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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1951 CCC American-Egyptian Cotton Bulletin 1]

PART 607—COTTON

SUBPART—1951 AMERICAN-EGYPTIAN COTTON PURCHASE PROGRAM

This bulletin contains the instructions and requirements with respect to the 1951-crop American-Egyptian Cotton Purchase Program of Commodity Credit Corporation (hereinafter referred to as CCC) formulated by CCC and the Production and Marketing Administration (hereinafter referred to as PMA). This is a price support program. Purchases of Amsak and Pima 32 varieties of American-Egyptian cotton produced in 1951 will be made in accordance with this bulletin.

Sec.
607.201 Administration.
607.202 Availability of purchases.
607.203 Eligible producer.
607.204 Eligible cotton.
607.205 Purchase rates.
607.206 Approved warehouses.
607.207 Classification of cotton.
607.208 Payment for cotton.
607.209 Designated laboratories.
607.210 PMA Commodity Offices.

AUTHORITY: §§ 607.201 to 607.210 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup., 714c.

§ 607.201 *Administration*. Under the general direction and supervision of the President, CCC, the Cotton Branch and other appropriate Branches of PMA will carry out the program. In the field the program will be administered through PMA Commodity Offices, State PMA committees, and county PMA committees (hereinafter referred to as county committees). Forms will be distributed by the applicable PMA Commodity Office and will be available at the offices of county committees.

§ 607.202 *Availability of purchases*—(a) *Area*. Purchases will be made in the States of California, Arizona, New Mexico and Texas.

(b) *Time*. Purchases will be made from August 1, 1951, through April 30, 1952.

(c) *Source*. Purchases will be made from eligible producers by county committees.

§ 607.203 *Eligible producer*. An eligible producer shall be any individual, partnership, corporation, association, trust, estate, or other legal entity, or a State or political subdivision thereof, or any agency of such State or political subdivision, producing eligible American-Egyptian cotton in 1951 in the capacity of landowner, landlord, tenant or sharecropper.

§ 607.204 *Eligible cotton*. Eligible American-Egyptian cotton shall be of the Amsak or Pima 32 varieties and shall meet the following requirements:

(a) Such cotton must have been produced in continental United States in 1951.

(b) Such cotton must have been produced from Amsak or Pima 32 varieties of American-Egyptian cottonseed and such cottonseed (1) must have been "registered" or "certified" by a crop improvement association or a recognized State agency or (2) must be covered by a certificate issued prior to planting by such association or agency indicating the cottonseed are of the Amsak or Pima 32 varieties and have been recleaned and sampled, that the samples have been examined by a laboratory designated in § 607.209 and that such laboratory has certified that such cottonseed contained not in excess of 2.5 percent of fuzzy seed of upland or hybrid character. In order to establish that the cotton was produced from such cottonseed, the producer must submit to the county committee tags from bags of registered or certified cottonseed, the certificate issued by the association or state agency, or other evidence satisfactory to the county committee.

(c) Such cotton must be of a grade and staple length specified in § 607.205.

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

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(d) Such cotton must be represented by negotiable warehouse receipts issued by warehouses approved by CCC.

(e) Such cotton must not be compressed to high density.

(f) Such cotton must be free and clear of all liens and encumbrances.

(g) Such cotton must have been produced by the person offering it for sale and such person must have the legal right to sell the cotton.

(h) If the person offering such cotton for sale is a landlord or landowner, the cotton must not have been acquired by him directly or indirectly from a share tenant or sharecropper and must not have been received in payment of fixed or standing rent; and if it was produced by him in the capacity of landlord, share tenant, or sharecropper, it must be his separate share of the crop, unless he is a landlord and is offering cotton in which both he and a share tenant or sharecropper have an interest.

(i) Each bale of such cotton must weigh at least 300 pounds.

(j) Such cotton shall be of normal character and free from irregularities or defects in grade or staple.

§ 607.205 *Purchase rates.* The following table shows the purchase rates by qualities and by location in cents per pound, net weight, for 1951-crop Amsak and Pima 32 varieties of eligible American-Egyptian cotton:

Grade	Staple					
	1⅜ inches		1 7/16 inches		1½ inches and longer	
	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas	Arizona and California	New Mexico and Texas
1	101.55	101.95	104.90	105.30	106.05	106.45
1½	100.45	100.85	103.80	104.20	104.90	105.30
2	98.20	98.60	101.55	101.95	103.80	104.20
2½	93.75	94.15	98.20	98.60	100.45	100.85
3	89.25	89.65	94.85	95.25	97.10	97.50
3½	83.65	84.05	88.15	88.55	91.50	91.90
4	78.10	78.50	80.30	80.70	83.65	84.05
4½	72.50	72.90	74.75	75.15	75.85	76.25
5	66.90	67.30	69.15	69.55	71.35	71.75

§ 607.206 *Approved warehouses.* Cotton in warehouses will be acceptable for purchase by CCC only if such warehouses are approved by CCC. Warehousemen will be notified of approval of their warehouse by letter or published lists. The names of approved warehouses will be available at offices of county committees.

§ 607.207 *Classification of cotton.* All cotton must be classed by a Board of Cotton Examiners of the United States Department of Agriculture (hereinafter referred to as the "Board"). A Cotton Classification Memorandum Form 1 of the United States Department of Agriculture will be accepted, provided the sample is a representative cut sample drawn in accordance with instructions to organized cotton improvement groups for sampling cotton under the 1951 Smith-Doxey Program. If a sample has been drawn and submitted for a Form 1 classification, another sample may not be drawn and forwarded to a Board except for review. If the producer's cotton has not been sampled for a Form 1 classification, the warehouseman should sample such cotton and forward the samples to the Board serving the district in which the cotton is located. A Cotton Classification Memorandum Form A3 must be inserted in each sample. A Tag List and Record Sheet (CCC Cotton Form L, hereinafter referred to as "Form L"), must be prepared by the warehouseman, listing each sample included in a shipment to the Board. A copy of such Form L shall be included with the samples and two copies must be mailed separately to the Board. The Board will enter the classification of each bale on the Form L and return a copy of such form to the warehouse. The Cotton Classification Memorandum Form A3 will be returned to the producer by the Board.

An amount equal to the classification charge under the 1951 Upland Cotton Loan Program shall be collected from the producer by the warehouseman for all cotton for which samples are submitted to a Board for classification, except that no charge shall be collected for samples submitted for Form 1 classification. The Boards will submit billings for classing charges to the warehousemen at the end of each month. Payments of these charges shall be made payable to Commodity Credit Corporation and shall be sent to the applicable PMA commodity office.

§ 607.208 *Payment for cotton.* Producers will be paid the purchase price of the cotton by means of sight drafts drawn on CCC by State PMA or county committees.

§ 607.209 *Designated laboratories.* The laboratories designated to examine and certify seed as provided in § 607.204 and area served by each are as follows:

U. S. Department of Agriculture Field Station, Sacaton, Arizona. Attention: Mr. R. H. Peebles (all seed samples originating in Arizona should be sent to this laboratory).

U. S. Department of Agriculture Cotton Field Station, P. O. Box No. 145, State College, New Mexico. Attention: Mr. A. R. Leding.

Texas Experiment Substation No. 17, Ysleta, Texas. Attention: Mr. P. J. Lyerly (Seed samples originating in Texas or New Mexico may be sent to either of the above two laboratories).

All cost of laboratory test shall be paid by the person or firm submitting the samples. All lots of seed which contain fuzzy seed of upland or hybrid character shall be recleaned before samples are submitted to a designated laboratory. Cottonseed submitted to a designated laboratory must be a representative sample of the seed which are proposed to be planted and must not have been delinted prior to the samples being sent to such laboratory. Each sample shall contain at least ½ pound of cottonseed and shall be forwarded to a designated laboratory in a suitable container. Quarantine requirements shall be complied with in shipping samples of seed.

§ 607.210 *PMA Commodity Offices.* The addresses of the appropriate PMA Commodity Offices and the cotton growing area served by each are shown below:

335 Fell Street, San Francisco 3, California: Arizona and California.

Masonic Temple Building, New Orleans 12, Louisiana: New Mexico and Texas.

Issued this 9th day of April 1951.

[SEAL] ELMER F. KRUSE,
Vice President,
Commodity Credit Corporation.

Approved:

G. F. GEISSLER,
President,
Commodity Credit Corporation.

[F. R. Doc. 51-4342; Filed, Apr. 11, 1951; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 52—PROCESSED FRUITS AND VEGETABLES, PROCESSED PRODUCTS THEREOF, AND CERTAIN OTHER PROCESSED FOOD PRODUCTS

SUBPART B—UNITED STATES STANDARDS FOR GRADES OF PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS [1]

U. S. STANDARDS FOR GRADES OF CANNED GRAPE JUICE

On August 1, 1950, a notice of proposed rule making was published in the FEDERAL REGISTER (15 F. R. 4917) regarding the proposed revision of the United States Standards for Grades of Canned (or Bottled) Grape Juice. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following revised United States Standards for Grades of Canned Grape Juice are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. et seq.) and the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, 81st Cong., approved September 6, 1950):

§ 52.378 *Canned grape juice.* Canned grape juice is the unfermented liquid obtained from properly matured fresh grapes. Such grape juice is prepared without concentration, without dilution, is packed with or without the addition

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

of sweetening ingredients, and is sufficiently processed by heat to assure preservation of the product in hermetically sealed containers (either metal or glass).

(a) *Types of canned grape juice.* (1) Type I: Concord type (prepared from grapes of the slip-skin varieties of the Concord type of the Labrusca species).

(2) Type II: Any type other than Concord type (prepared from a single variety of grapes other than Concord type).

(3) Type III: Blended type (prepared from two or more varieties of grapes).

(b) *Styles of canned grape juice.* Unless specifically designated as "sweetened", canned grape juice is considered as "unsweetened."

(1) Style I, Unsweetened (without added sweetening ingredient or ingredients).

(2) Style II, Sweetened (with added sweetening ingredient or ingredients).

(c) *Grades of canned grape juice.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned grape juice from which tartrate crystals have been removed; that possesses a good color; that is practically free from defects; that possesses a good flavor; and that scores not less than 85 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of canned grape juice from which tartrate crystals have been removed; that possesses a reasonably good color; that is reasonably free from defects; that possesses a reasonably good flavor; and that scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Grade D" or "Substandard" is the quality of canned grape juice that fails to meet the requirements of U. S. Grade B or U. S. Choice.

(d) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container be filled as full as practicable with grape juice and that the product occupy not less than 90 percent of the volume of the container.

(e) *Ascertaining the grade.* (1) The grade of canned grape juice is ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of color, absence of defects, and flavor.

(2) 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 such factors are:

Factors	Points
(i) Color	40
(ii) Absence of defects	20
(iii) Flavor	40
Total score	100

(f) *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, "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Color.* (i) Canned grape juice that possesses a good color may be given a score of 34 to 40 points. "Good color" has the following meanings with respect to the types of canned grape juice:

Type I. A bright purple or bright reddish-purple color typical of properly prepared and properly processed juice from Concord type grapes.

Types II and III. A bright color typical of properly prepared and properly processed juice characteristic of the varietal type or varietal types from which prepared.

(ii) If the canned grape juice possesses a reasonably good color, a score of 28 to 33 points may be given. Canned grape juice that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good color" has the following meanings with respect to the types of canned grape juice:

Type I: A purple or reddish-purple color typical of canned grape juice prepared from Concord type grapes and which color may be slightly dull purple, slightly dull bluish-purple, or slightly dull reddish-purple but which is not off-color for any reason.

Types II and III: A color typical of canned grape juice characteristic of the varietal type or varietal types from which prepared and which color may be slightly dull but which is not off-color for any reason.

(iii) Canned grape juice that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(2) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from sediment and other residue, from tartrate crystals, from particles of skin, from particles of pulp, from particles of seed, and from any other defects.

(i) Canned grape juice that is practically free from defects may be given a score of 17 to 20 points. "Practically free from defects" means that the canned grape juice may possess a slight amount of sediment and residue of an amorphous nature; may possess not more than a trace of sediment and residue of a non-amorphous nature; is practically free from tartrate crystals; and is free from particles of skin, particles of pulp, particles of seed, and from any other defects.

(ii) If the canned grape juice is reasonably free from defects, a score of 14 to 16 points may be given. Canned grape juice that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that the canned grape juice may possess a slight amount of sediment and residue of an amorphous or non-amorphous nature; may possess a slight amount of tartrate crystals; may possess not more than a trace of particles of skin, particles of pulp, particles of seed, and other defects.

(iii) Canned grape juice that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(3) *Flavor.* (i) Canned grape juice that possesses a good flavor may be given a score of 34 to 40 points. "Good flavor" means that the flavor is a distinct and normal flavor, typical of well-matured grapes and that the canned grape juice is free from any trace of scorching, caramelization, and objectionable flavors and objectionable odors of any kind. To score in this classification, canned grape juice shall meet the following additional requirements:

Brix: Style I, unsweetened—not less than 15.0 degrees.

Brix: Style II, sweetened—not less than 17.0 degrees.

Acid: Not less than 0.60 grams per 100 ml. nor more than 1.20 grams per 100 ml., calculated as tartaric acid.

Brix-acid ratio: For both Style I, unsweetened, and Style II, sweetened, not less than 14 to 1 nor more than 28 to 1.

(ii) If the canned grape juice possesses a reasonably good flavor, a score of 28 to 33 points may be given. Canned grape juice that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product (this is a limiting rule). "Reasonably good flavor" means that the flavor is normal and typical of reasonably well-matured grapes and that the canned grape juice may be slightly astringent but is free from any trace of scorching, caramelization, and objectionable flavors and objectionable odors of any kind. To score in this classification, canned grape juice shall meet the following additional requirements:

Brix: Style I, unsweetened—not less than 14.0 degrees.

Brix: Style II, sweetened—not less than 16.0 degrees.

Acid: Not less than 0.45 gram per 100 ml. nor more than 1.40 grams per 100 ml., calculated as tartaric acid.

Brix-acid ratio: For both Style I, unsweetened, and Style II, sweetened, not less than 11.5 to 1.

(iii) Canned grape juice that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(g) *Explanation of terms.* (1) "Brix" means the degrees Brix of canned grape juice when tested with a Brix hydrometer calibrated at 20 degrees C. (68 degrees F.). If canned grape juice is tested at a temperature other than 20 degrees C. (68 degrees F.), the applicable temperature correction shall be made to the reading of the scale as prescribed in "Official Methods of Analysis of the Association of Official Agricultural Chemists." The degrees Brix of canned grape juice may be determined by any other method which gives equivalent results.

(2) "Acid" means grams of acid (calculated as tartaric acid) per 100 ml. of juice in canned grape juice determined by titration with standard sodium hydroxide solution, using phenolphthalein as indicator or any other satisfactory indicator.

(h) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned grape juice, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, is within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(i) *Score sheet for canned grape juice.*

Size and kind of container	------
Container mark or identification	------
Label	------
Liquid measure (Fl. ounces)	------
Vacuum (inches)	------
Type	------
Style	------
Brix (degrees)	------
Acid (tartaric: grams/100 ml.)	------
Brix-acid ratio	------

Factors	Score points	
I. Color	40	(A) 34-40 (B) [1] 28-33 (D) [1] 0-27
II. Absence of defects	20	(A) 17-20 (B) [1] 14-16 (D) [1] 0-13
III. Flavor	40	(A) 34-40 (B) [1] 28-33 (D) [1] 0-27
Total score	100	----------
Grade		

[1] Indicates limiting rule.

(j) *Effective time and supersedure.* The revised United States Standards for Grades of Canned Grape Juice (which is the second issue) contained in this section will become effective thirty days after the date of publication of these standards in the FEDERAL REGISTER and will thereupon supersede the United States Standards for Grades of Canned (or Bottled) Grape Juice which have been in effect since June 15, 1945.

(Sec. 205, 60 Stat. 1090, Pub. Law. 759, 81st Cong.; 7 U. S. C. 1624)

Issued at Washington, D. C., this 6th day of April 1951.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-4318; Filed, Apr. 11, 1951; 8:48 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 11]

PART 3—AIRPLANE AIRWORTHINESS; NORMAL, UTILITY, ACROBATIC, AND RESTRICTED-PURPOSE CATEGORIES

DRY-CELL BATTERIES; RED PASSING LIGHTS

The following policies are hereby adopted. The section of the regulations being implemented is repeated here to assist the public in understanding how the Administrator's policies apply to it.

§ 3.682 *Batteries.* When an item of electrical equipment which is essential to the safe operation of the airplane is installed, the battery required shall have sufficient capacity to supply the electrical power necessary for dependable operation of the connected electrical equipment.

§ 3.682-1 *Dry-cell batteries. (CAA policies which apply to § 3.682).* When a battery is installed to provide power for electrical equipment which is essential to the safe operation of the airplane, it should be of a type whose pre-flight state of charge can readily be determined by simple and reliable means. Dry-cell batteries are not considered to be of this type, and should not be used to supply essential electrical equipment.

§ 3.700 *Position light system installation*—(a) *General.* The provisions of §§ 3.700 through 3.703 shall be applicable to the position light system as a whole, and shall be complied with if a single circuit type system is installed.[1] The single circuit system shall include the items specified in paragraphs (b) through (f) of this section.

(b) *Forward position lights.* Forward position lights shall consist of a red and a green light spaced laterally as far apart as practicable and installed forward on the airplane in such a location that, with the airplane in normal flying position, the red light is displayed on the left side and the green light is displayed on the right side. The individual lights shall be type certificated in accordance with the applicable provisions of Part 15 of this chapter.

(c) *Rear position light.* The rear position light shall be a white light mounted as far aft as practicable. The light shall be type certificated in accordance with the applicable provisions of Part 15 of this chapter.

[1] Requirements for dual circuit position light systems are contained in Part 4b of this chapter.

(d) *Circuit.* The two forward position lights and the rear position light shall constitute a single circuit.

(e) *Flasher.* If employed, an approved position light flasher for a single circuit system shall be installed. The flasher shall be such that the system is energized automatically at a rate of not less than 60 nor more than 100 flashes per minute with an on-off ratio between 2:1 and 1:1. Unless the flasher is of a fail-safe type, means shall be provided in the system to indicate to the pilot when there is a failure of the flasher and a further means shall be provided for turning the lights on steady in the event of such failure.

(f) *Light covers and color filters.* Light covers or color filters used shall be of noncombustible material and shall be constructed so that they will not change color or shape or suffer any appreciable loss of light transmission during normal use.

§ 3.700-1 *Red passing lights (CAA policies which apply to § 3.700 (a)).* When it is desired to improve the conspicuity of the aircraft, a steady red light, commonly known as a passing light, may be installed. This light is not considered to be a position light and therefore need not be type certificated. When installed, its location should be one of the following:

(a) Within the left landing light unit.

(b) On the centerline of the aircraft nose.

(c) In the leading edge of the left wing, outboard of the propeller disc.

These policies to become effective April 15, 1951.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 603, 52 Stat. 1009, 49 U. S. C. 553)

[SEAL] DONALD W. NYROP,
Administrator of Civil Aeronautics.

[F. R. Doc. 51-4302; Filed, Apr. 11, 1951; 8:45 a. m.]

[Supp. 17]

PART 4b—AIRPLANE AIRWORTHINESS; TRANSPORT CATEGORIES

RED PASSING LIGHTS

The following policies are hereby adopted. The section of the regulations being implemented is repeated here to assist the public in understanding how the Administrator's policies apply to it.

§ 4b.632 *Position light system installation*—(a) *General.* The provisions of §§ 4b.632 through 4b.635 shall be applicable to the position light system as a whole. The position light system shall be of the dual circuit type and shall include the items specified in paragraphs (b) through (g) of this section.

(b) *Forward position lights.* Forward position lights shall consist of a red and a green light spaced laterally as far apart as practicable and installed forward on an airplane in such a location that, with the airplane in normal flying position, the red light is displayed on the left side and the green light is displayed on the right side. The individual lights shall be type certificated in accordance with the applicable provisions of Part 15 of this chapter.

(c) *Rear position lights.* Rear position lights shall consist of a red and a white light mounted on the airplane as far aft as practicable and located in close proximity to each other. The individual lights shall be type certificated in accordance with the applicable provisions of Part 15 of this chapter.

(d) *Fuselage lights.* Fuselage lights shall consist of two white lights installed approximately in line with the forward position lights. One of these lights shall be mounted on the top of the fuselage, the other on the bottom. In the case of seaplanes, the location of the bottom fuselage light shall be subject to specific approval. The individual lights shall be of an approved type.

(e) *Circuits.* The forward position lights and the rear white position light shall be on one circuit, while the two fuselage lights and the rear red position light shall be on the other.

(f) *Flasher.* An approved dual circuit position light flasher shall be installed. The flasher shall be such that the system is actuated automatically with the two circuits energized alternately at a frequency of not less than 36 and not more than 60 cycles per minute. A switch shall be provided in the system to disconnect the flasher from the circuit so that continuous light can be supplied by the forward position lights and the rear white position light while the fuselage lights and the rear red position lights are not energized.

(g) *Light covers and color filters.* Light covers or color filters used shall be of noncombustible material and shall be constructed so that they will not change color or shape or suffer any appreciable loss of light transmission during normal use.

§ 4b.632-1 *Red passing lights (CAA policies which apply to section 4b.632 (a)).* When it is desired to improve the conspicuity of the aircraft, a steady red light, commonly known as a passing light, may be installed. This light is not considered to be a position light and therefore need not be type certificated. When installed, its location should be one of the following:

(a) Within the left landing light unit.

(b) On the centerline of the aircraft nose.

(c) In the leading edge of the left wing, outboard of the propeller disc.

These policies to become effective April 15, 1951.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 603, 52 Stat. 1009, 49 U. S. C. 553)

[SEAL] DONALD W. NYROP,
Administrator of Civil Aeronautics.

[F. R. Doc. 51-4303; Filed, Apr. 11, 1951; 8:45 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[5th Gen. Rev. of Export Regs., Amdt. P. L. 43 [1]]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following revisions are made in commodity descriptions and Schedule B numbers:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
[1] 322402	Jute bags or sacks, new	Lb	TEXT	50	RO
[1] 322407	Jute bags or sacks, used or reclaimed	Lb	TEXT	50	RO
	Logs, bolts, and hewn timber:				
[2] 400909	Teak	M. bd. ft	LUMB	100	RO
	Metal drums and containers for transporting gas or lower hydrocarbons:				
620520	Filled drums and containers capable of withstanding pressures over 300 pounds per square inch, where the value of the containers represent 20 percent or more of the total value of the container plus contents.[3]	Lb	STEE	100	RO
620540	Unfilled drums and containers capable of withstanding pressures over 300 pounds per square inch.[3]	Lb	STEE	100	RO
620915	Lined steel tanks, for storage or transporting gas or lower hydrocarbons, capable of withstanding pressures over 300 pounds per square inch.[3]	Lb	STEE	100	RO
656598	Other tin and manufactures	Lb.[4]	NONF	25	RO
	Textile machinery:				
754800	Rayon filament and band forming machinery, and parts; and spinnerettes for all synthetic filaments.[5]		GIEQ	None	R

[1] By this amendment the reference to Schedule B No. 322403 for jute bags or sacks, new, with a unit of quantity "No.," and the reference to Schedule B No. 322408 for jute bags or sacks, used or reclaimed, with a unit of quantity "No." are deleted from the Positive List in accordance with the Bureau of the Census Bulletin No. P. B. No. 152-I and II.

[2] The present Schedule B number for this entry, teak logs, bolts and hewn timber, is incorrectly shown as 400905.

[3] Note that the pressure ratings stamped on metal drums and containers are the working pressures, which usually allow maximum safety margins. The actual pressure capability is approximately five times the working pressure. (Any containers under this Schedule B number which do not have a pressure rating stamped thereon are not pressure containers and are not subject to the validated license control imposed by this Positive List entry.)

[4] Previously no specific unit of quantity was provided in the column headed "Unit."

[5] This revision amends the entry to include specifically "and spinnerettes for all synthetic fibers" which are in fact covered by this entry as indicated in Current Export Bulletin No. 611, Subject II, Paragraph A, Note 6.

2. The following commodities are changed from R to RO commodities. Accordingly, the entry therefor on the Positive List is amended to read as follows:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
622096	Ferrotungsten	Lb	NONF	500	RO
663900	Other tungsten metal, stellite, wire, shapes, and alloys.[1]	Lb	NONF	100	RO
	Ores and concentrates, n. e. s.:				
664580	Tungsten	Lb	NONF	100	RO

[1] Tungsten carbide tool blanks, tips, and inserts, Schedule B No. 663900, remain under R control.

3. The dollar value limits in the column headed "GLV dollar-value limits" set forth opposite the commodities listed below are amended to read as follows:

Dept. of Commerce Schedule B No.	Commodity	GLV dollar value limits
669198	Tantalum rings and tantalum wire [1]	None

[1] Formerly included in the entry on the Positive List under Schedule B No. 669198, "Other metal and metal composition manufactures, n. e. s., GLV Dollar-value limit $100."

[1] This amendment was published in Current Export Bulletin No. 614 dated April 5, 1951.

Section 399.3 *Appendix C—Commodity Processing Codes* is amended by changing the processing codes for certain commodities, as follows:

Dept. of Commerce Schedule B No.	Commodity	Processing Code
504800	Petroleum coke, including petroleum coke flour [1]	COAL
596025	Mineral wax, natural	COAL

[1] The petroleum products classified under Schedule B Nos. 501100-504720 and 505200-505900 retain the processing code of PETR. By this amendment the processing code for the present listing on the Positive List under Schedule B No. 504800 is also changed from PETR to COAL.

Shipments of any commodities removed from general license to Country Group O destinations, or where GLV dollar-value limits were reduced as a result of changes set forth in Parts numbered 2 and 3 above, of this amendment, which were on dock, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a. m., April 10, 1951, may be exported under the previous general license provisions up to and including May 5, 1951. Any such shipment not laden aboard the exporting carrier on or before May 5, 1951, requires a validated license for export. This saving clause is not applicable to any such shipments to Subgroup A destinations.

This amendment shall become effective as of April 5, 1951, except that Parts numbered 2 and 3 above shall become effective as of April 10, 1951, 12:01 a. m.

(Sec. 3, 63 Stat. 7; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp.; E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Deputy Director,
Office of International Trade.

[F. R. Doc. 51-4312; Filed, Apr. 11, 1951; 8:47 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Correction to Amdt. 354]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Correction to Amdt. 349]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

NEW JERSEY

Correction to Controlled Housing Rent Regulation and Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments.

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are corrected in the following respects:

A. Subparagraph a of paragraph numbered 2 of Amendment 354 to §§ 825.1 to 825.12 and Amendment 349 to §§ 825.81 to 825.92 is corrected to read as follows:

a. As to housing accommodations in the Borough of Woodbine in Cape May County, New Jersey: (i) All orders in effect on April 30, 1947, in accordance with regulations issued under the Emergency Price Control Act of 1942, as amended, shall be in full force and effect, unless and until revoked or modified by the Expediter; (ii) Wherever the date June 30, 1947, appears in §§ 825.4 (a), 825.4 (c), 825.4 (d), 825.5 (a) (3), 825.5 (c) (3), 825.5 (i), 825.84 (a), 825.84 (d), 825.84 (f), 825.85 (a) (3), 825.85 (c) (3) and 825.85 (g), the date April 30, 1947, shall be substituted; (iii) Wherever the date July 1, 1947, appears in §§ 825.4 (c), 825.4 (d), 825.84 (c), 825.84 (d) and 825.84 (f), the date May 1, 1947, shall be substituted.

B. Subparagraph b of said paragraph numbered 2 of Amendment 354 to §§ 825.1 to 825.12 and Amendment 349 to §§ 825.81-825.92 is corrected to read as follows:

b. As to housing accommodations in the City of Millville in Cumberland County, New Jersey, all orders in effect on December 7, 1949, in accordance with §§ 825.1 to 825.12 or 825.81 to 825.92, shall be in full force and effect.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This correction shall be effective March 1, 1951.

Issued this 9th day of April 1951.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 51-4332; Filed, Apr. 11, 1951; 8:51 a. m.]

[Controlled Housing Rent Reg., Correction to Amdt. 357]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Correction to Amdt. 352]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

LOUISIANA

Correction to Controlled Housing Rent Regulation and Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments.

