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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 2—APPOINTMENT THROUGH THE COMPETITIVE SYSTEM

DELAYED FILING OF APPLICATIONS BY VETERANS AND PERSONS SERVING OVERSEAS

Effective upon publication in the *FEDERAL REGISTER*, § 2.105 (b) is amended to read as set out below. The definition of "foreign service" in subparagraph (2) has been changed to exclude Puerto Rico, the Virgin Islands, and the Panama Canal Zone, in addition to Hawaii. Minor changes in language which do not affect the substance have been made in subparagraph (2), as well as in the other subparagraphs.

§ 2.105 *Delayed filing of applications by veterans and persons serving overseas.*

(b) Applications for an examination will be accepted after the closing date of such examination from the person described below, subject to the conditions specified:

(1) Any person who was unable to file application for an examination or to appear for any assembled test because of service in the armed forces of the United States, or because of hospitalization continuing for not more than one year following discharge from such forces. He may file for any examination that was open during such service or hospitalization. He may also file application for any examination announced within 120 days after his separation from the armed forces or hospitalization. Application from such person may be filed while in the armed forces or during hospitalization, but must be filed within 120 days after honorable separation from such forces or from hospitalization and prior to the expiration of the register established as a result of the examination. A person serving in the armed forces or undergoing hospitalization will not be certified for appointment until he notifies the Commission that he will soon be available for appointment.

(2) Any citizen who was unable to file application for an examination or to appear for any assembled test because of foreign service with a Federal agency or an international organization in which

the U. S. Government participates. He may file for any examination that was open during such foreign service. He may also file application for any examination announced within 120 days after his return from foreign service. Application from such person may be filed while in foreign service, but must be filed within 120 days after his return from foreign service and prior to expiration of the register established as a result of the examination. The applicant must certify, in his application or in a supporting statement, the facts which justify acceptance of his application under this subparagraph. He must show the Federal agency or international organization in which employed in foreign service, and the exact date of departure for and return from foreign service. "Foreign service" as used in this section shall be service in an area outside the United States proper, but shall not include service in Hawaii, Puerto Rico, the Virgin Islands, and the Panama Canal Zone.

(3) Any person who meets the conditions of subparagraph (1) of this paragraph and leaves the armed forces to enter foreign service with a Federal agency, or an international organization in which the U. S. Government participates, and thus meets the conditions of subparagraph (2) of this paragraph, may file application within 120 days after his return from foreign service for examinations that were open either while he was in the armed forces or while he was in foreign service or that were announced within 120 days after his return from foreign service. Application must be filed prior to the expiration of the register established as a result of such examination.

(4) Any person in the employ of the Federal Government who is a member of a reserve unit of the armed forces and who is unable to file application for an examination or to appear for an assembled test because of active duty beyond fifteen days with the armed forces even though the duty is designated for training purposes. He may also file application for any examination announced within 120 days after his release from such duty. Application from such person may be filed while on active duty, but must be filed within 120 days after

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CFR SUPPLEMENTS

(For use during 1954)

The following Supplement is now available:

Title 38 (\$2.00)

Previously announced: Title 3, 1953 Supp. (\$1.50); Titles 4-5 (\$0.60); Title 6 (\$2.00); Title 7: Parts 1-209, Revised 1953 (\$7.75); Part 900 to end (\$1.25); Title 8 (\$0.35); Title 9 (\$0.50); Titles 10-13 (\$0.50); Title 14: Parts 1-399 (\$1.25); Part 400 to end (\$0.50); Title 15 (\$1.25); Title 16 (\$1.00); Title 17 (\$0.50); Title 18 (\$0.45); Title 20 (\$0.70); Title 21 (\$1.50); Titles 22-23 (\$1.00); Title 24 (\$0.75); Title 25 (\$0.45); Title 26: Parts 1-79, Revised 1953 (\$7.75); Parts 80-169 (\$0.50); Parts 170-182 (\$0.75); Parts 183-299, Revised 1953 (\$5.50); Part 300 to end, and Title 27 (\$1.00); Titles 28-29 (\$1.25); Titles 30-31 (\$1.00); Title 32: Parts 1-699 (\$1.75); Part 700 to end (\$2.25); Title 33 (\$1.25); Titles 35-37 (\$0.70); Title 39 (\$2.00); Titles 40-42 (\$0.50); Titles 44-45 (\$0.75); Title 46: Parts 1-145 (\$0.35); Title 49: Parts 1-70 (\$0.60); Parts 71-90 (\$0.65); Parts 91-164 (\$0.45); Part 165 to end (\$0.60); Title 50 (\$0.55)

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his release from such duty and prior to expiration of the register established as the result of the examination. The applicant must certify, in his application or in a supporting statement, the facts which justify acceptance of his application under this subparagraph. He must show the exact dates and actual period of his active duty status and the branch of the service by which called for active duty.

(R. S. 1753; sec. 2, 22 Stat. 403, 50 Stat. 533; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 54-5311; Filed, July 12, 1954; 8:51 a. m.]

PART 27—EXCLUSION FROM PROVISIONS OF THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED, AND THE CLASSIFICATION ACT OF 1949, AS AMENDED, AND ESTABLISHMENT OF MAXIMUM STIPENDS FOR POSITIONS IN GOVERNMENT HOSPITALS FILLED BY STUDENT OR RESIDENT TRAINEES

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

1. Effective July 1, 1954, the items under § 27.1 for clinical psychology interns at St. Elizabeths Hospital and the U. S. Public Health Service are revoked and items for clinical psychology intern and resident positions in the Department of Health, Education, and Welfare are added to § 27.1 as follows:

§ 27.1 *Exclusion from provisions of Federal Employees Pay Act and the Classification Act.* * * *

Interns in clinical psychology, Department of Health, Education, and Welfare, second year approved postgraduate training (pre-doctoral), third year approved postgraduate training (pre-doctoral), and fourth year approved postgraduate training (pre-doctoral).

Clinical psychology residents, Department of Health, Education, and Welfare, fifth year approved postgraduate training (post-doctoral) and sixth year approved postgraduate training (post-doctoral).

2. Effective July 1, 1954, the maximum stipends prescribed under § 27.2 for positions of clinical psychology interns at St. Elizabeths Hospital and the U. S. Public Health Service are revoked, and maximum stipends are prescribed for clinical psychology intern and resident positions in the Department of Health, Education, and Welfare as follows:

§ 27.2 *Maximum stipends prescribed.* * * *

Clinical psychology interns, Department of Health, Education, and Welfare:	
Second year approved postgraduate training (pre-doctoral).....	\$2,200
Third year approved postgraduate training (pre-doctoral).....	2,400
Fourth year approved postgraduate training (pre-doctoral).....	2,600
Clinical psychology residents, Department of Health, Education, and Welfare:	
Fifth year approved postgraduate training (post-doctoral).....	2,800
Sixth year approved postgraduate training (post-doctoral).....	3,400

(61 Stat. 727; 5 U. S. C. 1051-1058)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 54-5310; Filed, July 12, 1954; 8:51 a. m.]

Chapter III—Foreign and Territorial Compensation

DELETION OF SUBCHAPTER DESIGNATION

EDITORIAL NOTE: The subchapter designations in Title 5, Chapter III (Subchapter A—Presidential Regulations, Subchapter B—The Secretary of State, Subchapter C—Civil Service Commission) are hereby deleted.

[Departmental Reg. 108.224]

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

UNHEALTHFUL PLACES

1. Pursuant to section 853 of the Foreign Service Act of 1946 and section 503 of Executive Order 10261 dated June 27, 1951, the following places are hereby added to the list of unhealthful places in § 301.61, established by Executive Order No. 5644 of June 8, 1931, as amended by the second paragraph of Executive Order No. 6942 of January 8, 1935, Executive Order No. 7062 of June 5, 1935, Executive Order No. 10000 of September 16, 1948, and Departmental Regulation 108.149 of March 13, 1952.

Khartoum, Anglo-Egyptian Sudan.
Phnom Penh, Cambodia.
Vientiane, Laos.

2. The effective date of inclusion of the above places on the list of unhealthful places shall be January 1, 1942.

3. The designation of the following places in § 301.61 as unhealthful is hereby cancelled:

Barranquilla, Columbia.
Bogota, Columbia.
Ciudad Trujillo, Dominican Republic
Guaymas, Mexico.
Hong Kong, Hong Kong.
Kuala Lumpur, Malaya.
Maracaibo, Venezuela.
Recife, Pernambuco, Brazil.
Salvador, Bahia, Brazil.
Santiago de Cuba, Cuba.
Singapore, Singapore.
Tegucigalpa, Honduras.
Vitoria, Brazil.

4. The cancellation of the designation of the above places as unhealthful shall not affect any credit which has accrued for services at these places prior to the date of this regulation.

(E. O. 5644, June 8, 1931, as amended by E. O. 6942, Jan. 8, 1935, E. O. 7062, June 5, 1935, and E. O. 10000, Sept. 16, 1948, 13 P. R. 5456, 3 CFR, 1948 Supp.)

EDWARD T. WAILES,
Assistant Secretary of State.

JUNE 1, 1954.

[F. R. Doc. 54-5285; Filed, July 12, 1954; 8:45 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans
[FHA Instruction 401.2]

PART 311—BASIC REGULATIONS

SUBPART B—LOAN LIMITATIONS

AVERAGE VALUES OF FARMS; PUERTO RICO

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, the average value of efficient family-type farm-management units for each of the counties identified below (19 F. R. 2441) is determined to be as herein set forth; and § 311.29 in Title 6 of the Code of Federal Regulations is amended by adding said counties and average

values to the tabulations contained in said section under Puerto Rico.

Puerto Rico	
County:	Average value
Humacao	\$18,000
Manati	17,000
Rio Grande	18,000

(Sec. 41 (i), 60 Stat. 1066; 7 U. S. C. 1015 (i), Interprets or applies sec. 3 (a), 60 Stat. 1074; 7 U. S. C. 1003 (a))

Issued this 7th day of July 1954.

[SEAL] R. B. McLEAISH,
Administrator,
Farmers Home Administration.

[P. R. Doc. 54-5284 Filed, July 12, 1954;
8:45 a. m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases and Other Operations

[1954 C. C. C. Grain Price Support Bulletin 1, Suppl. 2, Wheat]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1954-CROP WHEAT LOAN AND PURCHASE AGREEMENT PROGRAM

SUPPORT RATES

The 1954 C. C. C. Grain Price Support Bulletin 1, as amended 19 F. R. 967 and 1595, issued by the Commodity Credit Corporation and containing the regulations of a general nature with respect to price support operations for certain grains and other commodities produced in 1954 was supplemented by 1954 C. C. C. Grain Price Support Bulletin 1, Supplement 1, Wheat, as amended, 19 F. R. 1627 and 2562, containing specific requirements applicable to price support operations on the 1954 wheat crop. These regulations are further supplemented by the addition of the following material to § 421.438:

(d) *Support rates.* Loans will be made, and wheat delivered under purchase agreements will be purchased at the support rates set forth in this section.

(1) *Basic support rates at designated terminal markets.* Basic support rates per bushel for Grade No. 1 of the subclasses Dark Northern Spring, Northern Spring, Red Spring, Durum, Dark Hard Winter, Hard Winter, Yellow Hard Winter and Hard White, stored in approved warehouses at the terminal markets listed below are as follows:

Terminal market:	Rate per bushel
Albany, N. Y.	\$2.67
Astoria, Oreg.	2.48
Baltimore, Md.	2.67
Cairo, Ill.	2.58
Chicago, Ill.	2.58
Corpus Christi, Tex.	2.69
Council Bluffs, Iowa	2.54
Duluth, Minn.	2.57
East Saint Louis, Ill.	2.58
Galveston, Tex.	2.69
Houston, Tex.	2.69
Kansas City, Kans.	2.54
Kansas City, Mo.	2.54
Longview, Wash.	2.48
Los Angeles, Calif.	2.48

Terminal market—Continued	Rate per bushel
Louisville, Ky.	\$2.54
Memphis, Tenn.	2.58
Milwaukee, Wis.	2.58
Minneapolis, Minn.	2.57
New Orleans, La.	2.69
New York, N. Y.	2.67
Norfolk, Va.	2.67
Oakland, Calif.	2.54
Omaha, Nebr.	2.54
Philadelphia, Pa.	2.67
Portland, Oreg.	2.48
Saint Joseph, Mo.	2.54
Saint Louis, Mo.	2.58
Saint Paul, Minn.	2.57
San Francisco, Calif.	2.54
Seattle, Wash.	2.48
Sioux City, Iowa	2.54
Stockton, Calif.	2.54
Superior, Wis.	2.57
Tacoma, Wash.	2.48
Vancouver, Wash.	2.48

(2) *Basic county support rates.* (i) The following basic county support rates per bushel are established for Grade No. 1 of the subclasses Dark Northern Spring, Northern Spring, Red Spring, Durum, Dark Hard Winter, Hard Winter, Yellow Hard Winter and Hard White. Both farm-storage and country warehouse-storage loans will be made at the support rate established for the county in which the wheat is stored.

(ii) If two or more approved warehouses are located at the same or adjoining towns, villages, or cities having the same domestic interstate freight rate, such towns, villages, or cities shall be deemed to constitute one shipping point, and the same support rate shall apply even though such warehouses are not all located in the same county. Such support rate shall be the highest support rate of the counties involved.

