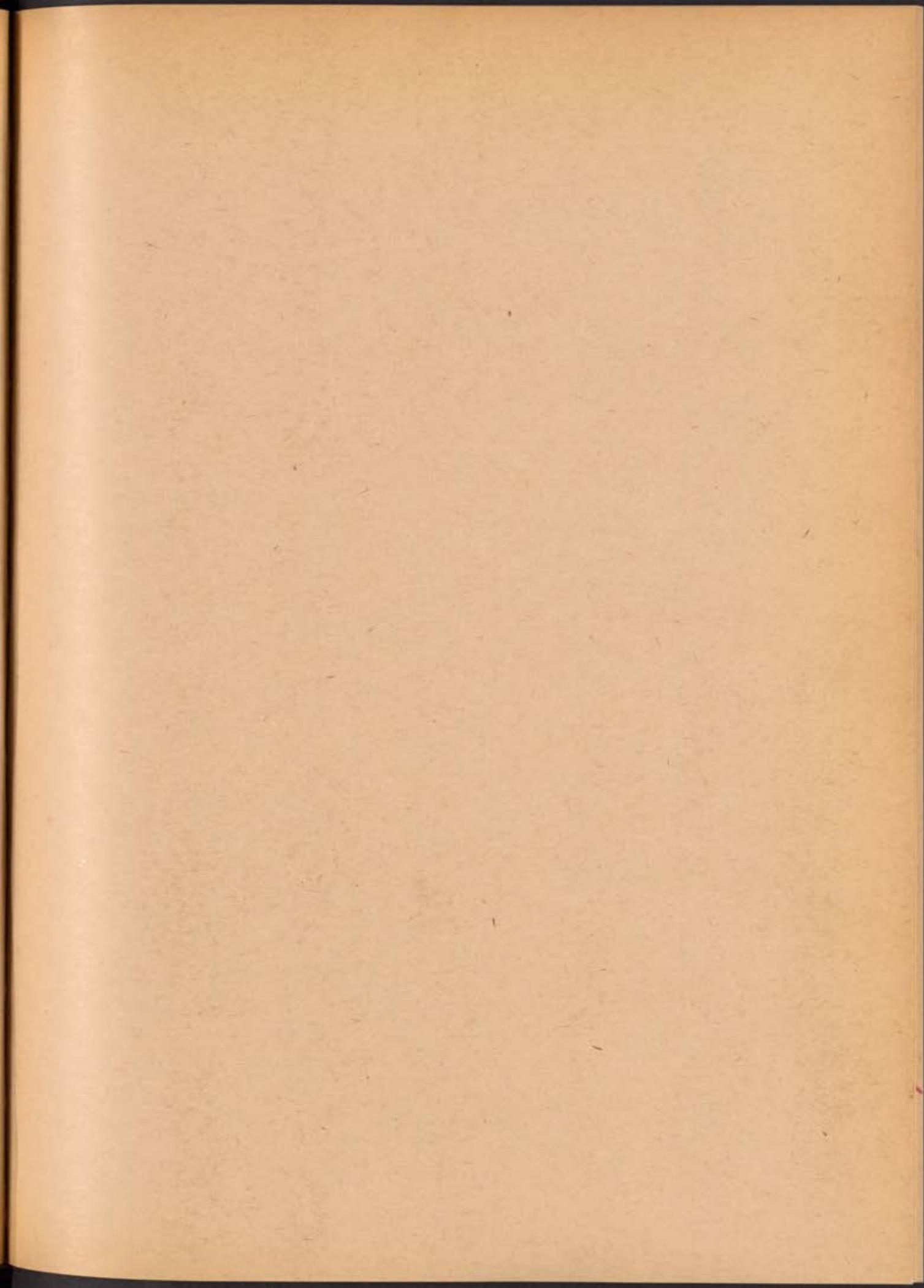
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21	11319	3808	11354	11525-11527, 11604-11610, 11678,	
<b>39 CFR</b>		3809	11383	11721.	