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are corrected in the following respect:

Subparagraph a of paragraph numbered 2 of Amendment 357 to §§ 825.1 to 825.12 and Amendment 352 to §§ 825.81 to 825.92 is corrected to read as follows:

a. As to housing accommodations in the Parish of Vernon, Louisiana: (i) All orders in effect on May 31, 1947 in accordance with regulations issued under the Emergency Price Control Act of 1942, as amended, shall be in full force and effect, unless and until revoked or modified by the Expediter; (ii) Wherever the date June 30, 1947 appears in §§ 825.4 (a), 825.4 (c), 825.4 (d), 825.5 (a) (3), 825.5 (c) (3), 825.5 (i), 825.84 (a), 825.84 (d), 825.84 (f), 825.85 (a) (3), 825.85 (c) (3) and 825.85 (g), the date May 31, 1947 shall be substituted; (iii) Wherever the date July 1, 1947 appears in §§ 825.4 (c), 825.4 (d), 825.84 (c), 825.84 (d), and 825.84 (f), the date June 1, 1947 shall be substituted.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This correction shall be effective as of March 8, 1951.

Issued this 9th day of April 1951.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 51-4331; Filed, Apr. 11, 1951; 8:50 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[T. D. 5837]

PART 19—INCOME TAX UNDER THE INTERNAL REVENUE CODE

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

PERIOD OF LIMITATIONS ON CLAIM FOR REFUND WHEN WAIVER IS FILED

In order to conform Regulations 111 (26 CFR Part 29) and Regulations 103 (26 CFR, Part 19, 1940 Supp.) to Public Law 716 (81st Cong., 2d Sess.), approved August 18, 1950, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 29.322-1 of Regulations 111 and § 19.322-1 of Regulations 103 the following:

PUBLIC LAW 716 (81ST CONG., 2D SESS.), APPROVED AUGUST 18, 1950

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 322 (b) (3) of the Internal Revenue Code is hereby amended by striking out the last sentence and inserting in lieu thereof the following: "Notwithstanding the foregoing provisions of this paragraph, the period within which a claim for credit or refund may be filed, or credit or refund allowed or made if no claim is filed, shall not expire prior to two years after the time the tax was paid, but if a claim is filed, or credit or refund allowed or made if no claim is filed, more than six months after the expiration of the period within which the Commissioner may make an assessment pursuant to such agreement or any extension thereof, the amount of the credit or refund shall not exceed the portion of the tax paid during the two years immediately preceding the filing of the claim, or, if no claim is filed, immediately preceding the allowance of the credit or refund."

(b) The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1941, and, subject to the provisions of the second sentence of section 169 (c) of the Revenue Act of 1942 (added by section 509 (a) of the Revenue Act of 1943 and amended by section 2 of this Act), the amendment shall also be applicable to taxable years beginning after December 31, 1923, and before January 1, 1942.

SEC. 2. The second sentence of section 169 (c) of the Revenue Act of 1942 is hereby amended to read as follows: "A provision having the effect of section 322 (b) (3), as amended, of the Internal Revenue Code and a provision having the effect of the amendment made by subsection (b) of this section, shall be deemed to be included in the revenue laws respectively applicable to taxable years beginning after December 31, 1923, but such provisions shall be effective with respect to taxable years beginning prior to January 1, 1942, only if at some time after February 24, 1944, the Commissioner may assess the tax for such taxable year solely by reason of having made (either before, on, or after February 24, 1944) an agreement with the taxpayer pursuant to section 276 (b) of the Internal Revenue Code or the corresponding provision of the applicable prior revenue law to extend beyond the time prescribed in section 275 of such code or the corresponding provision of such prior revenue law the date within which the Commissioner may assess the tax."

PAR. 2. Paragraph (b) of § 29.322-7 of Regulations 111, as amended by Treasury Decision 5816, approved December 5, 1950 (26 CFR 29.322-7), is further amended as follows:

(A) By striking out that part of the sentence comprising the second undesignated paragraph beginning with the word "limitations" and inserting in lieu thereof the following: "preceding provisions of this paragraph (b) shall apply to such credit or refund."

(B) By striking out the third undesignated paragraph and inserting in lieu thereof the following:

The period within which a claim for credit or refund may be filed, or credit or refund allowed or made if no claim is filed, shall not expire prior to two years after the time the tax was paid, but if a claim is filed ,or credit or refund allowed or made if no claim is filed, more than six months after the expiration of the period within which the Commissioner may make an assessment pursuant to such agreement or any extension thereof, the amount of the credit or refund shall not exceed the portion of the tax paid during the two years immediately preceding the filing of the claim, or, if no claim is filed, immediately preceding the allowance of the credit or refund.

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

PAR. 3. Paragraph (d) of § 19.322-7 of Regulations 103, as amended by Treasury Decision 5395, approved August 11, 1944, is further amended by adding in the first sentence thereof after "Regulations 111" the following: ", as amended,".

The amendments to § 19.322-7 of Regulations 103 and § 29.322-7 of Regulations 111 covering taxable years beginning after December 31, 1938, set forth in this Treasury decision are hereby made applicable to taxable years beginning after December 31, 1923, and prior to January 1, 1939 (such years being covered by Regulations 65, 69, 74, 77, 86, 94, and 101).

Because of the technical nature of the amendments made herein, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] GEO. J. SCHOENEMAN, *Commissioner.*

Approved: April 5, 1951.

THOMAS J. LYNCH, *Acting Secretary of the Treasury.*

[F. R. Doc. 51-4330; Filed, Apr. 11, 1951; 8:52 a. m.]

Subchapter F—Records and Procedure

PART 600—RECORDS

RETURNS OF CERTAIN TAX-EXEMPT ORGANIZATIONS AND CERTAIN TRUSTS

The statement contained in F. R. Doc. 46-15357, appearing at page 177A-22, Part II, Section 1 of the issue for September 11, 1946, as amended and redesignated (26 CFR, 1949 ed., Part 600) is hereby further amended by adding immediately after § 600.2 (a) (6) *Public lists of employers making returns under the Federal Unemployment Tax Act* the following:

(7) *Information returns of certain tax exempt organizations and certain trusts.* Information returns filed pursuant to section 153 of the Code by certain tax-exempt organizations (Form 990-A) and by trusts claiming charitable or other deductions under section 162 (a) (Form 1041-A) are available for public inspection in the offices of collectors of internal revenue in which they are filed. See Regulations 111, § 29.153-3 of this chapter.

(R. S. 161; 50 U. S. C. 22)

[SEAL] THOMAS J. LYNCH, *Acting Secretary of the Treasury.*

[F. R. Doc. 51-4328; Filed, Apr. 11, 1951; 8:50 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 703—MEN'S AND BOYS' CLOTHING AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

MINIMUM WAGE ORDER

Pursuant to the Administrator Procedure Act (60 Stat. 237; 5 U. S. C., Supp., 1001) notice was published in the FEDERAL REGISTER on March 6, 1951 (16 F. R. 2101-2102) of my decision to approve the minimum wage recommendation of Special Industry Committee No. 8 for Puerto Rico for the Men's and Boys' Clothing and Related Products Industry in Puerto Rico, and the wage order which I proposed to issue to carry such recommendation into effect was published therewith. Interested parties were given an opportunity to submit exceptions within 15 days of the date of publication of the notice.

An exception was filed by Ponce Manufacturing Corporation. This petition has been considered and I find that the exceptions contained therein present no new matters which would require any modification of my previous decision, as set forth in my findings and opinion entitled "In the Matter of the Recommendation of Special Industry Committee No. 8 for Puerto Rico for Minimum Wage Rates in the Men's and Boys' Clothing and Related Products Industry in Puerto Rico."

Accordingly, pursuant to authority under the Fair Labor Standards Act of 1938, as amended (52 Stat. 1060, as amended; 29 U. S. C. 201), the said decision is hereby affirmed and made final, and the said wage order is hereby issued, to become effective May 14, 1951.

AUTHORITY: §§ 703.1 to 703.4 issued under sec. 8, 52 Stat. 1064; 29 U. S. C. 208. Interprets or applies sec. 3, 54 Stat. 615; 29 U. S. C. 205.

§ 703.1 *Approval of recommendations of industry committee.* The Committee's recommendations are hereby approved.

§ 703.2 *Wage rates.* (a) Wages at a rate of not less than 35 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the suits, coats, trousers, and work clothing division of the men's and boys' clothing and related products industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

(b) Wages at a rate of not less than 35 cents per hour shall be paid under section 6 of the Fair Labor Standards Act of 1938, as amended, by every employer to each of his employees in the General Division of the men's and boys' clothing and related products industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce.

§ 703.3 *Notices of order.* Every employer employing any employees so engaged in commerce or in the production of goods for commerce in the men's and boys' clothing and related products industry in Puerto Rico shall post and keep posted in a conspicuous place in each department of his establishment where such employees are working such notices of this order as shall be prescribed, from time to time, by the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Division may prescribe.

§ 703.4 *Definition of the men's and boys' clothing and related products industry in Puerto Rico and its divisions.* (a) The men's and boys' clothing and related products industry in Puerto Rico, to which this part shall apply, is hereby defined as follows:

The manufacture from any material of men's and boys' clothing and related products, including, but without limitation, suits, coats, overcoats, trousers, shirts, underwear, nightwear, work clothing, sportswear (including bathing suits, riding habits and athletic uniforms), heavy outerwear, neckties, caps, hats (except hand-made straw hats), belts, robes and dressing gowns, raincoats, suspenders, garters, academic caps and gowns, vestments, costumes, and other items of apparel and accessories (except gloves, handkerchiefs, hosiery and shoes).

This definition supersedes the definitions contained in any and all wage orders heretofore issued for other industries in Puerto Rico to the extent that such definitions include products or operations covered by the definition of this industry.

(b) The separable divisions of the industry, as defined in paragraph (a) of this section, to which this part and its several provisions shall apply, are hereby defined as follows:

(1) *Suits, coats, trousers and work clothing division.* The manufacture from any material of men's and boys' suits, coats, topcoats, overcoats, trousers, and work clothing.

(2) *General division.* The manufacture from any material of all products included in the men's and boys' clothing and related products industry in Puerto Rico, as defined in paragraph (a) of this section, except those included in the suits, coats, trousers, and work clothing division, as defined in this section.

Signed at Washington, D. C., this 6th day of April 1951.

WM. R. MCCOMB,
Administrator,
Wage and Hour Division.

[F. R. Doc. 51-4307; Filed, Apr. 11, 1951; 8:52 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 17; Amendment 1]

CPR 17—GASOLINES, NAPHTHAS, FUEL OILS AND LIQUEFIED PETROLEUM GASES

NATURAL GAS, PETROLEUM GAS, CASINGHEAD GAS AND REFINERY GAS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment to Ceiling Price Regulation 17 (16 F. R. 3033) is hereby issued.

STATEMENT OF CONSIDERATIONS

Ceiling Price Regulation 17, which has been issued, covers the principal petroleum products at the wholesale level. It was decided to include in this regulation natural gas, petroleum gas, casinghead gas and refinery gas after consultation with various members from industry and the Industry Advisory Committee for Natural Gas, since the basic provisions of Ceiling Price Regulation 17 are equally applicable to these products. However, under pricing methods for natural gas, casinghead gas and refinery gas, a provision has been included to permit long term contracts to continue in effect. Such contracts are customary in the industry, many having been written several years prior to the base period to continue in effect for as long as twenty years. Moreover, many phases of the industry are subject to permanent Federal and State regulatory agencies. Permission for this type of contract to continue in effect in accordance with contract terms will not increase the general level of prices for gas beyond prices under long term contracts, nor to create hardships for purchasers. Most of the gas which will be sold under the pricing provisions of this regulation is delivered through long pipe lines certificated by Federal and State regulatory authority. The practice in the gas pipeline industry is to amortize the investment over a period of years and such amortization is in part related to the terms of purchase contracts covering the gas supply to such lines.

AMENDATORY PROVISIONS

Ceiling Price Regulation No. 17 is amended in the following respects:

1. The title is amended to read as set forth above.

2. Section 1 is amended by inserting in the list of products between the words "Residual fuel oils and blends thereof with distillate fuel oils" and the words "Crude petroleum when sold" the following:

Natural gas, petroleum gas, casinghead gas, and refinery gas.

3. Section 16 is amended by adding the following: (o) "Natural gas," "petroleum gas," "casinghead gas" and "refinery gas" as used in this regulation means any natural or petroleum gas which is sold to be processed for the extraction of vapors and liquids, or for consumption either directly as fuel or to be consumed in the production of any other commodity or for use in gas lift, pressure maintenance or repressuring operations, and includes such gas when delivered directly from wells, and the residue gas resulting from extraction operations.

4. A new section, 23a, is inserted between section 23 and section 24 to read as follows:

SEC. 23a. *Natural gas, petroleum gas, casinghead gas and refinery gas.*—(a) *Exemption.* Nothing in this section shall be construed to authorize the regulation of a rate that is exempt from control by the Office of Price Stabilization under the Defense Production Act of 1950.

(b) *Specific prices.* In cases where there were published rate schedules, or offering prices, of a seller during or within one year prior to the base period, then the highest of such published rates or prices shall be the ceiling prices of the seller as to the classes of purchasers to whom such rate schedules or offering prices relate in any particular market or producing area. In order for a seller to price under this section his published rates, or offering prices, shall be filed with the Petroleum Branch of the Office of Price Stabilization, Washington 25, D. C., on or before May 15, 1951.

(c) *Formula prices*—(1) *Ceiling prices based on sales.* In the absence of a specific price determined under paragraph (b) of this section, the ceiling price for each seller at each delivery point in a particular market or producing area shall be the highest price charged by him in such particular market or producing area during the period December 19, 1950, to January 25, 1951, inclusive, for a sale of a particular type of gas to a purchaser of the same class. In the case of sales of natural gas, petroleum gas, casinghead gas, and refinery gas, the definition of sale contained in the definitions section of this regulation shall not apply. For these products sale shall include:

(i) Sales in the base period pursuant to oral or written contracts, including spot sales, made during such period.

(ii) All long term written contracts in effect in the base period can be used, in accordance with the terms of such contracts, as the basis for determining ceiling prices for all purchasers of the same class.

(iii) Written contracts made in the base period whether or not any deliveries were made thereunder, and written contracts made during the period June 1, 1950, to December 18, 1950, inclusive, under which no deliveries were made in the base period but which provided for performance to begin during or after the base period.

(iv) Deliveries made during the base period under a written contract made prior to December 19, 1950, and after June 1, 1950, if the prices reflected current market conditions.

(2) *Existing contracts.* Where a buyer and seller have entered into a contract prior to January 25, 1951, such contract may be carried out in accordance with the terms of such contract, notwithstanding any other provision of this regulation.

(3) *Competitive or in-line ceiling price*—(i) *Ceiling price of another seller.* When a seller at a given shipping or delivery point is unable to determine a ceiling price for a particular gas under subparagraph (1) of this paragraph, his ceiling price at the delivery point shall be the highest ceiling price of any seller of the same class for gas of the particular type to a purchaser of the same class in the same market or producing area. This method of determining a ceiling price cannot be used unless the seller's records show that for the purpose of such sale he has adopted as his ceiling the ceiling price of such other seller under similar contract terms.

(ii) *In-line ceiling price.* If under this method (3) (i) of pricing, a seller arrives at a ceiling price for a particular gas which is not in line with the price he would have arrived at by use of his customary pricing practices in the same market or producing area during the base period December 19, 1950, to January 25, 1951, he may nevertheless sell at a price in line with his price for the particular gas at other comparable points which reflects his customary pricing practices. The seller shall within 15 days after making a sale file this in-line price with the Petroleum Branch, Office of Price Stabilization, Washington 25, D. C., stating his proposed ceiling price and in what way the ceiling price determined according to the price of a competitive seller of the same class is inconsistent with the customary pricing practices of the seller. Such price shall be the seller's ceiling price for the particular product unless it is disapproved in writing or a substitute price is established by the Office of Price Stabilization. A ceiling price established under this section may be changed at any time by order of the Office of Price Stabilization.

(4) *Final pricing method.* See section 28 of this regulation.

(Sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.)

Effective date. This Amendment No. 1, Ceiling Price Regulation No. 17 shall become effective on April 16, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

APRIL 11, 1951.

[F. R. Doc. 51-4410; Filed, Apr. 11, 1951; 10:59 a. m.]

[General Ceiling Price Regulation, Interpretation 2 to Section 11]

GCPR, INT. 2—WHOLESALE PORK CUTS, PARITY ADJUSTMENTS

Section 3 of the General Ceiling Price Regulation sets the ceiling price for wholesale pork cuts at the highest price at which they were delivered by each seller during the period from December 19, 1950, to January 25, 1951, inclusive. Such ceiling prices may not be increased under the parity adjustment provisions of section 11 (b) and (c), since live hogs, from which wholesale pork cuts are processed, are not one of the agricultural commodities listed in section 11 (a).

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title IV, Pub. Law 774, 81st Cong. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.)

HAROLD LEVENTHAL,
Chief Counsel,
Office of Price Stabilization.

APRIL 11, 1951.

[F. R. Doc. 51-4409; Filed, Apr. 11, 1951; 10:59 a. m.]

[General Overriding Regulation 3]

GOR 3—EXEMPTION OF CERTAIN RUBBER, CHEMICAL AND DRUG COMMODITY TRANSACTIONS

Pursuant to the Defense Production Act of 1950 (Public Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this General Overriding Regulation 3 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation is issued to provide for exemptions from price controls of certain rubber, chemical and drug commodity transactions for the reasons set out below. All of the exemptions provided for now include minor items of insignificant importance to the cost of living or to the cost of the defense program. In addition, their control involves administrative and enforcement difficulties out of all proportion to their intrinsic significance, and there is little or no likelihood that withdrawal of control in these situations will affect sales of other commodities through diversion of materials, labor, or facilities. From time to time this regulation may be amended to provide for additional exemptions of this kind as the need arises.

This regulation exempts experimental chemicals and small quantity sales of new chemicals. Sales of new chemicals which a manufacturer did not sell during the base period December 19, 1950, to January 25, 1951, or prior thereto, are exempt until the total amount of such sales reaches the sum of $1,000. This provision will have the effect of relieving the Office of Price Stabilization and manufacturers from the burden of establishing ceiling prices for numerous small quantity transactions in new chemicals where their money value is minor and which are insignificant from the standpoint of control of inflation or of the cost of living, and whose commercial significance is still a dubious matter. These new chemicals will become controlled again after sales exceed $1,000.

Sales of experimental chemicals after their sales reach $1,000 are likewise exempt if the Office of Price Stabilization does not disapprove the manufacturer's report describing the chemical, explaining why it is considered in the experimental stage, specifying the prices the manufacturer plans to charge, and stating the volume of production which would represent commercial production.

Many of these experimental chemicals never reach the commercial stage and the time and effort involved in establishing ceiling prices for such commodities could be better be used on more important commodities. Experimental chemicals are usually sold at a price bearing little relation to costs but are sold at a price designed to promote trial and use. Reliable cost data are usually not available. Ceiling prices based on actual experimental costs would, moreover, probably prove inflationary. When commercial production is achieved, these chemicals will also become controlled again.

This regulation likewise exempts sales of hog cholera virus and anti-hog serum. In addition to the other factors mentioned above, the Secretary of Agriculture under the authority of the Anti-Hog Cholera Serum and Hog-Cholera Virus Marketing Agreement Act passed by Congress in 1935 exercises a general control over supply and prices of these items. The Secretary has stated that the maintenance of an adequate supply of anti-hog cholera serum and hog cholera virus is of prime importance in insuring the health of the Nation's swine population. Such serum and virus are the only products available generally capable of permanently immunizing swine against the disease of hog cholera, which disease is of a highly contagious and fatal nature. The disease exists at all times in some parts of the United States.

Also exempted are the following, when sold for the purposes of scientific and medical research, for analytical and educational uses, and for quality control of industrial products: reagent chemicals, laboratory reagent speciality solutions and prepared culture media. These are minor items insignificant in the cost of living or in the control of inflation. There are thousands of individual items in these classifications which are used in laboratories in the performance of tests, and although sales of a single item may be so insignificant that it is almost impossible to handle them on an individual basis, each item may be vitally necessary to an industrial consumer or a research laboratory.

The transactions exempted by this regulation were also exempt for substantially the same reasons by the Office of Price Administration during the last war.

FINDINGS OF THE DIRECTOR

In the judgment of the Director of Price Stabilization the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950 to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Exemption of certain chemical commodity transactions.
3. Exemption of certain drug commodity transactions.

AUTHORITY: Sections 1 to 3 issued under sec. 704 Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 supp.

SECTION 1. *What this regulation does.* This regulation exempts from price control certain rubber, chemical and drug commodity transactions, as set forth in later sections of this regulation, either absolutely or, where the exemption is qualified, under the conditions and to the extent indicated.

SEC. 2. *Exemption of certain chemical commodity transactions.* No price regulation issued by the Office of Price Stabilization shall apply to the following:

(a) *New chemicals.* Sales by a manufacturer of a chemical which that manufacturer did not sell or offer for sale during the period December 19, 1950, to January 25, 1951, or prior thereto, until the total sales of that chemical exceed $1,000.

(b) *Experimental chemicals.* Sales by a manufacturer of a chemical which is in the experimental stage of production, on condition, however, that before making any sale of any such chemical which would bring the total sales thereof to a sum in excess of $1,000, the manufacturer must file with the Office of Price Stabilization, Washington, D. C., a report setting forth his name, a description of the chemical, the reasons why he considers the chemical to be in an experimental stage of production, the prices he proposes to charge for the chemical during the experimental stage of production, and the monthly volume which he believes would represent commercial production as opposed to the experimental stage of production. Unless the Office of Price Stabilization by letter disapproves this report or requests further information within twenty days, sales of the chemical shall continue to be exempted from price control until the volume of production specified in the report as commercial production is reached.

(c) *Certain reagent chemicals.* The following, when sold for the purposes of scientific and medical research, for analytical and education uses, and for quality control of industrial products: reagent chemicals, laboratory reagent speciality solutions and prepared culture media.

SEC. 3. *Exemption of certain drug commodity transactions.* No price regulation issued by the Office of Price Stabilization shall apply to the following:

(a) *Hog-cholera virus and anti-hog cholera serum.* All sales of hog cholera virus and anti-hog cholera serum (products used in the immunization of swine against hog cholera).

Effective date. This General Overriding Regulation No. 3 is effective April 16, 1951.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

APRIL 11, 1951.

[F. R. Doc. 51-4408; Filed, Apr. 11, 1951; 10:59 a. m.]

Chapter XII—Defense Minerals Administration, Department of the Interior

[MO-3]

MO-3—ZINC ORE—TOLL AGREEMENTS

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by the Defense Production Act of 1950. In the formulation of this order there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

AUTHORITY: Sections 1 to 8 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

SECTION 1. *What this order does.* The purpose of this order is to regulate the delivery and acceptance of zinc ore under toll agreements.

SEC. 2. *Definitions.* As used in this order:

(a) "Person" means any individual, corporation, partnership, association or any other organized group of persons and includes any agency of the United States or any other government.

(b) "Zinc ore" means all zinc ores, concentrates, fumes and residues.

(c) "Toll agreement" means an agreement or arrangement, of any kind or character, under which title to zinc ore, delivered for processing, is vested in a person other than the person processing the zinc ore, or pursuant to which unalloyed or alloyed zinc, in any quantities, equivalent or otherwise, is to be returned to the person delivering or owning the zinc ore.

SEC. 3. *Authorization required.* (a) On and after the effective date of this order, no person shall deliver or accept delivery of zinc ore for the purpose of converting, remelting, refining, or other processing into zinc metal, zinc dust, zinc pigments, or zinc salts pursuant to the terms of an existing or proposed toll agreement, except as specifically authorized in writing by the Defense Minerals Administration. The provisions of this paragraph shall apply with equal effect on any agency relationship which would result in a toll agreement.

(b) Persons desiring such authorization shall file with the Defense Minerals Administration a letter setting forth: The names and addresses of the parties to an existing or proposed toll agreement; the kind, grade and form of zinc ore involved; the tonnage of the zinc products resulting after processing; the estimated rate and dates of delivery of the zinc products; the length of time the toll agreement has been in force; the duration of the toll agreement; the purpose for which the processed zinc products are to be used; and such other information as the applicant may wish to submit.

SEC. 4. *Records and audit.* Each person participating in any transaction covered by this part shall retain in his possession for at least two years records of receipts, deliveries, inventories, and use, in sufficient detail to permit inspection and audit by representatives of authorized Government agencies for determining that the provisions of this order have been met. This does not specify any particular accounting method and does not require alteration of the system of records customarily maintained, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals.

SEC. 5. *Adjustments and exceptions.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that such provision works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of national defense or in the public interest. In considering requests for adjustment claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought and shall state the justification therefor.

SEC. 6. *Directives and authorizations.* The Defense Minerals Administration may from time to time issue special directives or authorizations with respect to the delivery and acceptance of zinc ore under toll agreements, and unless otherwise provided therein, such directives will prevail over the provisions of this order.

SEC. 7. *Communications.* All communications concerning this part shall be addressed to the Defense Minerals Administration, Department of the Interior, Washington 25, D. C.

SEC. 8. *Violations.* Any person who wilfully violates any provision of this order, or furnishes false information or conceals any material fact in the course of operation under it, is guilty of a crime and upon conviction may be punished by fine or imprisonment, or both.

This order shall take effect upon publication in the FEDERAL REGISTER.

JAMES BOYD,
Administrator,
Defense Minerals Administration.

[F. R. Doc. 51-4411; Filed, Apr. 11, 1951; 11:26 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 42—TREATMENT OF DOMESTIC MAIL MATTER AT POST OFFICES OF MAILING AND AT POST OFFICES IN TRANSIT

POSTMARKING

In § 42.10 *Postmarking* amend paragraph (a) by striking out the second sentence and substituting in lieu thereof the following: "All first-class, insured and C. O. D. mail shall show, in addition to the post-office and State names, the date of mailing."

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 51-4308; Filed, Apr. 11, 1951; 8:45 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

Subchapter G—Ocean and Coastwise; General Rules and Regulations

[CGFR 51-6]

PART 62—SPECIAL OPERATING REQUIREMENTS

LOOKOUTS, FIRE PATROLMEN, AND ADDITIONAL WATCHES

The regulations in 46 CFR 62.25 contain the requirements for lookouts, fire patrolmen, and cabin watchmen on merchant vessels of the United States navigating the oceans or coastwise waters. The purpose of the amendment to 46 CFR 62.25 is to clarify the misunderstandings regarding the intent of the regulations and the requirements for lookouts, fire patrolmen, and additional watches when necessary.

This amendment to clarify the requirements of 46 CFR 62.25 shall become effective immediately upon publication of this document in the FEDERAL REGISTER. This regulation is published without prior general notice of its proposed issuance for the reason that notice, public rule making procedure thereon, and effective date requirements in connection therewith as required by the Administrative Procedure Act are hereby found to be impracticable and contrary to the public interest.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), to promulgate regulations in accordance with the statutes cited with the regulation below, § 62.25 is amended to read as follows and this amendment shall become effective upon the date of publication of this document in the FEDERAL REGISTER:

§ 62.25 *Lookouts, fire patrolmen, and additional watches when necessary*—(a) *Lookouts.* Every vessel navigating the ocean shall have a lookout at all times at or near the bow during the nighttime.

(b) *Fire patrolmen.* (1) On every passenger vessel having berth or stateroom accommodations for passengers, there shall be maintained an efficient watch by the fire patrol so as to cover all parts of the vessel accessible to passengers or crew, except machinery spaces, spaces occupied by passengers or crew as sleeping accommodations and cargo compartments which are inaccessible to passengers or crew while the passenger vessel is being navigated.

(2) The duties of the fire patrolman shall be to guard against fire or any disaster and to give an alarm in case of accident. The fire patrol shall be adequate to cover the areas described in this section at intervals of not more than twenty minutes between the hours of 10:00 p. m. and 6:00 a. m. In the case of a passenger vessel of noninflammable construction which is fitted with an approved automatic fire-detecting and alarm system in public spaces, the patrol throughout the entire patrol area may be at one hour intervals.