ALABAMA	
County	Rate per bushel
All counties	\$2.40

ARIZONA			
County	Rate per bushel	County	Rate per bushel
Apache	\$1.88	Mohave	\$1.99
Cochise	2.05	Navajo	1.88
Cocconino	1.93	Pima	2.19
Gila	1.84	Pinal	2.26
Graham	2.03	Santa Cruz	2.16
Greenlee	2.03	Yavapai	2.03
Maricopa	2.26	Yuma	2.27

ARKANSAS			
County	Rate per bushel	County	Rate per bushel
Arkansas	\$2.28	Greene	\$2.31
Ashley	2.32	Hempstead	2.32
Baxter	2.24	Hot Spring	2.32
Benton	2.21	Howard	2.32
Boone	2.18	Independence	2.29
Calhoun	2.31	Izard	2.26
Carroll	2.19	Jackson	2.31
Chester	2.33	Jefferson	2.28
Clark	2.32	Johnson	2.23
Clay	2.31	Lafayette	2.33
Cleburne	2.30	Lawrence	2.31
Cleveland	2.30	Lee	2.34
Columbia	2.33	Lincoln	2.29
Conway	2.26	Little River	2.32
Craighead	2.32	Logan	2.22
Crawford	2.21	Lonoke	2.29
Crittenden	2.37	Madison	2.21
Cross	2.34	Marion	2.23
Desha	2.31	Miller	2.33
Drew	2.31	Mississippi	2.34
Faulkner	2.26	Monroe	2.30
Franklin	2.21	Montgomery	2.30
Fulton	2.26	Nevada	2.32
Gariand	2.30	Newton	2.22
Grant	2.30	Perry	2.25

ARKANSAS—Continued			
County	Rate per bushel	County	Rate per bushel
Phillips	\$2.31	Searcy	\$2.18
Pike	2.32	Sebastian	2.22
Poinsett	2.35	Sevier	2.32
Polk	2.32	Sharp	2.28
Pope	2.24	Stone	2.26
Prairie	2.30	Union	2.33
Pulaski	2.28	Van Buren	2.24
Randolph	2.31	Washington	2.21
St. Francis	2.34	White	2.31
Saline	2.28	Woodruff	2.32
Scott	2.25	Yell	2.27

CALIFORNIA			
County	Rate per bushel	County	Rate per bushel
Alameda	\$2.41	Sacramento	\$2.38
Amador	2.36	San Benito	2.38
Butte	2.33	San Bernar-	
Colusa	2.35	dino	2.38
Contra Costa	2.42	San Diego	2.35
El Dorado	2.32	San Joaquin	2.39
Fresno	2.34	San Luis Obis-	
Glenn	2.33	po	2.33
Imperial	2.33	San Mateo	2.42
Inyo	2.16	Santa Bar-	
Kern	2.34	bara	2.35
Kings	2.34	Santa Clara	2.41
Lake	2.36	Santa Cruz	2.39
Lassen	2.19	Shasta	2.28
Los Angeles	2.40	Sierra	2.21
Madera	2.36	Slaklyou	2.19
Merced	2.37	Selano	2.40
Modoc	2.14	Stanislaus	2.38
Mono	2.16	Sutter	2.35
Monterey	2.35	Tehama	2.31
Napa	2.41	Tulare	2.34
Orange	2.39	Ventura	2.40
Placer	2.37	Yolo	2.38
Pumas	2.21	Yuba	2.36
Riverside	2.36		

COLORADO			
County	Rate per bushel	County	Rate per bushel
Adams	\$2.19	Kit Carson	\$2.21
Alamosa	2.10	La Plata	2.02
Arapahoe	2.19	Larimer	2.19
Archuleta	2.02	Las Animas	2.19
Baca	2.20	Lincoln	2.19
Bent	2.20	Logan	2.19
Boulder	2.19	Mesa	2.02
Chaffee	2.07	Moffat	2.02
Cheyenne	2.21	Montezuma	1.90
Conejos	2.09	Montrose	2.02
Costilla	2.10	Morgan	2.19
Crowley	2.19	Otero	2.19
Custer	2.14	Ouray	2.02
Delta	2.02	Phillips	2.21
Denver	2.19	Pitkin	2.02
Dolores	1.85	Prowers	2.21
Douglas	2.19	Pueblo	2.19
Eagle	2.03	Rio Blanco	2.02
Elbert	2.19	Rio Grande	2.09
El Paso	2.19	Routt	2.02
Fremont	2.15	Saguache	2.09
Garfield	2.02	San Miguel	1.87
Grand	2.07	Sedgwick	2.22
Gunnison	2.02	Summit	2.07
Huerfano	2.17	Washington	2.19
Jackson	1.75	Weld	2.19
Jefferson	2.19	Yuma	2.20
Kiowa	2.21		

CONNECTICUT	
All counties	\$2.44

DELAWARE	
Kent	\$2.49
New Castle	2.49
Sussex	2.49

FLORIDA	
All counties	\$2.40

GEORGIA	
All counties	\$2.43

IDAHO			
County	Rate per bushel	County	Rate per bushel
Ada	\$2.06	Benewah	\$2.15
Adams	2.04	Bingham	2.00
Bannock	2.00	Blaine	1.98
Bear Lake	2.03	Boise	2.06

IDAHO—Continued

County	Rate per bushel	County	Rate per bushel
Bonner	\$2.13	Jerome	\$2.00
Bonneville	1.99	Kootenai	2.15
Boundary	2.11	Latah	2.15
Butte	1.99	Lemhi	1.99
Camas	1.98	Lewis	2.13
Canyon	2.07	Lincoln	1.99
Caribou	2.00	Madison	1.99
Cassia	2.01	Minidoka	2.02
Clark	1.99	Nex Perce	2.15
Clearwater	2.15	Oneida	2.00
Custer	1.99	Owyhee	2.06
Elmore	2.04	Payette	2.08
Franklin	2.00	Power	2.00
Fremont	1.99	Shoshone	2.12
Gem	2.07	Teton	1.99
Gooding	2.02	Twin Falls	2.02
Idaho	2.13	Valley	2.05
Jefferson	1.99	Washington	2.08

ILLINOIS

Adams	\$2.35	Lee	\$2.38
Alexander	2.38	Livingston	2.38
Bond	2.39	Logan	2.38
Boone	2.39	McDonough	2.35
Brown	2.35	McHenry	2.40
Bureau	2.38	McLean	2.38
Calhoun	2.38	Macon	2.38
Carroll	2.36	Macoupin	2.40
Cass	2.38	Madison	2.40
Champaign	2.38	Marion	2.38
Christian	2.38	Marshall	2.38
Clark	2.37	Mason	2.38
Clay	2.37	Massac	2.36
Clinton	2.40	Menard	2.38
Coles	2.38	Mercer	2.35
Cook	2.41	Monroe	2.39
Crawford	2.36	Montgomery	2.38
Cumberland	2.38	Morgan	2.38
De Kalb	2.40	Moultrie	2.38
De Witt	2.38	Ogle	2.38
Douglas	2.38	Peoria	2.37
Du Page	2.41	Perry	2.38
Edgar	2.37	Platt	2.38
Edwards	2.38	Pike	2.36
Effingham	2.37	Pope	2.36
Fayette	2.38	Pulaski	2.38
Ford	2.38	Putnam	2.38
Franklin	2.38	Randolph	2.38
Fulton	2.37	Richland	2.36
Gallatin	2.33	Rock Island	2.36
Greene	2.39	Saint Clair	2.40
Grundy	2.39	Saline	2.34
Hamilton	2.37	Sangamon	2.37
Hancock	2.34	Schuyler	2.36
Hardin	2.32	Scott	2.38
Henderson	2.35	Shelby	2.36
Henry	2.36	Stark	2.37
Iroquois	2.39	Stephenson	2.36
Jackson	2.38	Tazewell	2.38
Jasper	2.36	Union	2.38
Jefferson	2.38	Vermilion	2.38
Jersey	2.40	Wabash	2.36
Jo Daviess	2.36	Warren	2.36
Johnson	2.32	Washington	2.38
Kane	2.41	Wayne	2.36
Kankakee	2.41	White	2.35
Kendall	2.40	Whiteside	2.37
Knox	2.36	Will	2.41
Lake	2.42	Williamson	2.38
La Salle	2.39	Winnebago	2.37
Lawrence	2.36	Woodford	2.38

INDIANA

Adams	\$2.32	Decatur	\$2.30
Allen	2.33	De Kalb	2.33
Bartholomew	2.34	Delaware	2.32
Benton	2.37	Dubois	2.32
Blackford	2.34	Elkhart	2.35
Boone	2.34	Fayette	2.31
Brown	2.31	Floyd	2.38
Carroll	2.37	Fountain	2.34
Cass	2.36	Franklin	2.29
Clark	2.37	Fulton	2.36
Clay	2.38	Gibson	2.35
Clinton	2.36	Grant	2.34
Crawford	2.35	Greene	2.35
Daviess	2.32	Hamilton	2.34
Dearborn	2.31	Hancock	2.32

INDIANA—Continued

County	Rate per bushel	County	Rate per bushel
Harrison	\$2.32	Perry	\$2.31
Hendricks	2.33	Pike	2.29
Henry	2.33	Porter	2.40
Howard	2.34	Posey	2.38
Huntington	2.33	Pulaski	2.39
Jackson	2.34	Putnam	2.37
Jasper	2.40	Randolph	2.33
Jay	2.33	Ripley	2.32
Jefferson	2.35	Rush	2.31
Jennings	2.32	Saint Joseph	2.36
Johnson	2.33	Scott	2.35
Knox	2.33	Shelby	2.31
Kosciusko	2.34	Spencer	2.31
Lagrange	2.34	Starke	2.39
Lake	2.40	Steuben	2.33
La Porte	2.38	Sullivan	2.38
Lawrence	2.35	Switzerland	2.28
Madison	2.33	Tiptecanoe	2.37
Marion	2.33	Tipton	2.34
Marshall	2.36	Union	2.31
Martin	2.29	Vanderburg	2.38
Miami	2.35	Vermillion	2.39
Monroe	2.37	Vigo	2.39
Montgomery	2.36	Wabash	2.35
Morgan	2.37	Warren	2.38
Newton	2.40	Warrick	2.31
Noble	2.33	Washington	2.36
Ohio	2.28	Wayne	2.33
Orange	2.36	Wells	2.32
Owen	2.36	White	2.39
Parke	2.34	Whitley	2.34

IOWA

Adair	\$2.33	Jefferson	\$2.32
Adams	2.35	Johnson	2.33
Allamakee	2.33	Jones	2.34
Appanoose	2.32	Keokuk	2.31
Audubon	2.35	Kossuth	2.34
Benton	2.32	Lee	2.34
Black Hawk	2.32	Linn	2.33
Boone	2.32	Louis	2.34
Bremer	2.33	Lucas	2.32
Buchanan	2.32	Lyon	2.31
Buena Vista	2.32	Madison	2.32
Butler	2.33	Mahaaka	2.30
Calhoun	2.33	Marion	2.30
Carroll	2.35	Marshall	2.32
Cass	2.34	Mills	2.38
Cedar	2.34	Mitchell	2.35
Cerro Gordo	2.34	Monona	2.36
Cherokee	2.33	Monroe	2.31
Chickasaw	2.34	Montgomery	2.37
Clarke	2.32	Muscatine	2.34
Clay	2.33	O'Brien	2.32
Clayton	2.32	Osceola	2.33
Clinton	2.35	Page	2.36
Crawford	2.36	Palo Alto	2.33
Dallas	2.32	Plymouth	2.34
Davis	2.33	Pocahontas	2.32
Decatur	2.31	Polk	2.32
Delaware	2.32	Pottawatomie	2.38
Des Moines	2.34	Poweshiek	2.31
Dickinson	2.33	Ringgold	2.32
Dubuque	2.34	Sac	2.33
Emmet	2.35	Scott	2.35
Fayette	2.33	Shelby	2.36
Floyd	2.34	Sioux	2.33
Franklin	2.33	Story	2.32
Fremont	2.38	Tama	2.32
Greene	2.33	Taylor	2.34
Grundy	2.32	Union	2.33
Guthrie	2.34	Van Buren	2.33
Hamilton	2.32	Wapello	2.31
Hancock	2.34	Warren	2.32
Hardin	2.32	Washington	2.32
Harrison	2.37	Wayne	2.31
Henry	2.33	Webster	2.32
Howard	2.35	Winnebago	2.35
Humboldt	2.33	Winneshiek	2.33
Ida	2.33	Woodbury	2.34
Iowa	2.32	Worth	2.35
Jackson	2.35	Wright	2.33
Jasper	2.31		

KANSAS

Allen	\$2.34	Barber	\$2.27
Anderson	2.34	Barton	2.27
Atchison	2.37	Bourbon	2.34

KANSAS—Continued

County	Rate per bushel	County	Rate per bushel
Brown	\$2.36	McPherson	\$2.29
Butler	2.29	Marion	2.29
Chase	2.31	Marshall	2.33
Chautauqua	2.31	Meade	2.24
Cherokee	2.33	Miami	2.36
Cheyenne	2.23	Mitchell	2.29
Clark	2.24	Montgomery	2.33
Clay	2.31	Morris	2.31
Cloud	2.30	Morton	2.21
Coffey	2.34	Nemaha	2.34
Comanche	2.26	Neosho	2.34
Cowley	2.29	Ness	2.27
Crawford	2.34	Norton	2.27
Decatur	2.25	Osage	2.34
Dickinson	2.29	Osbome	2.28
Doniphan	2.33	Ottawa	2.29
Douglas	2.37	Pawnee	2.27
Edwards	2.27	Phillips	2.27
Elk	2.31	Pottawatomie	2.33
Ellis	2.27	Pratt	2.27
Ellsworth	2.29	Rawlins	2.24
Finney	2.24	Reno	2.28
Ford	2.26	Republic	2.30
Franklin	2.36	Rice	2.29
Geary	2.31	Riley	2.33
Gove	2.25	Rooks	2.28
Graham	2.27	Rush	2.27
Grant	2.23	Russell	2.28
Gray	2.25	Saline	2.29
Greeley	2.23	Scott	2.24
Greenwood	2.32	Sedgwick	2.29
Hamilton	2.23	Seward	2.23
Harper	2.28	Shawnee	2.34
Harvey	2.29	Sheridan	2.25
Haskell	2.24	Sherman	2.23
Hodgeman	2.27	Smith	2.29
Jackson	2.35	Stafford	2.27
Jefferson	2.36	Stanton	2.22
Jewell	2.29	Stevens	2.23
Johnson	2.38	Sumner	2.29
Kearny	2.23	Thomas	2.24
Kingman	2.29	Trego	2.27
Kiowa	2.27	Wabunsee	2.33
Labette	2.33	Wallace	2.23
Lane	2.25	Washington	2.31
Leavenworth	2.38	Wichita	2.23
Lincoln	2.29	Wilson	2.33
Linn	2.34	Woodson	2.34
Logan	2.24	Wyandotte	2.30
Lyon	2.33		

KENTUCKY

Adair	\$2.37	Fulton	\$2.34
Allen	2.36	Gallatin	2.37
Anderson	2.38	Garrard	2.39
Ballard	2.34	Grant	2.38
Barren	2.36	Graves	2.34
Bath	2.38	Grayson	2.36
Bell	2.37	Green	2.38
Boone	2.37	Greenup	2.39
Bourbon	2.39	Hancock	2.35
Boyd	2.39	Hardin	2.36
Boyle	2.39	Harrison	2.38
Bracken	2.38	Hart	2.36
Breathitt	2.37	Henderson	2.34
Breckinridge	2.35	Henry	2.37
Bullitt	2.37	Hickman	2.34
Butler	2.35	Hopkins	2.35
Caldwell	2.35	Jackson	2.37
Calloway	2.34	Jefferson	2.37
Campbell	2.37	Jessamine	2.39
Carlisle	2.34	Johnson	2.37
Carroll	2.37	Kenton	2.37
Carter	2.38	Knox	2.37
Casey	2.38	Larue	2.37
Christian	2.35	Laurel	2.38
Clark	2.39	Lawrence	2.38
Clay	2.37	Lee	2.36
Clinton	2.38	Lewis	2.39
Crittenden	2.34	Lincoln	2.39
Cumberland	2.37	Livingston	2.34
Daviess	2.34	Logan	2.35
Edmonson	2.35	Lyon	2.35
Elliott	2.38	McCracken	2.34
Estill	2.38	McCreary	2.37
Fayette	2.39	McLean	2.34
Fleming	2.38	Madison	2.39
Franklin	2.38	Magoffin	2.37

KENTUCKY—Continued

County	Rate per bushel	County	Rate per bushel
Marion	\$2.38	Robertson	\$2.38
Marshall	2.34	Rockcastle	2.39
Mason	2.38	Rowan	2.39
Meade	2.35	Russell	2.37
Menifee	2.37	Scott	2.38
Mercer	2.39	Shelby	2.37
Metcalfe	2.35	Simpson	2.36
Monroe	2.37	Spencer	2.37
Montgomery	2.38	Taylor	2.38
Morgan	2.37	Todd	2.35
Muhlenberg	2.35	Trigg	2.35
Nelson	2.38	Trimble	2.37
Nicholas	2.38	Union	2.34
Ohio	2.35	Warren	2.35
Oldham	2.37	Washington	2.39
Owen	2.38	Wayne	2.38
Owsley	2.37	Webster	2.34
Pendleton	2.38	Whitley	2.37
Powell	2.38	Wolfe	2.37
Pulaski	2.39	Woodford	2.39