17	11719	3810	11383	33	11327
29	11603	3811	11516	<b>PROPOSED RULES:</b>	
		3812	11517	32	11529
		3813	11678	33	11529
		3814	11679		

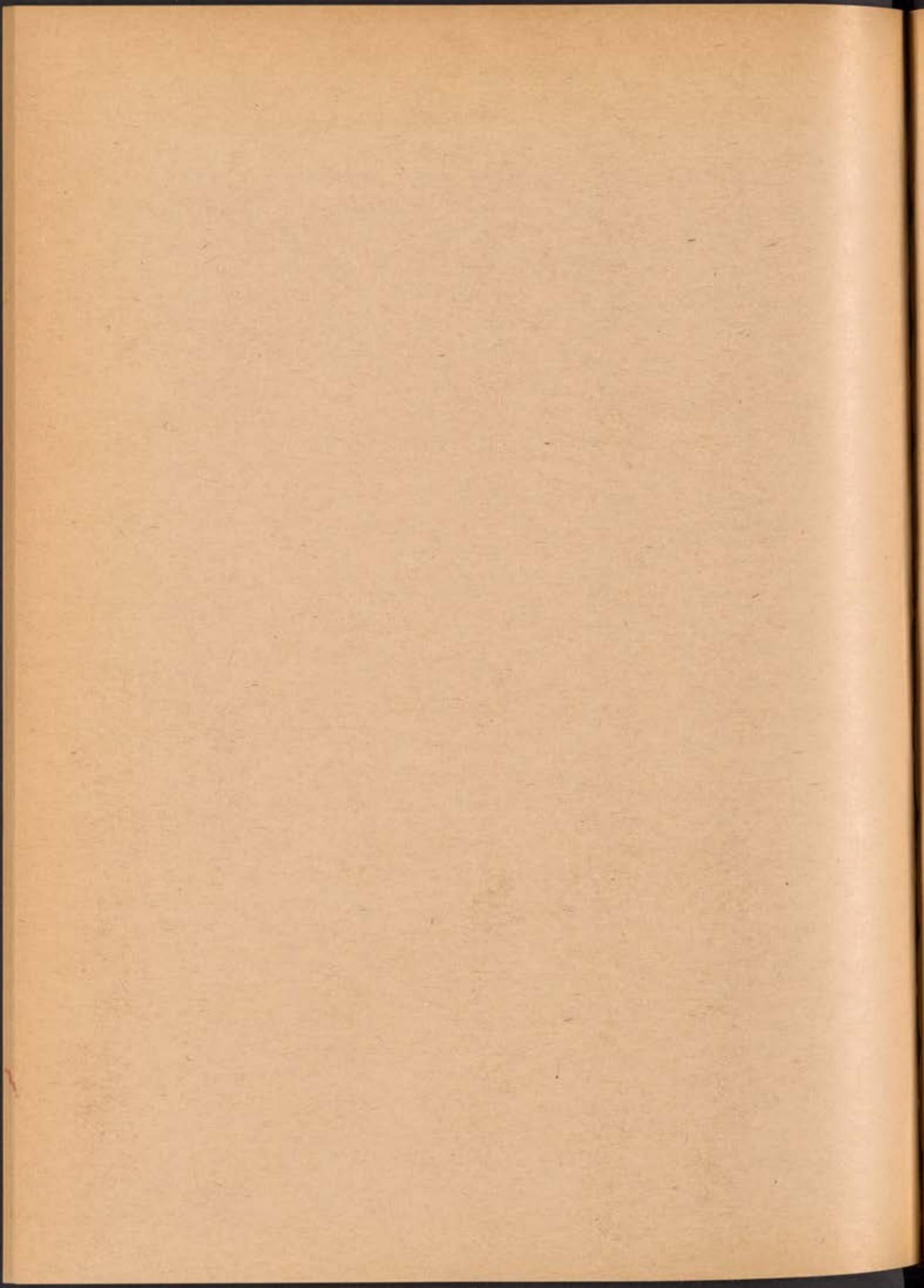