(3) The failure of a patrolman to follow a prescribed route, or to record each station within a definite time shall be entered on the record, along with the reason for the irregularity.

(4) The patrolman shall report to the bridge every hour on a passenger vessel where the fire patrol system is not equipped with a recording apparatus in the control station. In every passenger vessel requiring more than one patrol group, one patrolman may contact the others and make the joint report to the bridge.

(5) A patrolman while on duty shall have no other tasks assigned to him. He shall be provided with a flashlight and shall wear a distinctive uniform or badge.

(6) The number of fire patrolmen shall be specified on the certificate of inspection.

(c) *Responsibility of master.* Nothing in this section shall exonerate any master or officer in command from the consequences of any neglect to keep a proper lookout or to maintain a proper fire watch or for the neglect of any precaution which may be required by the ordinary practice of seamen or by the special circumstances of the case. When circumstances require it, additional watches shall be maintained to guard against fires or other danger and to give an alarm in case of accident or disaster.

(R. S. 4405, as amended, secs. 1, 2, 49 Stat. 1544, sec. 5, 55 Stat. 244, as amended; 46 U. S. C. 375, 367, 50 U. S. C. App. 1275. Interprets or applies R. S. 4426, 4477, 4478, and sec. 2, 54 Stat. 1028, as amended; 46 U. S. C. 404, 470, 471, 463a)

Dated: April 5, 1951.

MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 51-4326; Filed, Apr. 11, 1951; 8:50 a. m.]

Subchapter R—Nautical Schools

[CGFR 51-11]

PART 167—PUBLIC NAUTICAL SCHOOL SHIPS

A notice regarding proposed regulations for nautical school ships was published in the FEDERAL REGISTER dated December 21, 1950, 15 F. R. 9146-9156, and a public hearing to consider these regulations was held on January 30, 1951, at Washington, D. C. All the comments submitted were considered and where possible were incorporated into the regulations.

These regulations apply to nautical school ships which are vessels used as nautical school ships by any State or political subdivision thereof, or schools operated by the United States Maritime Administration, but do not include vessels of the United States Navy or Coast Guard. It is the purpose of the regulations to provide minimum standards for vessels used as nautical school ships. The regulations include requirements for the design, construction, and inspection of nautical school ships; lifesaving, firefighting, and fire prevention requirements; special operating requirements; and the number of persons permitted to be carried.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), to promulgate regulations in accordance with the statutes cited with the regulations below, the following regulations are prescribed which shall be added to Chapter I as Subchapter R, Part 167, and shall become effective on and after July 1, 1951:

AUTHORITY: §§ 167.01-1 to 167.65-70 issued under R. S. 4405, as amended; 46 U. S. C. 375. Interpret or apply R. S. 4417, 4418, 4426, 4428-4434, 4450, 4488, 4491, as amended, 41 Stat. 305, 49 Stat. 1544, 54 Stat. 163-167, 1028, sec. 5, 55 Stat. 244, as amended; 46 U. S. C. 391, 392, 404, 406-412, 239, 363, 367, 463a, 481, 489, 526-526t, 50 U. S. C. 1275.

SUBPART 167.01—GENERAL PROVISIONS

§ 167.01-1 *Basis and purpose of part.* By virtue of the authority in R. S. 4405 (46 U. S. C. 375), as amended, and to apply the requirements of the act of October 25, 1919, as amended (41 Stat. 305; 46 U. S. C. 363), the rules and regulations in this part are prescribed and apply to public nautical school ships, except vessels of the Navy or Coast Guard. It is the intent of the regulations in this part to provide minimum standards for vessels used as nautical school ships in accordance with the various inspection statutes and to obtain their correct and uniform application. This part is not applicable to civilian nautical school ships.

§ 167.01-5 *Application of regulations.* (a) Regulations in this part contain requirements for the design, construction, inspection, lifesaving equipment, fire-fighting and fire prevention requirements, special operating requirements and number of persons allowed to be carried on nautical school ships.

(b) Vessels owned or chartered by the United States Maritime Administration that may be used by or in connection with any nautical school are not normally considered as merchant vessels of the United States and, therefore, are not documented.

§ 167.01-10 *Effective date of regulations.* (a) The regulations in this part shall be in effect on and after July 1, 1951: *Provided,* That amendments, revisions, or additions shall become effective 90 days after the date of publication in the FEDERAL REGISTER unless the Commandant shall fix a different time.

(b) Amendments to regulations in this part will not be retroactive in effect unless specifically made so at the time the amendments are issued.

§ 167.01-15 *Specifications for articles or materials.* Articles of equipment or materials used in the equipment or the construction of vessels, which conform to the specifications of the Navy or Coast Guard, or their approved equivalent, may be accepted.

SUBPART 167.05—DEFINITIONS

§ 167.05-1 *Definition of terms.* Certain terms used in the regulations of this part are defined in this subpart.

§ 167.05-5 *Approved.* This term means approved by the Commandant unless otherwise stated.

§ 167.05-10 *Commandant.* This term means Commandant of the Coast Guard.

§ 167.05-15 *Coast Guard District Commander.* This term means an Officer of the Coast Guard designated as such by the Commandant to command all Coast Guard activities within his district, which include the inspections, enforcement, and administration of Title 52, R. S., and acts amendatory thereof or supplemental thereto, and rules and regulations thereunder.

§ 167.05-20 *Marine inspector or inspector.* These terms mean any person from the civilian or military branch of the Coast Guard assigned under the superintendence and direction of an Officer in Charge, Marine Inspection, or any other person as may be designated for the performance of duties with respect to the inspections, enforcement, and the administration of Title 52, R. S., and acts amendatory thereof or supplemental thereto, and rules and regulations thereunder.

§ 167.05-25 *Nautical school ship.* This term means any vessel used as a nautical school ship by any state or political subdivision thereof or a school operated by the United States Maritime Administration, but shall not include vessels of the Navy or Coast Guard.

§ 167.05-30 *Officer in Charge, Marine Inspection.* This term means any person from the civilian or military branch of the Coast Guard designated as such by the Commandant, and who, under the superintendence and direction of the Coast Guard District Commander, is in charge of an inspection zone for the performance of duties with respect to the inspections, enforcement, and administration of Title 52, R. S., and acts amendatory thereof or supplemental thereto, and rules and regulations thereunder.

SUBPART 167.10—ENFORCEMENT AND RIGHT OF APPEAL

§ 167.10-1 *Enforcement.* The Officer in Charge, Marine Inspection, is responsible for the performance of duties within his jurisdiction with respect to inspection of nautical school ships which are subject to the provisions of Title 52, R. S., and acts amendatory thereof or supplementary thereto, rules and regulations issued thereunder, and the inspections required thereby.

§ 167.10-50 *Right of appeal.* Whenever any person directly interested in or affected by any decision or action of any Officer in Charge, Marine Inspection, shall feel aggrieved by such decision or action, he may appeal therefrom to the Coast Guard District Commander having jurisdiction and a like appeal shall be allowed from any decision or action of the Coast Guard District Commander to the Commandant, whose decision shall be final: *Provided, however,* That application for such reexamination of the case by a Coast Guard District Commander or by the Commandant shall be made within 30 days after the decision or action appealed from shall have been rendered or taken.

SUBPART 167.15—INSPECTIONS

§ 167.15-1 *Inspections required.* (a) Before a vessel may be used as a nautical school ship, it shall be inspected by the Coast Guard to determine that the hull, boilers, machinery, equipment and appliances comply with the regulations in this part.

(b) Every nautical school ship subject to the regulations in this part shall be inspected annually, or oftener if necessary, by the Coast Guard to determine that the hull, boilers, machinery, equipment and appliances comply with the regulations in this part.

(c) Nautical school ships while laid up and dismantled and out of commission are exempt from any or all inspections required by law or regulations in this part.

§ 167.15-5 *Authority of marine inspectors.* Marine inspectors may at any time lawfully inspect any nautical school ship.

§ 167.15-10 *Application for annual inspection.* Application in writing for the annual inspection of every nautical school ship required to be inspected by law and the regulations in this part shall be made by the master, owner, or agent to the Officer in Charge, Marine Inspection, at any local Marine Inspection Office, U. S. Coast Guard, where the nautical school ship may be operating. The application shall be on Form CG 833, Application for Inspection of Vessel, which requires information on name and type of vessel, nature of employment and route in which to be operated, place where and date when the vessel may be inspected, and that no other application has been made to any Officer in Charge, Marine Inspection, since the issuance of the last valid certificate of inspection.

§ 167.15-15 *Application for inspection of a new nautical school-ship or a conversion of a vessel to a nautical school ship.* Prior to the commencement of the construction of a new nautical school ship, or a conversion of a vessel to a nautical school ship, application for the approval of contract plans and specifications and for a certificate of inspection shall be made in writing by the owner or agent to the Officer in Charge, Marine Inspection, at the nearest local Marine Inspection Office, U. S. Coast Guard.

§ 167.15-20 *Inspections of nautical school ships.* At each annual inspection, or oftener if deemed necessary, the inspector will inspect the hull, boilers, machinery, equipment, and appliances generally for compliance with the regulations in this subpart and in addition will inspect and test certain specific items as specifically set forth in this part.

§ 167.15-25 *Inspection standards for hulls, boilers and machinery.* Except as otherwise provided by law or regulations in this subpart, the following standards shall be accepted as standard by the inspectors:

(a) American Bureau of Shipping "Rules for Building and Classing Steel Vessels" regarding the construction of hulls, boilers and machinery in effect on the date of inspection. These rules may be purchased from the American Bureau of Shipping, New York, N. Y.

(b) U. S. Navy Standard Construction Specification in effect on the date of inspection.

(c) U. S. Coast Guard Standard Construction Specification in effect on the date of inspection.

§ 167.15-50 *Tail shaft examination.* The outboard shaft or shafts on every nautical school ship shall be drawn for examination once at least in every 3 years: *Provided,* That, if the circumstances warrant it, the Coast Guard District Commander may extend this time to the next regular drydocking period, not to exceed four months: *Provided further,* That when it is shown that a nautical school ship has had a long period of lay up, the Coast Guard District Commander may grant an extension equal to the time the vessel has been out of commission, but in no case shall the extension exceed one year.

SUBPART 167.20—HULL REQUIREMENTS, CONSTRUCTION AND ARRANGEMENT OF NAUTICAL SCHOOL SHIPS

§ 167.20-1 *Construction.* Except as otherwise provided by law or regulation in this subpart, the following standards for construction are acceptable.

(a) American Bureau of Shipping "Rules for Building and Classing Steel Vessels" regarding the construction of hulls, boilers and machinery in effect on the date of inspection. These rules may be purchased from the American Bureau of Shipping, New York, N. Y.

(b) U. S. Navy Standard Construction Specification in effect on the date of inspection.

(c) U. S. Coast Guard Standard Construction Specification in effect on the date of inspection.

§ 167.20-5 *Subdivision.* All nautical school ships shall meet the minimum standard for one-compartment subdivision, calculated in accordance with Part 46 of Subchapter E (Load Lines) of this chapter.

§ 167.20-10 *Means of escape.* (a) On all nautical school ships where the arrangements will possibly permit, all inclosures where persons may be quartered, or where anyone may be employed, shall be provided with not less than two avenues of escape, so located that if one of such avenues is not available another may be.

§ 167.20-15 *Scupper, sanitary and similar discharges.* (a) All scupper, sanitary, and other similar discharges which lead through the ship's hull shall be fitted with efficient means for preventing the ingress of water in the event of a fracture of such pipes. The requirements do not apply to the discharges in the machinery space connected with the main and auxiliary engines, pumps, etc.

§ 167.20-17 *Bilge pumps, bilge piping and sounding arrangements.* The number, capacity, and arrangement of bilge pumps and bilge piping shall be in accordance with the requirements for cargo vessels contained in Parts 50 to 57 of Subchapter F (Marine Engineering) of this chapter. Sounding pipes shall be fitted in each compartment, except those accessible at all times. The main and secondary drain systems installed in accordance with U. S. Navy or U. S. Coast Guard Construction Specifications shall be accepted as meeting the intent of this section.

§ 167.20-20 *Stability.* Each nautical school ship shall be subjected to a stability test under the supervision of the Coast Guard. A stability letter, prepared by the Coast Guard, embodying necessary instructions to insure maintenance of sufficient stability at all times, for both intact and damaged condition, shall be posted on board the nautical school ship.

§ 167.20-25 *Plans.* (a) For use in connection with the stability test, the following plans shall be furnished to the Coast Guard:

(1) General arrangement plans;
(2) Midship section;
(3) Lines; and
(4) Curves of form.

(b) In the case of new construction of a nautical school ship, the same kind of plans as required by the Coast Guard for a cargo ship shall be submitted for approval. A list of the necessary plans may be obtained from the Commandant upon request.

(c) The owner or builder shall submit required drawings or blueprints in triplicate so that one set may be retained by the Commandant, one set approved and returned to the Officer in Charge, Marine Inspection, for his records, and one set approved and returned to the owner or builder for his information. If the owner or builder desires additional sets of drawings or plans approved, he shall submit such additional sets with the required drawings or plans.

§ 167.20-30 *Ballast.* When a nautical school ship is required to carry fixed ballast, in order to increase the metacentric height, such ballast shall not be moved except for examination and repair of the nautical school ship, and then only in the presence of an inspector.

SUBPART 167.25—MARINE ENGINEERING

§ 167.25-1 *Boilers, pressure vessels, piping and appurtenances.* (a) Except as otherwise provided by law or regulations in this subpart, all vessels constructed or reconverted to use as nautical school ships on or after July 1, 1951, shall conform with one of the following standards for boilers, pressure vessels, piping and appurtenances:

(1) Marine engineering regulations and material specifications in Parts 50 to 57, inclusive, of Subchapter F (Marine Engineering) of this chapter.

(2) Navy Standard Construction Specifications in effect at time of construction or conversion.

(3) U. S. Coast Guard Standard Construction Specifications in effect at time of construction or conversion.

(b) The boilers, pressure vessels, and appurtenances shall be inspected initially under the provisions of § 52.01-50 of Subchapter F (Marine Engineering) of this chapter. All alterations, replacements, or repairs on nautical school ships shall conform to the applicable standards in paragraph (a) of this section insofar as practicable.

§ 167.25-5 *Inspection of boilers, pressure vessels, piping and appurtenances.* The inspection of boilers, pressure vessels, piping and appurtenances shall be in accordance with the appropriate sections in Parts 50 to 57, inclusive, of Subchapter F (Marine Engineering) of this chapter, insofar as they relate to tests and inspection of cargo vessels.

§ 167.25-20 *Carrying of excess steam.*[1] When it is known or comes to the knowledge of the Officer in Charge, Marine Inspection, that any steam nautical school ship is or has been carrying an excess of steam beyond that which is allowed by her certificate of inspection, the Officer in Charge, Marine Inspection, in whose zone the nautical school ship is being navigated, in addition to reporting the fact to the United States District Attorney for prosecution under R. S. 4437 (46 U. S. C. 413), shall require the owner or owners of the nautical school ship to place on the boiler a lockup safety valve which will prevent the carrying of an excess of steam and it shall be under the control of said Officer in Charge, Marine Inspection.

SUBPART 167.30—REPAIRS OR ALTERATIONS

§ 167.30-1 *Notice of repairs or alterations required.* (a) It shall be the duty of the master, owner, or agent to notify the nearest Officer in Charge, Marine Inspection, whenever repairs or alterations are required, or will be made on a nautical school ship.

(b) Whenever a nautical school ship is placed upon the dock, it shall be the duty of the master, owner or agent to report the same to the Officer in Charge, Marine Inspection, so that a thorough inspection may be made by the Coast Guard to determine what is necessary to make such a nautical school ship seaworthy, if the condition or age of the nautical school ship, in the judgment of the Officer in Charge, Marine Inspection, renders such examination necessary.

§ 167.30-5 *Proceeding to another port for repairs.* (a) The Officer in Charge, Marine Inspection, may issue a permit to proceed to another port for repairs, if in his judgment it can be done with safety. In the issuance of such a permit the Officer in Charge, Marine Inspection, will state upon its face, the conditions upon which it is granted.

(b) When a nautical school ship obtains a permit from the Officer in Charge, Marine Inspection, to go to another port for repairs, the Officer in Charge, Marine Inspection, shall so notify the Coast Guard District Commander, and state the repairs to be made. The Coast Guard District Commander shall notify the Coast Guard District Commander of the district where such repairs are to be made, furnishing him a copy of the report indicating the repairs ordered.

[1] Attention is called to R. S. 4437 (46 U. S. C. 413), which makes the obstructing of a safety valve a misdemeanor subject to a $200 fine and imprisonment for not to exceed 5 years.

§ 167.30-10 *Gas-free certificates for repairs or alterations involving hot work.* On any nautical school ship which has carried inflammable or combustible liquids in bulk, as fuel or cargo, whether in a repair yard or elsewhere, no repairs or alterations involving riveting, welding, burning, or like fire-producing operations shall be made in or on the boundaries of oil bunkers, oil tanks, oil pipe lines and heating coils until an inspection has been made to determine that such operations can be undertaken with safety. Such inspections shall be made and evidenced as follows:

(a) When in a port of the United States, this inspection shall be made by a gas chemist certificated by the American Bureau of Shipping; however, if the services of such certified gas chemist are not reasonably available, the marine inspector of the Coast Guard, upon recommendation of the nautical school ship's owner and his contractor, or their representatives, shall select a person who, in the case of an individual nautical school ship, shall be authorized to make the inspection. If the inspection indicates that such operations can be undertaken with safety, a certificate setting forth that fact in writing and qualified, as may be required, shall be issued by the certified gas chemist or the authorized person before the work is started.

(b) When not in such a port and a gas chemist is not available, this inspection shall be made by the senior officer present, who shall make an entry in the nautical school ship's log to that effect.

SUBPART 167.35—LIFESAVING EQUIPMENT

§ 167.35-1 *Use of approved lifesaving equipment.* Lifeboats, lifeboat disengaging apparatus, life rafts, life preservers, or other lifesaving equipment which conform to the specifications of the Navy or Coast Guard, or their approved equivalent, may be accepted for use on nautical school ships.

§ 167.35-5 *Life preservers*—(a) *Number required.* All nautical school ships shall be provided with one life preserver for each person carried.

(b) *Shipboard inspections.* At each annual inspection of any nautical school ship, or oftener if deemed necessary, all life preservers shall be examined by an inspector to determine serviceability. When life preservers are found to be in accordance with the requirements, the inspector shall stamp them with the word "Passed", his initials, port, and date. Life preservers found not to be in a serviceable condition shall be removed from the vessel's equipment and, if beyond repair, shall be destroyed in the presence of the inspector.

§ 167.35-10 *Lifeboats.* Each nautical school ship shall be provided with fully equipped lifeboats of sufficient capacity to accommodate all persons on board.

§ 167.35-15 *Tests of lifeboats at annual inspection.* At each annual inspection, or oftener if necessary, the inspectors shall satisfy themselves that every lifeboat, together with its equipment, is in every respect in good condition and ready for immediate use. Every lifeboat, with its required equipment, shall be lowered to near the water and loaded to its allowed capacity, evenly distributed throughout its length, and then lowered into the water afloat. In making this test, persons or satisfactory deadweight may be used. If persons are used, the weight of each person shall average at least 165 pounds. When deadweight is used, the weight shall be equivalent to at least 165 pounds for each person allowed.

§ 167.35-20 *Air tanks in lifeboats.* Before any lifeboat is passed and accepted, the air tanks if installed shall be tested in the presence of an inspector by an air pressure of not more than 1 pound per square inch. At each subsequent annual inspection, or oftener if necessary or desirable, the inspectors shall satisfy themselves that the air tanks are in good condition, but pressure need not be applied unless the inspectors are in doubt regarding the efficiency of the tanks. This does not take from the inspectors the right and authority to satisfy themselves at any time, either by examination or pressure, as to the condition of the air tanks.

§ 167.35-25 *Numbering and marking of lifeboats.* (a) The number of each lifeboat shall be plainly marked or painted on each side of the bow in figures three inches high; and, where lifeboats are carried on both sides of a vessel, the odd-numbered boats shall be stowed on the starboard side and even-numbered boats on the port side; i. e., lifeboat No. 1 shall be forward on the starboard side, and lifeboat No. 3 next abaft lifeboat No. 1; lifeboat No. 2 shall be forward on the port side and lifeboat No. 4 next abaft lifeboat No. 2, etc. Where lifeboats are nested, the lifeboat under lifeboat No. 1 shall be numbered 1a, the lifeboat under lifeboat No. 2 shall be numbered 2a, etc.

(b) The cubical contents and number of persons allowed to be carried on each lifeboat shall be plainly marked or painted on each side of the bow in letters and numbers 1½ inches high. In addition, the number of persons allowed shall be plainly marked or painted on the top of at least two of the thwarts in letters and numbers three inches high.

(c) Such letters and numbers required by paragraphs (a) and (b) of this section shall be dark on a light background or light on a dark background.

§ 167.35-30 *Care of lifeboats.* Lifeboats shall be stripped, cleaned, and thoroughly overhauled, at least once in every year.

§ 167.35-35 *Davits.* All lifeboats shall be carried under davits of approved types. Davits approved by the Navy may be used. More than one type of davit may be carried on any one vessel.

§ 167.35-40 *Strength and operation of davits.* The davits shall be of such strength that the boats can be lowered with their full complement of persons and equipment.

§ 167.35-45 *Releasing gear or disengaging apparatus.* More than one type of approved releasing gear or disengaging apparatus may be installed in the lifeboats on any one nautical school ship. Releasing gear approved by the Navy may be used.

§ 167.35-50 *Inspection of releasing gear or disengaging apparatus.* The inspectors, when inspecting or reinspecting vessels, shall carefully examine the releasing gear or disengaging apparatus and the blocks and falls thereof to satisfy themselves that the same are in good condition.

§ 167.35-60 *Lifeboat equipment.* The equipment specified in this section shall be provided for each lifeboat. This equipment need not be stowed in the lifeboat but shall be readily available for emergency use. The lifeboat, except where otherwise specified in this subpart, shall be equipped as follows:

(a) *Bailer.* One bailer of sufficient size and suitable for bailing with lanyard attached.

(b) *Boathooks.* Two boathooks of clear-grained white ash of suitable length but not less than 8 feet long by 1½ inches in diameter.

(c) *Bucket.* One galvanized iron bucket of about 2-gallon capacity, with lanyard attached.

(d) *Compass.* One compass.

(e) *Distress signals.* Twelve hand red flare distress signals in a watertight container, and 4 floating orange smoke distress signals; or 12 hand red flare distress signals in a watertight container, and 12 hand orange smoke distress signals in a watertight container; or 12 hand combination flare and smoke distress signals in a watertight container. Service use shall be limited to a period of 3 years from date of manufacture.

(f) *Ditty bag.* One canvas bag containing sailmaker's palm, needles, sail twine, marline, and marline spike.

(g) *Drinking cups.* Two drinking cups.

(h) *Flashlight.* One flashlight.

(i) *Hatchets.* Two hatchets attached to the boat by individual lanyards and readily available for use, one at each end of the boat.

(j) *Lantern.* One lantern containing sufficient oil to burn at least 9 hours and ready for immediate use.

(k) *Life line.* When necessary a life line, or grab line, properly secured the entire length on each side, festooned in bights not longer than 3 feet, with a seine float in each bight. The life line shall be of a size and strength not less than 12-thread manila rope, and the seine float in each bight shall hang to within 12 inches of the surface of the water when the boat is light.

(l) *Life preservers or life buoys.* Two life preservers or two life buoys.

(m) *Mast and sails.* A mast or masts with at least one good sail and proper gear for each, the sail and gear to be protected by a suitable canvas cover. Where a nautical school ship in the North Atlantic north of 35° north latitude is provided with a radiotelegraph installation, only one of the lifeboats on each side of the nautical school ship shall be required to be so equipped.

(n) *Matches.* One box of friction matches in a watertight container.

(o) *Oars.* A single banked complement of oars, two spare oars, and a steering oar with rowlock or becket. Motor lifeboats and lifeboats fitted with propellers operated by hand shall be equipped with four oars and one steering oar.

(p) *Painter.* One painter of manila rope not less than 2¾ inches in circumference and a length not less than three times the distance between the boat deck and the light draft.

(q) *Plugs.* Each drain hole shall be provided with two plugs or caps attached by chains, or with one cap attached by chain to the lifeboat if the cap is fitted with a setscrew to prevent its being taken off without removing the setscrew.

(r) *Provisions.* Two pounds of provisions for each person consisting of hard bread or its equivalent in any emergency ration approved by the Coast Guard or Navy of cereal or vegetable compound packaged in hermetically sealed containers.

(s) *Rowlocks.* One set and a half of rowlocks, each attached to the lifeboat by a separate chain.

(t) *Rudder.* One rudder and tiller.

(u) *Sea anchor.* One sea anchor.

(v) *Signaling mirrors.* Two signaling mirrors.

(w) *Storm oil.* One container holding 1 gallon of vegetable or animal oil, so constructed that the oil can be easily distributed on the water and so arranged that it can be attached to the sea anchor.

(x) *Water.* For each person at least 1 quart of drinking water contained in hermetically sealed cans of a type approved by the Coast Guard or Navy.

§ 167.35-65 *Motor lifeboat equipment*—(a) *Equipment required.* In addition to the equipment required by § 167.35-60, motor lifeboats shall carry two fire extinguishers of the carbon tetrachloride, carbon dioxide, or dry chemical type, approved by the Navy or Coast Guard, but need not carry a mast or sails nor more than four rowing oars and one steering oar.

(b) *Motor and accessories.* (1) The engine for motor-propelled lifeboats shall be of a reliable, marine, heavy-duty type, permanently installed inside the lifeboat.

(2) Motor-propelled lifeboats certified for 100 or more persons shall be fitted with at least two bilge pumps, one of which shall be an efficient hand pump. Each bilge pump shall be capable of pumping from each compartment. Motor-propelled lifeboats certified for less than 100 persons shall be fitted with one bilge pump, either hand or power, having suitable suctions or drainage to different parts of the lifeboat.

§ 167.35-70 *Radios and portable radio equipment.* Two portable radio units suitable for use in lifeboats.

§ 167.35-75 *Handling of lifeboats.* All the lifeboats shall be stowed in such a way that they can be launched in the shortest possible time and that, even under unfavorable conditions of list and trim from the point of view of the handling of the lifeboats, it may be possible to embark in them as large a number of persons as possible.

§ 167.35-80 *Life buoys*—(a) *Number required.* (1) The minimum number of life buoys and the minimum number to which water lights shall be attached shall be in accordance with the following table:

TABLE 167.35-80—(a) LIFE BUOYS

Length of nautical school ship	Minimum number of life buoys	Minimum number of life buoys with water lights attached
Under 100 feet	2	0
100 feet and under 200 feet	4	2
200 feet and under 300 feet	6	2
300 feet and under 400 feet	12	4
400 feet and under 600 feet	18	9
600 feet and under 800 feet	24	12
800 feet and over	30	15

(2) One life buoy on each side of a vessel shall have an attached line at least 15 fathoms in length.

(b) *Distribution and securing of life buoys and water lights.* All life buoys and water lights shall be distributed and secured as follows:

(1) All life buoys shall be so placed as to be readily accessible to the persons on board, and their positions plainly indicated so as to be known to the persons concerned.

(2) The life buoys shall always be capable of being cast loose, and shall not be permanently secured in any way.

§ 167.35-85 *Line-throwing appliances*—(a) *Requirements.* All nautical school ships (regardless of tonnage or manner of propulsion) engaged on international voyages and all nautical school ships of 500 gross tons and over, shall be equipped with an approved line-throwing appliance, and equipment auxiliary thereto, of the impulse-projected rocket type, the requirements for which are set forth in subpart 160.040 of Subchapter Q (Specifications) of this chapter. All nautical school ships of 150 gross tons and over and less than 500 gross tons, shall be equipped with an approved line-throwing appliance, and equipment auxiliary thereto, of the shoulder gun type or the impulse-projected rocket type, the requirements for which are set forth in subparts 160.031 and 160.040, respectively, of Subchapter Q (Specifications) of this chapter. The line-throwing appliances shall be approved by the Coast Guard or the Navy. Service use of rockets shall be within four years from date of manufacture. Lyle gun type line-throwing appliances already in service may be continued in use so long as in good and serviceable condition in lieu of impulse-projected rocket type or shoulder gun type line-throwing appliances: *Provided,* That any replacements shall be made with a line-throwing appliance of the impulse-projected rocket type or shoulder gun type, as applicable.