LOUISIANA

All counties.....\$2.31

MAINE

All counties.....\$2.40

MARYLAND

County	Rate per bushel	County	Rate per bushel
Allegany	\$2.40	Howard	\$2.52
Anne Arundel	2.47	Kent	2.49
Baltimore	2.49	Montgomery	2.48
Calvert	2.44	Prince Georges	2.46
Caroline	2.49	Queen Anne's	2.49
Carroll	2.48	St. Marys	2.44
Cecil	2.48	Somerset	2.44
Charles	2.44	Talbot	2.49
Dorchester	2.46	Washington	2.44
Frederick	2.47	Wicomico	2.48
Garrett	2.35	Worcester	2.46
Harford	2.48		

MASSACHUSETTS

All counties.....\$3.43

MICHIGAN

County	Rate per bushel	County	Rate per bushel
Alcona	\$2.20	Kalamazoo	\$2.34
Alger	2.24	Kalkaska	2.20
Allegan	2.32	Kent	2.31
Alpena	2.19	Keweenaw	2.26
Antrim	2.20	Lake	2.26
Arenac	2.25	Lapeer	2.31
Baraga	2.29	Leelanau	2.20
Barry	2.31	Lenawee	2.31
Bay	2.29	Livingston	2.31
Benzie	2.29	Luce	2.21
Berrien	2.34	MacKinnon	2.20
Branch	2.32	Macomb	2.31
Calhoun	2.32	Manistee	2.26
Cass	2.35	Marquette	2.28
Charlevoix	2.20	Mason	2.25
Cheboygan	2.18	Mecosta	2.26
Chippewa	2.21	Menominee	2.28
Clare	2.29	Midland	2.29
Clinton	2.31	Missaukee	2.25
Crawford	2.21	Monroe	2.32
Delta	2.26	Montcalm	2.29
Dickinson	2.27	Montmorency	2.19
Eaton	2.31	Muskegon	2.29
Emmet	2.19	Newaygo	2.28
Genesee	2.31	Oakland	2.31
Gladwin	2.27	Ocean	2.26
Gogebic	2.31	Ogemaw	2.27
Grand Traverse	2.23	Ontonagon	2.25
Gratiot	2.31	Oscoda	2.24
Hillsdale	2.31	Oscoda	2.27
Houghton	2.26	Otsego	2.20
Huron	2.26	Ottawa	2.31
Ingham	2.31	Presque Isle	2.18
Ionia	2.31	Roscommon	2.27
Iosco	2.21	Saginaw	2.31
Iron	2.25	Saint Clair	2.30
Isabella	2.28	Saint Joseph	2.34
Jackson	2.32	Sanilac	2.28
		Schoolcraft	2.24

MICHIGAN—Continued

County	Rate per bushel	County	Rate per bushel
Shiawassee	\$2.31	Washtenaw	\$2.39
Tuscola	2.27	Wayne	2.31
Van Buren	2.33	Wexford	2.22

MINNESOTA

County	Rate per bushel	County	Rate per bushel
Aitkin	\$2.39	Martin	\$2.35
Anoka	2.42	Meeker	2.40
Becker	2.33	Mille Lacs	2.40
Beltrami	2.34	Morrison	2.37
Benton	2.38	Mower	2.36
Big Stone	2.34	Murray	2.35
Blue Earth	2.38	Nicollet	2.39
Brown	2.37	Nobles	2.33
Carlton	2.40	Norman	2.32
Carver	2.41	Olmsted	2.36
Cass	2.36	Otter Tail	2.35
Chippewa	2.36	Pennington	2.31
Chisago	2.39	Pine	2.38
Clay	2.33	Pipestone	2.34
Clearwater	2.33	Polk	2.31
Cottonwood	2.36	Pope	2.36
Crow Wing	2.37	Ramsey	2.42
Dakota	2.41	Red Lake	2.32
Dodge	2.37	Redwood	2.37
Douglas	2.36	Renville	2.37
Faribault	2.35	Rice	2.39
Fillmore	2.34	Rock	2.33
Freeborn	2.37	Roseau	2.30
Goodhue	2.38	Saint Louis	2.38
Grant	2.35	Scott	2.41
Hennepin	2.42	Sherburne	2.40
Houston	2.35	Sibley	2.39
Hubbard	2.33	Stearns	2.38
Isanti	2.39	Steele	2.38
Itasca	2.38	Stevens	2.36
Jackson	2.35	Swift	2.36
Kanabec	2.38	Todd	2.37
Kandiyohi	2.39	Traverse	2.34
Kittson	2.28	Wabasha	2.38
Koochiching	2.30	Wadena	2.36
Lac Qui Parle	2.35	Waseca	2.38
Lake of the Woods	2.31	Washington	2.42
Le Sueur	2.39	Watsonwan	2.36
Lincoln	2.35	Wilkin	2.34
Lyon	2.35	Winona	2.37
McLeod	2.39	Wright	2.40
Mahnomen	2.32	Yellow Medicine	2.36
Marshall	2.30		

All counties.....\$2.31

MISSISSIPPI

County	Rate per bushel	County	Rate per bushel
Adair	\$2.34	De Kalb	\$2.38
Andrew	2.38	Dent	2.35
Atchison	2.35	Douglas	2.29
Audrain	2.36	Dunklin	2.32
Barry	2.31	Franklin	2.40
Barton	2.34	Gasconade	2.37
Bates	2.36	Gentry	2.36
Benton	2.34	Greene	2.31
Bollinger	2.37	Grundy	2.34
Boone	2.36	Harrison	2.34
Buchanan	2.38	Henry	2.36
Butler	2.34	Hickory	2.34
Caldwell	2.36	Holt	2.37
Callaway	2.36	Howard	2.35
Camden	2.33	Howell	2.26
Cape Girardeau	2.36	Iron	2.38
Carroll	2.35	Jackson	2.38
Carter	2.36	Jasper	2.33
Cass	2.37	Jefferson	2.41
Cedar	2.37	Johnson	2.36
Chariton	2.34	Knox	2.34
Christian	2.31	Laclede	2.33
Clark	2.34	Lafayette	2.36
Clay	2.37	Lawrence	2.31
Clinton	2.38	Lewis	2.36
Cole	2.35	Lincoln	2.40
Cooper	2.34	Linn	2.33
Crawford	2.38	Livingston	2.35
Dade	2.33	McDonald	2.31
Dallas	2.31	Macon	2.34
Davies	2.36	Madison	2.37
		Marion	2.37

MISSOURI—Continued

County	Rate per bushel	County	Rate per bushel
Marion	\$2.36	Ripley	\$2.33
Mercer	2.32	Saint Charles	2.43
Miller	2.34	Saint Clair	2.35
Mississippi	2.33	Saint Fran-	
Moniteau	2.34	cois	2.38
Monroe	2.36	Saint Louis	2.43
Montgomery	2.38	Sainte Gene-	
Morgan	2.33	vieve	2.38
New Madrid	2.33	Saline	2.35
Newton	2.31	Schuyler	2.33
Nodaway	2.35	Scotland	2.34
Oregon	2.26	Scott	2.34
Osage	2.36	Shannon	2.26
Ozark	2.27	Shelby	2.35
Pemiscot	2.32	Stoddard	2.35
Perry	2.38	Stone	2.30
Pettis	2.34	Sullivan	2.32
Phelps	2.36	Taney	2.29
Pike	2.37	Texas	2.29
Platte	2.38	Vernon	2.34
Polk	2.33	Warren	2.40
Pulaski	2.34	Washington	2.38
Putnam	2.32	Wayne	2.36
Ralls	2.36	Webster	2.31
Randolph	2.35	Worth	2.35
Ray	2.36	Wright	2.29
Reynolds	2.34		

MONTANA

County	Rate based on Minneapolis (less than 10 percent protein)	Rate based on Portland (less than 10 percent protein)
Beaverhead	\$1.97	
Big Horn	2.05	
Blaine	2.08	
Broadwater	2.05	
Carbon	2.05	
Carter	2.17	
Cascade	2.05	
Chouteau	2.05	
Custer	2.15	
Daniels	2.12	
Dawson	2.16	
Deer Lodge	2.01	\$1.99
Fallon	2.16	
Fergus	2.05	
Flathead	2.05	2.03
Gallatin	2.05	
Garfield	2.14	
Glacier	2.05	
Golden Valley	2.05	
Granite		2.00
Hill	2.05	
Jefferson	2.02	1.99
Judith Basin	2.05	
Lake		2.03
Lewis and Clark	2.04	
Liberia	2.05	
Lincoln		2.06
McCone	2.14	
Madison	2.03	1.99
Meagher	2.05	
Mineral		2.04
Missoula		2.03
Musselshell	2.08	
Park	2.05	
Petroleum	2.05	
Phillips	2.10	
Pondera	2.05	
Powder River	2.13	
Powell	2.01	1.99
Prairie	2.15	
Ravalli		2.00
Richland	2.16	
Roosevelt	2.16	
Rosebud	2.11	
Sanders		2.05
Sheridan	2.15	
Silver Bow	2.02	1.99
Sully	2.05	
Sweet Grass	2.05	
Teton	2.05	
Toole	2.05	
Treasure	2.10	
Valley	2.12	
Wheatland	2.05	
Wibaux	2.17	
Yellowstone	2.05	

1 Based on Omaha.

Note: The applicable rate on a lot of wheat in Deer Lodge, Jefferson, Madison, Powell, and Silver Bow counties shall be determined as follows:

1. Subtract all applicable discounts from the rate based on Minneapolis and from the rate based on Portland shown above.

2. If the lot of wheat contains 10 percent or more protein add the applicable Minneapolis protein premium, if any, shown in the schedule of protein premiums to the rate based on Minneapolis; then add the applicable Portland protein premium from the same schedule to the rate based on Portland.

3. The applicable rate on the lot of wheat will be the highest as determined above.

NEBRASKA

County	Rate per bushel	County	Rate per bushel
Adams	\$2.31	Jefferson	\$2.34
Antelope	2.32	Johnson	2.35
Arthur	2.23	Kearney	2.30
Banner	2.19	Keith	2.23
Blaine	2.27	Keyapaha	2.27
Boone	2.33	Kimball	2.19
Box Butte	2.23	Knox	2.31
Boyd	2.29	Lancaster	2.37
Brown	2.27	Lincoln	2.26
Buffalo	2.31	Logan	2.27
Burt	2.37	Loup	2.30
Butler	2.36	McPherson	2.26
Casa	2.38	Madison	2.33
Cedar	2.31	Merrick	2.33
Chase	2.23	Morrill	2.22
Cherry	2.25	Nance	2.34
Cheyenne	2.19	Nemaha	2.35
Clay	2.31	Nuckolls	2.31
Colfax	2.36	Otoe	2.36
Cuming	2.36	Pawnee	2.34
Custer	2.29	Perkins	2.24
Dakota	2.34	Phelps	2.29
Dawes	2.20	Pierce	2.33
Dawson	2.29	Platte	2.35
Deuel	2.22	Polk	2.34
Dixon	2.33	Red Willow	2.27
Dodge	2.37	Richardson	2.34
Douglas	2.38	Rock	2.28
Dundy	2.23	Saline	2.35
Fillmore	2.33	Sarpy	2.38
Franklin	2.30	Saunders	2.37
Frontier	2.27	Scotts Bluff	2.20
Furnas	2.28	Seward	2.36
Gage	2.35	Sheridan	2.22
Garden	2.23	Sherman	2.31
Garfield	2.30	Sioux	2.19
Gosper	2.29	Stanton	2.34
Grant	2.23	Thayer	2.33
Greeley	2.32	Thomas	2.26
Hall	2.32	Thurston	2.35
Hamilton	2.33	Valley	2.30
Haran	2.29	Washington	2.37
Hayes	2.24	Wayne	2.32
Hitchcock	2.25	Webster	2.31
Holt	2.31	Wheeler	2.33
Hooker	2.25	York	2.34
Howard	2.32		

NEVADA

County	Rate per bushel	County	Rate per bushel
Churchill	\$2.16	Lyon	\$2.05
Clark	2.03	Mineral	1.89
Douglas	2.21	Nye	1.89
Elko	2.03	Ormsby	2.21
Esmeralda	1.89	Perishing	2.18
Eureka	2.03	Storey	2.21
Humboldt	2.08	Washoe	2.21
Lander	2.03	White Pine	1.68
Lincoln	2.03		

NEW HAMPSHIRE

All counties	\$2.42
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NEW JERSEY

County	Rate per bushel	County	Rate per bushel
Bergen	\$2.45	Middlesex	\$2.44
Burlington	2.45	Monmouth	2.45
Camden	2.48	Morris	2.43
Cape May	2.42	Ocean	2.43
Cumberland	2.44	Passaic	2.44
Essex	2.45	Salem	2.44
Gloucester	2.45	Somerset	2.44
Hunterdon	2.44	Sussex	2.44
Mercer	2.46	Warren	2.43

NEW MEXICO

County	Rate per bushel	County	Rate per bushel
Bernalillo	\$2.14	De Baca	\$2.18
Catron	2.06	Dona Ana	2.14
Chaves	2.19	Eddy	2.18
Colfax	2.13	Grant	2.01
Curry	2.22	Guadalupe	2.19

New Mexico—Continued

County	Rate per bushel	County	Rate per bushel
Harding	\$2.16	Sandoval	\$2.14
Hidalgo	2.01	San Juan	1.83
Lea	2.22	San Miguel	2.14
Lincoln	2.16	Santa Fe	2.12
Luna	2.01	Sierra	2.14
McKinley	2.01	Socorro	2.14
Mora	2.14	Taos	2.08
Otero	2.16	Torrance	2.16
Quay	2.22	Union	2.18
Rio Arriba	2.01	Valencia	2.10
Roosevelt	2.21		

NEW YORK

County	Rate per bushel	County	Rate per bushel
Albany	\$2.50	Oneida	\$2.44
Allegany	2.43	Onondaga	2.44
Broome	2.44	Ontario	2.44
Cattaraugus	2.41	Orange	2.42
Cayuga	2.44	Orleans	2.44
Chautauqua	2.37	Oswego	2.44
Chemung	2.44	Otsego	2.42
Chenango	2.44	Putnam	2.43
Clinton	2.36	Rensselaer	2.46
Columbia	2.46	Rockland	2.44
Cortland	2.44	St. Lawrence	2.38
Delaware	2.40	Saratoga	2.47
Dutchess	2.43	Schenectady	2.50
Erie	2.43	Schoharie	2.48
Essex	2.38	Schuyler	2.40
Franklin	2.32	Seneca	2.44
Fulton	2.40	Steuben	2.44
Genesee	2.44	Suffolk	2.38
Greene	2.45	Sullivan	2.41
Herkimer	2.45	Tioga	2.44
Jefferson	2.40	Tompkins	2.44
Lewis	2.41	Ulster	2.44
Livingston	2.44	Warren	2.43
Madison	2.44	Washington	2.44
Monroe	2.44	Wayne	2.44
Montgomery	2.49	Westchester	2.44
Nassau	2.40	Wyoming	2.43
Niagara	2.44	Yates	2.44

NORTH CAROLINA

All counties	\$2.44
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NORTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Adams	\$2.21	McLean	\$2.24
Barnes	2.30	Mercur	2.23
Benson	2.26	Morton	2.23
Billings	2.21	Mountrail	2.22
Bottineau	2.23	Nelson	2.28
Bowman	2.20	Oliver	2.24
Burke	2.22	Pembina	2.28
Burleigh	2.26	Pierce	2.26
Cass	2.31	Ramsey	2.27
Cavaller	2.27	Ransom	2.30
Dickey	2.30	Renville	2.22
Divide	2.20	Richland	2.33
Dunn	2.21	Rolette	2.25
Golden Valley	2.18	Sargent	2.31
Emmons	2.25	Sheridan	2.26
Foster	2.29	Sioux	2.23
Golden Valley	2.18	Slope	2.18
Grand Forks	2.30	Stark	2.22
Grant	2.23	Steele	2.30
Griggs	2.30	Stutsman	2.29
Hettinger	2.22	Towner	2.26
Kidder	2.27	Trail	2.30
La Moure	2.29	Walsh	2.28
Logan	2.27	Ward	2.23
McHenry	2.25	Wells	2.27
McIntosh	2.26	Williams	2.21
McKenzie	2.18		