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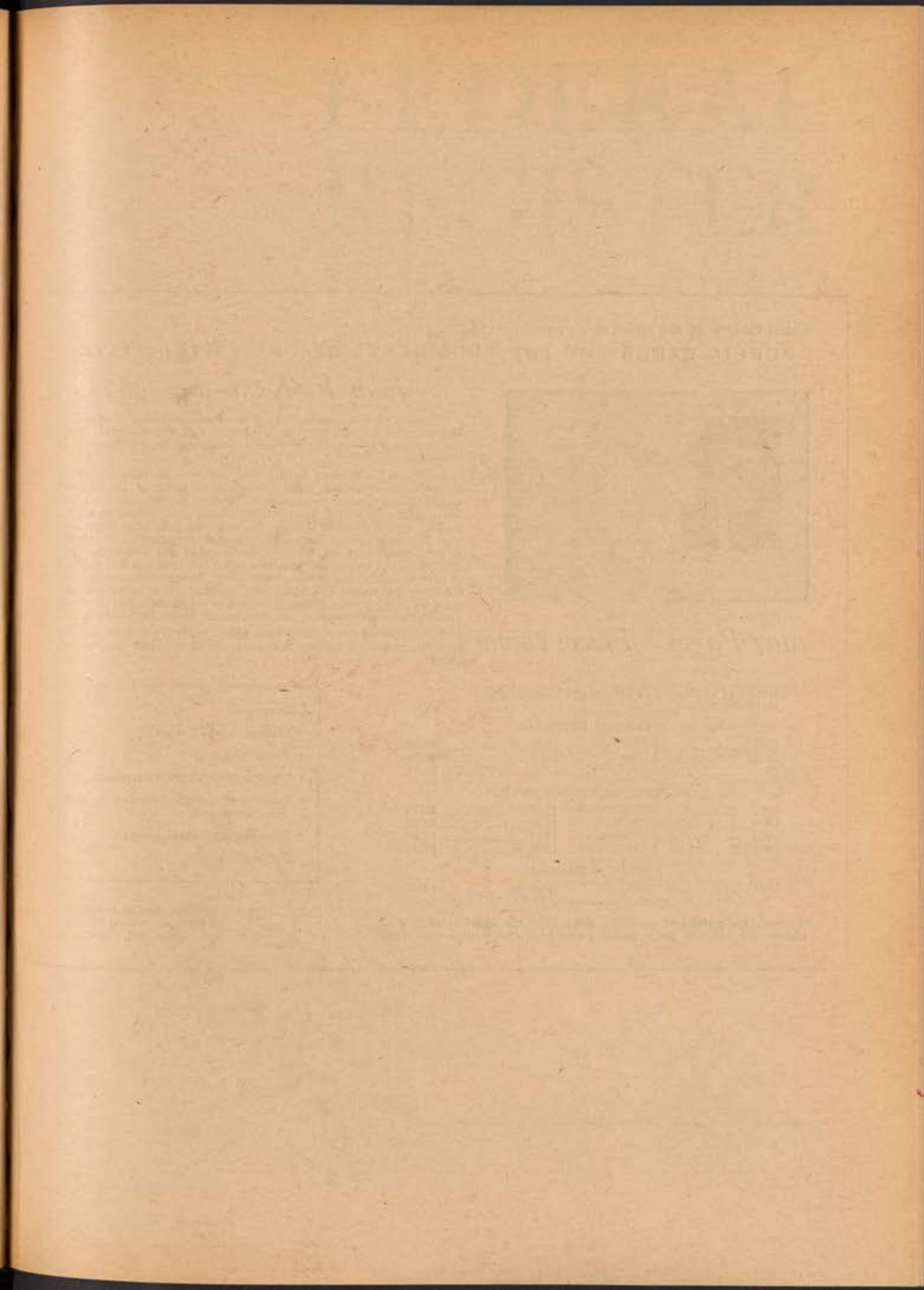
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