(b) *Accessibility.* The line-throwing appliance and its equipment shall be kept always easily and immediately accessible and ready for use. No part of this equipment shall be used for any other purpose.

(c) *Drills.* The master of a nautical school ship equipped with a line-throwing appliance shall drill his crew in its use and require it to be fired at least once in every 3 months. Each drill shall be recorded in the nautical school ship's log book. The service line shall not be used for drill purposes. The drills shall be conducted as follows:

(1) For impulse-projected rocket type, by actually firing the rocket with any ordinary line of proper length attached; or,

(2) For shoulder gun type, by actual firing, using the regular cartridge and projectile with any ordinary line of proper length; or,

(3) For Lyle gun type, by actual firing, using one-half the usual charge of powder with regular service projectile and any ordinary line of proper length.

§ 167.35-90 *Embarkation ladders.* Nautical school ships shall be provided with flexible ladders to enable people to descend to lifeboats, one such ladder being provided for each set of boat davits. These ladders shall be kept ready and convenient for use on the lifeboat deck, and shall reach from such deck to the nautical school ship's light water line.

SUBPART 167.40—CERTAIN EQUIPMENT REQUIREMENTS

§ 167.40-1 *Electrical installations.* (a) Except as otherwise provided by law or regulation in this part, the electrical equipment may be considered acceptable if it complies with the requirements covered by any one of the following:

(1) U. S. Navy Standard Construction Specifications currently in effect.

(2) U. S. Coast Guard Standard Construction Specifications currently in effect.

(3) American Institute of Electrical Engineers Standard No. 45, 1945 or 1948 Revision. These standards may be purchased from the American Institute of Electrical Engineers, New York, N. Y.

(b) Changes or alterations in the electrical installations of vessels now in service shall be in accordance with standards set forth in paragraph (a) of this section.

(c) Special attention shall be given by the inspectors in the examination of present installation to see that it is of such nature as to preclude any danger of fire, giving particular attention to wiring which is carried through wooden bulkheads, partitions, etc.

§ 167.40-5 *Alarm bells.* All nautical school ships over 100 gross tons shall have all sleeping accommodations, public spaces, and machinery spaces equipped with a sufficient number of alarm bells so located as to warn all occupants. The system shall operate from a continuous source of electric energy capable of supplying the system for a period of at least 8 hours without being dependent upon the main, auxiliary or emergency generating plants. Each bell shall produce a signal of a tone distinct from that of other bell signals in the vicinity and shall be independently fused, with each of these fuses located above the bulkhead deck. The bells shall be controlled by a manually-operated contact maker located in the pilothouse.

The characteristics of the contact maker shall be such that it possesses:

(a) Positive contact;

(b) Watertightness (when located in open spaces subject to weather);

(c) Means whereby its electrically open or closed position can be determined by sense of touch;

(d) Means to affect a make-or-break circuit for signaling; and

(e) Self-maintaining contacts.

§ 167.40-7 *Voice tubes, telephone, and telegraph systems.* (a) Each nautical school ship shall be fitted with an efficient means of communication between the pilothouse and engine room. This may be by bell signals with voice tubes, telephone, or telegraph systems.

(b) A voice tube or telephone system between the radio room and the navigating bridge shall be provided when the nautical school ship is equipped with a radio installation.

(c) A voice tube or telephone system between the pilothouse and emergency steering station shall be provided when the nautical school ship is equipped with an emergency steering station.

§ 167.40-10 *Fog bells.* The efficient fog bell required upon vessels by law (sec. 1, 26 Stat. 325, as amended; 33 U. S. C. 91) shall be held to mean a bell not less than 8 inches in diameter from outside to outside and constructed of bronze or brass or other material equal thereto in tone and volume of sound, and located where the sound shall be the least obstructed.

§ 167.40-15 *Whistles.* Nautical school ships shall be provided with an efficient whistle sounded by steam or by some substitute for steam to give the necessary whistle signals.

§ 167.40-20 *Deep-sea sounding apparatus.* Nautical school ships shall be equipped with an efficient mechanical deep-sea sounding apparatus in addition to the ordinary deep-sea hand lead. The mechanical deep-sea sounding apparatus required shall be installed, kept in working order, and ready for immediate use.

§ 167.40-25 *Signaling lamp.* Nautical school ships of over 150 gross tons shall be equipped with an efficient signaling lamp. This lamp shall be permanently fixed above the bridge and equipped with a Fresnel lens and high-speed bulb, operated by a weatherproof key, fitted with a suitable condenser. The lamp shall be so connected that it can be operated from the normal source of the nautical school ship's current, the emergency source, and other emergency batteries if provided.

§ 167.40-30 *Guards and rails.* On nautical school ships all exposed and dangerous places, such as gears and machinery shall be properly protected with covers, guards, or rails, in order that the danger of accidents may be minimized. On nautical school ships equipped with radio (wireless) the lead-ins shall be efficiently incased or insulated to insure the protection of persons from accidental shock. Such lead-ins shall be located so as not to interfere with the launching of lifeboats and life rafts.

§ 167.40-35 *Motion-picture projectors.* (a) Motion-picture projectors of the 16 mm. or 8 mm. size, using only slow-burning films, need not be of an approved type and may be used without booths.

(b) Motion-picture projectors using the 35 mm. size, unless mounted on weather deck shall be used in booths, in accordance with § 61.23 of Subchapter G (Ocean and Coastwise Regulations) of this chapter or applicable Navy specifications.

SUBPART 167.45—SPECIAL FIRE-FIGHTING AND FIRE PREVENTION REQUIREMENTS

§ 167.45-1 *Steam and inert-gas fire extinguishing systems*—(a) *General requirements.* (1) Nautical school ships shall be provided with steam or inert-gas fire-extinguishing systems when required.

(2) All nautical school ships carrying combustible cargo in the holds, between decks, or other closed cargo compartments shall be equipped with means for extinguishing fire in such compartments by the use of steam fire-extinguishing systems or by the use of any inert-gas fire-extinguishing system approved by the Coast Guard or Navy. However, in specific cases where by reason of the design, such compartments are normally accessible and considered to be part of the working or living quarters, a water sprinkling system may be installed in lieu of either a steam or inert-gas fire-extinguishing system.

(3) Cabinets, boxes, or casings inclosing manifolds or valves shall be distinctly marked in painted letters about 3 inches in height, "Steam Fire Apparatus," or "CO_2 Fire Apparatus," as the case may be.

(4) Steam or gas piping fitted for extinguishing fire shall not be used for any other purpose except that it may be used for fire-detecting purposes.

(5) Pipes for conveying steam from the boilers for the purpose of extinguishing fire shall not be led into the cabins, other living spaces, or working spaces. Pipes for conveying carbon dioxide or other extinguishing vapors for the purpose of extinguishing fire shall not be led into the cabins or other living spaces.

(6) Steam smothering lines shall be tested with at least 50 pounds air pressure with ends of the smothering lines capped, or by blowing steam through the lines, and a survey made for detecting corrosion and defects, using the hammer test or such other means as may be necessary.

(7) At annual inspections, all carbon dioxide (CO_2) cylinders, whether fixed or portable, shall be examined externally and replaced if excessive corrosion is found; and all cylinders shall also be checked by weighing to determine contents and if found to be more than 10 percent under required contents of carbon dioxide, the same shall be recharged.

(b) *Steam systems.* (1) Steam for fire-extinguishing systems shall be available at a suitable pressure from the main boilers or a donkey or auxiliary boiler.

(2) The pipe lines shall be led from not more than three stations in easily accessible locations on the weather deck to each cargo hold, cargo 'tween decks,

or other closed cargo compartments, and to each cargo-oil deep tank, lamp locker, oil room, and like compartments, which lamp locker, oil room, and like compartments, shall be wholly and tightly lined with metal. The steam connections to the lamp lockers, oil rooms, and like compartments may be taken from the nearest steam supply line, independent of the extinguishing manifolds. In lamp lockers, oil rooms, and like compartments, adequate means may be provided for ventilation if suitable dampers capable of being operated from outside the spaces are fitted in each vent duct.

(3) Each pipe in the extinguishing manifolds shall be fitted with a shut-off valve plainly and permanently marked to indicate into which compartment it discharges. This requirement also applies to independent extinguishing lines.

(4) Manifold steam supply pipes shall be fitted with master valves at the manifolds, and provision shall be made for draining the manifold and individual lines to protect them against freezing. If the manifolds are located on an open deck, they shall be inclosed in a metal box.

(5) The minimum diameter of any steam fire-extinguishing pipe to a cargo hold, cargo 'tween-decks, other closed cargo compartments, or cargo-oil deep tank shall be one inch, the size and number of pipes to be governed by the size of the compartment. The minimum diameter of any steam fire-extinguishing pipe to a lamp locker, oil room, or like compartments, shall be three-fourths of an inch.

(c) *Inert-gas systems.* (1) When a carbon dioxide (CO_2) smothering system is fitted in the cargo hold, cargo 'tween-decks, or other closed cargo compartments, or cargo-oil deep tanks, the quantity of carbon dioxide shall be sufficient to give a gas saturation of 30 percent of the gross volume of the largest cargo hold. The quantity in pounds of carbon dioxide required may be determined approximately by the following formula:

$$W=\frac{L\times B\times D}{30} \qquad (1)$$

where

W = the weight of CO_2 required, in pounds.
L = the length of the hold, in feet.
B = the mean breadth of the hold, in feet.
D = the depth from tank top or flat forming lower boundary to top of uppermost space in which freight may be carried, in feet.

(2) When a carbon dioxide (CO_2) smothering system is fitted in the lamp locker, oil room, or like compartments, the quantity in pounds of carbon dioxide required may be determined by dividing the gross volume of the space by a factor of 22. Lamp lockers, oil rooms, and like compartments, in all classes of vessels, shall be wholly and tightly lined with metal. The whole charge of gas shall be capable of being released simultaneously by operating one valve and control, and all cylinders shall be completely discharged in not more than two minutes.

(3) Pipes used for supplying carbon dioxide to the cargo holds, cargo 'tween-decks, other closed cargo compartments, and cargo-oil deep tanks shall be not less than three-fourths inch inside diameter. Pipes used for supplying carbon dioxide to lamp lockers, oil rooms, and like compartments shall not be less than one-half inch inside diameter.

(4) The control(s) releasing the inert gas shall be located in a position(s) outside the space(s) protected and shall be readily accessible when the vessel is being navigated. All valves shall be permanently marked to indicate into which compartment they discharge. A space which is protected by a carbon dioxide extinguishing system, and is normally accessible to crew while the nautical school ship is being navigated shall be fitted with an approved audible alarm in such space, which will be automatically sounded when the carbon dioxide is admitted to the space.

(5) Provisions shall be made to prevent the admission of air into the lower parts of cargo holds, cargo 'tween-decks, and other closed cargo compartments while the inert-gas system is in operation.

(6) Cylinders, piping, and controls for the inert-gas system shall be protected from damage and shall be securely fastened and supported.

§ 167.45–5 *Steam fire pumps or their equivalent.* (a) All nautical school ships shall be equipped with fire pumps.

(b) Nautical school ships of 100 gross tons and under shall be equipped with one hand fire pump with a pump-cylinder capacity not less than 100 cubic inches, or a power-driven pump of equivalent discharge capacity.

(c) Nautical school ships over 100 gross tons shall be equipped with fire pumps and piping as follows:

(1) All nautical school ships shall be provided with powerful pumps available for use as fire pumps. When of less than 1,000 gross tons it shall have 1, and when larger it shall have at least 2 independently driven pumps connected to the fire main. Each pump shall be capable of delivering two powerful jets of water simultaneously from the highest outlets on the fire main at a Pitot tube pressure of approximately 50 pounds per square inch through nozzles, each having an orifice of not less than ⅞ inch diameter where the internal diameter of the hose exceeds 1½ inches and not less than ⅝ inch in diameter where the internal diameter of the hose does not exceed 1½ inches.

(2) On oil-burning nautical school ships, where two pumps are required, they may be located in the same compartment, if the compartment is equipped with an approved fixed carbon dioxide extinguishing system.

(d) Outlets from the fire mains shall be of a sufficient number and so arranged that any part of the living quarters, weather decks and any part of cargo decks, accessible to crew, while the nautical school ship is being navigated, may be reached with a single 50-foot length of hose. Outlets within accommodations and service spaces adjacent thereto shall comply with the above or they may be so arranged that any part may be reached with a single 75-foot length of hose provided a siamese connection is fitted at each outlet. Where the fire main is located on an exposed deck, branches shall be provided so that the hose connections necessary to comply with the foregoing be distributed on both sides of the nautical school ship. The fire hose shall be connected to the outlet at all times, except on open decks where the location of the fire hydrants is such that no protection is afforded for the hose in heavy weather. The fire hose may be temporarily removed from the hydrant when it will interfere with the handling of cargo.

(e) Outlet openings shall have a diameter of not less than 1½ inches and shall be fitted with suitable hose connections and spanners. The arrangement of the fire hydrant shall be limited to any position from the horizontal to the vertical pointing downward, so that the hose will lead downward or horizontally, in order to minimize the possibility of kinking. In no case will a hydrant arranged in a vertical position with the outlet pointing upward be accepted.

(f) Fire pumps shall be fitted on the discharge side with relief valves set to relieve at 25 pounds higher than the pressure necessary to maintain the requirements of paragraph (c) (1) of this section and a pressure gage to indicate the pressure on the fire main. If the fire pumps operating under shut-off conditions are not capable of producing a pressure exceeding 125 pounds per square inch, the relief valve may be omitted.

§ 167.45–10 *Couplings on fire hose.* The couplings on fire hose shall be of brass, copper, or composition material. All hydrants shall be provided with suitable spanners.

§ 167.45–15 *Capacity of pipes and hose.* The capacity of the pipes and hose leading from the pumps shall in no case be less than that of the discharge opening of the pump: *Provided, however,* That the pipe and hose shall in no instance be less than 1½ inches in internal diameter.

§ 167.45–20 *Examination and testing of pumps and fire extinguishing equipment.* The inspectors will examine all pumps, hose, and other fire apparatus and will see that the hose is subjected to a pressure of 100 pounds to the square inch at each annual inspection and that the hose couplings are securely fastened.

§ 167.45–25 *Fire mains and hose connections.* All pipes used as mains for conducting water from fire pumps on nautical school ships shall be of steel, wrought iron, brass, or copper with wrought iron brass, or composition hose connections.

§ 167.45–30 *Use of approved fire-fighting equipment.* Portable fire extinguishers or fire-extinguishing systems which conform to the specifications of the Navy or Coast Guard, or their approved equivalent, may be accepted for use on nautical school ships.

§ 167.45–40 *Fire-fighting equipment on nautical school ships using oil as fuel.* Steam-propelled nautical school ships burning oil for fuel shall be fitted with the fire-fighting equipment of the following type and character:

(a) In each fire room a metal receptacle containing not less than 10 cubic feet of sand, sawdust impregnated with soda, or other approved dry materials, and scoop or shaker for distributing it: *Provided*, That a nautical school ship of 1,000 gross tons and under using oil as fuel, shall be fitted with a metal receptacle, containing not less than 5 cubic feet of sand, sawdust impregnated with soda, or other approved dry material, and scoop or shaker for distributing it.

(b) In each boiler room and in each of the machinery spaces of a nautical school ship propelled by steam, in which a part of the fuel-oil installation is situated, two or more approved fire extinguishers of the foam type of not less than 2½ gallons each or two or more approved fire extinguishers of the carbon dioxide (CO_2) type of not less than 15 pounds each shall be placed where accessible and ready for immediate use: *Provided*, That on a nautical school ship of 1,000 gross tons and under only one of the fire extinguishers may be required.

(c) In boiler and machinery spaces of a nautical school ship of 1,000 gross tons and over, there shall be fitted in each such compartment not less than two spray-nozzle hydrants to which shall be attached sufficient length of hose so that any part of the boiler or machinery space may be reached. An approved spray nozzle shall be attached to each hose line. The use of any Navy or Coast Guard approved type of combination nozzle, which can project a solid stream or a fog spray or can be shut off, is acceptable in boiler and machinery spaces when the nozzle is equipped with an applicator having an approved low velocity water fog spray head attached. In this equipment the standard portable self-cleaning hose strainer shall be included.

(d) On every steam propelled nautical school ship of over 1,000 gross tons having one boiler room there shall be provided one fire extinguisher of the foam type of at least 40 gallons rated capacity or one carbon dioxide (CO_2) extinguisher of at least 100 pounds. If the nautical school ship has more than one boiler room, an extinguisher of the above type shall be provided in each boiler room. On every steam propelled nautical school ship of 1,000 gross tons and under, foam type fire extinguishers of at least 20 gallons rated capacity or carbon dioxide (CO_2) extinguishers of at least 50 pounds shall be used. Extinguishers fitted shall be equipped with suitable hose and nozzles on reels or other practicable means easy of access, and of sufficient length to reach any part of the boiler room and spaces containing oil-fuel pumping units.

(e) All nautical school ships propelled by internal-combustion engines shall be equipped with the following foam type or carbon dioxide type fire extinguishers in the machinery spaces:

(1) One approved 12-gallon foam-type extinguisher or one approved 35-pound carbon dioxide type extinguisher.

(2) One approved 2½-gallon foam-type, or one approved 15-pound carbon dioxide type extinguisher for each 1,000 B. H. P. of the main engines, or fraction thereof. The total number of fire extinguishers carried shall not be less than two and need not exceed six.

(3) When a donkey boiler fitted to burn oil as fuel is located in the machinery space, there shall be substituted for the 12-gallon foam type or 35-pound carbon dioxide type fire extinguisher required either one 40-gallon foam type or one 100-pound carbon dioxide type fire extinguisher.

(f) In this section any reference to an approved fire extinguisher means either approved by the Coast Guard or the Navy.

§ 167.45-45 *Carbon dioxide fire-extinguishing system requirements.* (a) When a carbon dioxide (CO_2) smothering system is fitted in the boiler room, the quantity of carbon dioxide carried shall be sufficient to give a gas saturation of 25 percent of the gross volume of the largest boiler room from tank top to top of the boilers. Top of the boilers is to be considered as the top of the shell of a Scotch or leg type of boiler, and the top of the casing or drum, whichever is the higher, on water-tube boilers. The quantity of carbon dioxide required may be determined approximately by the following formula:

$$W=\frac{L\times B\times D}{36} \qquad (1)$$

where

W= the weight of CO_2 required in pounds.
L= the length of the boiler room in feet.
B= the breadth of the boiler room in feet.
D= the distance in feet from tank top or flat forming lower boundary to top of boilers.

(b) When a carbon dioxide (CO_2) smothering system is fitted in the machinery space of a nautical school ship propelled by internal combustion engines, the quantity of carbon dioxide required may be determined approximately by the following formula:

$$W=\frac{L\times B\times D}{22} \qquad (2)$$

where

W= the weight of CO_2 required in pounds.
L= the length of machinery space in feet.
B= breadth of the machinery space in feet.
D= distance in feet from tank top or flat forming lower boundary to the underside of deck forming the hatch opening.

(c) The whole charge of gas shall be capable of being released simultaneously by operating one valve and control. All cylinders shall be completely discharged in not more than two minutes. The arrangement of the piping shall be such as to give a general and fairly uniform distribution over the entire area protected. An alarm which shall operate automatically with the operation of the system shall be provided to give a warning in the space when the carbon dioxide is about to be released. Provision shall be made to prevent the admission of air into the lower parts of the boiler or engine room while the system is in operation.

§ 167.45-50 *Foam smothering system requirements.* (a) When a foam-type system is fitted, its capacity shall be such as to rapidly discharge over the entire area of the bilge (tank top) of the largest boiler room a volume of foam 6 inches deep in not more than 3 minutes. The arrangement of piping shall be such as to give a uniform distribution over the entire area protected.

(b) The foam-type system may be of a type approved by the Navy or Coast Guard. All containers and valves by which the system is operated shall be easily accessible and so placed that control valves and containers will not readily be cut off from use by an outbreak of fire.

§ 167.45-55 *Fixed water spray system requirements.* (a) When a fixed system is fitted for spraying water on oil in bilges, its capacity shall be such as to blanket the entire area of the bilge (tank top) of the largest boiler room with an adequate supply of water.

(b) The arrangement of piping and nozzles shall be such as to give a uniform distribution over the entire area protected. The piping system for each space protected shall be one unit, unless otherwise specifically approved by the Commandant.

(c) All valves by which the system is operated shall be located outside of the space protected and shall be easily accessible. Suitable means shall be provided to prevent the passage of foreign substances into the spray nozzles.

(d) The primary source of supply for the system shall be from a pump or pumps of suitable capacity and pressure. The pump or pumps shall be reserved for this purpose only. This pump or pumps shall be located outside of space protected.

§ 167.45-60 *Emergency breathing apparatus and flame safety lamps.* All nautical school ships shall be equipped with the following devices, approved by Coast Guard or Navy:

(a) One self-contained breathing apparatus.
(b) One supplied air respirator.
(c) One flame safety lamp.
(d) One gas mask of a type giving protection against refrigerant used on board the nautical school ship.

§ 167.45-65 *Portable fire extinguishers in accommodation spaces.* (a) All nautical school ships shall be provided with such number of good and efficient portable fire extinguishers approved by the Navy or Coast Guard as follows:

(1) Nautical school ships less than 150 feet in length shall have at least two fire extinguishers on each passenger deck.

(2) Nautical school ships 150 feet and over in length shall be provided with at least one fire extinguisher for every 150 linear feet of corridor length or fraction thereof in the spaces occupied by passengers and crew.

(3) In all public spaces fire extinguishers shall be located not more than 150 feet apart.

(b) The number of required fire extinguishers is based on the capacity of the ordinary fire extinguisher, which is about 2½ gallons, and no fire extinguisher of larger capacity shall be allowed a greater rating than that of the ordinary fire extinguisher. Fire extinguishers of approved types of less capacity are allowable when their total contents equal the required quantity.

§ 167.45–70 *Portable fire extinguishers, general requirements.* (a) Extra safety-valve units shall be carried on board for 50 percent of the hand fire extinguishers of the foam type and extra charges shall be carried on board for 50 percent of each class of fire extinguishers provided. If 50 percent of each class of fire extinguishers carried gives a fractional result, extra charges and extra safety-valve units shall be provided for the next largest whole number.

(1) The following is an example:

Fire extinguishers carried:	*Extra charges required*
1	1
2	1
3	2
4	2
5	3

(2) When a nautical school ship is provided with carbon dioxide type of fire extinguishers it may be furnished with either an additional carbon dioxide fire extinguisher or a 2½-gallon foam fire extinguisher in lieu of carrying extra charges. For that 2½-gallon foam fire extinguisher no extra charge will be required.

(b) Recharges, particularly the acid, used in charging soda-and-acid type of fire extinguishers, shall be packed in such manner that the filling operation (i. e., in recharging the extinguisher) can be performed without subjecting the person doing the recharging to undue risk of acid burns and shall be contained in Crown stopper type of bottle.

(c) There shall also be carried on board a complete recharge for any fixed or built-in fire extinguishing system that has been approved by the Navy or Coast Guard, except systems for engine rooms, firerooms, and cargo holds.

(d) Fire extinguishers shall be located in such places as in the judgment of the Officer in Charge, Marine Inspection, will be most convenient and serviceable in case of emergency and so arranged that they may be easily removed from their fastenings.

(e) Every fire extinguisher provided shall be examined at each annual inspection to determine that it is still in good condition. Soda-and-acid and foam fire extinguishers shall be tested by discharging the contents, cleaning thoroughly, and then refilling. Carbon tetrachloride fire extinguishers shall be tested for their pumping efficiency and the liquid discharged with proper care so that it may be replaced in the extinguishers. Carbon dioxide fire extinguishers shall be checked by weighing to determine contents and if found to be more than 10 percent under required contents of carbon dioxide shall be recharged. Pump tank fire extinguishers shall be tested by pumping and discharging the contents, cleaning thoroughly, and then refilling or recharging. Cartridge-operated type fire extinguishers shall be checked by examining the extinguishing agents to determine if in still good condition and by weighing the cartridges; if the weight of the cartridge is ½ ounce or more under the weight stamped thereon or if it is punctured, the cartridge shall be rejected and a new one inserted. The hoses and nozzles of all fire extinguishers shall be inspected to see that they are clear and in good condition.

§ 167.45–75 *Fire extinguishers for emergency power plants.* In compartments where emergency lighting and wireless units are located, two fire extinguishers approved by the Coast Guard or the Navy, of either carbon tetrachloride, carbon dioxide, or dry chemical type shall be permanently located at the most accessible points. In addition, two fire extinguishers of the above types, or foam type, shall be permanently located so as to be readily accessible to the emergency fuel tanks containing gasoline, benzine or naphtha.

§ 167.45–80 *Fire axes.* (a) All nautical school ships shall be provided with fire axes, as follows:

Gross tons of nautical school ships:	*Number of axes*
All not over 50 tons	1
All over 50 tons and not over 200 tons	2
All over 200 tons and not over 500 tons	4
All over 500 tons and not over 1,000 tons	6
All over 1,000 tons	8

(b) All fire axes shall be located so as to be readily found in time of need, shall not be used for general purposes, and shall be kept in good condition.

SUBPART 167.50—ACCOMMODATIONS

§ 167.50–1 *Hospital accommodations.* Each nautical school ship, which makes voyages of more than 3 days' duration between ports and carries 12 or more persons, shall be equipped with a compartment suitably separated from other spaces for hospital purposes, and such compartment shall have at least 1 bunk for every 12 persons allowed to be carried: *Provided,* That not more than 6 bunks shall be required in any case.

SUBPART 167.55—SPECIAL MARKINGS REQUIRED

§ 167.55–1 *Draft marks.* Every nautical school ship of 50 gross tons and over, shall have its draft plainly and legibly marked upon the stem and upon the sternpost or rudderpost or at such other place at the stern of the vessel as may be necessary for easy observance. The draft shall be taken from the bottom of the lowest part of the keel to the surface of the water, the bottom of the mark to indicate the draft in feet.

§ 167.55–5 *Marking of fire and emergency equipment, etc.* Marking of fire and emergency apparatus, watertight doors, lifeboat embarkation stations and direction signs, stateroom notices, instructions for changing steering gears, etc., shall be carried out as follows:

(a) *General alarm bell switch.* The general alarm bell switch in the pilothouse or fire control station shall be clearly marked with lettering on a brass plate or with a sign in red letters on suitable background: "General Alarm."

(b) *General alarm bells.* General alarm bells shall be marked in not less than ½-inch red letters: "General Alarm—When Bell Rings Go to Your Station."

(c) *Steam, foam or CO_2 fire smothering apparatus.* Steam, foam or CO_2 fire smothering apparatus shall be marked "Steam Fire Apparatus" or "Foam Fire Apparatus" or "CO_2 Fire Apparatus", as appropriate, in not less than 2-inch red letters. The valves of all branch piping leading to the several compartments shall be distinctly marked to indicate the compartments or parts of the nautical school ship to which they lead.

(d) *Fire hose stations.* At each fire hose valve there shall be marked in not less than 2-inch red letters and figures "Fire Station 1," 2, 3, etc.

(e) *Emergency squad equipment.* Lockers or spaces containing equipment for use of the emergency squad shall be marked "Emergency Squad Equipment." Lockers or spaces where oxygen or fresh air breathing apparatus is stowed shall be marked "Oxygen Breathing Apparatus" or "Fresh Air Breathing Apparatus," as appropriate.

(f) *Fire extinguishers.* Each fire extinguisher shall be marked with a number and the location where stowed shall be marked in corresponding numbers in not less than 1-inch figures.

(g) *Watertight doors.* Each watertight door shall be numbered in at least 2-inch letters and figures "W. T. D. 1," 2, 3, etc. The color of the marking shall be in contrast to the background. All watertight door remote hand-closing stations shall be marked in at least 2-inch letters and figures "W. T. D. 1," 2, 3, etc. The direction of operation of the lever or wheel provided to close or open the door at all watertight door remote hand-closing stations shall be marked. The color of the sign shall contrast with the background.