OHIO

County	Rate per bushel	County	Rate per bushel
Adams	\$2.31	Clark	\$2.31
Allen	2.32	Clermont	2.31
Ashland	2.33	Clinton	2.31
Ashtabula	2.36	Columbiana	2.34
Athens	2.32	Coshocton	2.33
Auglaize	2.32	Crawford	2.33
Belmont	2.33	Cuyahoga	2.33
Brown	2.31	Darke	2.32
Butler	2.31	Defiance	2.32
Carroll	2.33	Delaware	2.32
Champaign	2.31	Erie	2.32

Ohio—Continued

County	Rate per bushel	County	Rate per bushel
Fairfield	\$2.32	Monroe	\$2.33
Fayette	2.31	Montgomery	2.31
Franklin	2.32	Morgan	2.33
Fulton	2.31	Morrow	2.32
Gallia	2.31	Muskingum	2.33
Geauga	2.36	Noble	2.33
Greene	2.31	Ottawa	2.32
Guernsey	2.33	Paulding	2.32
Hamilton	2.31	Perry	2.32
Hancock	2.32	Pickaway	2.32
Hardin	2.32	Pike	2.31
Harrison	2.33	Portage	2.33
Henry	2.32	Preble	2.30
Highland	2.31	Putnam	2.32
Hocking	2.32	Richland	2.33
Holmes	2.33	Ross	2.31
Huron	2.33	Sandusky	2.32
Jackson	2.31	Scioto	2.31
Jefferson	2.35	Seneca	2.32
Knox	2.33	Shelby	2.31
Lake	2.35	Stark	2.33
Lawrence	2.31	Summit	2.33
Licking	2.33	Trumbull	2.36
Logan	2.31	Tuscarawas	2.33
Lorain	2.33	Union	2.32
Lucas	2.32	Van Wert	2.32
Madison	2.31	Vinton	2.32
Mahoning	2.35	Warren	2.31
Marion	2.32	Washington	2.33
Medina	2.33	Wayne	2.33
Meigs	2.31	Williams	2.32
Mercer	2.31	Wood	2.32
Miami	2.32	Wyandot	2.32

OKLAHOMA

County	Rate per bushel	County	Rate per bushel
Adair	\$2.26	Le Flore	\$2.25
Alfalfa	2.25	Lincoln	2.25
Atoka	2.25	Logan	2.25
Beaver	2.21	Love	2.25
Beckham	2.25	McClain	2.25
Blaine	2.25	McCurtain	2.25
Bryan	2.25	McIntosh	2.26
Caddo	2.25	Major	2.24
Canadian	2.25	Marshall	2.25
Carter	2.25	Mayes	2.29
Cherokee	2.27	Murray	2.25
Choctaw	2.25	Muskogee	2.26
Cimarron	2.18	Noble	2.26
Cleveland	2.25	Nowata	2.31
Coal	2.25	Oklfuskee	2.25
Comanche	2.25	Oklahoma	2.25
Cotton	2.25	Oklmulgee	2.26
Craig	2.31	Osage	2.28
Creek	2.26	Ottawa	2.31
Custer	2.24	Pawnee	2.26
Delaware	2.30	Payne	2.25
Dewey	2.24	Pittsburg	2.25
Ellis	2.22	Pontotoc	2.25
Garfield	2.25	Pottawatomie	2.25
Garvin	2.25	Pushmataha	2.25
Grady	2.25	Roger Mills	2.24
Grant	2.26	Rogers	2.30
Greer	2.25	Seminole	2.25
Harmon	2.25	Sequoyah	2.26
Harper	2.22	Stephens	2.25
Haskell	2.25	Texas	2.18
Hughes	2.25	Tillman	2.25
Jackson	2.25	Tulsa	2.29
Jefferson	2.25	Wagoner	2.28
Johnston	2.25	Washington	2.31
Kay	2.27	Washita	2.25
Kingfisher	2.25	Woods	2.25
Kiowa	2.25	Woodward	2.23
Latimer	2.25		

OREGON

County	Rate per bushel	County	Rate per bushel
Baker	\$2.13	Hood River	\$2.34
Benton	2.29	Jackson	2.16
Clackamas	2.33	Jefferson	2.29
Clatsop	2.29	Josephine	2.17
Columbia	2.31	Klamath	2.16
Coos	2.21	Lake	2.12
Crook	2.28	Lane	2.27
Deschutes	2.28	Lincoln	2.24
Douglas	2.22	Linn	2.30
Gilliam	2.29	Malheur	2.07
Grant	2.28	Marion	2.32
Harney	2.02	Morrow	2.29

RULES AND REGULATIONS

OREGON—Continued

County	Rate per bushel	County	Rate per bushel
Multnomah	\$2.34	Wallowa	\$2.13
Polk	2.31	Wasco	2.32
Sherman	2.30	Washington	2.35
Tillamook	2.34	Wheeler	2.28
Umatilla	2.22	Yamhill	2.33
Union	2.14		

PENNSYLVANIA

Adams	\$2.44	Lancaster	\$2.46
Allegheny	2.37	Lawrence	2.36
Armstrong	2.36	Lebanon	2.45
Beaver	2.36	Lehigh	2.45
Bedford	2.40	Luzerne	2.41
Berks	2.46	Lycoming	2.40
Blair	2.40	McKean	2.38
Bradford	2.43	Mercer	2.36
Bucks	2.48	Mifflin	2.40
Butler	2.37	Monroe	2.41
Cambria	2.38	Montgomery	2.48
Carbon	2.40	Montour	2.40
Centre	2.40	Northampton	2.43
Chester	2.48	Northumberland	
Clarion	2.38	land	2.40
Clearfield	2.39	Perry	2.40
Clinton	2.40	Pike	2.40
Columbia	2.44	Potter	2.36
Crawford	2.37	Schuylkill	2.42
Cumberland	2.44	Snyder	2.40
Delaware	2.42	Somerset	2.35
Delaware	2.49	Sullivan	2.44
Elk	2.40	Susquehanna	2.43
Erie	2.38	Tioga	2.41
Fayette	2.36	Union	2.40
Forest	2.37	Venango	2.36
Franklin	2.44	Warren	2.35
Fulton	2.41	Washington	2.35
Greene	2.35	Wayne	2.40
Huntingdon	2.40	Westmoreland	
Indiana	2.36	land	2.37
Jefferson	2.38	Wyoming	2.44
Juniata	2.40	York	2.46
Lackawanna	2.42		

RHODE ISLAND

All counties	\$2.44
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SOUTH CAROLINA

All counties	\$2.43
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SOUTH DAKOTA

County	Rate per bushel	County	Rate per bushel
Aurora	\$2.28	Jackson	\$2.20
Beadle	2.31	Jerauld	2.30
Bennett	2.23	Jones	2.22
Bon Homme	2.31	Kingsbury	2.32
Brookings	2.33	Lake	2.32
Brown	2.31	Lawrence	2.17
Brule	2.28	Lincoln	2.32
Buffalo	2.28	Lyman	2.34
Butte	2.17	McCook	2.31
Campbell	2.26	McPherson	2.28
Charles Mix	2.29	Marshall	2.31
Clark	2.32	Meade	2.19
Clay	2.34	Mellette	2.26
Codington	2.33	Miner	2.31
Corson	2.24	Minnehaha	2.32
Custer	2.19	Moody	2.33
Davison	2.30	Pennington	2.19
Day	2.32	Perkins	2.21
Deuel	2.33	Potter	2.27
Dewey	2.23	Roberts	2.32
Douglas	2.29	Sanborn	2.30
Edmunds	2.29	Shannon	2.22
Fall River	2.19	Spink	2.31
Faulk	2.29	Stanley	2.26
Grant	2.33	Sully	2.26
Gregory	2.29	Todd	2.26
Haakon	2.22	Tripp	2.27
Hamlin	2.33	Turner	2.32
Hand	2.30	Union	2.34
Hanson	2.30	Walworth	2.27
Harding	2.21	Washabaugh	2.20
Hughes	2.27	Yankton	2.32
Hutchinson	2.30	Ziebach	2.21
Hyde	2.28		

TENNESSEE

County	Rate per bushel	County	Rate per bushel
Anderson	\$2.42	Lauderdale	\$2.33
Bedford	2.39	Lawrence	2.38
Benton	2.36	Lewis	2.38
Bledsoe	2.40	Lincoln	2.40
Blount	2.43	Loudon	2.42
Bradley	2.42	McMinn	2.42
Campbell	2.42	McNairy	2.35
Cannon	2.38	Macon	2.37
Carroll	2.35	Madison	2.34
Carter	2.45	Marion	2.40
Cheatham	2.37	Marshall	2.39
Chester	2.35	Maury	2.38
Claiborne	2.44	Meigs	2.41
Clay	2.38	Monroe	2.43
Cocke	2.43	Montgomery	2.36
Coffee	2.39	Moore	2.39
Crockett	2.34	Morgan	2.41
Cumberland	2.40	Obion	2.34
Davidson	2.37	Overton	2.39
Decatur	2.36	Perry	2.37
De Kalb	2.38	Pickett	2.39
Dickson	2.37	Polk	2.43
Dyer	2.33	Putnam	2.39
Fayette	2.33	Rhea	2.41
Fentress	2.40	Roane	2.41
Franklin	2.40	Robertson	2.36
Gibson	2.35	Rutherford	2.38
Giles	2.39	Scott	2.41
Grainger	2.43	Sequatchie	2.40
Greene	2.44	Sevier	2.43
Grundy	2.39	Shelby	2.33
Hamblen	2.44	Smith	2.38
Hamilton	2.41	Stewart	2.36
Hancock	2.45	Sullivan	2.46
Hardeman	2.34	Sumner	2.36
Hardin	2.36	Tipton	2.33
Hawkins	2.46	Trousdale	2.37
Haywood	2.34	Unicoi	2.44
Henderson	2.36	Union	2.43
Henry	2.35	Van Buren	2.39
Hickman	2.37	Warren	2.39
Houston	2.36	Washington	2.45
Humphreys	2.36	Wayne	2.37
Jackson	2.38	Weakley	2.35
Jefferson	2.43	White	2.39
Johnson	2.45	Williamson	2.38
Knox	2.43	Wilson	2.37
Lake	2.34		

TEXAS

Andrews	\$2.24	Crosby	\$2.25
Archer	2.25	Culberson	2.17
Armstrong	2.25	Dallam	2.20
Atascosa	2.34	Dallas	2.32
Bailey	2.25	Dawson	2.25
Bandera	2.32	Deaf Smith	2.25
Bastrop	2.36	Delta	2.31
Baylor	2.25	Denton	2.32
Bee	2.32	DeWitt	2.35
Bell	2.36	Dickens	2.25
Bexar	2.34	Dimmit	2.27
Blanco	2.35	Donley	2.25
Borden	2.25	Eastland	2.25
Bosque	2.34	Edwards	2.21
Bowie	2.28	Ellis	2.34
Brazos	2.25	Erath	2.28
Brown	2.32	Falls	2.36
Burleson	2.38	Fannin	2.28
Burnet	2.32	Fisher	2.25
Caldwell	2.36	Floyd	2.25
Callahan	2.25	Foard	2.25
Carson	2.25	Gaines	2.25
Castro	2.25	Galveston	2.50
Chambers	2.41	Garza	2.25
Childress	2.25	Gillespie	2.32
Clay	2.25	Glasscock	2.25
Cochran	2.25	Goliad	2.35
Coke	2.25	Gray	2.24
Coleman	2.30	Grayson	2.28
Collin	2.32	Guadalupe	2.36
Collingsworth	2.25	Hale	2.25
Comal	2.36	Hall	2.25
Comanche	2.27	Hamilton	2.29
Concho	2.30	Hansford	2.22
Cooke	2.28	Hardeman	2.25
Correll	2.34	Harris	2.49
Cottle	2.25	Hartley	2.22

TEXAS—Continued

County	Rate per bushel	County	Rate per bushel
Haskell	\$2.25	Navarro	\$2.35
Hays	2.36	Nolan	2.25
Hemphill	2.22	Ochiltree	2.22
Hill	2.35	Oldham	2.24
Hockley	2.25	Palo Pinto	2.28
Hood	2.31	Parker	2.31
Howard	2.25	Parmer	2.24
Hudspeth	2.17	Pecos	2.18
Hunt	2.32	Potter	2.25
Hutchinson	2.22	Presidio	2.16
Irion	2.22	Randall	2.25
Jack	2.28	Real	2.30
Jackson	2.36	Reeves	2.18
Jeff Davis	2.17	Roberts	2.23
Johnson	2.34	Robertson	2.36
Jones	2.25	Rockwall	2.32
Karnes	2.32	Runnels	2.28
Kaufman	2.33	San Saba	2.32
Kendall	2.32	Schleicher	2.23
Kent	2.25	Scurry	2.25
Kerr	2.31	Shackelford	2.25
Kimble	2.31	Sherman	2.20
King	2.25	Somervell	2.32
Kinney	2.25	Stephens	2.25
Knox	2.25	Sterling	2.23
Lamar	2.28	Stonewall	2.25
Lamb	2.25	Sutton	2.22
Lampasas	2.32	Swisher	2.25
Limestone	2.36	Tarrant	2.33
Lipscomb	2.22	Taylor	2.26
Live Oak	2.32	Terry	2.25
Llano	2.32	Throckmorton	2.25
Loving	2.18	Tom Green	2.25
Lubbock	2.25	Travis	2.36
Lynn	2.25	Uvalde	2.30
McCulloch	2.31	Van Zandt	2.32
McLennan	2.36	Victoria	2.36
Martin	2.24	Waller	2.48
Mason	2.32	Ward	2.20
Maverick	2.22	Wharton	2.45
Medina	2.34	Wheeler	2.24
Menard	2.30	Wichita	2.25
Midland	2.23	Wilbarger	2.25
Milam	2.38	Williamson	2.37
Mills	2.32	Wilson	2.32
Mitchell	2.25	Wise	2.30
Montague	2.28	Yoakum	2.25
Moore	2.22	Young	2.25
Motley	2.25	Zavala	2.27

UTAH

Beaver	\$2.07	Piute	\$1.95
Box Elder	2.00	Rich	2.03
Cache	2.00	Salt Lake	2.03
Carbon	2.03	San Juan	2.03
Daggett	2.03	Sanpete	1.99
Davis	2.03	Sevier	1.96
Duchesne	2.03	Summit	2.03
Emery	2.03	Tooele	2.00
Garfield	1.95	Uintah	2.03
Grand	2.03	Utah	2.03
Iron	2.07	Wasatch	2.03
Juab	2.00	Washington	2.07
Kane	1.95	Wayne	1.95
Millard	2.03	Weber	2.03
Morgan	2.03		

VERMONT

All counties	\$2.42
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VIRGINIA

County	Rate per bushel	County	Rate per bushel
Accomack	\$2.45	Buchanan	\$2.42
Albemarle	2.44	Buckingham	2.45
Alleghany	2.42	Campbell	2.44
Amelia	2.45	Caroline	2.45
Amherst	2.44	Carroll	2.43
Appomattox	2.45	Charles City	2.45
Arlington	2.44	Charlotte	2.45
Augusta	2.44	Chesterfield	2.45
Bath	2.42	Clarke	2.42
Bedford	2.44	Craig	2.42
Bland	2.42	Culpeper	2.44
Botetourt	2.43	Cumberland	2.45
Brunswick	2.44	Dickenson	2.42