(h) *Instructions for changing steering gear.* Instructions in at least 1-inch letters and figures shall be posted at each emergency steering station and in the steering engine room, relating in order, the different steps to be taken in changing to the emergency steering gear. Each clutch, gear wheel, level, valve, or switch which is used during the changeover shall be numbered or lettered on a brass plate or painted so that the markings can be recognized at a reasonable distance. The instructions shall indicate each clutch or pin to be "in" or "out" and each valve or switch which is to be "opened" or "closed" in shifting to any means of steering for which the vessel is equipped. Instructions shall be included to line up all steering wheels and rudder amidship before changing gears.

(i) *Rudder orders.* At all steering stations, there shall be installed a suitable notice on the wheel or device or at such other position as to be directly in the helmsman's line of vision, to indicate the direction in which the wheel or device must be turned for "right rudder" and for "left rudder."

(j) *Nautical school ship's name on equipment.* All lifeboats, life rafts, life floats, buoyant apparatus, including equipment, also life preservers, life buoys, fire hose, and axes shall be painted or branded with the name of the nautical school ship.

SUBPART 167.60—CERTIFICATES OF INSPECTION

§ 167.60-1 *Issuance by Officer in Charge, Marine Inspection.* (a) Every nautical school ship shall be inspected annually and if in the opinion of the Officer in Charge, Marine Inspection, the nautical school ship can be operated safely, he shall issue a certificate of inspection with the following indorsement: "Nautical School Ship" in lieu of the classification "Passenger vessel", "cargo vessel", etc.

(b) When a nautical school ship, in the opinion of the Officer in Charge, Marine Inspection, may be navigated on the waters of any ocean or the Gulf of Mexico more than 20 nautical miles offshore, the route shall be designated on certificate of inspection as "Ocean".

(c) When a nautical school ship, in the opinion of the Officer in Charge, Marine Inspection, may be navigated on the waters of any ocean or the Gulf of Mexico 20 nautical miles or less offshore, the route shall be designated on the certificate of inspection as "Coastwise".

§ 167.60-5 *Period of time for which valid.* A certificate of inspection for any period less than one year shall not be issued, but nothing herein shall be construed as preventing the revocation or suspension of a certificate of inspection in case such process is authorized by law.

§ 167.60-10 *Exhibition of certificate of inspection.* On every nautical school ship, the original certificate of inspection shall be framed under glass and posted in a conspicuous place.

§ 167.60-15 *Persons allowed to be carried.* In view of the fact that nautical school ships normally are not merchant vessels of the United States and are, therefore, not documented, manning requirements shall not be stated in the certificate of inspection. The certificate of inspection shall show the total number of persons allowed to be carried. This total shall be based on the total capacity of the vessel's lifeboats.

SUBPART 167.65—SPECIAL OPERATING REQUIREMENTS

§ 167.65-1 *Station bills, drills, and log book entries*—(a) *Station bills and muster lists.* It shall be the duty of the master of every nautical school ship to cause station bills and muster lists to be prepared before the nautical school ship sails, which shall be signed by the master who shall be responsible for their preparation. The station bills and muster lists shall be posted in conspicuous places in several parts of the nautical school ship, particularly in the quarters, and must contain full particulars of the signals which will be used for calling all persons to their stations for emergency duties. Special duties shall be allotted to each person and the muster lists shall show all these special duties and indicate the station to which each man must go and the duties he has to perform. The special duties should, as far as possible, be comparable to the regular work of the individual. When practicable, several members of the crew shall be designated as an emergency squad and required to report to the bridge with certain equipment for instructions. The duties provided for by the muster lists should include:

(1) The closing of airports, watertight doors, fire doors, and fire screens, the covers and all valves of all scuppers, sanitary and other discharges which lead through the ship's hull below the margin line, and stopping the fans and ventilating systems.

(2) The extinction of fire.

(3) The equipment of boats, rafts, and buoyant apparatus and their preparation for launching.

(4) The muster of all persons aboard.

(b) *Emergency signals*—(1) *Fire alarm signals.* (i) The general fire alarm signal shall be a continuous rapid ringing of the ship's bell for a period not less than 10 seconds supplemented by the continuous ringing of the general alarm bells for not less than 10 seconds.

(ii) For dismissal from fire-alarm stations, the general alarm bells shall be sounded three times, supplemented by three short blasts of the whistle.

(2) *Boat station or boat drill signals.* (i) The signal for boat drill or boat stations shall be more than six short blasts and one long blast of the whistle, supplemented by the same signal on the general alarm bells.

(ii) Where whistle signals are used for handling boats, they shall be as follows:

(*a*) To lower boats, one short blast of the whistle.

(*b*) To stop lowering the boats, two short blasts of the whistle.

(*c*) For dismissal from boat stations, three short blasts of the whistle.

(3) *Other emergency signals.* The master of any vessel may establish such other emergency signal, in addition to the above, so that all persons will have positive and certain notice of the existing emergency. The signals used for the assembly of the emergency squad should not conflict with the navigational signals or the signals used for a general alarm.

(c) *Drills, tests, and inspection.* (1) It shall be the duty of the master or the mate or officer in command, once at least in each week, to call all hands to quarters and exercise them, weather permitting, in the unlashing and swinging out of the lifeboats, the closing of all hand or power-operated watertight doors which are in use at sea, closing all fire doors and fire screens, the use of fire pumps and all other apparatus for the safety of life on board of such vessels, with special regard for the drill of the crew in the method of adjusting life preservers and educating others in this procedure, and to see that all the equipments required by law are in complete working order for immediate use; the fact of exercise of the crew, as herein contemplated, shall be entered in the log book.

(2) The requirements relating to fire and boat drills contemplate that such drills shall be conducted precisely as though an emergency existed. To accomplish the purpose of this section, lifeboat covers and strongbacks shall be removed, plugs or caps put in place, boat ladders secured in position for use, painters carried forward and tended so as to provide a good lead and slack to hold the boat in position under the davits when in the water. The person in charge of each lifeboat or life raft should have a list of its crew and should see that the men under his orders are acquainted with their several duties. The hand pumps and fire pumps shall be operated long enough and a sufficient number of outlets used to insure that such equipment is in order and effectual. The motor and the hand-operated propeller gear of each lifeboat shall be operated for a period of not less than 5 minutes once at least in every 7 days, in order that it may be ready for service at any time. Such operation shall be a part of the lifeboat drill and the fact of such operation shall be made a part of the report of such drill. When emergency breathing apparatus, such as gas masks, or other special equipment is carried, certain members of the crew shall be trained in the use of the equipment.

(d) *Log book entries.* The entries in the log book relating to the exercise of the crew in fire and boat drills shall state the day of the month and the hour when so exercised, length of time of the drill, number on the boats swung out, number of lengths of hose used, together with a statement of the condition of all fire and lifesaving apparatus, watertight door mechanism, valves, etc.

§ 167.65-5 *Flashing the rays of a searchlight or other blinding light.* Flashing the rays of a searchlight or other blinding light onto the bridge or into the pilothouse of any vessel under way is prohibited.

§ 167.65-10 *Unauthorized lights.* Any master or pilot of a nautical school ship shall not authorize or permit the carrying of any light, electric or otherwise, not required by law that in any way will interfere with distinguishing the lights required to be carried.

§ 167.65-15 *Routing instructions: strict compliance with.* Due to existing mine field dangers, all masters, officers, and seamen on nautical school ships shall comply strictly with the routing instructions issued by competent naval authority. Nothing herein shall be construed as relieving the master of the responsibility for the safety of his nautical school ship.

§ 167.65-20 *Unnecessary whistling.* Unnecessary sounding of a nautical school ship's whistle is prohibited within any harbor limits of the United States.

§ 167.65-25 *Steering gear tests.* On all nautical school ships making voyages of more than 48 hours' duration, the entire steering gear, the whistle, the means of communication and the signaling appliances between the bridge or pilothouse and engine room shall be examined and tested by an officer of the nautical school ship within a period of not more than 12 hours before leaving port. All nautical school ships making voyages of less than 48 hours' duration shall be so examined and tested at least once in every week. The fact and time of such examination and test shall be recorded in the log book.

§ 167.65-30 *Steering orders.* (a) "Right rudder" shall be given only when it is intended that the wheel, the rudder blade, and the head of the nautical school ship should go to the right.

(b) "Left rudder" shall be given only when it is intended that the wheel, the rudder blade, and the head of the nautical school ship should go to the left.

(c) Where rudder indicators are provided, they shall be installed consistent with the foregoing.

§ 167.65-40 *Draft.* The master of every nautical school ship over 50 gross tons shall, whenever leaving port, enter the maximum draft of his nautical school ship in the log book.

§ 167.65-45 *Notice to mariners; aids to navigation.* (a) Officers are required to acquaint themselves with the latest information published by the Coast Guard and the United States Navy regarding aids to navigation, and neglect to do so is evidence of neglect of duty. It is desirable that nautical school ships navigating oceans and coastwise and Great Lakes waters shall have available in the pilothouse for convenient reference at all times a file of the applicable Notice to Mariners. All nautical school ships shall have charts of the waters on which they operate available for convenient reference at all times.

(b) Notice to Mariners published weekly by the Coast Guard which contains announcements and information regarding aids to navigation and charts of waters of the United States is available for free distribution at the following places: Field offices of the Coast Guard; United States Coast and Geodetic Survey field stations; and the Marine Division, Customhouse. Notice to Mariners published weekly by the United States Navy for the correction of charts, sailing directions, light lists and other publications, and which includes foreign waters and certain waters of the United States, is available for free distribution at the Hydrographic Office, Branch Hydrographic Offices, or any of the agencies of seaboard ports, and is also on file in the United States consulates where they may be inspected.

§ 167.65-50 *Posting placards containing instructions for use of breeches buoy.* A placard containing instructions for the use of breeches buoy gear, Form CG 811, shall be posted in the pilothouse, engine room, and in the seamen's, firemen's, and stewards' departments of every nautical school ship.

§ 167.65-60 *Examination of boilers and machinery by engineer.* It shall be the duty of an engineer when he assumes charge of the boilers and machinery of a nautical school ship to examine the same forthwith and thoroughly, and if he finds any part thereof in bad condition, he shall immediately report the facts to the master, owner, or agent, and to the Officer in Charge, Marine Inspection, of the district, who shall thereupon investigate the matter and take such actions as may be necessary.

§ 167.65-65 *Notice of casualty and voyage records.* (a) The owner, agent, master, or person in charge of a nautical school ship involved in a marine casualty shall give notice as soon as possible to the nearest marine inspection office of the U. S. Coast Guard whenever the casualty results in any of the following:

(1) Damage to property in excess of $1,500.

(2) Material damage affecting the seaworthiness or efficiency of a vessel.

(3) Stranding or grounding.

(4) Loss of life.

(5) Injury causing any persons to remain incapacitated for a period in excess of 72 hours.

(b) The notice required by paragraph (a) of this section shall show the name and official number (if any) of the nautical school ship involved, the owner or agent thereof, the nature and probable cause of the casualty, the locality in which it occurred, the nature and extent of injury to persons and the damage to property.

(c) In addition to the notice required by paragraph (a) of this section, the person in charge of the nautical school ship shall, as soon as possible, report in writing and in person to the Officer in Charge, Marine Inspection, at the port in which the casualty occurred or nearest the port of first arrival: *Provided,* That when from distance it may be inconvenient to report in person it may be done in writing only. The written report required for personal accident not involving death shall be made on Form CG 924E and for all other marine casualties or accidents the written report shall be made on Form CG 2692.

NOTE: If filed without delay these forms may also provide the notice required by paragraph (a) of this section.

(d) The owner, agent, master, or other person in charge of any nautical school ship involved in a marine casualty shall retain such voyage records of the nautical school ship that are maintained, such as both rough and smooth deck and engine room logs, bell books, navigation charts, navigation work books, compass deviation cards, gyrocompass records, stowage plans, record of draft, aids to mariners, radiograms sent and received, the radio log, and lists of persons aboard. The owner, agent, master, or other officer in charge, shall make these records available to a duly authorized Coast Guard officer or employee for examination upon request.

(e) Whenever a nautical school ship collides with a lightship, buoy, or other aid to navigation under the jurisdiction of the Coast Guard, or is connected with any such collision, it shall be the duty of the person in charge of such nautical school ship to report the accident to the nearest Officer in Charge, Marine Inspection. No report on Form CG 2692 is required unless one of the results listed in paragraph (a) of this section occurs.

§ 167.65-70 *Reports of accidents, repairs, and unsafe boilers and machinery by engineers.* (a) Before making repairs to a boiler of a nautical school ship the engineer in charge shall report, in writing, the nature of such repairs to the nearest Officer in Charge, Marine Inspection, where such repairs are to be made.

(b) And it shall be the duty of all engineers when an accident occurs to the boilers or machinery in their charge tending to render the further use of such boilers or machinery unsafe until repairs are made, or when, by reason of ordinary wear, such boilers or machinery have become unsafe, to report the same to the Officer in Charge, Marine Inspection, immediately upon the arrival of the nautical school ship at the first port reached subsequent to the accident, or after the discovery of such unsafe condition by said engineer.

Dated: April 5, 1951.

[SEAL] MERLIN O'NEILL,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 51-4327; Filed, Apr. 11, 1951; 8:50 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR, Part 182]

INDUSTRIAL ALCOHOL

NOTICE OF PROPOSED RULE MAKING

A notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing, in duplicate, to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of this notice in the FEDERAL REGISTER. The proposed regulations are issued under the authority of 53 Stat. 355, 358 and 375 (26 U. S. C., 3070, 3105 and 3176).

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

1. The appendix to Regulations 3, approved March 6, 1942 (26 CFR Part 182), is hereby amended by modifying Formula 2-B for the manufacture of

specially denatured alcohol to read as follows:

Formula No. 2-B

To every 100 gallons of ethyl alcohol add: One-half gallon benzol or one-half gallon rubber hydrocarbon solvent. (This formula must be used in a closed and continuous process unless it is shown that it is not practicable to do so.)

2. The appendix is further amended by inserting in the specifications for denaturants in specially denatured alcohol, immediately following the specifications for pyridine bases, specifications for rubber hydrocarbon solvent, as follows:

RUBBER HYDROCARBON SOLVENT

Rubber Hydrocarbon Solvent is a product derived from petroleum, and meeting the following requirements:

Distillation range (according to A. S. T. M. Specifications D 86-40). When 10 percent of the sample has been distilled into a graduated receiver, the thermometer shall not read more than 72° C. (162° F.) nor less than 49° C. (120° F.). When 90 percent has been recovered in the receiver the thermometer shall not read more than 121° C. (250° F.).

3. The purposes of these amendments are to modify specially denatured alcohol Formula No. 2-B to permit the use of either benzol or rubber hydrocarbon solvent as a denaturant, and to prescribe specifications for the latter material.

4. This Treasury decision shall be effective upon its publication in the FEDERAL REGISTER.

(53 Stat. 355, 358, 375; 26 U. S. C. 3070, 3105, and 3176)

[F. R. Doc. 51-4329; Filed, Apr. 11, 1951; 8:50 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 38]

U. S. STANDARDS FOR GRADES OF CREAM FOR USE IN THE MANUFACTURE OF BUTTER

EXTENSION OF TIME

Notice is hereby given of the extension until June 30, 1951, of the period of time within which written data, views, and arguments should be submitted by interested parties for consideration prior to the issuance of U. S. Standards for Grades of Cream for Use in the Manufacture of Butter.

The proposed standards are set forth in the notice (F. R. Doc. 51-1497; 16 F. R. 860) which was published in the FEDERAL REGISTER on January 30, 1951.

Done at Washington, D. C., this 6th day of April 1951.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-4319; Filed, Apr. 11, 1951; 8:48 a. m.]

[7 CFR, Part 907]

[Docket No. AO-212]

MILWAUKEE, WIS., MARKETING AREA

NOTICE OF HEARING ON HANDLING OF MILK

Proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area.

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held in Room 316, Federal Building, East Wisconsin Avenue, Milwaukee, Wisconsin, beginning at 9:30 a. m., c. s. t., April 17, 1951, for the purpose of receiving evidence with respect to economic and emergency conditions which relate to certain proposed amendments to the tentative marketing agreement as heretofore approved by the Secretary of Agriculture and to the order, as amended, regulating the handling of milk in the Milwaukee, Wisconsin, marketing area (7 CFR 907.0 et seq.), which relate to the computation of "base milk" and "excess milk," and payment therefor. The proposed amendments have not received the approval of the Secretary of Agriculture.

Proposed by the Milwaukee Cooperative Milk Producers Association, the Waukesha Milk Producers Cooperative, and the Pure Milk Producers Cooperative: Proposal No. 1: Delete the following provisions: §§ 907.16, 907.17, 907.18, 907.30 (b), 907.60, 907.61, that portion of 907.71 which reads "for each of the months of August through March", 907.72, that portion of 907.80 (a) which reads "of August through March", 907.80 (b), and such other provisions as relate to the base and excess plan as a method of payment.

Proposed by the Dairy Branch, Production and Marketing Administration: Proposal No. 2: Make such other changes as may be required to make the entire marketing agreement and order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and of the order, as amended, now in effect may be procured from the Market Administrator, 956 North 12th Street, Milwaukee, Wisconsin, or from the Hearing Clerk, United States Department of Agriculture, in Room 1353, South Building, Washington 25, D. C., or may be there inspected.

Dated: April 11th, 1951, Washington, D. C.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 51-4406; Filed, Apr. 11, 1951; 10:39 a. m.]

[7 CFR, Part 932]

HANDLING OF MILK IN FORT WAYNE, IND., MARKETING AREA

DECISION WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Fort Wayne, Indiana, on January 3, 1951, pursuant to notice thereof which was issued on December 30, 1950 (15 F. R. 9522), upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Fort Wayne, Indiana, marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on March 8, 1951, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision in this proceding. The notice of the filing of such recommended decision and the opportunity to file written exceptions thereto was published in the FEDERAL REGISTER on March 14, 1951 (16 F. R. 2399).

The only issue of record was whether the Class I and Class II differentials provided in the Fort Wayne order should be increased 15 cents per hundredweight for the delivery periods of January, February and March 1951.

No exceptions to the recommended decision were filed on behalf of interested parties.

Findings and conclusions. The findings and conclusions of the recommended decision set forth in the FEDERAL REGISTER (F. R. Doc. 51-3261; 16 F. R. 2399), with respect to the issues set forth above are approved and adopted as the findings and conclusions of this decision as if set forth in full herein.

It is hereby ordered, That this decision be published in the FEDERAL REGISTER.

This decision filed at Washington, D. C., this 9th day of April 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-4340; Filed, Apr. 11, 1951; 8:53 a. m.]

[7 CFR, Part 978]

[Docket No. AO-184-A6]

HANDLING OF MILK IN NASHVILLE, TENN., MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of

1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture with respect to proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Nashville, Tennessee, market area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 3rd day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendments to the tentative marketing agreement and to the order, as amended, were formulated, was conducted at Nashville, Tennessee, on March 6, 1951, pursuant to notice thereof which was issued February 28, 1951 (16 F. R. 2005).

The material issues of record related to:

1. Classification of skim milk and butterfat used in Yoghurt.
2. Classification of skim milk and butterfat used in Reddi-wip.
3. Whether skim milk or butterfat transferred in the form of cream to a non-fluid milk plant 85 miles or more from the City Hall at Nashville, Tennessee, shall under certain circumstances be classified as Class III milk.
4. Whether the fall incentive plan should be modified so as to pertain to producers who are supplying the market during a representative period of each year.

Findings and conclusions. The following findings and conclusions are based upon the evidence introduced at the hearing and the record thereof:

1. Skim milk and butterfat used in the product known as Yoghurt and also known as Yogurt, Yoghourt, and Yogourt should be classified as Class I milk.

The Nashville Milk Producers, Inc., proposed that skim milk and butterfat used in the product known as Yoghurt be named in the order as a Class I use. This product is being marketed by handlers on their wholesale and retail routes in the marketing area along with the various Class I products. It is made from milk through the fermenting action of certain bacteria, and is similar to Bulgarian buttermilk. The Department of Health of the City of Nashville requires that Yoghurt be made from milk from sources approved for fluid consumption in the City of Nashville. The product is presently considered along with other products which must be derived from inspected milk as a Class I use. Handlers' representatives at the hearing presented no evidence concerning the designation of Yoghurt as a Class I use of skim milk and butterfat.

2. The definition of Class II milk should be changed to exclude cream products which are not required by the Nashville Health Department to be made from approved milk.

A handler requested that the order be amended to provide for classification of Reddi-wip as a Class III use. The handler testified that the product Reddi-wip is composed of a mixture of cream, stabilizer, vanilla and a dispersing inert gas, is similar in composition to ice cream mix, but has a higher fat content, is marketed in cans under pressure of the inert gas, and is generally used as a food decoration.

Under the present classification provisions of the order, Reddi-wip is considered to be a form of aerated cream, and as such is Class II milk.

The Health Department of the City of Nashville does not require that Reddi-wip or aerated cream distributed in this area be made from approved milk.

The proponent handler testified the product Reddi-wip is now being manufactured from milk not inspected for fluid consumption in the marketing area, and that the manufacturing operation is physically entirely separate from his operations as a fluid milk handler for this market. He stated that if milk used in manufacture of Reddi-wip were Class III, he would be able to use cream derived from producer milk for this product and intends to do so.

The butterfat test of milk received from producers for this market is considerably higher than the average test of milk for fluid uses including cream. Although the quantity of skim milk received in producer milk is not adequate to fulfill the total requirements for Class I and Class II uses during all months of the year, the butterfat contained in producer receipts exceeds requirements in these uses throughout the year. Since there is butterfat not needed for Class I or Class II uses, it is reasonable to promote its utilization in such other local outlets which are available by pricing it at more nearly the level at which butterfat for such use is available from uninspected sources. Accordingly, the definition of Class II milk should be changed so as to exclude cream products which are not required by the Health Department to be made from approved milk.

3. Provision should be made for the classification of skim milk and butterfat transferred in the form of cream for manufacturing uses more than 85 miles from the City Hall of Nashville as Class III milk during April, May, and June 1951.

It was proposed that skim milk and butterfat transferred in the form of cream to a nonfluid milk plant 85 miles or more from City Hall, be classified on the same basis as transfers to nonfluid milk plants located less than 85 miles from the City Hall. The proposed change would permit the classification of such transfers in Class III milk provided that an equivalent amount of skim milk and butterfat is devoted to a Class III use in the transferee plant.

The desirability of widening the available outlets for excess butterfat from producer milk is explained in the findings in connection with issue numbered 2. The average test of milk received from farmers in this section of Tennessee is relatively high, and as a result manufacturing plants, such as condenseries, cheese factories, usually have excessive fat at the same time of the year as handlers on the Nashville market. Butterfat from the latter source must compete with this uninspected butterfat for a local market, which at times results in relatively low returns to handlers. For this reason, in order to find a ready market for butterfat not needed by the Nashville market and at prices which enable handlers to pay the Class III price it is at times necessary to dispose of cream for manufacturing uses, such as ice cream, to plants beyond the 85-mile limit.

The proponent handler asserted that such outlets would provide a market for his excess producer butterfat as well as that of other handlers which could be diverted to his plant. The latter handler has recently expanded his manufacturing facilities and is in a position to handle seasonal excess producer milk for a substantial part of the market. The removal of the distance limitation during the flush production season of 1951 to allow a Class III classification of cream used for manufactured products at more distant plants will promote the orderly marketing of excess butterfat.

As one means of meeting the administrative problem of verifying utilization of cream at more distant points, it was suggested by the proponent handler that the cream to be transferred might be suitably labeled stating that it is for manufacturing use only, or that the product might be colored, thus limiting the use to manufactured products such as ice cream or butter. The suggested methods for determining classification are not satisfactory substitutes for the certification and auditing procedures applying to transfers to plants within 85 miles of Nashville. Cream transferred to more distant plants will be subject to reclassification pending certification of use by the operator of the receiving nonfluid milk plant, such certification to be furnished to the market administrator not later than the last day of the month following the month in which the cream was shipped, and pending audit of the records of the handler and of the nonfluid milk plant.

The evidence failed to show the need for transferring cream for manufacturing uses beyond 85 miles from the market other than during the flush production months. The proposed change in the classification provision on cream transferred more than 85 miles from Nashville has been limited to the flush production season of 1951 pending a more comprehensive study of the various phases of the classification and pricing of butterfat in this market.

4. The fall incentive production payment plan should be amended to change the fall months to which the plan applies.

Under the present fall incentive plan, 45 cents per hundredweight of producer milk is set aside from the amount handlers are required to pay for milk received during April, May, and June and is held by the Market Administrator in the Producer-Settlement Fund of the market-wide pooling arrangement. One-third of this fund is included in the computation of the uniform price to be paid to all producers delivering milk during each of the following months of September, October, and November.

The producers' association proposed that only those producers who have a valid dairy farm inspection permit for this market during some period about April 1 of each year should participate in the plan and the period in which distribution of the fund is made should be changed to the months of October, November, and December. Producers not included in the program would receive a price equivalent to the market-wide average utilization value of total receipts from producers during each month deliveries of milk are made.

On the basis of the evidence presented at a hearing held in 1948, it was decided that some seasonal price adjustment plan was necessary for the Nashville market to encourage deliveries of milk throughout the year which are more nearly in accordance with a relatively uniform monthly demand for fluid milk. A fall incentive plan was incorporated in the order in that year. The fall incentive producer price plan was supported by interested parties in preference to seasonal Class I pricing or other alternative plans for accomplishing this purpose. This plan was preferred by the market because it is possible to achieve substantial seasonal differences in the average prices paid producers without seasonal variation in the cost of Class I milk to handlers.

Producer representatives testified at the recent March hearing that the presently operating form of the seasonal production incentive plan is unsatisfactory because new producers who enter the market after June participate in the distribution of the fall incentive payments, thereby reducing such payments to producers who are in the market the year round. Producers' complaint with respect to the present plan resulted principally from the entry of a substantial number of new producers in the market during 1949 and 1950. In each year approximately 70 percent of the increase in the number of producers occurred following the spring set-aside period.

The Class I price differential of $1.25 over the monthly prices for manufacturing milk was incorporated in the present order to provide a level of prices which was intended to increase receipts of producer milk. Receipts have increased through larger deliveries by old producers and by the addition of new producers. With the increase in receipts it has been necessary to devote more and more milk to manufacturing uses during the flush production season and the need for more uniform production throughout the year has been emphasized. New producers who have entered the market have been needed to meet shortages of milk for Class I uses during fall and winter months. Under these conditions it is desirable to accomplish greater receipts of milk during the fall months by encouraging more even deliveries by all producers and by encouraging new producers, who are interested in supplying the market, to start delivery following the flush production months of each year. Producers who enter the market during the flush season merely add to the seasonal excess and reduce the uniform price received by all producers. For this reason, producers who are on the market prior to the flush months receive a higher annual return when new producers postpone entry into the market until following set-aside period rather than enter the market at the beginning of such period. Although the entry of new producers may reduce the component of the uniform price which may be attributed to the incentive plan during the fall months, it is important to note that a corresponding increase in deliveries from regular producers during the fall months has the same effect.

Under the proposed change in the fall incentive plan, producers who were not on the market April 1 or some other designated period would receive a higher price for milk than other producers during the remainder of the set-aside period and a lower price during the fall months. This would tend to encourage new producers to postpone entry into the market until immediately following the designated date or period. The higher price received by such producers during the remainder of the spring and summer when production costs are lowest would tend to encourage production and increase market receipts at the time of the year when additional milk is not needed. No incentive would be offered to such producers to increase receipts during the fall months when production costs are highest, and receipts tend to be lightest.

Individual producers make their own decision as to when and how much milk they will ship to plants in the market. The value of the milk to the market depends on the season in which it is shipped. The addition of a new plant to the market is not usually the decision of the farmers who deliver milk to such plant and its supply might not be available to the whole market to the same extent as that of individual producers who deliver milk to established handlers. Consequently, some different treatment might be afforded receipts of milk at plants of new handlers who may enter the market; however, producers did not indicate that this is a serious problem at this time.