VIRGINIA—Continued

County	Rate per bushel	County	Rate per bushel
Dinwiddie	\$2.45	Northampton	\$2.45
Elizabeth City	2.45	Northumberland	2.45
Essex	2.45	Nottoway	2.45
Fairfax	2.44	Orange	2.44
Fauquier	2.44	Page	2.44
Floyd	2.43	Patrick	2.43
Fruvanna	2.44	Pittsylvania	2.44
Franklin	2.43	Powhatan	2.45
Frederick	2.44	Prince Edward	2.45
Giles	2.42	Prince George	2.45
Gloucester	2.45	Prince	2.44
Goochland	2.45	William	2.44
Grayson	2.43	Princess Anne	2.44
Greene	2.44	Pulaski	2.43
Greensville	2.44	Rappahannock	2.44
Halifax	2.44	Richmond	2.45
Hanover	2.45	Roanoke	2.43
Henrico	2.45	Rockbridge	2.44
Henry	2.43	Rockingham	2.44
Highland	2.42	Russell	2.43
Isle of Wight	2.44	Scott	2.43
James City	2.45	Shenandoah	2.44
King and Queen	2.45	Smyth	2.43
King George	2.45	Southampton	2.44
King William	2.45	Stafford	2.45
Lancaster	2.45	Spotsylvania	2.45
Lee	2.43	Suffolk	2.44
Loudoun	2.44	Sussex	2.44
Louisiana	2.44	Tazewell	2.42
Lunenburg	2.45	Warren	2.44
Madison	2.44	Warwick	2.45
Mathews	2.45	Washington	2.43
Mecklenburg	2.44	Westmoreland	2.45
Middlesex	2.45	Wise	2.43
Montgomery	2.42	Wythe	2.43
Nansemond	2.44	York	2.45
Nelson	2.44		
New Kent	2.45		
Norfolk	2.44		

WASHINGTON

Adams	\$2.18	Lewis	\$2.29
Anotin	2.15	Lincoln	2.17
Benton	2.23	Mason	2.24
Chelan	2.21	Okanogan	2.16
Challam	2.23	Pacific	2.24
Clark	2.34	Pend Oreille	2.13
Columbia	2.21	Pierce	2.34
Cowlitz	2.33	San Juan	2.31
Douglas	2.16	Skagit	2.31
Ferry	2.08	Skamania	2.34
Franklin	2.19	Snohomish	2.31
Garfield	2.21	Spokane	2.16
Grant	2.17	Stevens	2.12
Grays Harbor	2.26	Thurston	2.29
Island	2.31	Walla Walla	2.22
Jefferson	2.23	Whatcom	2.23
King	2.34	Whitman	2.16
Kittitas	2.24	Yakima	2.23
Klickitat	2.30		

WEST VIRGINIA

Barbour	\$2.38	Hampshire	\$2.42
Berkeley	2.43	Hancock	2.36
Boone	2.38	Hardy	2.42
Braxton	2.38	Harrison	2.38
Brooke	2.36	Jackson	2.35
Calwell	2.36	Jefferson	2.44
Calhoun	2.37	Kanawha	2.37
Clay	2.38	Lewis	2.38
Doddridge	2.36	Lincoln	2.37
Fayette	2.40	Logan	2.38
Gilmer	2.37	McDowell	2.40
Grant	2.41	Marion	2.37
Greenbrier	2.42	Marshall	2.36

WEST VIRGINIA—Continued

County	Rate per bushel	County	Rate per bushel
Mason	\$2.36	Randolph	\$2.41
Mercer	2.41	Ritchie	2.36
Mingo	2.38	Roane	2.36
Mineral	2.41	Summers	2.42
Monongalia	2.37	Taylor	2.39
Monroe	2.41	Tucker	2.41
Morgan	2.42	Tyler	2.35
Nicholas	2.40	Upshur	2.39
Ohio	2.36	Wayne	2.37
Pendleton	2.42	Webster	2.40
Pleasants	2.35	Wetzel	2.36
Pocahontas	2.42	Wirt	2.36
Preston	2.39	Wood	2.35
Putnam	2.36	Wyoming	2.39
Raleigh	2.39		

WISCONSIN

Adams	\$2.33	Marathon	\$2.32
Ashland	2.35	Martinet	2.30
Barron	2.36	Marquette	2.33
Bayfield	2.36	Milwaukee	2.41
Brown	2.33	Monroe	2.33
Buffalo	2.36	Oconto	2.32
Burnett	2.38	Oneida	2.29
Calumet	2.34	Outagamie	2.34
Chippewa	2.35	Ozaukee	2.36
Clark	2.33	Peplin	2.37
Columbia	2.34	Pierce	2.39
Crawford	2.32	Polk	2.39
Dane	2.36	Portage	2.32
Dodge	2.35	Price	2.33
Door	2.30	Racine	2.41
Douglas	2.40	Richland	2.33
Dunn	2.37	Rock	2.37
Eau Claire	2.36	Rusk	2.35
Florence	2.29	Saint Croix	2.40
Fond du Lac	2.35	Sauk	2.34
Forest	2.29	Sawyer	2.36
Grant	2.33	Shawano	2.32
Green	2.36	Sheboygan	2.35
Green Lake	2.34	Taylor	2.33
Iowa	2.33	Trempealeau	2.35
Iron	2.33	Vernon	2.33
Jackson	2.34	Vilas	2.28
Jefferson	2.37	Walworth	2.38
Juneau	2.33	Washburn	2.37
Kenosha	2.42	Washington	2.36
Kewaunee	2.31	Waukesha	2.37
LaCrosse	2.33	Waupaca	2.33
Lafayette	2.34	Waushara	2.33
Langlade	2.30	Winnebago	2.34
Lincoln	2.29	Wood	2.32
Manitowoc	2.34		

WYOMING

Albany	\$2.05	Natrona	\$2.07
Big Horn	2.00	Niobrara	2.16
Campbell	2.12	Park	2.00
Carbon	2.02	Platte	2.16
Converse	2.11	Sheridan	2.09
Crook	2.13	Sublette	2.02
Fremont	2.00	Sweetwater	2.02
Goshute	2.19	Teton	1.98
Hot Springs	2.00	Uinta	2.02
Johnson	2.09	Washakie	2.00
Laramie	2.19	Weston	2.15
Lincoln	2.02		

(iii) Where the State committee determines that State or district weed control laws affect the wheat crop, the support rate will be 10 cents below the applicable county support rate set forth in the schedule in this subparagraph. If, upon delivery of the wheat to CCC the producer supplies a certificate indicating

that the wheat complies with the weed control laws, the producer will be credited with the amount of the differential in determining the settlement value.

(3) Premiums and discounts for classification, grade and protein content.

(i) Classification premiums and discounts:

	Cents per bushel
Hard Amber Durum	+10
Amber Durum	+4

	Cents per bushel
Red Durum	-15

Wheat stored in the States of Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, and designated counties in Montana, based on Portland	Cents per bushel	Wheat stored in all other States including designated counties in Montana based on Minneapolis or Omaha	Cents per bushel
Red Winter	-2		-4
Western Red	-2		-4
Soft White	-2		-4
White Club	-2		-4
Western White	-2		-4

	Cents per bushel
Mixed wheats (do not apply more than 1 of the mixed wheat discounts).	
Mixed wheat (including mixed wheat containing less than 5 percent of wheats of the classes Durum and/or Red Durum)	-2
Mixed wheat (containing from 5 percent to 10 percent of wheats of the classes Durum and/or Red Durum)	-6
Mixed wheat (containing more than 10 percent of wheats of the classes Durum and/or Red Durum)	-15
Amber mixed Durum	-5
Mixed Durum	-10

(ii) Grade premium and discount:

	Cents per bushel
No. 1 Heavy (Hard Red Spring)	+1

	Cents per bushel
(b) Discounts:	
No. 2	-1
No. 3	-3
No. 4 on basis of test weight	-6
No. 5 on basis of test weight	-9
No. 4 or No. 5 because of containing Durum and/or Red Durum ¹	-6
Smut—Degree basis:	
Light smutty	-2
Smutty	-6
Smut—Percentage basis:	
One-half of 1 percent	-1
1 percent or over	-3
Garlic—Degree basis:	
Light garlicky	-6
Garlicky	-15

¹ These discounts are in addition to any other applicable numerical grade discount.

² Not applicable to any of the mixed wheats or Red Durum. For discounts applicable to mixed wheat containing Durum and/or Red Durum, see above.

(iii) Protein premiums:

Protein content (percent)	Wheat stored in the States of Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, and designated counties in Montana, based on Portland		All other States including designated counties in Montana, based on Minneapolis or Omaha	
	Hard Red Spring, Hard Red Winter	Hard white wheat of the varieties Baart & Blue-Stem	Hard Red Spring	Hard Red Winter
10.0-10.9	0	1	0	0
11.0-11.9	1	2	0	0
12.0-12.9	2	3	0	0
13.0-13.9	3	4	1	1
14.0-14.4	4	4½	2	1½
14.5-14.9	5	5	3½	2
15.0-15.4	6	5½	5	2½
15.5-15.9	7	6	6½	3
16.0-16.4	8	6½	8	3½
16.5-16.9	9½	7	9½	4
17.0-17.4	11	7½	11	4½
Over 17.4	(¹)	(²)	(¹)	(²)

¹ 1½ cent for each ½ percent of protein over 17.4 percent.
² ½ cent for each ½ percent of protein over 17.4 percent.

(iv) In the case of "Mixed Wheat" the price support rate shall be determined by subtracting from the basic rate for the numerical grade the applicable discount, if any, for the predominating class in the mixture in addition to the discount for "Mixed Wheat" provided in the table of premiums and discounts shown in this subparagraph.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. 714c, 7 U. S. C., 1441, 1421)

Issued this 8th day of July 1954.

[SEAL] J. A. McCONNELL,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 54-5316; Filed, July 12, 1954;
 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas), Department of Agriculture

[1026 (Cotton-54-Upland)-1, Amdt. 2]

PART 722—COTTON

MARKETING QUOTA REGULATION PERTAINING TO THE 1954 CROP OF UPLAND COTTON

RATE OF PENALTY

Basis and purposes. Section 346 (a) of the Agricultural Adjustment Act of 1938, as amended, provides that whenever farm marketing quotas are in effect with respect to any crop of cotton, the producer shall be subject to a penalty on the farm marketing excess at a rate per pound equal to 50 percent of the parity price per pound for cotton as of June 15 of the calendar year in which such crop is produced. When the Cotton Marketing Quota Regulations for the 1954 Crop of Upland Cotton were approved by the Secretary of Agriculture on May 25, 1954, the parity price per pound for upland cotton as of June 15, 1954, was not available and the exact rate of penalty could not be included in such regula-

tions. Such parity price is now available and the purpose of the amendment contained herein is to establish and include in the regulations the exact rate of the penalty per pound of upland cotton for the 1954 crop of such cotton.

Cotton is presently being harvested in the southernmost areas of the United States and it is necessary that the amendment set forth herein be made effective at the earliest possible date in order that the exact rate of penalty may be made known to producers who desire to market cotton, and to buyers, who are charged in the regulations with the duty of collecting the penalty on cotton marketed subject to the penalty and the lien for the penalty. Accordingly, it is hereby determined and found that compliance with the notice, procedure, and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1003) is impractical and contrary to the public interest, and the amendment contained herein shall be effective upon filing of this document with the Director, Division of the Federal Register, The National Archives.

Section 722.566 of the Marketing Quota Regulations Pertaining to the 1954 Crop of Upland Cotton (19 F. R. 3124), is hereby changed to read as follows:

§ 722.566 *Rate of penalty.* The rate of penalty for cotton is 50 percent of the parity price for cotton as of June 15, 1954, as provided in section 346 (a) of the act. The rate of penalty for cotton, as calculated on the basis of such parity price, shall be 17.5 cents per pound of lint cotton.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 346; 52 Stat. 38, as amended; 7 U. S. C. 1301, 1349)

Done at Washington, D. C., this 8th day of July 1954. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 54-5317; Filed, July 12, 1954;
 8:52 a. m.]

[1026 (ELS-Cotton-54)-1, Amdt. 1]

PART 722—COTTON

MARKETING QUOTA REGULATIONS PERTAINING TO THE 1954 CROP OF EXTRA LONG STAPLE COTTON

RATE OF PENALTY

Basis and purpose. Section 347 (c) of the Agricultural Adjustment Act of 1938, as amended, provides that the applicable penalty rate for extra long staple cotton under section 346 of the act shall be the higher of 50 per centum of the parity price or 50 per centum of the support price for extra long staple cotton as of the date specified in section 346, which date is June 15 of the calendar year in which the crop is produced. When the cotton marketing quota regulations for the 1954 crop of extra long staple cotton were approved by the Secretary of Agriculture on May 25, 1954, the parity price per pound for extra long staple cotton as of June 15, 1954, was not available and the exact rate of penalty could not be determined and included in such regulations. Such parity price and the support price are now available and the purpose of the amendment contained herein is to establish and include in the regulations the exact rate of the penalty per pound for the 1954 crop of extra long staple cotton.

Cotton is presently being harvested in the southernmost areas of the United States and it is necessary that the amendment set forth herein be made effective at the earliest possible date in order that the exact rate of penalty may be made known to producers who desire to market cotton, and to buyers, who are charged in the regulations with the duty of collecting the penalty on cotton marketed subject to the penalty and the lien for the penalty. Accordingly, it is hereby determined and found that compliance with the notice, procedure and effective date requirements of the Administrative Procedure Act (5 U. S. C. 1003) is impractical and contrary to the public interest, and the amendment contained herein shall be effective upon filing of this document with the Director, Division of the Federal Register, The National Archives.

Section 722.1166 of the Marketing Quota Regulations Pertaining to the 1954 Crop of Extra Long Staple Cotton (19 F. R. 3133), is hereby changed to read as follows:

§ 722.1166 *Rate of penalty.* The rate of penalty for extra long staple cotton is the higher of 50 percent of the parity price for extra long staple cotton as of June 15, 1954, or 50 percent of the support price for extra long staple cotton of the 1954 crop as provided in section 347 (c) of the act. The parity price for extra long staple cotton as of June 15, 1954, is 72.5 cents per pound, which is higher than the support price for extra long staple cotton of the 1954 crop, as determined pursuant to the Agricultural Act of 1949, as amended. The rate of penalty for extra long staple cotton as calculated pursuant to the foregoing pro-

visions, shall be 36.2 cents per pound of extra long staple lint cotton.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 346, 347; 52 Stat. 38, as amended; 7 U. S. C. 1301, 1346, 1347)

Done at Washington, D. C., this 8th day of July 1954. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.
[P. R. Doc. 54-5319; Filed, July 12, 1954;
8:52 a. m.]