The position of proponents implies that only producers who delivered milk during the spring set-aside months have an equity in the fund and producers who were not on the market during the spring months have no right to share in the fund. Actually this fund which is set aside prior to the calculation of uniform price is not the property of any particular group of producers. It is a market fund which is set aside from the total dollars charged handlers for milk to discourage unneeded receipts of milk during the spring season and to encourage greater receipts during the fall months.

Under seasonal pricing this would be accomplished by charging handlers lower Class I price differentials during the flush production months than during the short production months with a resulting annual average Class I differential equivalent to the uniform Class I differential now provided in the order. The seasonally higher prices in the fall months under seasonal pricing is shared by all producers in proportion to their deliveries of milk during this season. The fall incentive fund likewise must be distributed on the basis of deliveries of milk by all producers during the fall months. If it were assumed that individual producers contributed to the fund and thereby have an equity in it, in order to return this equity to each producer, provision would need to be made for paying each producer the same amount of money as he contributed to the fund. In this case a sum of money merely would be set aside in the spring and the same amount paid to the producer during the fall regardless of the quantity of milk delivered. Obviously, no incentive would be offered for fall deliveries and the plan would serve no useful purpose.

If producers desire a seasonal payment plan which provides for adjustments in the uniform price received by producers on the basis of participation in the market during a designated or representative period, it appears that such adjustments should be made on the basis of marketings during the period.

For the reasons stated above the proposal to limit the fall incentive plan to producers of record in a certain period of each year should be denied. The proposed change is inconsistent with the principles underlying the plan and is not in accordance with the provisions of the Agricultural Marketing Agreement Act.

Under present operation of the fall production incentive plan, distribution of the spring set-aside is made in the three months of September, October and November. Since the principal objective of the plan is to encourage increased deliveries of milk during the shortest months, the distribution of the fall incentive should be made on the basis of deliveries in these months. Based upon the relationship of producer receipts to sales of fluid products (Class I and Class II) during 1948, 1949, and 1950, the three shortest months have been October, November and December. Accordingly, distribution of the money from the producer-settlement fund as a fall delivery incentive should be made on receipts of milk during these months.

Rulings on proposed findings and conclusions. Briefs were filed on behalf of a producer organization and handlers who are concerned with the proposed marketing agreement and proposed order amending the order now in effect. The briefs contained suggested findings of fact, conclusions, and arguments with respect to the proposals considered at the hearing. Every point covered in the briefs was carefully examined along with evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. Producers and handlers contended that an emergency exists which warrants immediate effectuation of the proposed amendments and requested that a recommended decision and exceptions thereto be omitted. The extent to which these claims are applicable is not sufficient to warrant omission of the opportunity to file written exceptions to the recommendations contained herein. The time for filing such exceptions should be held to a minimum, however, to expedite amendment action. To the extent that other suggested findings and conclusions contained in the briefs are inconsistent with the findings and conclusions contained herein, the requests to make such findings or to reach such conclusions are denied on the basis of the facts found and stated in connection with the findings and conclusions in this decision.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

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

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

Recommended amendment to the order. The following amendment to the order, as amended, is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The amendments to a proposed marketing agreement are not repeated because they would be identical to the following:

1. Delete § 978.4 (b) (1) and substitute:

(1) Class I milk shall be all skim milk and butterfat: (i) Disposed of in fluid form as milk, skim milk, buttermilk, flavored milk, and flavored milk drinks, and Yoghurt and (ii) not specifically accounted for as Class II or Class III milk.

2. In § 978.4 (b) delete subparagraph (2) and substitute the following:

(2) Class II milk shall be all skim milk and butterfat disposed of in the form of cream, eggnog and any other cream product disposed of in fluid form which is required by the Nashville Health Department to be made from approved butterfat and skim milk.

3. In § 978.4 (d) delete subparagraph (4) and substitute:

(4) As Class I milk if transferred or diverted in the form of any item specified in paragraph (b) (1) of this section and as Class II milk if transferred or diverted in the form of any item specified in paragraph (b) (2) of this section, to a nonfluid milk plant located 85 miles or more from the City Hall in Nashville, Tennessee, by the shortest highway distance as determined by the market administrator, except in the case of fluid cream only, for the delivery periods of April, May and June 1951 if (i) the handler reports its use in another class and the operator of the receiving plant certifies to the market administrator in writing not later than the last day of the month next following the month in which such cream was shipped that such cream was used in the class reported by the handler, (ii) the operator of the nonfluid milk plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification, (iii) not less than an equivalent amount of skim milk and butterfat was actually utilized in such plant in the use indicated in such statement: *Provided*, That if upon inspection of the records of such plant it is found that an equivalent amount of skim milk and butterfat was not actually used in such indicated use the remaining pounds shall be classified on the basis of the next highest-priced available use in accordance with the classes set forth in paragraph (b) of this section.

4. Delete § 978.7 (b) (3) (ii) and substitute therefor the following:

(ii) For each of the delivery periods of October, November and December, add an amount equivalent to one-third of the total of the three amounts representing the cash balance established, during the delivery periods of April, May and June, immediately preceding, as a fall season production incentive pursuant to subparagraph (5) (ii) of this paragraph.

Issued at Washington, D. C., this 9th day of April 1951.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-4341; Filed, Apr. 11, 1951; 8:53 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Part 42]

IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

PASSENGER AND CREW WEIGHTS

Notice is hereby given that revision of Title 14, § 42.32-4 (c) (4), published on November 22, 1949, in 14 F. R. 7038, is contemplated. All interested persons who desire to submit comments and suggestions for consideration by the Administrator of Civil Aeronautics in connection with the proposed rule shall send them to Civil Aeronautics Administration, Office of Aviation Safety, Washington 25, D. C., within 30 days after publication of this notice in the FEDERAL REGISTER. Section 42.32-4 (c) (4), as revised, would read:

§ 42.32-4 *Maintenance manual.* * * *

(c) *Weight control.* * * *

(4) *Passenger and crew weights*—(i) *General.* These weights apply to operators with or without an approved weight control system. Consideration will be given to a different average of weights for crew and passengers, provided the operator can substantiate these weights based on an average of actual weights for each group.

(ii) *Passenger weights.* The actual passenger weights may be used in all computations and are preferable from the standpoint of accuracy. In addition, the use of average weights is approved as a means of expediting load manifest calculations. The use of average weights, however, does not relieve the operator of responsibility for compliance with the weight and c. g. location limitations as specified in the appropriate aircraft specification and the operating requirements in operating limitations prescribed in this part. In other words, if there is any evidence that the use of average weights will result in erroneous computations and possible violation of applicable CAR, the total weight and c. g. location should be recomputed using actual weights. This condition is most likely to arise in cases where the major portion of a passenger load consists of a specialized group such as athletic teams or of a specific racial group which does not conform with the U. S. average. In all cases of such non-average groups actual weights must be used.

The approved averages are as follows:

(*a*) An average passenger weight (summer) of 160 pounds may be used during the calendar period of May 1 through October 31.

(*b*) An average passenger weight (winter) of 165 pounds may be used during the calendar period of November 1 through April 30.

(*c*) An average passenger weight of 80 pounds may be used at any time for children between the ages of 3 and 12.

In all computations, either the actual or average weights indicated above will be used; in no case will a combination of average and actual weights be used. However, the above calendar periods may be varied where climatic conditions warrant, upon specific approval of the CAA.

(iii) *Crew weights.* Actual or average weights may be used in the case of crew members under conditions as set forth for passenger weights. The approved averages are as follows:

(*a*) Male cabin attendants 150 pounds; female cabin attendants 130 pounds.

(*b*) All other crew members 170 pounds.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] DONALD W. NYROP,
Administrator of Civil Aeronautics.

[F. R. Doc. 51-4304; Filed, Apr. 11, 1951; 8:45 a. m.]

[14 CFR, Part 50]

AIRMAN AGENCY CERTIFICATES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that adoption of the following rules is contemplated. All interested persons who desire to submit comments and suggestions for consideration by the Administrator of Civil Aeronautics in connection with the proposed rules shall send them to the Civil Aeronautics Administration, Office of Aviation Safety, Washington 25, D. C., within 30 days after publication of this notice in the FEDERAL REGISTER.

§ 50.11–1 *Basic ground school curriculum (CAA rules which apply to § 50.11 (a)).* The applicant must provide a basic ground instruction curriculum which is satisfactory to the Administrator. The minimum acceptable curriculum must include not less than 50 hours of instruction in the subjects listed below, followed by examination on each subject.

(a) *Civil air regulations.* At least five classroom hours of instruction to include:

Part 1: Certification, identification, and marking of aircraft and related products.
Part 20: Pilot certificates.
Part 43: General operation rules.
Part 60: Air traffic rules, including air traffic control practices and procedures.
Part 62: Notice and reports of aircraft accidents and missing aircraft.

(b) *Meteorology.* At least 15 classroom hours of instruction to include:

Recognition of weather, icing, fog, and frontal conditions.
General cloud formations.
Study of weather maps, teletype sequences, and elementary weather forecasting.
Pressure areas, including motion of air masses, isobars, and winds aloft.
Humidity and its relation to visibility.
Temperature-dew point relationship and precipitation.
How to use knowledge of meteorology in private flying in promoting safety.
U. S. Weather Bureau facilities and weather assistance service.

(c) *Aerial navigation.* At least 15 classroom hours of instruction to include:

Study of aeronautical charts, including explanation of how charts are made, with emphasis on the Lambert conformal projection.
The navigational methods, including piloting, dead reckoning, and radio.
Navigational instruments: Types, errors, and practical usage.
Practical navigation problems: Dead reckoning, piloting, ETA's, flight plans, wind-triangle solutions using a simple computer, and maximum endurance problems.
Use of CAA publications (Airman's Guide, etc.).

(d) *Radio.* At least five classroom hours of instruction to include:

Explanation of radio aids to flight.
Use of simple receiver and transmitter, including tuning and voice procedure.
CAA communication facilities and flight assistance service, including search and rescue procedures.
International code: Memorizing of code, sufficient to provide ready recognition of radio range identification signals.
Use of loop antenna in homing on broadcast and other stations.
Distress signals and visual signals (on parking line).

(e) *General service of aircraft.* At least 10 classroom hours of instruction to include:

Care of aircraft: Line inspection, procedures, and general safety precautions.
Care of engines: Octane ratings, detonation, warming up and idling precautions, full throttle operations, and icing.
Operations limitations; performance characteristics as affected by full load, altitude, and temperature conditions. Reason for placard limits, acceleration limits, air-speed limitations in rough air, and other restrictions in the interest of safety.
Inspections required.
Use of aircraft instruments and errors inherent in them.
Use and care of parachutes.
Use of logbooks.
Explanation of major and minor repairs.
Explanation of aircraft operation record.

§ 50.11–2 *Advanced ground school curriculum (CAA rules which apply to § 50.11 (b)).* The applicant must provide an advanced ground instruction curriculum which is satisfactory to the Administrator. The minimum acceptable curriculum must include not less than 150 hours of instruction in the subjects listed below, followed by examination on each subject. Students who have successfully completed an approved basic ground school course may be given appropriate credit when applying for the advanced ground school course. The determination of credit for previous ground school work is left to the discretion of the airman agency, with the understanding that a graduate must have completed all course requirements.

(a) *Civil air regulations.* At least 15 classroom hours of instruction to include:

Part 1: Certification, identification, and marking on aircraft and related products.
Part 20: Pilot certificates.
Part 43: General operation rules.
Part 60: Air traffic rules, including air traffic control practices and procedures.
Part 62: Notice and reports of aircraft accidents and missing aircraft.

(b) *Meteorology.* At least 35 classroom hours of instruction to include:

General cloud formations.
Pressure areas, including motion of air masses, isobars, and winds aloft.
Humidity and its relation to visibility.
Temperature-dew point relationship and precipitation.
Recognition of weather masses, icing, fog and frontal conditions as to reasonably forecast the weather accompanying these masses.
How to use knowledge of meteorology in flying to promote safety.
Study of weather maps, teletype sequences, and coded weather data sufficient to permit ready interpretation of all symbols used.
U. S. Weather Bureau facilities and weather assistance service.
Weather map analysis, including pressure areas and fronts.

(c) *Aerial navigation.* At least 35 classroom hours of instruction to include:

Study of aeronautical charts, including explanation of how charts are made, with emphasis on the Lambert conformal projection.
The study and use of all forms of navigational methods, with emphasis placed on pilotage, dead reckoning, and the use of radio.
Study, use, and limitations of all types of navigational instruments, navigational aids, and the daily use of CAA publications (Airman's Guide and Flight Information Manual).
All types of practical navigational problems, including radius of action to an alternate airport and maximum endurance under economy conditions, as well as the precision planning of a flight, the filing of a flight plan that allows for a climb to altitude and descent therefrom, check and reporting points, alternate airports, the use of radio compass and direction finder equipment and radio ranges, sectional and world aeronautical charts.

(d) *Radio.* At least 15 classroom hours of instruction to include:

Explanation of radio aids to flight.
Types, usage, and limitation of radio receivers and transmitters, the effects of proper and improper tuning, frequency control, static and night effects, as well as antennaes and microphone techniques.
The use and limitations of all types of radio aids to air navigation, including very high frequency and omni-directional facilities.
Sufficient study in International code to allow ready recognition of radio range identification signals.
Use of loop antenna in homing on broadcast and other stations.
The coding and use of aeronautical lights, true lights, and distress signals.
The detailed explanation and use of airways traffic control, approach control, and airport traffic control.

(e) *Aircraft engines.* At least 20 classroom hours of instruction to include:

Principles of the internal combustion engine.
Fuels: Octane rating and detonation.
Construction and design: Metals, tolerances, compression ratios, and horsepower.
Classification and construction of engine components.
Lubrication and cooling systems.
Carburetion and ignition.
Propellers: Fixed, adjustable, controllable, constant speed, and full-feathering.
Disassembly.
Inspection and Maintenance.
Overhaul, repair, timing, and assembly.
Trouble shooting.
Logbooks and other records.
Practices: Precautions in the operation of engines, such as starting, warm-up, idling, testing, and full-throttle operation.

(f) *Aircraft.* At least 20 classroom hours of instruction to include:

Aerodynamics and theory of flight.
Factors of aircraft design, construction, and rigging.
Aircraft operation placard: Necessity for limitations as to speed, load factors, rough air, gross load, and center of gravity limits; how to determine safe loadings, with C. G. limits.
Aircraft construction and materials used.
Repair and maintenance.
Airplane operations manual.
Logbooks and records.
Aircraft accessories.

The remaining 10 hours of the required 150 hours prescribed for the advanced ground school course to be utilized by the operator in accordance with the individual student's need.

§ 50.13–1 *Primary flying school curriculums; airplanes; land and sea (CAA rules which apply to § 50.13 (a) (1))*—(a) *Airplanes; land.* The applicant shall provide a primary flight curriculum satisfactory to the Administrator. Such a curriculum must include not less than 35 hours of flying time and must be arranged so as to allow a minimum of 15 hours dual and 13 hours of solo flight time. Flying time devoted to student progress or stage checks will be credited as dual instruction for the purpose of meeting the requirements of primary flying school curriculums. Such flights may be conducted by the regularly assigned flight instructor, agency check pilot, or an Aviation Safety Agent. A minimum of 8 hours dual instruction must be given prior to solo flight. A minimum of 4 hours dual and 8 hours solo cross-country experience must be provided. This must include at least one solo cross-country flight with two full stop landings, one of which must be at a point more than 100 airline miles from the base of operation. Each cross-country flight shall include a landing at a point more than 25 miles from the point of departure. The required dual instruction in cross-country flying must be given after the student's initial solo. During the course of the flight instruction, ground discussion must be given at the ratio of at least 15 minutes per hour of flight time and is to include familiarization with the aircraft, controls, instruments, fuel systems, accessories, parachutes, use of safety precautions, starting and stopping of engines, securing of aircraft, as well as all pertinent local air traffic rules and patterns. During the course, the student should do as many of the pre-flight and line inspections as possiple prior to flight. Dual instruction prior to solo must include instruction in:

Orientation, including determination of wind direction.
Taxiing (into wind, cross-wind, downwind).
Straight and level flight.
Medium turns.
Climbs, glides, including turns.
Confidence maneuvers.
Coordination exercises (elementary eights, S-turns across ground reference lines, etc.)
Slow flight.
Stalls with and without power.
Take-offs.
Landings.
Slips.
Emergency procedures.

The above should be followed by additional dual and solo practice. Periodic checks should be given throughout the course. Dual instruction and solo practice must also be given on the following maneuvers:

Flight at various power settings in which straight and level flight and turns are accomplished without loss of altitude.
Precision turns of shallow, medium, and steep banks (emphasizing constant bank, speed and altitude).
Medium banked around-pylon figure eights.
720° power turns (banked attitude in excess of 45°).
Spirals.
Stalls with and without power from all normally anticipated flight attitudes.
Precision landings from 180° side approach (use of key position should be emphasized).
Power approaches to landings.
Cross-wind take-offs and landings.
Rectangular course (right and left).

(b) *Airplanes; sea.* Where flight instruction is given in a seaplane, the following must also be included in the curriculum:

(1) Pre-flight instruction:

Explanation of float action.
Retraction of water rudders.
Determination of wind direction.
Fundamentals of water handling.
Fundamentals of aviation seamanship.
Use of life preservers.
General care of seaplanes.

(2) Additional maneuvers to be included:

Semi-stall and full-stall landings.
Power approaches and power landings given under average water conditions and on glassy water.
Where practicable, landings and take-offs on various bodies of water such as a bay (tide action) and streams (currents).
Precision sailing (with and without power).
Precision docking, beach, and mooring.
Forced landings, executed to buoy markers.

(c) *Alternate curriculum; primary flying school.* An applicant for an approved airman agency primary flying school may utilize a curriculum different from those prescribed in this manual, provided prior approval is obtained from the Administrator.

Request for approval should be made to the local CAA Aviation Safety District Office. Two copies of the proposed curriculum should accompany request.

§ 50.13–2 *Primary flying school curriculum; helicopter (CAA rules which apply to § 50.13 (a) (3)—(a) Helicopters; 35 hours flying time.* A curriculum satisfactory to the Administrator must include not less than 35 hours of flying time. The course must be arranged to give each student a minimum of 15 hours dual and 13 hours of solo flight time. A minimum of 8 hours dual instruction must be given prior to solo flight and is to be included in the 15 hours of required dual.

It may be found necessary to modify or eliminate certain flight maneuvers because of the wide variation in flight characteristics that exist in helicopters of different manufacture. In general, however, any curriculum to be satisfactory to the Administrator must include the following:

(1) Familiarization, including control usage, starting, warm-up, run-up, and stopping of engine, limitation placards, engine and flight instruments, fuel and electrical system, servicing precautions, safety belts, and hazards to spectators; local airport rules and regulations.

(2) The dual instruction prior to solo shall include both theoretical and practical instruction in:

Taxiing (into wind, downwind and crosswind).
Take-offs (upwind and cross-wind).
Landings (into the wind).
Hovering (into wind and cross-wind, downwind hovering should be demonstrated).
90° hovering turns.
Sideward and backward flight.
Rectangular course (hovering altitude constant heading).
Climbing and descending.
Minimum steep turns (not to exceed 30°).
Normal, 30° angle, approaches to landing.
Traffic pattern flying.
Elementary autorotative approaches.
Simulated emergency landings.

(3) The above should be followed by additional dual and solo practice. Periodic checks should be given throughout the course. Dual instruction and solo practice must also be given on the following maneuvers.

Hovering downwind.
Hovering turns, 90° through 360°.
Settling with power and recovery.
Accuracy landings: normal, slow-steep, fast-low, flare and no-flare type approaches.
Autorotative approaches: straight, 90°, 180°, and 360°.
Dual and solo cross-country. A minimum of 2 hours dual and 3 hours solo cross-country experience must be provided in the curriculum. This must include a solo cross-country flight with two intermediate full-stop landings, one leg of which must be at least 50 miles in length.
At least one hour of dual instruction shall be given at an altitude sufficiently high to demonstrate the misconceptions of attitude and movement which may occur when flying a helicopter at altitude by outside visual reference only.
Turns, medium steep bank (30° to 45°).
S-turns along ground reference line (varying speeds).

§ 50.13–3 *Primary flying school curriculum; glider (CAA rules which apply to § 50.13 (a) (4))—(a) Gliders; 8 hours flying time.* An applicant for a primary glider flying school rating must provide a flight curriculum satisfactory to the Administrator. This curriculum must include not less than 8 hours of total flight time. Any curriculum, to be satisfactory to the Administrator, must include the following:

A minimum of 3 hours of dual and check time.
A minimum of 5 hours of supervised solo flight time.
A minimum of 80 gliding flights.
Flight instruction shall include, but not be limited to, the following maneuvers:
Straight glides.
Confidence maneuvers.
Turns.
Coordination exercises.
Stalls.
Airplane tow technique.
Glidepath technique.
Use of spoilers.
Cross- and downwind technique.
Landings.

Additional dual instruction and solo practice should follow to obtain proficiency in all maneuvers. The apportionment of dual and solo time and the amount of instruction and practice in each maneuver should be adequate to enable the student to sufficiently demonstrate his proficiency in each, to a degree required of a private glider pilot.

§ 50.13–4 *Commercial flying school curriculums; airplanes; land and sea (CAA rules which apply to § 50.13 (b) (1))—(a) Airplanes; land.* An applicant for a commercial flying school rating must provide a flight instruction curriculum satisfactory to the Administrator. Such curriculum must consist of not less than 160 hours of flying time for the purpose of qualifying persons for commercial pilot certificates. Any curriculum to be satisfactory to the Administrator shall meet the following requirements:

(1) A minimum of 50 hours dual and check time. 8 hours of such instruction time must be given prior to first solo flight.

(2) A minimum of 105 hours of supervised solo must be given.

(3) A total of 10 hours of pilot-in-command, dual, or solo night flying must be given. Whenever practicable, at least 3 hours should be devoted to night cross-country flying. During this phase of

training, at least 5 hours, including 10 take-offs and 10 landings, should be accomplished while solo, or while serving as pilot-in-command and the sole manipulator of the controls. Normally the practicability of conducting the cross-country portion of the night flying requirement will be established by the local CAA Aviation Safety District Office. In making this determination, consideration shall be given to such items as nature of terrain, navigation facilities, alternate landing areas, etc.

(4) A minimum of 25 hours of dual and solo cross-country flying must be given. During the course of instruction, at least one solo cross-country flight must be made to a point not less than 300 miles distant from the point of departure. During such flight, at least 3 full-stop landings at different points along the route are to be made. In the course of the student's training, his flight record must indicate one flight wherein all radio aids to air navigation that are available have been utilized, and must include the preparation and use of a predetermined flight plan.

(5) A minimum of 10 hours solo must be given in tandem seating aircraft.

(6) A minimum of 10 hours solo must be given in side-by-side seating aircraft.

(7) A minimum of 10 hours solo must be given in aircraft equipped with wing flaps, two-way radio, controllable propeller, and a manifold pressure gauge.

(8) The first 35 hours of instruction and solo practice must be identified with the Primary Flying School Curriculum. Students who have successfully completed such curriculum in a certificated flying school, or possess a private pilot certificate, may be given appropriate credit when applying for the commercial pilot flight course. The determination of credit for previous flight experience is left to the discretion of the airman agency, with the understanding that a graduate must have completed all course requirements.

(9) The flight curriculum must be arranged so as to give instruction and solo-flight practice on all maneuvers necessary to enable a student to demonstrate proficiency to a degree required of a commercial pilot. Such maneuvers, in addition to those taught and practiced in the primary course, are:

Use of airplane check list.
Eights on pylons (steep and shallow banked).
Lazy eights.
Chandelles.

(b) *Airplanes; sea.* Where flight instruction is given in a seaplane, the following must also be included in the curriculum:

(1) Pre-flight instruction:

Explanation of float action.
Retraction of water rudders.
Determination of wind direction.
Fundamentals of water handling.
Fundamentals of aviation seamanship.
Use of life preservers.
General care of seaplanes.

(2) Additional maneuvers to be included:

Semi-stall and full-stall landings.
Power approaches and power landings given under average water conditions and on glassy water.
Where practicable, landings and take-offs on various bodies of water such as a bay (tide action) and streams (currents).
Precision sailing (with and without power).
Precision docking, beaching, and mooring.
Forced landings, executed to buoy markers.

§ 50.13–5 *Commercial flying school curriculum; helicopter (CAA rules which apply to § 50.13 (b) (2)).* An applicant for a commercial flying school rating (helicopter) must provide a flight instruction curriculum satisfactory to the Administrator. Such curriculum must consist of not less than 160 hours of flying time for the purpose of qualifying persons for commercial pilot certificate.

It may be found necessary to modify or eliminate certain flight maneuvers because of the wide variation in flight characteristics that exist in helicopters of different manufacture. In general, however, any curriculum to be satisfactory to the Administrator must meet the following requirements:

(a) A minimum of 70 hours dual and check time. 8 hours of such instruction time must be given prior to first solo flight.

(b) A minimum of 90 hours of supervised solo must be given.

(c) A total of 10 hours of pilot-in-command, dual, or solo night flying must be given. During this phase of training at least 5 hours, including 10 take-offs and 10 landings, should be accomplished while solo, or while serving as pilot-in-command, and the solo manipulator of the controls.

(d) A minimum of 25 hours of dual and solo cross-country flying must be given. During the course of instruction, at least one solo cross-country flight must be made to a point not less than 150 miles distant from the point of departure. During such flight, at least 3 full-stop landings at different points along the route shall be made.

(e) The first 35 hours of instruction and solo practice must be identical with the helicopter private pilot flight curriculum. Students who have successfully completed such curriculum in a certificated flying school, or possess a private pilot certificate with helicopter rating, may be given appropriate credit when applying for the commercial pilot (helicopter) flight course.

(f) The flight curriculum must be arranged so as to give instruction and solo flight practice on all maneuvers necessary to enable the student to demonstrate commercial pilot proficiency in the maneuvers characteristic of the helicopter type on which his training was received. In addition to those maneuvers taught and practiced in the primary course or initial 35 hours of training, theoretical and practical instruction shall be provided in the following:

Running take-offs.
S-turns along ground reference line (varying speeds).
Pattern flying changing headings at hovering altitude.
Rapid decelerations (quick stops).

§ 50.13–6 *Commercial flying school curriculum; gliders (CAA rules which apply to § 50.13 (b) (3)).* An applicant for a commercial flying school rating (glider) must provide a flight instruction curriculum satisfactory to the Administrator. Such curriculum must consist of not less than 20 hours of flight and must meet the following requirements:

(a) A minimum of 8 hours of dual and check time: 3 hours of such instruction time must be given prior to first solo flight.

(b) A minimum of 12 hours of supervised solo must be given after solo.

(c) A minimum of 100 gliding flights or 5 hours of soaring flight time must be given.

(d) The first 8 hours of instruction and solo practice must be identical with the private glider curriculum.

(e) The following maneuvers must be included in addition to those taught and practiced in the private glider pilot course:

Emergency maneuvers such as recovery from stalls, entered from both level and steeply banked attitudes.
Spirals.
Cross-wind take-offs and landings.
Soaring techniques.
Lazy eights.
Accuracy landings.

§ 50.13–7 *Instrument flying school. (CAA rules which apply to §50.13 (c)*—(a) *Ground school curriculum.* The applicant must provide an instrument ground school curriculum satisfactory to the Administrator. Such curriculum should include not less than 30 hours of classroom instruction on the subjects listed below:

(1) *Civil air regulations.* At least 2 classroom hours of instruction to include:

Part 1: Certification, Identification, and Marking on Aircraft and related products.
Part 20: Pilot Certificates.
Part 43: General Operation Rules.
Part 60: Air Traffic Rules, including air traffic control practices and procedures.

(2) *Meteorology.* At least 5 classroom hours of instruction, of which one should be practical weather observation and the identification of weather conditions, to include:

Those subjects listed for advanced ground school rating.
Detailed study of conditions found under instrument flying conditions, with emphasis on icing conditions.
Advanced meteorology: Weather maps, fronts, and analysis.