[1026 (Burley and Flue-54)-1]

PART 725—BURLEY AND FLUE-CURED TOBACCO

MARKETING QUOTA REGULATIONS, 1954-55 MARKETING YEAR

RATE OF PENALTY

The amendment herein is based on the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, applicable to tobacco (7 U. S. C. 1311-1314), and is made for the purpose of amending § 725.545 of the Burley and flue-cured Tobacco Marketing Quota Regulations, 1954-55 Marketing Year (19 P. R. 3143), to change the rate of penalty per pound upon marketings of excess Burley tobacco subject to marketing quotas during the 1954-55 marketing year. The rates of penalty contained in § 725.545 of the regulations as originally issued represent forty (40) per centum of the average market price (calculated to the nearest whole cent) for the 1953-54 marketing year for Burley and flue-cured tobacco, respectively, as was provided in the Act at time of issuance of the regulations. A subsequent amendment to the Act providing that the rate of penalty per pound upon marketings of excess tobacco shall be fifty (50) per cent of the average price of tobacco for the preceding marketing year necessitates this amendment. Since the effective date of the amendment is July 1, 1955 in the case of flue-cured tobacco, the rate of penalty on marketings of excess flue-cured tobacco during the 1954-55 marketing year remains at twenty-one (21) cents per pound. The rate of penalty on marketings of excess Burley tobacco during the 1954-55 marketing year is changed by the amendment to twenty-six (26) cents per pound rather than twenty-one (21) cents per pound.

It is necessary that the amendment set forth herein be made effective at the earliest possible date in order that the rate of penalty may be made known to producers who desire to market tobacco and to warehousemen and buyers who are responsible for payment of the penalty on marketings of excess tobacco. Also, since the amendment is the result of an amendment to the Act and involves only mathematical computations, it is hereby determined and found that compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act (5 U. S. C. 1003) is unnecessary and contrary to the public

interest, and the amendment contained herein shall be effective upon filing of this document with the Director, Division of the Federal Register.

Paragraph (a) of § 725.545 of the Burley and Flue-cured Tobacco Marketing Quota Regulations, 1954-55 Marketing Year (19 P. R. 3143) is hereby amended to read as follows:

§ 725.545 *Rate of penalty.* (a) The penalty per pound upon marketings of excess tobacco subject to marketing quotas shall be twenty-six cents per pound in the case of Burley tobacco and twenty-one cents per pound in the case of flue-cured tobacco.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or applies sec. 314, 52 Stat. 48, as amended, Pub. Law 425, 83d Cong.; 7 U. S. C. 1314)

Done at Washington, D. C., this 8th day of July 1954. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.
[P. R. Doc. 54-5318; Filed, July 12, 1954;
8:52 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Natural- ization Service, Department of Justice

Subchapter B—Immigration Regulations

PART 212—DOCUMENTARY REQUIREMENTS FOR NONIMMIGRANTS: ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

PART 263—REGISTRATION OF ALIENS IN THE UNITED STATES: PROVISIONS GOVERNING SPECIAL GROUPS

WAIVER OF DOCUMENTARY REQUIREMENTS

The following amendments to Chapter I of Title 8 of the Code of Federal Regulations are hereby prescribed:

1. Section 212.3 is amended to read as follows:

§ 212.3 *Nonimmigrants not required to present passports, visas, or border-crossing identification cards.* (a) The provisions of section 212 (a) (26) of the Immigration and Nationality Act and of this chapter relating to the requirement of passports, visas, and border-crossing identification cards for nonimmigrants, have been waived on a reciprocal basis by the Secretary of State and the Attorney General, acting jointly, in pursuance of the authority contained in section 212 (d) (4) (B) of the Immigration and Nationality Act, in the cases of aliens (including alien crewmen) who fall within any of the following-described categories:

(1) A Canadian citizen who has his residence in Canada and who makes application for admission into the United States (i) from Canada; or (ii) from, and after a visit solely to, some place in foreign contiguous territory or adjacent islands; or (iii) from, and after a visit solely to, some place in the Western Hemisphere if such citizen departed on a round-trip cruise from a port of the

United States or Canada and has not transhipped from the original vessel or aircraft.

(2) A British subject who has his residence in Canada and who makes application for admission into the United States (i) from Canada; or (ii) from, and after a visit solely to, some place in foreign contiguous territory or adjacent islands; or (iii) from, and after a visit solely to, some place in the Western Hemisphere if such subject departed on a round-trip cruise from a port of the United States or Canada and has not transhipped from the original vessel or aircraft.

(3) A Mexican national who:

(i) Is a military or civilian official or employee of the Mexican national government, or of a Mexican state or municipal government, or a member of the family of any such official or employee, and who makes application for admission into the continental United States from Mexico on personal or official business or for pleasure; or

(ii) Makes application to pass in immediate and continuous transit through the continental United States from one place in Mexico to another by means of a transportation line which crosses the border between the United States and Mexico; or

(iii) Is a member of a fire-fighting group entering the United States in connection with fire-fighting activities.

(4) International Boundary and Water Commission officers, employees, and other personnel entering the United States in the performance of their official duties, and Mexican nationals employed directly or indirectly on the construction, operation, or maintenance of works in the United States undertaken in accordance with the treaty concluded on February 3, 1944, between the United States and Mexico, and entering the United States temporarily in connection with such employment.

(5) A national of Cuba who is an official of the Cuban Immigration Service, who makes continuous round trips on regularly scheduled steamships between Havana, Cuba, and Miami, Florida, for the purpose of inspecting passengers, and who makes application for admission into the United States in connection with such employment.

(6) A national of Cuba who is a crewman serving on board a Cuban military or naval aircraft and who makes application for admission into the United States in connection with his official duties.

(b) The provisions of section 212 (a) (26) of the Immigration and Nationality Act relating to the requirement of passports, visas, and border-crossing identification cards for nonimmigrants have been waived by the Secretary of State and the Attorney General, acting jointly, in pursuance of the authority contained in section 212 (d) (4) (C) of the Immigration and Nationality Act in the cases of aliens (including alien crewmen) who fall within any of the following-described categories:

(1) An alien who is being transported by railroad or air in immediate and continuous transit through the United States directly from one part of Canada

or Mexico to another, without stopover, in accordance with the terms of a contract, including a bonding agreement, entered into by the transportation line and the Attorney General under the provisions of section 238 (d) of the Immigration and Nationality Act: *Provided*, That at all times such alien is in transit through the United States, and is not aboard an aircraft which is in flight through the United States, he shall be in the custody of an officer of the United States or in such other custody as may be approved by the Attorney General.

(2) An alien not within the purview of subparagraph (1) of this paragraph who is being transported in immediate and continuous transit through the United States without stopover from one foreign place to another in accordance with the terms of a contract, including a bonding agreement, entered into by a transportation line and the Attorney General under the provisions of section 238 (d) of the Immigration and Nationality Act, to insure such immediate and continuous transit through, and departure from, the United States en route to a specifically designated foreign country: *Provided*, That such alien is in possession of a travel document which is valid for his entry into a foreign country for a period of not less than 60 days after the date his immediate and continuous transit through the United States begins: *And provided further*, That at all times such alien is not aboard an aircraft which is in flight through the United States he shall be in the custody of an officer of the United States or, if the Attorney General finds that such custody is not practicable, in such other custody as the Attorney General may approve.

(3) An alien who is a passenger aboard a vessel or aircraft of a transportation line which is signatory to a contract, including a bonding agreement, entered into between such line and the Attorney General under the authority of section 238 (d) of the Immigration and Nationality Act to guarantee the passage through the United States in immediate and continuous transit of aliens destined to foreign countries, and who makes application for admission into Hawaii, Puerto Rico, the Virgin Islands, or Guam for a period of not more than twenty-four hours: *Provided*, That at all times such alien is not aboard the vessel or aircraft and is within the territorial limits of Hawaii, Puerto Rico, the Virgin Islands, or Guam he shall be in the custody of an officer of the United States or such other custody as may be approved by the Attorney General.

2. Section 212.4 *Additional classes of nonimmigrants not required to present passports, visas, or border-crossing identification cards* is deleted.

3. Section 212.5 is amended to read as follows:

§ 212.5 *Nonimmigrants required to present passports but not visas or border-crossing identification cards.* (a) The provisions of section 212 (a) (26) (B) of the Immigration and Nationality Act relating to the requirement of visas

and border-crossing identification cards for nonimmigrants have been waived on a reciprocal basis by the Secretary of State and the Attorney General, acting jointly, in pursuance of the authority contained in section 212 (d) (4) (B) of the Immigration and Nationality Act in the cases of aliens (including alien crewmen) who fall within any of the following-described categories:

(1) A Canadian citizen who has his residence in Canada, who is not within the purview of § 212.3 (a) (1), and who makes application for admission into the United States.

(2) A British subject who has his residence in British territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States.

(3) A French national who has his residence in French territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States.

(4) A Netherlands subject who has his residence in Netherlands territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States.

(5) Nationals of foreign contiguous territory or adjacent islands who make application for admission into the United States as seasonal or temporary workers under specific legislation enacted by the Congress and in accordance with any required international arrangements concluded upon the basis of such legislation.

(6) Nationals of adjacent islands in the British West Indies who are being imported as agricultural workers from the British West Indies, and who make application for admission into the United States.

(7) A Mexican national who makes application for admission into the United States as a crewman of an aircraft belonging to a Mexican company authorized to engage in commercial transportation into the United States, who is employed in any capacity required for normal operation and service on board, including a crewman employed as a steward or hostess, and who is in possession of a valid Mexican passport or a valid air crewman's certificate issued under the provisions of Annex 9 of the International Civil Aviation Convention.

(8) A Cuban national who makes application for admission into the United States as a crewman of an aircraft belonging to a Cuban company authorized to engage in commercial transportation into the United States, who is employed in any capacity required for normal operation and service on board, including a crewman employed as a steward or hostess, and who is in possession of a valid Cuban passport or a valid air crewman's certificate issued under the provisions of Annex 9 of the International Civil Aviation Convention.

(9) A British subject who has his residence in, and arrives in the United States directly from, the Cayman Islands, and who, in making application for admission into the United States, presents a certificate from the Clerk of Court of the Cayman Islands stating what, if any-

thing, the Court's criminal records show concerning such subject, and a certificate from the Office of Commissioner of the Cayman Islands stating what, if anything, its records show with respect to such subject's political associations or affiliations.

(b) The provisions of section 212 (a) (26) (B) of the Immigration and Nationality Act relating to the requirement of visas and border-crossing identification cards for nonimmigrants have been waived by the Secretary of State and the Attorney General, acting jointly, in pursuance of the authority contained in section 212 (d) (4) (A) of the Immigration and Nationality Act in the individual cases of aliens who fall within any of the following-described categories, which are hereby declared to be unforeseen emergencies within the purview of that section:

(1) A crewman serving on a vessel or aircraft proceeding directly to the United States from a port or place at which no American consular officer is stationed and no consular officer is stationed at a nearby port or place to whom the crew list may be submitted for visaing by mail or otherwise without delaying the departure of the vessel or aircraft.

(2) A crewman serving on a vessel or aircraft which is proceeding from a foreign port or place, not destined to the United States, and is diverted to a port of the United States.

(3) A crewman serving on a vessel or aircraft who was necessarily signed on as a replacement after the crew-list visa was obtained, and there was no opportunity thereafter to have such crewman included in the supplemental crew-list visa, without delaying the departure of the vessel or aircraft.

4. The last sentence of paragraph (c) of Form I-186; who may apply of § 212.11 *Nonresident alien's border-crossing identification card* is amended by changing "§ 212.3 (a) or (b)" to "§ 212.3 (a) (1) or (2)".

5. The first sentence of paragraph (a) of § 263.2 *Certain Canadian citizens and British subjects: agricultural workers* is amended by changing "§ 212.3 (a) or (b)" to "§ 212.3 (a) (1) or (2)".

(Sec. 103, 66 Stat. 173; 8 U. S. C. 1103)

This order shall become effective on the date of its publication in the *FEDERAL REGISTER*. Compliance with the provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) as to notice of proposed rule making and delayed effective date is unnecessary in this instance because the rules prescribed by the order relieve restrictions and are clearly advantageous to persons affected thereby.

Dated: July 1, 1954.

HERBERT BROWNELL, Jr.,
Attorney General.

Recommended: May 10, 1954.

ARGYLE R. MACKAY,
Commissioner of Immigration
and Naturalization.

[F. R. Doc. 54-5304; Filed, July 12, 1954;
8:50 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

Subchapter B—Export Regulations

[7th Gen. Rev. of Export Regs., Amdt. 4]

PART 368—MUTUAL ASSISTANCE ON U. S. IMPORTS AND EXPORTS

PART 372—PROVISIONS FOR INDIVIDUAL AND OTHER VALIDATED LICENSES

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 379—EXPORT CLEARANCE

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

MISCELLANEOUS AMENDMENTS

1. Section 368.1 *Import certificate and delivery verification on selected imports into the United States* is amended in the following particulars:

a. Paragraph (b) *Import certificate covering imports into United States* is amended by the addition of the following subparagraph (6):

(6) *Lost or destroyed import certificates.* Where an import certificate is lost or destroyed, a duplicate copy of such import certificate may be obtained by the person in the United States who executed the original import certificate by submitting to the Bureau of Foreign Commerce, Operations Division, Washington 25, D. C., or any field office of the Department of Commerce listed in subparagraph (2) of this paragraph, a new set of Forms IT- or FC-826 in accordance with the provisions of subparagraph (1) of this paragraph and accompanied by a letter certifying:

(i) That the original import certificate No. _____ (if known) dated _____, issued to _____ (name and address of U. S. importer) for importation from _____ (foreign exporter's name and address) has been lost or destroyed;

(ii) The circumstances under which it was lost or destroyed; and

(iii) If the original import certificate is found, the applicant agrees to return the original or duplicate import certificate to the Department of Commerce.

b. Paragraph (d) *Delivery verification on imports into the United States* is amended to read as follows:

(d) *Delivery verification on imports into the United States—(1) General.* (i) U. S. importers may be requested by their foreign exporters to supply them with a certified Delivery Verification, Form IT- or FC-908, covering materials imported into the United States. These requests are made by the various foreign governments for the purpose of assuring that strategic goods shipped to the United States are not diverted from their intended destination. The issuance of an export license in these instances was conditioned upon the subsequent receipt of

certified Delivery Verifications from the U. S. importer.

(ii) Failure on the part of the U. S. importer to comply with his foreign exporter's request will result in the exporter's inability to fulfill this obligation to his government and may result in his being denied further export licenses. This action obviously would prevent the U. S. importer's participation in further import transactions with such foreign exporter. It also may result in the U. S. importer being cut off from any trade with the exporting country requesting the Delivery Verification. In addition, the foreign exporter may be subjected to other penalties for his failure to furnish his government a certified Delivery Verification.

(iii) The U. S. person or firm executing an import certificate is responsible for providing the foreign exporter with a Delivery Verification even in those instances where the merchandise is resold to another U. S. person or firm prior to actual importation into the United States. Where such resale occurs, the person who executed the import certificate should (a) obtain a commitment from the purchaser or purchasers that they will provide him with a Delivery Verification in the event one is required by the exporting country and (b) transmit to the purchaser or purchasers the identification number of the U. S. import certificate covering the exportation from the foreign country.

NOTE: Where the U. S. person (original import certificate holder) does not wish to disclose to his foreign supplier the name or names of his customer(s), he may send the Delivery Verification after obtaining it from the actual U. S. importer(s) to the Bureau of Foreign Commerce, Operations Division, Washington 25, D. C. The BFC will undertake to notify the foreign government that a Delivery Verification has been issued.

(2) *Completion and disposition of Delivery Verifications.* A United States importer who is required by the foreign government to obtain a Delivery Verification shall present Form IT- or FC-908, Delivery Verification, in original only, to the Collector of Customs.¹ The Collector of Customs will certify Delivery Verifications after the importation has been delivered to the importer. Delivery Verification forms will be certified by Collectors of Customs only where the importation is made by a warehouse or consumption entry. Form IT- or FC-908 shall be completed by the United States importer in all respects except as to type of customs entry (warehouse or consumption), entry number, date of entry, and certification at the bottom of the form. The commodities described on the form shall be in the same terms as those shown on the related import certificate. The duly certified form shall be despatched by the United States importer to the foreign exporter or otherwise disposed of in accordance with the instructions of the exporting country.