(3) *Aircraft and theory of flight.* At least 3 classroom hours of instruction to include:

Study of aircraft equipment: deicing equipment, static eliminators, effect of ice on propeller, and wing efficiency.
Power required under various load conditions, and change in stalling speeds therein.

(4) *Navigation.* At least 5 classroom hours of instruction to include:

Navigational problems under instrument conditions.
Use of computer.
Methods of obtaining fixes.
Correction of drift to regain position.

Alternate airport problems.
Airman's Guide, Flight Information Manual, Radio Facilities, and Instrument Approach Charts.
Radio orientation (at least 3 methods).

(5) *Instruments, radio and navigational aids.* At least 5 classroom hours of instruction to include:

Review of all instruments and errors that may be encountered under instrument conditions.
Study of radio aids to instrument flight.
Tuning radio, and use of volume control.
Description of various radio aids.
CAA communications facilities and flight assistance service, including search and rescue operations.

(6) *Instrument flight procedures.* At least 10 classroom hours of instruction, to be given in phase with or before actual flight training, to include:

Technique of instrument flight.
Beam and bracketing procedures.
Let-down procedures.
Air Traffic Control procedures.
Flight plans.

Each person giving, or employed to give, ground school instruction in an instrument flying school must be certificated as required by § 50.10 (c) or must possess a valid instrument rating.

(b) *Flight curriculum.* This curriculum must include not less than 30 hours of flight instruction, of which not more than 10 hours may be given in a flight simulator. That portion of the instruction which is conducted in a flight simulator must remain in phase with the flight instruction.

The curriculum, to be satisfactory to the Administrator, must include at least the following:

Climbs and climbing turns.
Level flight.
Timed turns.
Steep turns (over 45°).
Stalls, and approaches to stalls.
Recovery from abnormal attitudes.
Slow flight and controlled descent.
Radio range orientation, including at least three methods.
Beam bracketing.
Station identification.
Airport and Airway Traffic Control holding and emergency procedures.
Final approach.
Missed approach.
Practical speed, wind, drift problems.

The CAA wishes to encourage the use of VHF range systems. VHF facilities may be used in training and in accomplishing as much of the present flight test as is practicable; however, until the low frequency range system becomes obsolete and is supplanted by the new systems, orientation and the execution of a standard instrument approach, utilizing the low frequency system will be required. This portion may be accomplished in a simulator, provided a low approach is successfully made during the flight test utilizing VHF facilities.

§ 50.13-8 *Flight instructor school (CAA rules which apply to § 50.13 (d))*—(a) *Ground school curriculum.* An applicant for a flight instructor flying school rating must provide a ground school curriculum satisfactory to the Administrator. Such curriculum must include not less than 40 hours instruction on "Analysis and Performance of Maneuvers" and "Psychology, Technique and Methods of Flight Instruction." A curriculum satisfactory to the Administrator shall include, but not be limited to:

(1) Steps in teaching students how to fly:

Preparation—knowledge of what to say and how to say it.
Definition of what is to be taught in a specific lesson. (Statement of Aims.)
Explanation of maneuvers. (Presentation.)
Demonstration of maneuvers.
Student's practice.
Determination of student's progress and review of weak points.

(2) Common errors in instruction:

Lack of planned instruction.
Variations in terminology used in flight instruction.
Giving instruction in flight which could better be given on ground.
Failure to stress important or key points.
Poor speech habits, e. g., failure of instructor to speak clearly, etc.
Bad personal habits—impatience, lack of promptness, etc.
Failure to overcome prejudices with respect to other people's "peculiarities."
Emphasizing pet "hobbies" or "peeves."

(3) How students learn:

Importance of directed practice as compared with mere repetition.
Effect of old habits on learning how to fly. (Habit interference.)
Difficulties in trying to learn too much, too fast.
Value of training aids, e. g., charts, models, films, etc.

(4) Adapting training to individual students:

Slow versus fast learners.
Under-confident versus over-confident students.
The "problem child."
Preparatory planning of each student's lessons in order to deal with his individual problems.

(5) Keeping student interested:

Judicious use of praise and blame.
Informing student of his progress.
Importance of instructor appreciating student's problems.

(6) Keeping student fit:

Minimizing student fatigue.
Dealing with questions regarding health in relation to flying, e. g., ear trouble, the common cold, air sickness, etc.
Dealing with problem of "muscular tension."
Maintaining emotional stability.

(7) Finding out how student is progressing:

Reasons for standardization of check flights.
Subjective observation:
CAA rating procedures and other rating scales.
Training in use of above.
Objective evaluation:
Flight inventory.
Graphic methods.
Use of above techniques.
Difficulties in observing student's performance:
Errors of observation.
Elimination of errors.

(8) Checking up on your ability as an instructor.

Need for periodic check-up.
The teaching "Self-Audit."

(9) Summary of points to remember in flight instruction.

Plan instruction, on ground and in air, to meet student's problems.
Give all instruction possible on ground so that student has a clear idea of what is expected of him before start of flight lesson.
Keep instruction in air simple, clear, and concise.
Keep student interested and try to understand his problems.
Give student ample opportunity to review maneuvers already learned.
Direct student's solo practice along lines in which he is most inadequate.
Emphasize importance of judgment and necessity to "plan ahead."

(10) Civil air regulations.
(11) Analysis and performance of maneuvers.
(12) Final examination.

Each student will "instruct" the class on topics assigned in advance. Student's method of presentation will be criticized in light of principles of flight instruction discussed in course.
Analysis and performance of maneuvers.

(b) *Flight curriculum.* An applicant for flight instructor flying school rating must provide a flight instruction curriculum satisfactory to the Administrator. Such curriculum must consist of not less than 25 hours flying time for the purpose of qualifying persons for the flight instructor rating. A curriculum satisfactory to the Administrator must include the following:

(1) A minimum of 10 hours dual and solo practice in the performance of all elementary, intermediate, and advanced maneuvers, to enable the student to demonstrate these with smoothness and precision and to assist him to develop an easy, confident manner when flying.

(2) A minimum of 15 hours in the practice of giving flight instruction in all elementary, intermediate, and advanced maneuvers, where the instructor will ride as trainee, simulating the usual errors of the novice pilot, and the student acts as instructor. The purpose is to develop proficiency in the analysis of maneuvers and to evolve a technique of imparting this knowledge under actual flight conditions. The curriculum shall include, but not be limited to, the following:

(i) Elementary maneuvers.

Straight and level flight.
Medium turns.
Confidence maneuvers.
Taxiing.
Normal climbs.
Medium climbing turns.
Normal glides.
Medium gliding turns.
Steep turns.
Stalls and slow flight maneuvers without power.
Stalls and slow flight maneuvers with power.
Spins.
S-turns along ground reference lines.
Medium and steep eights up and down a road.
The square or rectangular course.
Take-offs.
Landings.
Forced landings.

(ii) Intermediate maneuvers.

Eights across a road.
Eights "around" pylons.
Eights "on" pylons.

Gentle turns.
Precision turns.
Steep climbing turns.
Steep gliding turns.
Tight spirals.
90° approach for a landing.
180° side approach for a landing.
360° approach for a landing (simulated).
Spirals for a landing (simulated).
Slips (forward and side).
Controlled slipping turns.
Cross-wind take-offs.
Cross-wind landings.
Downwind landings (moderate winds).
Power approaches and wheel landings.
Dragging areas.
Accidental and cross-control spins (climbing and level flight turns).

(iii) Advanced maneuvers.

Lazy eights.
Chandelles.
Precision spins (1½, 2, and 3 turns).

(3) A minimum of 15-minute discussion periods must be provided before and after each flight.

(4) Where seaplanes are used the following should be included:

(i) Additional maneuvers.

Semi-stall and full-stall landings.
Power approaches and power landings given under average water conditions and on glassy water.
Where practicable, landings and take-offs on various bodies of water such as a bay (tide action) and streams (current).
Precision sailing (with and without power).
Precision docking, beaching, and mooring.
Forced landings executed to buoy markers.

(5) Where helicopters are used, it may be found necessary to modify or eliminate certain flight maneuvers because of the wide variation in flight characteristics that exist in helicopters of different manufacture. This is permissible within the placarded limitations of the aircraft flight manual. In general, the curriculum shall include the following:

(i) Elementary maneuvers.

Taxiing (into wind, downwind, and cross-wind).
Take-offs (upwind and cross-wind).
Landings (into the wind).
Hovering (into wind and cross-wind).
90° hovering turns.
Sideward and backward flight.
Rectangular course (hovering altitude constant heading).
Climbing and descending.
Minimum banked turns (not to exceed 30°).
Normal, 30° angle, approaches to landing.
Traffic pattern flying.
Elementary autorotative approaches.
Simulated emergency landings.

(ii) Intermediate maneuvers.

360° hovering turns.
Accuracy landings: normal, slow-steep, fast-low, flare and no-flare type approaches.
Autorotative approaches: straight, 90°, 180°, and 360°.
S-turns along ground reference line (varying speeds).
Medium steep banked turns (30° to 45°).
Rapid decelerations (quick stops).
Pattern flying changing headings at hovering altitude.
Cross-wind take-offs and landings.

(iii) Advanced maneuvers.

Running take-offs and landings.
Accuracy landings from autorotative glides: 90°, 180°, and 360°.
Vertical autorotation.
Settling with power and recovery.
Altitude flying; this to be accomplished sufficiently high above terrain to realize the deceptions which may occur when flying a helicopter at altitude by outside visual reference only.
Downwind hovering.

§ 50.20-1 *Application (CAA rules which apply to § 50.20).* The application shall be submitted on Form ACA-387, Application for Airman Agency Certificate and Rating, and Inspection Report. This form may be obtained from the nearest CAA Aviation Safety District Office. The local Aviation Safety Agent will furnish full information as to the execution of this application and will arrange appointments for the inspection of the facilities, equipment, etc. It is suggested that prior to the execution of the application the applicant discuss the rating sought with the Aviation Safety Agent involved.

Unless requested by the local Aviation Safety Agent, it will not be necessary to submit the proposed curriculums in duplicate.

§ 50.29-1 *Graduation certificates (CAA rules which apply to § 50.29).* A graduation certificate shall be issued on Form ACA-391. It may be obtained from the local Aviation Safety Agent and, in addition to other pertinent data, shall reflect the grades obtained by the individual student on the written or practical examination conducted by the school.

[SEAL] J. S. MARRIOTT,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-4305; Filed, Apr. 11, 1951; 8:45 a. m.]

NOTICES

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

NOTICE OF ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Supp. 214), and Part 522 issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Abatex Dress Manufacturing Co., Chesterton, Ind., effective 4-1-51 to 3-31-52; for normal labor turnover, five learners (plastic aprons and raincoats).

Abbottstown Garment Co., Box 48, Abbottstown, Pa., effective 4-1-51 to 3-31-52; for normal labor turnover, five learners (men's and boys' sport jackets).

Abetta Sportswear, Inc., Page Hill, New Bedford, Mass., effective 4-2-51 to 4-1-52; for normal labor turnover, 10 percent of productive factory workers (women's dresses).

Alabama Textile Products Co., River Falls Street, Andalusia, Ala., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (dress shirts and work pants) (replacement certificate).

Alabama Textile Products Corp., Panama City, Fla., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (dress shirts).

J. M. Bernstein & Co., Inc., Sixth and Oxford Streets, Pocomoke City, Md., effective 4-4-51 to 4-3-52; for normal labor turnover, 10 learners (sport shirts).

J. M. Bernstein & Co., Inc., Sixth and Oxford Streets, Pocomoke City, Md., effective 4-4-51 to 10-3-51; 40 learners for expansion purposes (sport shirts).

Blue Bell, Inc., 301 North Main Street, Abingdon, Ill., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (bib overalls).

Blue Bell, Inc., West Lee and Fuller Streets, Greensboro, N. C., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (overalls and coveralls).

Blue Bell, Inc., 626 South Elm Street, Greensboro, N. C., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (boys' dungarees, boxer shorts and longs; kiddies' dungarees and bib overalls).

Blue Bell, Inc., Lenoir, N. C., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (dungarees).

Boonville Manufacturing Corp., Boonville, Ind., effective 4-3-51 to 10-15-51; for normal labor turnover, 10 percent of total number of productive factory workers engaged in manufacture of men's woven pajamas (men's and boys' pajamas) (replacement certificate).

Brewster Shirt Manufacturing Co., P. O. Box 778, Ocala, Fla., effective 4-1-51 to 3-31-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (men's sport shirts).

California Manufacturing Co., California, Mo., effective 3-31-51 to 3-30-52; 10 percent normal labor turnover (jackets).

Carbondale Products Co., Inc., 21 Dundaff Street, Carbondale, Pa., effective 4-3-51 to 4-2-52; for normal labor turnover, five learners (ladies' rayon underwear).

Cleardale Sportswear Co., Inc., Coalport, Pa., effective 4-3-51 to 4-2-52; 10 percent normal labor turnover (sport shirts).

Commerce Manufacturing Co., 345 East Commerce Street, San Antonio, Tex., effective 4-2-51 to 10-1-51; 40 learners for expansion purposes (boys' shirts, overalls, and slacks).

D & D Sewing Co., Delta (York County), Pa., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (children's cotton outerwear).

D & R Sportswear Co., Main Street, Roseto, Pa., effective 3-27-51 to 3-26-52; five learners for normal labor turnover (blouses).

Dalomar Dress Co., 41 Polk Street, Riverside, N. J., effective 4-1-51 to 3-31-52; 10 learners for normal labor turnover (dresses).

East Jewett Dress Co., East Jewett, N. Y., effective 4-1-51 to 3-31-52; five learners for normal labor turnover (dresses).

Edgefield Shirt Co., Inc., Swainsboro, Ga., effective 4-1-51 to 3-31-52; five learners for normal labor turnover (shirts).

Elder Manufacturing Co., McLeansboro, Ill., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's and boys' dress shirts).

Empire Manufacturing Corp., Statesville, N. C., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (hunting clothing).

Florida Maid Sportswear, Inc., 114-118 Canal Street, New Smyrna Beach, Fla., effective 3-30-51 to 3-29-52; five learners for normal labor turnover (ladies' play clothes).

N. L. Friedlen & Co., 278 West Thirteenth Street, Holland, Mich., effective 4-4-51 to 4-3-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (jackets).

The Fuller Shirt Co., Inc., Kingston, N. Y., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (dress shirts, collars, sleeping wear).

Carver Manufacturing Corp., 1213 South Thirteenth Street, Wilmington, N. C., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (sport shirts).

Gopher Manufacturing Co., Buffalo, Minn., effective 4-2-51 to 4-1-52; 10 learners for normal labor turnover (dungarees and jeans).

Gopher Manufacturing Co., Buffalo, Minn., effective 4-2-51 to 10-1-51; 15 learners for expansion purposes (dungarees and jeans).

Hardwick Woolen Mills, Inc., Cleveland, Tenn., effective 3-30-51 to 3-29-52; 10 percent normal labor turnover (single pants).

The Hercules Trouser Co., Wellston, Ohio, effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's and boys' single pants).

Hickory Overall Co., 902-4 Federal Street, Hickory, N. C., effective 4-1-51 to 3-31-52; 10 learners for normal labor turnover (overalls, pants, and work shirts).

I. B. S. Manufacturing Co., Second and Clark Streets, New Albany, Miss., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's and boys' cotton work shirts).

The Jay Garment Co., Brookville, Ind., effective 4-1-51 to 3-31-52; 10 learners for normal labor turnover (children's cotton overalls).

The Jay Garment Co., South Meridian, Portland, Ind., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's cotton work clothing, children's overalls).

Kaplan and Koral, 587 Main Street, Edwardsville, Pa., effective 4-4-51 to 4-3-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (women's dresses).

Katz Underwear Co., Honesdale, Pa., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (women's and children's nightwear).

Julius Kayser & Co., Susquehanna, Pa., effective 4-1-51 to 3-31-52; 10 learners for normal labor turnover (ladies' slips and petticoats).

Kings Dresses, 519 Broadway, Kingston (Ulster County), N. Y., effective 4-2-51 to 4-1-52; 10 percent normal labor turnover (housecoats, lounging pajamas, and dresses).

J. S. Lamy Manufacturing Co., Pacific and Osage Streets, Sedalia, Mo., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (pants, overalls, coveralls, etc.).

Lee Champion Garment Co., Inc., 900 Lagarde Avenue, Anniston, Ala., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's and boys' dress trousers).

Lillian Dress Co., 109 Chestnut Street, Dunmore, Pa., effective 4-4-51 to 4-3-52; six learners for normal labor turnover (women's and misses dresses).

Linwood Mills, Inc., LaFayette, Ga., effective 4-1-51 to 3-31-52; five learners for normal labor turnover (shirts and pants).

Kay Lynn, Inc., 64 North Sixth Street, Hudson, N. Y., effective 4-3-51 to 4-2-52; 10 percent normal turnover (ladies' and misses' dresses and blouses).

M & C Sportswear Co., 613 Main Street, Rockland, Maine, effective 4-1-51 to 3-31-52; five learners for normal labor turnover (pants, overalls, coveralls, and work pants).

Manell Sportswear Co., Inc., Paola, Kans., effective 4-6-51 to 4-5-52; 10 learners for normal labor turnover (cotton and rayon skirts and sport jackets).

Maybelle Sportswear Manufacturing Co., 310½ West Weatherford Street, Fort Worth, Tex., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (ladies' and misses' dresses).

Mode Manufacturing Corp., Wind Gap, Pa., effective 4-1-51 to 3-31-52; six learners for normal labor turnover (ladies' blouses).

Mode O'Day Corp., Plant No. 3, 39 Federal Avenue, Logan, Utah, effective 4-1-51 to 3-31-52; 10 learners for normal labor turnover women's cotton house dresses).

B. F. Moore & Co., Newport, Vt., effective 4-2-51 to 4-1-52; five learners for normal labor turnover (work and sport clothing).

New England Pants Co., Inc., 131 Ash Street, Willimantic, Conn., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's and boys' trousers).

Perfect Maid Apparel Co., 372 North Main Street, Taylor, Pa., effective 3-28-51 to 3-27-52; five learners for normal labor turnover (children's dresses).

Phillips-Jones Factory, Sixth and Ruddle Streets, Coaldale, Pa., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's sport shirts).

Phillips-Jones Factory, Kane, Pa., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (dress shirts).

Phillips-Jones Factory, Sunbury Street, Minersville, Pa., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's sport shirts).

Phillips-Jones Factory, Muir, Pa., effective 4-1-51 to 3-31-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (men's sport and dress shirts).

Pioneer Manufacturing Co., Inc., 83 Waller Street, Wilkes-Barre, Pa., effective 4-4-51 to 4-3-52; 10 percent normal labor turnover (children's dresses and sunsuits).

Pioneer Manufacturing Co., Inc., 83 Waller Street, Wilkes-Barre, Pa., effective 4-4-51 to 10-3-51; 61 learners for expansion purposes (children's dresses and sunsuits).

Plastex Protective Products, Inc., 145-151 Catty Avenue, Clifton, N. J., effective 4-1-51 to 3-31-52; five learners for normal labor turnover (plastic raincoats).

Puritan Knitting Mills, 813 Twenty-fifth Street, Altoona, Pa., effective 4-2-51 to 10-1-51; 50 additional learners (supplemental certificate) (sport jackets).

Siceloff Manufacturing Co., Inc., East Second Street, Lexington, N. C., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (overalls, dungarees, and work pants).

The Solomon Co., Inc., Leeds, Ala., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (dress and sport trousers; junior dress jackets).

South Pine Nightwear Co., Inc., York, Pa., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's pajamas and night shirts).

Southland Manufacturing Co., Inc., 1510 South Third Street, Wilmington, N. C., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (dress and sport shirts).

Spotlight Co., Inc., 812 Hamilton Street, Allentown, Pa., effective 4-4-51 to 4-3-52; five learners for normal labor turnover ladies' slips).

Star Sportswear Manufacturing Co., 278 Broad Street, Lynn, Mass., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (men's and boys' leather and cloth jackets).

Stylecraft Frocks, Inc., 1427 Vine Street, Philadelphia, Pa., effective 4-1-51 to 3-31-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (ladies' and misses' dresses).

I. Taitel & Son, Drew, Miss., effective 4-6-51 to 10-5-51; 53 learners for expansion purposes (jackets).

I. Taitel & Son, Drew, Miss., effective 4-6-51 to 4-5-52; for normal labor turnover, 10 percent or 10 learners, whichever is greater (jackets).

Texas Infants Dress Co., 410 South Main Avenue, San Antonio, Tex., effective 4-3-51 to 4-2-52; eight learners for normal labor turnover (infants' and children's apparel).

Troy Textiles, Inc., Troy, Ala., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (sport shirts).

Wentworth Manufacturing Co., Lake City, S. C., effective 4-16-51 to 10-15-51; 75 learners for expansion purposes (house dresses).

Woltz Textile Products, Inc., Old Lowgap Road, Mount Airy, N. C., effective 4-1-51 to 3-31-52; 10 percent normal labor turnover (corsets and allied garments).

Wood Garment Manufacturing Co., Inc., Republic, Mo., effective 4-2-51 to 4-1-52; 10 percent normal labor turnover (men's dress trousers).

Cigar Industry Learner Regulations (29 CFR 522.201 to 522.211, as amended January 25, 1950; 15 F. R. 400).

Pennstate Cigar Corp., Philadelphia, Pa., effective 4-2-51 to 10-1-51; 40 learners for expansion purposes only in the occupation of cigar machine operating; 320 hours; 60 cents per hour for first 160 hours, and 65 cents per hour for remaining 160 hours.

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

Good Luck Glove Co., Carbondale, Ill., effective 4-1-51 to 10-1-51; 10 learners for expansion purposes.

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised January 25, 1950; 15 F. R. 283).

Berkshire Knitting Mills, Andrews, N. C., effective 3-27-51 to 11-26-51; 50 learners for expansion purposes.

Hatfield Hosiery Co., Hatboro, Pa., effective 3-29-51 to 3-23-52; three learners for normal labor turnover.

Stanly Knitting Mills, Inc., Oakboro, N. C., effective 4-5-51 to 4-4-52; five learners for normal labor turnover.

Stanly Knitting Mills, Inc., Oakboro, N. C., effective 4-5-51 to 12-4-51; five additional learners for expansion purposes.

Union Dye & Finishing Works, Inc., Union, S. C., effective 3-28-51 to 3-27-52; five learners for normal labor turnover.

Vanity Hosiery Mills, Race and Pepper Streets, Georgetown, Del., effective 4-7-51 to 4-6-52; four learners for normal labor turnover.

Knitted Wear Industry Learner Regulations (29 CFR 522.69 to 522.79, as amended January 25, 1950; 15 F. R. 398).

The Atlas Underwear Co., Piqua, Ohio, effective 4-2-51 to 4-1-52; 5 percent normal labor turnover.

Booneville Manufacturing Corp., Booneville, Ind., effective 4-3-51 to 10-2-51; 20 learners for expansion purposes, to be employed in manufacture of men's woven shorts and union suits only.

E-Z Mills, Inc., Cartersville, Ga., effective 4-2-51 to 4-1-52; 5 percent normal labor turnover.

Gloray Knitting Mills, Inc., Robesonia, Pa., effective 4-1-51 to 3-31-52; 5 percent normal labor turnover.

Greenway Manufacturing Co., Waynesburg, Pa., effective 4-1-51 to 3-31-52; five learners for normal labor turnover.

Walter W. Moyer Co., Ephrata, Pa., effective 4-4-51 to 4-3-52; 5 percent normal labor turnover.

Nazarath Mills, Inc., Nazareth, Pa., effective 4-1-51 to 9-30-51; 35 learners for expansion purposes only.

Southern Silk Mills, Spring City, Tenn., effective 4-7-51 to 10-6-51; five learners for expansion purposes only.

Southern Silk Mills, Spring City, Tenn., effective 4-7-51 to 4-6-52; 5 percent normal labor turnover.

Taylor Manufacturing Co., West Main Street, Campbellsville, Ky., effective 4-4-51 to 4-3-52; five learners for normal labor turnover.

Taylor Manufacturing Co., Court Street, Campbellsville, Ky., effective 4-4-51 to 4-3-52; 5 percent normal labor turnover.

Van Raalte Co., Inc., Pleasant Street, Randolph, Vt., effective 4-1-51 to 9-30-51; 20 learners for expansion purposes only.

School-operated industries. The following special learner certificate was issued to the school-operated industry listed below:

Enterprise Academy, Enterprise, Kans., effective 3-6-51 to 3-5-52; two learners. Industry, printsLop; occupations, skilled and semiskilled operations only; 360 hours; 50 cents per hour.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Wm. E. Asplin Basket Co., 3776 West One Hundred Fiftieth Street, Cleveland, Ohio, effective 5-1-51 to 10-31-51; five learners for normal labor turnover; braider, banding, basket making and handle making machine operators; 160 hours; 60 cents per hour (vegetable baskets).

Wm. E. Asplin Basket Co., Garrettsville, Ohio, effective 3-28-51 to 9-27-51; five learners for normal labor turnover; braider, banding, basket making and handle making machine operators; 160 hours; 60 cents per hour (fruit and vegetable baskets).

Carroll Manufacturing Co., Westminster, Md., effective 4-1-51 to 3-31-52; 7 percent normal labor turnover; machine operating (except cutting), pressing, and hand-sewing, each 480 hours; not less than 60 cents per hour for first 240 hours, and at least 65 cents per hour for remaining 240 hours (men's and boys' clothing).

Carolyn Chenilles, Inc., Sweetwater, Tenn., effective 4-2-51 to 10-1-51; 30 learners for normal labor turnover; chenille machine operator; 320 hours; not less than 55 cents per hour for first 160 hours, and not less than 65 cents per hour for remaining 160 hours (tufted chenille bedspreads).

Fulton Manufacturing Co., McConnellsburg, Pa., effective 3-28-51 to 3-27-52; 7 percent normal labor turnover, machine operating (except cutting), pressers, and handsewers, each 480 hours; not less than 60 cents per hour for first 240 hours, and at least 65 cents per hour for remaining 240 hours (men's coats).

G. & H. Manufacturing Co., Fredericksburg, Va., effective 4-1-51 to 3-31-52; 7 percent of productive factory force for normal labor turnover in the manufacture of men's clothing only; machine operating (except cutting), pressers, and handsewers, each 480 hours; not less than 60 cents per hour for first 240 hours, and at least 65 cents per hour for remaining 240 hours (men's and boys' clothing).

I. Pincus & Son, Philadelphia, Pa., effective 3-28-51 to 3-27-52; 7 percent normal labor turnover; machine operating (except cutting), pressers, and handsewers, each 480 hours; not less than 60 cents per hour for first 240 hours, and at least 65 cents per hour for remaining 240 hours (men's coats).

Lion Manufacturing Co., Everett, Pa., effective 4-1-51 to 3-31-52; 7 percent normal labor turnover; machine operating (except cutting), pressing, and hand sewing, each 480 hours; not less than 60 cents per hour for first 240 hours, and at least 65 cents per hour for remaining 240 hours (men's and boys' clothing).

Mount Union Manufacturing Co., Mount Union, Pa., effective 4-1-51 to 3-31-52; 7 percent normal labor turnover; machine operating (except cutting), pressers, and hand sewers, each 480 hours; not less than 60 cents per hour for first 240 hours, and at least 65 cents per hour for remaining 240 hours (men's and boys' clothing).

Schwob Manufacturing Co., Chipley, Ga., effective 4-1-51 to 3-31-52; seven learners for normal labor turnover; machine operating (except cutting), pressers, hand sewers, each 480 hours; not less than 60 cents per hour for first 240 hours, and at least 65 cents per hour for remaining 240 hours (suit pants and odd pants).

Schwob Manufacturing Co., Columbus, Ga., effective 4-1-51 to 3-31-52; seven percent normal labor turnover; machine operating (except cutting), pressers, and hand sewers, each 480 hours; not less than 60 cents per hour for first 240 hours, and at least 65 cents per hour for remaining 240 hours (men's suits, pants, and overcoats).

Staunton Manufacturing Co., Staunton, Va., effective 4-1-51 to 3-31-52; seven percent normal labor turnover; machine operating (except cutting), pressers, and hand sewers, each 480 hours; not less than 60 cents per hour for the first 240 hours, and at least 65 cents per hour for remaining 240 hours (men's and boys' clothing).