¹ Forms IT- or FC-826 and IT- or FC-908 may be obtained from all Department of Commerce field offices and from the Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C. In addition, Form IT- or FC-908 may be obtained from offices of Collectors of Customs.

cordance with the instructions of the exporting country.

(3) *Lost or destroyed Delivery Verifications.* When a Delivery Verification, Form IT- or FC-908, is lost or destroyed, the U. S. importer shall prepare a duplicate copy in the same manner as set forth in subparagraph (2) of this paragraph, except that the Delivery Verification will not be presented to the Collector of Customs for Certification. The U. S. importer shall attach to the duplicate copy of Form IT- or FC-908, a letter addressed to the Bureau of Foreign Commerce, Operations Division, Washington 25, D. C., certifying:

(i) That the original Delivery Verification, a copy of which is attached, has been lost or destroyed;

(ii) The circumstances under which it was lost or destroyed; and

(iii) The type of customs entry (warehouse or consumption), entry number, and date of entry.

The Bureau of Foreign Commerce will undertake to confirm the facts with the Collector of Customs at the port of entry and also notify the exporting government.

This part of the amendment shall become effective as of July 1, 1954.

2. Part 372, Provisions for Individual and Other Validated Licenses, is amended to read as follows:

Sec.	
372.1	Applicability of provisions.
372.2	Definitions of validated licenses.
372.3	Exportations requiring validated licenses.
372.4	Applications for validated licenses.
372.5	How to file an application for a validated license.
372.6	License applications for in-transit shipments.
372.7	License applications for ship stores, plane stores, supplies and equipment.
372.8	Disclosure of prior action on the shipment.
372.9	Documents accompanying license applications.
372.10	Additional information.
372.11	Issuance and use of validated licenses.
372.12	Reexportation from country of destination.
372.13	Duplicate licenses.
372.14	Return of revoked, expired, or unused licenses.
372.15	Reports.

AUTHORITY: §§ 372.1 to 372.15 issued under sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 82; 50 U. S. C. App. Supp. 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.

§ 372.1 *Applicability of provisions.* The provisions of this part and (insofar as consistent with the provisions of this part), all of the other provisions of the Export Regulations shall apply to applications for and individual licenses issued by the Bureau of Foreign Commerce. These provisions also shall apply equally to other types of validated licenses and applications therefor, insofar as consistent with the provisions of Parts 374 to 399, inclusive, of this subchapter relating to such other types of validated licenses.

NOTE: Special provisions for certain commodities and destinations are set forth in Part 373 of this subchapter.

² This amendment was published in Current Export Bulletin No. 732, dated July 1, 1954.

§ 372.2 Definitions of validated licenses—(a) Validated license. The term "validated license" means a document authorizing exportation, issued by or under the authority of the Bureau of Foreign Commerce. Wherever reference is made in this part to an application for a license or to a license issued upon application, the reference is to a validated license, as distinguished from the general licenses established in Part 371 of this subchapter for which no application is required and for which no document is issued.

(b) *Individual license.* An "individual license" is any validated license other than those named in paragraphs (c) through (g) of this section authorizing the exportation of a specified quantity of commodities by a designated licensee to a designated consignee.

(c) *Project license.* A "Project license" is a validated license authorizing the exportation of all commodities required for a specific officially recognized project or program for a specific period. Two types of project licenses, "Special Project" (SP) and "Dollar Limit" (DL) are used for this purpose. (See Part 374 of this subchapter.)

(d) *Blanket license.* A "Blanket (BLT) license" is a validated license authorizing the exportation of specified quantities of a specific commodity to two or more consignees in the same country of destination. (See Part 375 of this subchapter.)

(e) *Periodic requirements license.* A "Periodic Requirements (PRL) license" is a validated license authorizing the exportation during a specified period of one or more of the commodities identified on the Positive List of Commodities (§ 399.1 of this subchapter) by the letter "E" in the column headed "Commodity Lists" to one or more named ultimate consignees in a named ultimate destination. (See Part 376 of this subchapter.)

(f) *Time limit license.* A "Time Limit (TL) license" is a validated license authorizing the exportation of an unlimited quantity of commodities, other than those commodities identified on the Positive List by the letter "B", to an ultimate consignee located in a Group O country. (See Part 377 of this subchapter.)

(g) *Foreign distribution license.* A "Foreign Distribution (FD) license" is a validated license authorizing the exportation of commodities, identified by the letter "F" in the column headed "Commodity Lists" on the Positive List, to a distributor located in a foreign country (other than Hong Kong, Macao, and Subgroup A countries) for resale, distribution, or use in the distributor's country, or for reexportation to other countries, as approved. (See Part 378 of this subchapter.)

§ 372.3 Exportations requiring validated licenses. No commodity subject to the Export Regulations of the Bureau of Foreign Commerce may be exported to any destination without a validated license issued by the Bureau of Foreign Commerce, except where the exportation is authorized by a general license or other authorization granted, issued,

or established by the Bureau of Foreign Commerce.

NOTE: Certain commodities are subject to export regulations of other agencies of the Government. The Bureau of Foreign Commerce does not issue export licenses for those commodities. (See § 370.4 of this subchapter.)

§ 372.4 Applications for validated licenses—(a) Who may apply—(1) General. (i) A license application may be made by any person subject to the jurisdiction of the United States who is in fact the exporter or by his duly authorized agent. In either instance, the exporter must be shown as the applicant.

(ii) The applicant for a license should be that person who, as the principal party in interest in the transaction of exportation, has the power and responsibility to determine and control the sending of the goods out of the country and is thus in reality the exporter. For this purpose, it is the identity of the applicant, and his role in the transaction, and not the terms of sale, with which the Bureau of Foreign Commerce is primarily concerned. If, in a given transaction, he has the responsibility for effecting exportation, such person is a proper applicant; if, on the other hand, he does not assume such responsibility, he is not a proper applicant.

(iii) If the seller intends to leave the responsibility for effecting exportation in the hands of the foreign importer or the latter's forwarding or purchasing agent in the United States, he should not apply for the license or appear as exporter; but, in such case, the forwarding or purchasing agent should appear as applicant and exporter unless the foreign importer himself is subject to the jurisdiction of the United States at the time of exportation, in which case the latter should apply for the license in his own name. If any forwarding or purchasing agent applies for the license, he must disclose the fact of his agency and the name of his principal.

(iv) No application by any person not subject to the jurisdiction of the United States will be considered unless such application is made on his behalf by an authorized agent in the United States. The agent authorized to file the application then becomes the applicant. Ordinarily, a seller who delivers commodities in this country to a foreign buyer or to the latter's forwarder or other agent would not be in a position to assume responsibility for the exportation and so would not be a proper applicant. This would normally be the situation where the sale is made f. o. b. factory, although it is recognized that such terms of sale may relate only to price and are not necessarily inconsistent with the assumption by the seller of full responsibility for effecting the exportation.

(2) *Order party.* (i) Where the applicant did not receive the order directly from the foreign purchaser or ultimate consignee named in the application, the application must also be signed by the person in the United States who originally received the order (the order party), as well as by the applicant. The "order party" is that person in the

United States who conducted the direct negotiations or correspondence with the foreign purchaser or ultimate consignee and who, as a result of these negotiations, received the order from the foreign purchaser or ultimate consignee. The signature of the order party, followed in parentheses by the designation "(order party)," shall be entered on the application form above the signature of the applicant. The signature of the order party on the application is not required on an application filed by a person acting for the account of a foreign principal where the foreign principal is in fact the exporter, as defined in subparagraph (1) of this paragraph.

(ii) The order party should not be shown as an applicant in the space provided for the applicant on the application form. The license, when issued, will show as licensee only the party shown as applicant on the application form.

(b) *Responsibility of the licensee.* Any applicant to whom an export license is issued becomes the licensee, and will be held strictly accountable for use of the license, whether as a principal exporting for his own account, or as an agent acting for the account of a foreign principal who is not subject to the jurisdiction of the United States. He thereby assumes responsibility for actually effecting the exportation, for proper use of the license, and for due performance of all its terms and conditions.

(c) *Requirement to disclose parties in interest—(1) Disclosure requirement.*

(i) The policies of export control require the fullest disclosure by the applicant of all parties in interest in order that decisions on applications may be made with the fullest knowledge of all relevant facts and in order that the identity and whereabouts of the persons who know most about the transactions may be easily ascertained in the event of inquiry.

(ii) The applicant must disclose fully on the application for license the names of all parties who are concerned with or interested in the proposed exportation, participating on their own account including: the applicant as exporter, the ultimate consignee, the intermediate consignee, and the purchaser, all as defined in this section. If the application is filed for an account other than that of the applicant, the agent, as applicant, must disclose the name of his foreign principal for whose account the exportation is to be made. The true parties in interest as known to the applicant must be disclosed.

(iii) It is realized that there may be cases in which more than one person in a transaction may fairly be described as being a principal. In such cases, the application should be accompanied by a statement giving the names and addresses of such other persons and their roles in the transaction in question. Where there is any doubt as to which of several persons should be named as the party to the license, the applicant should disclose the names of all and the functions to be performed by each. For this purpose a separate statement attached to the application will be acceptable.

(2) *Definitions of parties in interest.*—
(i) *Applicant.* The applicant for a license should be that person who, as the principal party in interest in the transaction of exportation, has the power and responsibility to determine and control the sending of the goods out of the country and is thus in reality the exporter. (See paragraph (a) of this section.)

(ii) *Ultimate consignee.* The person located abroad who is the true party in interest in actually receiving the exportation for the designated end use must be named as the ultimate consignee. In all cases, the address of the ultimate consignee must be in the country of destination specified for the proposed exportation. A bank, freight forwarder, forwarding agent, or other party, when acting as an intermediary is not acceptable as the ultimate consignee.

(iii) *Intermediate consignee.* (a) The bank, forwarding agent, or other intermediary (if any) who acts in a foreign country as an agent for the exporter, the purchaser, or the ultimate consignee, for the purpose of effecting delivery of the exportation to the ultimate consignee must be named on the application, if known. If no intermediary is to be used, or if the intermediate consignee is unknown at the time of the application, this fact must be stated on the application.

(b) Optional intermediate consignees may be indicated on the application for export license by an exporter who is unable to determine, at the time of filing his license application, at which port the commodities will be unloaded from the exporting carrier.

(c) In all cases, before a shipment will be cleared for export, the name and address of any intermediate consignee to be used must be ascertained and set forth on the shipper's export declaration, whether or not named on the license application or validated license. (See § 379.2 (a) (2) of this subchapter.) However, the name and address of the intermediate consignee need not be shown on the commercial invoice.

(d) Amendment of the export license is required if the intermediate consignee to be used in the export transaction is not named on the export license, unless such new or different intermediate consignee is located in the country of ultimate destination as shown on the export license. See §§ 379.5 (h) and 380.2 (d) of this subchapter.

(iv) *Purchaser.* The person abroad who has entered into the export transaction with the applicant to purchase the commodities for delivery to the ultimate consignee must be named as the purchaser. If such person is the same as the ultimate consignee, applicant should state "Same." A bank, freight forwarder, forwarding agent, or other intermediary is generally not acceptable as the purchaser.

(d) *Legal liability for violations.* Insofar as legal liability for any violation of the export-control law and regulations is concerned, every person who in any capacity participates in fact in an exportation knowing it to be unauthorized may be held to account, whether or not he appears as the party on the applica-

tion for the export license. (See Part 381 of this subchapter.)

(e) *Information regarding commodities.* The applicant must state on the application for a validated license submitted on Form IT- or FC-419, in accordance with the instructions set forth on such forms, (See Note 2 following § 372.5 (a)) for each commodity item listed therein:

- (1) The quantity to be shipped;
- (2) A description in sufficient detail to permit accurate identification, including its Schedule B number;
- (3) The total selling price of the item and its price per unit; and
- (4) The proposed end-use.

(f) *Substantiation of representations made in license application.*—(1) *Orders and substantiation of other material facts.* No application for an export license shall be made unless and until the applicant has, supported by documentary evidence in his possession, or in the possession of the order party (as defined in paragraph (a) (2) of this section) who signs the application in accordance with the requirements of paragraph (a) (2) of this section:

(i) An order for export for the commodities covered by the application. If the applicant for the export license is not the person who conducted the direct negotiations or correspondence relative to the order with the ultimate consignee or foreign purchaser, as designated in the application for export license, and did not receive the order from the ultimate consignee or foreign purchaser, the application must be completed in accordance with paragraph (a) (2) of this section.

(ii) Substantiation of the following facts relating to the purchase transaction which the applicant must disclose on the application, Form IT- or FC-419 (see § 372.5):

Country of ultimate destination;
Names and addresses of the ultimate consignee, intermediate consignee (if any), purchaser (if other than ultimate consignee), and any other party to the purchase transaction, whether principal or agent, including but not limited to brokers, representatives or other agents through whom the order was received;

Quantity and description of the commodities to be exported;

End use of the exportation;

FOA authorization if known and applicable.

(2) *Definitions.*—(i) *Order.* The term "order" as used herein means an order for export placed with an exporter in the United States, or through an order holder as defined in paragraph (a) (2) of this section, by an importer in a foreign country which, if accepted by the exporter or the order holder, will result in a binding contract between the exporter or the order holder and the foreign importer. Conversely, however, an exporter's or order holder's offer alone is not a basis for an application. While the terms of the order may be conditioned, such terms must be ascertainable and certain; for example (a) the terms of payment may provide a price dependent upon the market price at the time of delivery; (b) the time or

place of delivery may be dependent upon an event in the future, etc. An "order" is more than a mere business inquiry relating to the possible purchase of merchandise, although it need not be an agreement which can be presently executed. Furthermore, while orders may be conditioned upon the issuance to the exporter of an export license by the Bureau of Foreign Commerce or the issuance to the importer of an Import Permit or exchange permit by his government, or such other government document as may be required, such orders for export would still be considered as orders within the meaning of these provisions.

(ii) *Evidence of an order.* Evidence of an order as used herein means any document or documents emanating from the foreign purchaser which set forth the terms and conditions of his offer to buy the materials or articles for which the export license is requested. Such evidence may take the form of a contract signed by both parties, or of letters, telegrams, cables, confirmations, or other documents which set forth in definite terms the offer of the foreign purchaser to buy or the acceptance by the foreign purchaser of the exporter's offer to sell.

(iii) *Evidence of facts relating to the purchase transaction.* Evidence of the facts relating to the purchase transaction means any documents emanating from the purchaser or ultimate consignee which substantiate the material statements in the application enumerated in subparagraph (1) of this paragraph. Such evidence may be contained in the document or documents constituting evidence of the order, or in additional documents emanating from the purchaser or ultimate consignee. The printed name, address, or nature of business of the ultimate consignee or purchaser appearing on his letterhead or order form shall not constitute evidence of either his identity, the country of ultimate destination, or end use of the commodities described in the application.

(3) *Shipments involving other than normal purchase and sale contracts.* Where the transaction between the applicant and purchaser or ultimate consignee does not involve a normal purchase and sale contract in the customary form or where for other stated reasons the term "order" as used herein does not apply, the applicant shall attach to his application a full description of the nature of the transaction.

Note: Where an exporter ships supplies or equipment to his foreign subsidiary or to distributors for use or resale, but it is not the practice for the subsidiary or distributor to submit or for the exporter to accept orders, documentary evidence of an order is not required. The applicant must, however, submit a full statement of the nature of the transaction or arrangement, explaining the end uses of the commodities involved. When commodities are to be exported under any other arrangement, a full statement of the nature of the transaction must likewise be submitted.