Stewartstown Manufacturing Co., Stewartstown, Pa., effective 4-1-51 to 3-31-52; 7 percent normal labor turnover; machine operating (except cutting), pressers, and hand sewers, each 480 hours; not less than 60 cents per hour for first 240 hours, and at least 65 cents per hour for remaining 240 hours (men's and boys' clothing).

United Cotton Goods Co., Inc., Seguin, Tex., effective 3-22-51 to 3-21-52; three learners for normal labor turnover; sewing machine operators, and hand sewers, each 480 hours; not less than 60 cents per hour for first 320 hours, and at least 65 cents per hour for the remaining 160 hours (miscellaneous cotton service goods, i. e., towels for linen supply trade, etc.).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificate. 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 Part 522.

Signed at Washington, D. C., this 5th day of April 1951.

ISABEL FERGUSON,
Authorized Representative of the Administrator.

[F. R. Doc. 51-4306; Filed, Apr. 11, 1951; 8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

[Gen. Order 7]

APPOINTMENT OF TEMPORARY EMERGENCY RAILROAD WAGE PANEL

By virtue of the authority vested in me as Economic Stabilization Administrator by Executive Order No. 10161 of September 9, 1950 (15 F. R. 6105), and in order to expedite the disposition of an urgent railroad wage matter now pending, and for other purposes, it is hereby determined and ordered:

SECTION 1. *Appointment of Temporary Emergency Railroad Wage Panel.* (a) A Temporary Emergency Railroad Wage Panel is hereby established.

(b) The Panel shall consist of three members appointed by the Administrator, one of whom shall be designated by the Administrator as Chairman.

(c) No member appointed shall be pecuniarily or otherwise interested in any carrier or in any organization representing employees of any carrier.

(d) The Administrator shall make provisions for appropriate compensation and expenses for the members of the Panel.

SEC. 2. *Functions of the Board.* (a) The Panel is directed and authorized to conduct hearings and otherwise investigate the circumstances and merits of the request for approval of increases in wages of certain non-operating railroad employees, filed by the Eastern Carriers' Conference Committee, the Western Carriers' Conference Committee, and the Southeastern Carriers' Conference Committee with the Administrator under date of March 27, 1951.

(b) The Panel is further directed and authorized to make findings of fact, and to report its findings and recommendations to the Administrator.

(c) The Panel may conduct hearings and investigations and make findings of fact and recommendations with respect to such other matters involving wages of employees subject to the Railway Labor Act as the Administrator may request.

(d) In making its findings and recommendations, the Panel shall give due consideration to the over-all national economic stabilization program, including wage stabilization regulations.

SEC. 3. *Railway Labor Act.* No provision hereof shall be deemed to interfere or conflict with the Railway Labor Act or any agency created thereby or thereunder.

SEC. 4. *Definitions.* (a) "Employees" means "employees" as defined in sec. 1 of the Railway Labor Act of "carriers" as defined in said act (45 U. S. C. 151).

(b) "Administrator" means the Economic Stabilization Administrator.

(c) "Panel" means the Temporary Emergency Railroad Wage Panel.

SEC. 5. *Tenure.* The members of the Panel shall serve until the Panel is dissolved or successors are appointed by the Administrator.

SEC. 6. *Executive Officer.* The Administrator shall appoint an Executive Officer, who shall serve as administrative aide to the Panel and shall otherwise assist the Panel in its functions.

SEC. 7. *Effective date.* This general order shall become effective at 6:35 p. m., Monday, April 9, 1951.

General Order No. 3 of January 24, 1951 (16 F. R. 739), is hereby superseded to the extent that it is inconsistent herewith.

Issued: April 9, 1951.

ERIC JOHNSTON,
Economic Stabilization Administrator.

[F. R. Doc. 51-4368; Filed, Apr. 10, 1951; 1:17 p. m.]

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 1]

NORTH STAR WOOLEN MILL CO., CEILING PRICES AT RETAIL

STATEMENT OF CONSIDERATIONS

Correction

In F. R. Document 51-4117, appearing in the issue for Thursday, April 5, 1951, on page 2989, the figure "19.95" in the list of prices for all wool blankets under the column "Ceiling price at retail" should read "[1] 19.45".

DEPARTMENT OF COMMERCE

Federal Maritime Board

[No. 709]

ALASKA HERRING PACKERS ASSN. ET AL. AND ALASKA STEAMSHIP COMPANY

NOTICE OF HEARING

This case involves increased rates of respondent on fish meal, in sacks, and fish oil from Southeastern and Southwestern Alaskan ports to Seattle, Washington. In a petition filed on behalf of Alaska Herring Packers Association and members thereof, it was alleged that such rates were in violation of the Shipping Act, 1916, and request was made that they be suspended. The Board, on April 3, 1951, ordered that the rates be not suspended; that the complaint presented by the petition be set for hearing; that respondent deposit in a separate account all money representing increased revenue accruing subsequent to April 5, 1951; that respondent, upon entry of the Board's final order in the complaint proceeding repay to shippers, out of the aforementioned account, the sums, if any, to which they may be entitled; that all sums in the account other than sums which the Board may order repaid to shippers shall, upon entry of and compliance with the order, become unconditionally the property of respondent, and that respondent shall be relieved of further obligation to maintain said account or to make further deposits therein.

The hearing will be held beginning at 10 o'clock a. m., May 7, 1951, in Seattle, Washington, before Examiner F. J. Horan.

Notice of the place of hearing will be issued later.

All persons desiring to intervene in this proceeding are requested to notify the Board accordingly on or before April 23, 1951, and should file intervening petitions in accordance with the rules of procedure.

Dated: April 3, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-4323; Filed, Apr. 11, 1951; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1646]

TEXAS EASTERN TRANSMISSION CORP. ET AL.

NOTICE OF APPLICATION

APRIL 9, 1951.

In the matter of Texas Eastern Transmission Corporation, The East Ohio Gas Company, New York State Natural Gas Corporation; Docket No. G-1646.

Take notice that Texas Eastern Transmission Corporation (Texas Eastern), a Delaware corporation, address, Shreveport, Louisiana, The East Ohio Gas Company (East Ohio), an Ohio corporation, address, Cleveland, Ohio, and New York State Natural Gas Corporation (New York State Natural), a New York corporation, address, Pittsburgh, Pennsylvania (hereinafter sometimes referred to as Applicants) filed on March 30, 1951, a joint application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing, for a limited period, the emergency delivery, exchange and transportation, through the existing pipelines of East Ohio and New York State Natural, of base storage gas for the Oakford Storage Pool, Westmoreland County, Pennsylvania, pending the completion by Texas Eastern of its lateral pipeline to such storage pool.

Applicants state that Texas Eastern now has natural gas available for injection into the Oakford Storage Pool during the storage months of April through October 1951, but due to delay in receipt of materials, the lateral pipeline required for such deliveries into storage has not been completed. Applicants propose to utilize the pipelines of East Ohio and New York State Natural which are not utilized to capacity during the input storage months to deliver Texas Eastern's storage gas to the storage area. This is proposed to be accomplished by the delivery of gas by Texas Eastern to East Ohio at the existing Mullett Farm connection in Ohio and the successive exchange and transportation of like quantities of gas by East Ohio and New York State Natural for the account of Texas Eastern for ultimate delivery into the Oakford Storage Pool as Texas Eastern's share of the base storage gas for the injection period, as heretofore authorized by the Commission in Docket No. G-1391. Applicants have entered into an agreement dated March 30, 1951, to effect the proposed temporary operating arrangement, and they estimate that quantities up to approximately 30,000 Mcf per day of natural gas will be handled in accordance therewith. The agreement provides for termination upon the completion of Texas Eastern's lateral to the Oakford Storage Pool or on November 1, 1951, whichever first occurs.

Applicants propose to perform the operations without undertaking any additional service and they state that such operations can be performed with the use of existing facilities and without incurring additional operating costs.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 27th day of April 1951. The joint application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-4321; Filed, Apr. 11, 1951; 8:49 a. m.]

[Docket No. G-1648]

CENTRAL KENTUCKY NATURAL GAS CO.

NOTICE OF APPLICATION

APRIL 9, 1951.

Take notice that Central Kentucky Natural Gas Company (Applicant), a Kentucky corporation, address, Charleston, West Virginia, filed on April 2, 1951, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of approximately 12.8 miles of 20-inch loop pipeline paralleling Applicant's existing 14-inch line extending northwestward from North Means, Kentucky.

Applicant proposes, by means of the proposed facilities, to increase the estimated capacity of its existing facilities from 247,000 Mcf per day of natural gas to 299,000 Mcf per day. This increase of 52,000 Mcf per day of natural gas is proposed to be used to make deliveries to Applicant's customers in the Cincinnati, Ohio, area to meet their estimated peak day requirements during the winter of 1951-52.

The estimated cost of the proposed facilities is $780,000 and Applicant proposes to finance the cost of construction by the issuance and sale of securities to its parent company, The Columbia Gas System, Inc.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 27th day of April 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-4322; Filed, Apr. 11, 1951; 8:49 a. m.]

[Docket No. G-1653]

MISSISSIPPI RIVER FUEL CORP.

NOTICE OF APPLICATION

APRIL 6, 1951.

Take notice that Mississippi River Fuel Corporation (Applicant), a Delaware corporation, of 407 North Eighth Street, St. Louis, Missouri, filed on April 4, 1951, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas transmission pipeline facilities hereinafter described.

The principal facilities proposed to be constructed and operated by Applicant are:

(a) A natural gas transmission pipeline approximately 98 miles in length, beginning in Lincoln Parish, Louisiana, at the southwestern terminus of Applicant's existing Perryville-California Company pipeline authorized in Docket Nos. G-1281 and G-1490, and extending westwardly to the Woodlawn Gas Field in Harrison County, Texas, the said pipeline to consist of approximately 5 miles of 18-inch and 93 miles of 16-inch diameter pipe, and 1.1 miles of 12-inch diameter pipe in two lines across the Red River.

(b) Approximately 11 miles of 10-inch diameter natural gas transmission pipeline beginning at a point on the proposed line to the Woodlawn Field approximately 14 miles east of the Woodlawn Field line terminus, and extending southwardly to the Waskom Field in Harrison County, Texas.

(c) Approximately 200 horsepower compressor facilities to be installed on the Perryville-California Company pipeline at the California Company gasoline plant.

The estimated cost of the facilities proposed to be constructed is $5,135,070 exclusive of gathering lines to be installed initially, which are estimated in the application at $489,147. Applicant states that arrangements for borrowing money to finance the project are presently being made.

The purpose of the proposed facilities, according to the application, is to enable Applicant to obtain supplies of natural gas from two additional sources as follows:

(a) From Stanolind Oil and Gas Company and Continental Oil Company out of the Woodlawn Field of Harrison County, Texas, and

(b) From Ed E. Hurley and Byrd Oil Corporation out of the Waskom Field, Harrison County, Texas.

Applicant states that the substantial terms of gas purchase contracts have been agreed upon with the above-named prospective suppliers and that it expects to execute within a few days such contracts under which the quantities of gas available will be variable "but will probably total not less than 50,000 Mcf per day during the 1951-52 heating season." Applicant further states that reserve studies are being made and that the contracts and studies will be filed as a supplement to its application as soon as available.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.10) on or before the 27th day of April 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-4320; Filed, Apr. 11, 1951; 8:49 a. m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

Section III, *Field organization and final delegations of authority,* is amended as follows:

Paragraph b 6 (k) is amended to read as follows:

(k) To renew and extend leases and use permits for sites, including the buildings and facilities thereon.

Date approved: April 3, 1951.

[SEAL] JOHN TAYLOR EGAN, *Commissioner.*

[F. R. Doc. 51-4324; Filed, Apr. 11, 1951; 8:50 a. m.]

DESCRIPTION OF AGENCY AND PROGRAMS AND FINAL DELEGATIONS OF AUTHORITY

Section III, *Field organization and final delegations of authority,* is amended as follows:

Subparagraph (d) is added to Section III b 9, as follows:

(d) To renew and extend leases and use permits for sites, including the buildings and facilities thereon.

Date approved: March 29, 1951.

[SEAL] JOHN TAYLOR EGAN, *Commissioner.*

[F. R. Doc. 51-4325; Filed, Apr. 11, 1951; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2593]

CENTRAL AND SOUTH WEST CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 5th day of April A. D. 1951.

Central and South West Corporation ("Central"), a registered holding company, having filed a declaration, pursuant to sections 6 (a), 7 and 12 (e) of the Public Utility Holding Company Act of 1935 ("act") and Rules U-62 and U-100 of the rules and regulations promulgated thereunder, with respect to the following transactions:

Central proposes to amend its Articles of Incorporation so as to (1) increase its authorized capital stock from 8,000,000 shares of $5 par value common stock to 10,000,000 shares of $5 par value common stock and (2) limit the present preemptive rights of its common stockholders so as to permit the sale for cash of shares of common stock, or any securities convertible into common stock, either by means of a public offering, or to or through underwriters or investment bankers who shall have agreed promptly to make a public offering of such shares or securities.

The declaration states that, under the laws of Delaware, the affirmative vote of the holders of a majority of the outstanding common stock is required for the adoption of each of said amendments.

Central proposes to solicit the holders of its common stock for proxies to be voted at the annual meeting to be held on May 15, 1951 in favor of the proposed amendments to its Articles of Incorporation. The declaration states that Central may retain the services of Dudley King, a professional solicitor, to assist in the solicitation of proxies from a specified group of stockholders, consisting primarily of dealers, commercial banks, trust companies and other institutional investors, and if so retained, the charges and expenses of the solicitor, not to exceed $2,000, will be paid by Central. Other fees and expenses to be incurred by Central in connection with the proposed transactions are estimated at $4,500.

Said declaration having been filed on March 15, 1951, and notice of said filing having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding with respect to said declaration that the requirements of the applicable provisions of the act and the rules promulgated thereunder are satisfied, that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers to permit said declaration to become effective and to grant declarant's request that the order herein be accelerated and become effective upon the issuance thereof:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, and subject to the terms and conditions contained in Rule U-24, that said declaration be, and the same hereby is, permitted to become effective.

It is further ordered, That this order shall become effective upon its issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary*.

[F. R. Doc. 51-4309; Filed, Apr. 11, 1951; 8:47 a. m.]

[File No. 70-2604]

HARRISBURG GAS CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of April A. D. 1951.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by The Harrisburg Gas Company ("Harrisburg"), a public utility subsidiary of the United Gas Improvement Company, a registered holding company. Declarant has designated section 6 (b) of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than April 23, 1951, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 23, 1951, said declaration as filed, or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Harrisburg proposes to issue and sell $1,000,000 principal amount of its First Mortgage Bonds, 3.15 percent series due 1976, for $1,000,000 in cash to the following:

	Principal amount
The Philadelphia Savings Fund Society, Philadelphia, Pa	$600,000
The Beneficial Savings Fund Society, Philadelphia, Pa	400,000
Total	1,000,000

The proceeds from the sale of the bonds will be used to repay certain notes and open account indebtedness and to finance Harrisburg's construction program for 1951.

It is stated that the proposed sale of bonds by Harrisburg is subject to the jurisdiction of the Pennsylvania Public Utility Commission and that the approval of that body will be filed herein by amendment.

By the Commission.

[SEAL] NELLYE A. THORSEN, *Assistant Secretary*.

[F. R. Doc. 51-4310; Filed, Apr. 11, 1951; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 17586]

ACTIENGESELLSCHAFT HACKERBRÄU

In re: Debt owing to Actiengesellschaft Hackerbräu. F-28-31181.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Actiengesellschaft Hackerbräu, the last known address of which is Munich, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Munich, Germany, and is a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations of Albert Reichert and J. E. Posty, formerly known as J. A. Poestges, 2 Horatio Street, New York, New York, arising by reason of a loan by Actiengesellschaft Hackerbräu to Albert Reichert, Inc., guaranteed by Albert Reichert and J. E. Posty, formerly known as J. A. Poestges, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Actiengesellschaft Hackerbräu, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON, *Assistant Attorney General, Director, Office of Alien Property*.

[F. R. Doc. 51-4292; Filed, Apr. 10, 1951; 8:51 a. m.]

[Vesting Order 17587]

CERTAIN JAPANESE NATIONALS

In re: Funds owned by nationals of Japan whose names are unknown. F-39-3191.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the property described in subparagraph 3 hereof is being held by the Secretary of the Treasury, Washington, D. C., in a special deposit account entitled "Secretary of the Treasury, Proceeds of Withheld Foreign Checks."

2. That although the names of the owners of the property described in subparagraph 3 hereof are not available, such persons, who, if individuals, there is reasonable cause to believe are residents of Japan and, if partnerships corporations, associations, or other organizations, there is reasonable cause to believe are organized under the laws of, or have or, on or since the effective date of Executive Order 8389, as amended, have had their principal places of business in Japan, are residents of a designated enemy country (Japan), and

3. All funds presently on deposit with the Bureau of Accounts, Treasury Department, Washington, D. C., for the credit of Japanese Participation in the New York World's Fair, Inc., 1939 in the amount of $55.60 as of September 30, 1948 and for the credit of Japanese Participation in the New York World's Fair, Inc., 1940 in the amount of $102.52 as of September 30, 1948, said funds representing the proceeds of withheld checks issued for the payment of refunds authorized by the Bureau of Customs, and maintained in a special deposit account, entitled "Secretary of the Treasury, Proceeds of Withheld Foreign Checks," together with any and all accruals since September 30, 1948 and any and all rights to demand, enforce and collect the aforesaid funds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the persons referred to in subparagraph 2 hereof, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

4. That to the extent that the persons referred to in subparagraph 2 hereof are not within a designated enemy country,

the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-4293; Filed, Apr. 10, 1951; 8:51 a. m.]

[Vesting Order 17588]

KEISHIRO KAWAMOTO

In re: Stock owned by Keishiro Kawamoto also known as K. Kawamoto. F-39-6991.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Keishiro Kawamoto, also known as K. Kawamoto, whose last known address is 691 Hosono, Yagimuru, Asagun, Hiroshima-Ken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Two hundred and fifty (250) shares of $1.00 par value common capital stock of The City Market of Los Angeles, 1057 South San Pedro Street, Los Angeles 15, California, a corporation organized under the laws of the State of California, evidenced by certificate number 1433, registered in the name of K. Kawamoto, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Keishiro Kawamoto also known as K. Kawamoto, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-4294; Filed, Apr. 10, 1951; 8:51 a. m.]

[Vesting Order 17589]

KARL AND OLGA MOELLER

In re: Bank accounts owned by Karl Moeller and Olga Moeller. F-28-31413.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Karl Moeller and Olga Moeller, whose last known addresses are Fulda, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain debt or other obligation of The First National Bank of Jersey City, N. J., 1 Exchange Place, Jersey City, New Jersey, arising out of a savings account, account number 440, entitled Karl or Olga Moeller, maintained with said bank, and any and all rights to demand, enforce and collect the same, and

b. That certain debt or other obligation of Commonwealth Trust Company, Summit Avenue at Seventh Street, Union City, New Jersey, arising out of a blocked account, account number 35193, entitled Karl Moeller and Olga Moeller, maintained at the Seventh Street Office of said Company, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Karl Moeller and Olga Moeller, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-4295; Filed, Apr. 10, 1951; 8:51 a. m.]

[Vesting Order 17543]

EUGENE KREIGSHAUSER

In re: Stock and bonds owned by and debt owing to Eugene Kreigshauser, also known as Eugen Kreigshaeuser. F-27-4289.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Eugene Kreigshauser, also known as Eugen Kreigshaeuser, whose last known address is 580 Weinstrasse, Diedesfeld, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Thirty (30) shares of no par value common capital stock of Bethlehem Steel Corporation, 25 Broadway, New York, New York, a corporation organized under the laws of the State of Delaware, evidenced by certificates numbered L237901 for 10 shares and L360862 for 20 shares, registered in the name of L. D. Pickering & Company, and presently in the custody of Bank of Manhattan Company, 40 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon,

b. Two (2) shares of $15.00 par value capital stock of Consolidated Natural Gas Company, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered O132692, registered in the name of L. D. Pickering & Company, and presently in the custody of Bank of Manhattan Company, 40 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon,

c. Twenty-two (22) shares of $25.00 par value common capital stock of Pacific Gas & Electric Company, 245 Market Street, San Francisco 6, California, a corporation organized under the laws of the State of California, evidenced by certificates numbered NF323693 for 2 shares and NF203227 for 20 shares, registered in the name of L. D. Pickering & Company, and presently in the custody of Bank of Manhattan Company, 40 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon,

d. Twenty (20) shares of $25.00 par value capital stock of Standard Oil Company (New Jersey), 30 Rockefeller Plaza, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by a certificate numbered CC149580, registered in the name of L. D. Pickering & Company, and presently in the custody of Bank of Manhattan Company, 40 Wall Street, New York, New York, together with all declared and unpaid dividends thereon,

e. Forty-five (45) shares of no par value common capital stock of United States Steel Corporation, 71 Broadway, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by certificates numbered P-200983 for 15 shares and X-145681 for 30 shares, registered in the name of L. D. Pickering & Company, and presently in the custody of Bank of Manhattan Company, 40 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon,

f. One (1) Illinois Central Railroad Company 40 year ¾ percent Gold Bond of $1,000.00 face value, bearing the number M4795, in bearer form, presently in the custody of Bank of Manhattan Company, 40 Wall Street, New York 15, New York, together with any and all rights thereunder and thereto,

g. One (1) Southern Pacific Company 40 year 4½ Percent Gold Bond of $1,000.00 face value, bearing the number 15223, in bearer form, presently in the custody of Bank of Manhattan Company, 40 Wall Street, New York 15, New York, together with any and all rights thereunder and thereto,

h. One (1) Southern Railway Company Series A 4 Percent Gold Bond of $1,000.00 face value, bearing the number 30031, in bearer form, presently in the custody of Bank of Manhattan Company, 40 Wall Street, New York 15, New York, together with any and all rights thereunder and thereto, and

i. That certain debt or other obligation of Bank of Manhattan Company, 40 Wall Street, New York 15, New York, arising out of a cash account, entitled "Rotterdamsche Bank, N. V., Amsterdam, Holland, Claimant—Eugene Kreigshauser—Blocked Account", maintained at the aforesaid Company, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Eugene Kreigshauser, also known as Eugen Kreigshaeuser, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 19, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-4333; Filed, Apr. 11, 1951; 8:51 a. m.]

[VESTING ORDER 17554]

JENNIE BASS ET AL.

In re: Jennie Bass, Plaintiff, v. Martha Pyttel, et al., Defendants. File No. D-28-12976 (Mortgage Foreclosure).

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Martha Pyttel, Meta Lipke, Franz Knoren, Walter Perlberg, Erich Knoren, Franz Knoren, Paula Helken and Frieda Grolms, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the proceeds from the sale of real estate sold pursuant to Court Order in a foreclosure action entitled "Jennie Bass, Plaintiff, v. Martha Pyttel, et al., Defendants" in the Supreme Court of the State of New York, County of Kings, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Harold Travin, as Referee, acting under the judicial supervision of the Supreme Court of the State of New York, County of Kings;

and it is hereby determined:

4. That to the extent that the persons identified in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 23, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-4334; Filed, Apr. 11, 1951; 8:51 a. m.]

[Vesting Order 17555]

OTTO DOEHRINGER

In re: Estate of Otto Doehringer, deceased. File No. D-28-12386; E. T. sec. 16603.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Anne Gertrud Steinert, who on or since the effective date of Executive Order 8389, as amended, and on or since December 11, 1941 has been a resident of Germany, is a national of a designated enemy country (Germany);

2. That Anna Margarete Steinert, also known as Grete Steinert, nee Huessen, and Christel Margarete Eschenburg, nee Steinert, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of Otto Doehringer, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by William F. Crosby, as administrator, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of San Mateo, Redwood City, California;

and it is hereby determined:

5. That the national interest of the United States requires that Anne Gertrud Steinert be treated as a national of a designated enemy country (Germany);

6. That to the extent that the persons identified in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 23, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-4335; Filed, Apr. 11, 1951; 8:51 a. m.]

[Vesting Order 17561]

JOHN KELLERMAN

In re: Estate of John Kellerman, deceased. File No. D-28-12977.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Marx Heinrich Wilhelm Peters; Joachim Heinrich Wilhelm Peters; Helene Marie Margarethe Schmitz, nee Eggert-Kiel; Johanna Margareta Henriette Christine Kellerman and Friedrich Christian Detlev Kellerman, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Helene Sophie Henriette Eggert, nee Kellerman, deceased, of Johanna Margareta Henriette Christine Kellerman, and of Friedrich Christian Detlev Kellerman, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the estate of John Kellerman, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by the Treasurer of the City of New York, as depositary, acting under the judicial supervision of the Surrogate's Court of Bronx County, New York;

and it is hereby determined:

5. That to the extent that the persons identified in subparagraph 1 hereof, and the domiciliary personal representatives, heirs, next-of-kin, legatees and distributees, names unknown, of Helene Sophie Henriette Eggert, nee Kellerman, deceased, of Johanna Margareta Henriette Christine Kellerman, and of Friedrich Christian Detlev Kellerman are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 23, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-4337; Filed, Apr. 11, 1951; 8:51 a. m.]

[Vesting Order 17559]

BETTY HOLTORF

In re: Estate of Betty Holtorf, also known as Rebecka Susanne Holtorf, deceased. File No. F-28-11460; E. & T. sec. 16877.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Hanna Gaudian, Walter Holtorf, Helmut Holtorf, Hans-jurgen Holtorf, Anny Gaudian, Henny Holtorf, and Adolf Holtorf, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraph 1 hereof, and each of them, in and to the estate of Betty Holtorf, also known as Rebecka Susanne Holtorf, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Lillian Watters, as ancillary administratrix, acting under the judicial supervision of the Surrogate's Court of New York County, New York;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 23, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-4336; Filed, Apr. 11, 1951; 8:51 a. m.]

[Vesting Order 17590]

FRITZ OTTENBERG

In re: Debts owing to Fritz Ottenberg. F-28-31415-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Fritz Ottenberg, whose last known address is 25 Weimarische Strasse, Berlin-Wilmersdorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations evidenced by two (2) checks drawn by the Comptroller of the Currency on the Bethlehem National Bank of Bethlehem, Pennsylvania, payable to Fritz Ottenberg, dated February 1, 1940 and July 30, 1943, numbered M 928993 and Q 64497, in the amounts of $40.20 and $92.06 respectively, said checks representing the fourth and fifth (final) dividends on Claim number 4550 proved against The Bethlehem National Bank of Bethlehem, Pennsylvania, presently in the custody of the Division of Insolvent National Banks, Office of the Comptroller of the Currency, Treasury Department, Washington, D. C., together with all rights in, to and under, including particularly, but not limited to, the right to possession and presentation for collection and payment of the aforesaid checks, and any and all rights to demand, enforce and collect the aforesaid debts or other obligations,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Fritz Ottenberg, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest, There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 51-4339; Filed, Apr. 11, 1951; 8:52 a. m.]

THEA STERNHEIM

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Thea Sternheim, Paris, France, Claim No. 36066. An oil painting by Gauguin, entitled "Three Dogs, Three Wineglasses, Three Apples," presently in the custody of the Manhattan Storage & Warehouse Company, 80th St., and 3d Avenue, New York, New York.

Executed at Washington, D. C., on April 4, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 51-4300; Filed, Apr. 10, 1951; 8:52 a. m.]

[Vesting Order 17583]

C. H. FUERSTENAU

In re: Bonds owned by C. H. Fuerstenau. F-28-27173-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That C. H. Fuerstenau, who there is reasonable cause to believe is a resident of Germany, is a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations matured or unmatured evidenced by four (4) First Mortgage Bonds of Harvey Masonic Association, Harvey, Illinois each of $100.00 face value, due November 1, 1945, bearing the numbers 54 to 57 both inclusive, registered in the name of C. H. Fuerstenau, and any and all rights to demand and enforce the aforesaid debts or other obligations, together with any all rights in, to and under said bonds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by C. H. Fuerstenau, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 30, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 51-4338; Filed, Apr. 11, 1951; 8:52 a. m.]