(4) *Retention of documents.* The documents constituting evidence of an order and of the facts relating to the purchase transaction, as defined in subparagraph (2) of this paragraph, or other transaction referred to in subpara-

graph (3) of this paragraph, must be kept available for inspection, upon demand, by the Bureau of Foreign Commerce for three years from the date of receipt of the application, as shown on the Acknowledgment Card, Form IT- or FC-116.

NOTE: 1. Copies of documents. The Bureau of Foreign Commerce may request either the originals of the documents constituting the evidence, or photostatic or other copies thereof. The time and manner of submission will be made known to the applicant at the time the request for submission is made. In accordance with § 372.9 (a), all documents submitted in connection with a license application must be identified clearly as a part of that application. Unless supporting documents are so identified, they will not be accepted by the Bureau of Foreign Commerce.

2. Coded terms; foreign languages. The provisions of § 372.9 (d), requiring an explanation of terms and abbreviations and an English translation of documents in a foreign language, must be observed.

(5) Changes in orders or facts relating to the purchase or other transaction. Answers to all questions in the application shall be deemed to be continuing representations of the existing facts or circumstances. Any material or substantive change in the terms of the order or in the facts relating to the purchase transaction or other transaction, shall be promptly reported to the Bureau of Foreign Commerce, whether a license has been granted or the application is still under consideration. If a license has been granted, such change shall be reported immediately to the Bureau of Foreign Commerce, in accordance with the provisions of Part 380 of this subchapter, even though shipments against the license may be partially or wholly completed.

NOTE: 1. Change in intermediate consignee. Change in intermediate consignee must be reported on the Shipper's Export Declaration, and in certain cases an amendment to the export license is required. (See paragraph (c) (2) (iii) of this paragraph and § 308.2 (d) (3).)

2. FOA authorization. Changes in facts relating to FOA authorization should be reported if such authorization was indicated in the application; otherwise such disclosure should be made in the fourth copy of the Shipper's Export Declaration, if required by terms of the license. (See § 379.1 (c) of this subchapter).

(g) Export licenses related to Complete Applications. Although the export licenses issued by the Bureau of Foreign Commerce may not set forth all the facts relating to the export transaction that are contained in the license application and supporting documents, any validated export license issued is valid for use only with respect to the specific export transaction described in the license application and supporting documents, unless otherwise provided by the export license or the Export Regulations.

§ 372.5 How to file an application for a validated license—(a) Form and manner of filing.—(1) An application for a validated license must be submitted on Form IT- or FC-419, Application for Export License, accompanied by Form

IT- or FC-116, Acknowledgment Card* (see Supplements S-1 and S-2 for facsimiles). An application is incomplete and will be returned to the applicant unless accompanied by an acknowledgment card with both portions completely and correctly filled out.

(2) All terms, conditions, provisions, and instructions, including the applicant's certificate, contained in such form or forms are hereby incorporated as a part of the Export Regulations.

NOTE: 1. Facsimiles of Form IT- or FC-419. Exporters may print facsimiles of Form IT- or FC-419 with printed answers to many of the questions, provided the facsimiles are identical with the official form in size, ink color, and typographic arrangement.

2. Preparation of Form IT- or FC-419. The following instructions apply to the preparation of applications submitted on Form IT- or FC-419, Application for Export License, for all types of validated export licenses issued by the Bureau of Foreign Commerce, except as modified by special licensing procedures and provisions contained in the Export Regulations.

Item 1. The date of the application must be shown.

Item 2. The applicant's reference number may be used for applicant's convenience.

Item 3. The country of final (ultimate) destination is to be entered, not a country through which the exportation may travel in transit to its final destination. A statement of ultimate destination and prohibition against diversion must be placed on Shipper's Export Declaration, bills of lading, and commercial invoices for various export shipments as provided by § 379.5 of this subchapter. Transshipment or diversion of commodities from country of final (ultimate) destination is a violation subject to the denial of export privileges and to criminal penalties, unless specifically authorized by the Bureau of Foreign Commerce.

Item 4. If a previous application covering this same transaction has been submitted, the Bureau of Foreign Commerce Case Number shall be entered in this space. (To be answered only when the application covers the same transaction for which a previous application was returned without action, or rejected, by Bureau of Foreign Commerce. Exporters must not submit a duplicate application to cover any transaction for which an application for export license is still pending before the Bureau of Foreign Commerce.)

Item 5. Enter the import permit number and/or FOA procurement authorization number, if required by specific regulations. If application is related to the Foreign Operations Administration program, the identification number and symbol of the procurement authorization or loan authorization under which the foreign customer is entitled to import should be inserted, if known; if unknown or not yet assigned, so indicate.

Item 6. The name and address of the applicant must be entered in the provided space.

Item 7. The person named as ultimate consignee should be the person abroad who is actually to receive the material for the designated end use. A bank, freight forwarder, forwarding agent, or other intermediary is not acceptable as an ultimate consignee, but should be disclosed as the intermediate consignee.

Item 8. The intermediate consignee may be a bank, forwarding agent, or other inter-

mediary in a foreign country who participates as an agent for the exporter or for the purchaser or ultimate consignee for the purpose of effecting delivery of the exportation to the purchaser or ultimate consignee. If no intermediary is to be used, state "None"; if unknown at time of application, state "Unknown." In all cases the actual intermediate consignee (name and address) must be ascertained and disclosed on the Shipper's Export Declaration filed before exportation. In certain cases, amendment of the license also is required.

Item 9. The name and address of the person, other than applicant, authorized by the applicant to receive the license, if issued, should be entered in this space.

Item 10. The person who should be named as purchaser is the person abroad who has entered into the export transaction with the applicant. If the foreign purchaser is other than the ultimate consignee shown on the export license application, the name and address of the purchaser must be shown. If the foreign purchaser is the same as the ultimate consignee, this fact should also be shown on the application; in this case the applicant should enter the word "Same" in the foreign purchaser item of the form. In any instance in which an applicant fails to make any entry in the foreign purchaser item of the form, he represents thereby that there is no foreign purchaser other than the ultimate consignee.

Item 11 (a). Give the quantity to be shipped using units specified in Schedule B, Statistical Classification of Domestic and Foreign Commodities Exported from the United States* (unless otherwise specified in the Export Regulations) and also in trade units, where different.

Item 11 (b). Commodities must be described in terms which correspond with the commodity descriptions in Schedule B. Additional details must be furnished to the extent necessary for identification of the specific items so classified. (Include basic ingredients, composition, type, size, gauge, grade, horsepower, etc., where applicable. Show brand or trade names, catalog numbers, or other trade characteristics which will aid in exact identification of commodities.)

Item 11 (c). The Schedule B number, processing code, and related commodity group number, if any, shall be shown in the provided space. (Unless the processing code is followed by a related commodity group number, a separate application must be filed for each entry on the Positive List of Commodities.)

Item 11 (d). Unit price should be shown except where a large variety of products within a single Schedule B classification makes such a breakdown extremely difficult. In such cases only total price need be shown. The applicant must show total price in the customary form of quotation such as f. o. b. (factory), f. a. s. (named port), c. i. f., or other form. The particular form of price quotation must be specified.

Item 12. If the applicant is exporting for other than his own account, the name and address of the foreign principal must be shown and an explanation of the transaction given in full.

Item 13. Availability of Material to be Exported. All applicable parts of Item 13 must be answered, showing the exact status of the applicant's procurement of the commodities to be exported. In the case of a producer, the approximate delivery date is the date on which the commodities will be available for export. If more than one delivery

*Form IT- or FC-419 and Form IT-116 or FC-116 may be obtained at all Department of Commerce Field Offices and from the Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C.

*For sale by Superintendent of Documents, United States Government Printing Office, Washington 25, D. C., and field offices of the Department of Commerce.

date is required for the commodities covered by the application, each date should be given, using a supplementary sheet, if necessary.

Applications for licenses to export certain commodities will be considered only when answers to Item 13 indicate that the commodities will be available to the applicant within the normal validity period of licenses for such commodities.

Item 14. End use of commodities covered by this application will be an important factor in determining issuance of license. Statement by ultimate consignee (and purchaser, if not same) as to ultimate destination and end use must be submitted for certain exportations as required by the Export Regulations. (Applicant's reference to such statement does not relieve him of responsibility to fully disclose any additional or different information he may know.) Applicant should indicate clearly the end use for which material is to be exported, e. g.:

For purchaser's own personal use;
For resale in country of ultimate destination and consumption in that country;
For a service to be rendered, indicating how the item(s) described herein will be used in this service;

For new construction or expansion;
For maintenance, repair, or operation of existing facilities;

To enable the purchaser to produce the following needed materials or products for export to _____;

(Name of country)
To be reexported and, if so, to what country;

To fill a specific need endorsed as of high priority by the government of the receiving country, stating the need and the nature of the endorsement;

However, end-use statements consisting of brief outlines (such as above) are not considered sufficient in themselves. A complete and detailed description of end use is required.

Item 15. The application must be signed by applicant, or by an officer or duly authorized agent of the applicant. (If signed by agent of the applicant, title and firm name of agent must be shown.) The name of the applicant and the name and title of person who signs the application must also be typed or printed legibly in the space provided. Sign the original copy.

The applicant's signature on the application constitutes a certification by the applicant with respect to the license application, as set forth in Item 15: A certification that any copies of documents submitted in lieu of originals in support of the application are true and correct copies of the originals; and a certification that the information contained in all documents submitted at any time in support of the application is true and correct to the best of his knowledge and belief.

3. Preparation of Form IT- or FC-116. An Acknowledgment Card, Form IT- or FC-116, with both portions completely and correctly filled out, must accompany each license application.

This card must be made out in the name of the applicant, as shown in item 5 of Form IT- or FC-419. Upon receipt of the application, the Bureau of Foreign Commerce will enter on the card the case number assigned to the application, and the date of receipt, detaching and returning to the applicant the return portion (applicant's copy).

If the application is submitted by an agent, or if the applicant wishes an agent to receive an Acknowledgment Card, the upper portion only (applicant's copy) of an additional acknowledgment card may be filled out in the name of the agent and submitted with the application.

The date of application, applicant's reference number (if any), country of destination, Schedule B number, and processing code (and related commodity group number,

if any) must be the same as the corresponding entries on Form IT- or FC-419. Only a brief commodity description is required to be shown on Form IT- or FC-116.

(b) **Assembly and submission of applications.** (1) All documents or correspondence accompanying the license application, bearing the applicant's reference number, if any, should be firmly stapled together in the upper left-hand corner.

(2) Form IT- or FC-116, typed side up, should be attached with a paper clip (not stapled) to the upper left-hand corner of Form IT- or FC-419. The two portions of Form IT- or FC-116 should not be separated.

(3) Applications should be submitted (preferably by mail) to the Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C.

(4) Applications which omit essential information will be returned without action.

(c) **Time of submission of license applications.** Specific filing dates are established for certain Positive List commodities. Applications for licenses to export such commodities shall be submitted at such times or during such periods as are indicated in § 373.71 of this subchapter. Applications for licenses to export commodities for which no specific filing dates are announced may be submitted at any time.

(d) **Separate applications for each Positive List entry.** A separate and complete application must be submitted for each Positive List entry to each consignee in each country of destination except as otherwise specifically provided in the Export Regulations.

(e) **Commodities exported for relief or charity.** Application for validated licenses to export commodities for relief or charity must show not only the appropriate relief category Schedule B number (999810-999890) but also the specific Schedule B number established for the commodity when shipped commercially.

(f) **Inclusion of related commodities on a single application—** (1) **Description of related commodities.** For each entry on the Positive List of Commodities (§ 399.1 of this subchapter) there appears in the column headed "Processing Code and Related Commodity Group" a four-letter symbol (ELME, GIEQ, etc.), which is the processing code for that entry. In many instances this code is followed by a number, which is the related commodity group number for that entry. All entries on the Positive List which have both the same processing code and the same related commodity group number are designated related commodities and may be included on a single license application. Entries which have processing codes not followed by a number are not included in any related commodity group, and a separate application must, therefore, be filed for each such entry. Entries which have different processing codes (e. g., ELME, GIEQ, RUBR) may not be included on the same application.

NOTE: The following examples illustrate proper use of a single application for related commodities:

Example 1. All entries on the Positive List having the processing code ELME followed by the related commodity group number 1 (ELME 1) may be entered on a single application.

Example 2. All entries on the Positive List having the processing code ELME followed by the related commodity group number 2 (ELME 2) may be entered on a single application.

Example 3. An entry on the Positive List having the processing code and related commodity group number ELME 1 may not be entered on the same application with an entry having the processing code and related commodity group number ELME 2.

Example 4. An entry on the Positive List having the processing code ELME not followed by a related commodity group number may not be combined on an application with any other entry, including entries having the same processing code.

Example 5. Entries on the Positive List having different processing codes (e. g., GIEQ, ELME, RUBR), regardless of whether followed by a related commodity group number, may not be included on the same application.

(2) **Partial approval.** An application may be approved in whole or in part. Upon specific request, stated on the application form, the application will be considered as a whole and either approved or rejected in its entirety.

(3) **Attachments.** Additional sheets listing related commodities must be attached securely to the application form.

(g) **Applications to cover partial or periodic shipments.** Where partial or periodic shipments of an identical commodity are to be made by the applicant to the same consignee in a foreign country, an application may be filed covering the entire quantity of commodities to be so exported.

(h) **Applications for licenses to cover shipments by mail.** (1) Only one shipment by mail may be made against a validated license, except as specified in § 379.1 (f) of this subchapter.

(2) Where an exporter, at the time of applying for an export license, expects to make several shipments by parcel post against one order, he may submit one application to obtain separate licenses for each anticipated partial shipment by mail against such an order. The applicant shall indicate, in the commodity description column of the application, the quantity of each partial shipment, and note across the bottom of the column: "Anticipated Partial Shipments by Mail Against One Order."

(i) **Second applications.** A second application covering the same proposed exportation shall not be submitted pending action on the first application.

NOTE: 1. Submission of new applications. When an application has been returned without action to the applicant and is being resubmitted, a new application should ordinarily not be filled out. However, a new application should be submitted where the necessary alterations on the old application would be too difficult to make or would be illegible, or where the old application is on a form other than Form IT- or FC-419. In those instances where a new application is submitted, the previous Bureau of Foreign Commerce Case Number should be typed or written in ink in the appropriate item on the new application Form IT- or FC-419. When a new application is submitted, the original application must be attached to the new application.

2. *Resubmission of previous application.* When an export license application has been returned without action with instructions that it is not to be resubmitted until a later date, the resubmission of the application must be in accordance with the requirements existing at the later date for the submission of a new application.

(j) *Emergency clearance.* In case of emergency, the Bureau of Foreign Commerce will, upon approving an application for export license, authorize clearance by telephone, telegraph, or other special communication to the appropriate Collector of Customs. In such cases, the license is not sent to the licensee, but to the Collector of Customs with whom the clearance has been authorized by the Bureau of Foreign Commerce.

(k) *Inquiries and correspondence.* (1) Every effort is made to examine applications and advise applicants of action in the shortest time. Applicants should allow a period of one week after receipt of returned Acknowledgment Card (Form IT- or FC-116) or, in case of commodities with established filing dates, 3 weeks after close of such filing period, before inquiring as to progress of an application. Certain types of applications require more time for necessary examination and consideration.

(2) Requests for information concerning the application of Export Regulations to specific fact situations, the status of delayed cases, or any other inquiry concerning export license applications should be addressed to the Exporters' Service Section, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C. Such communications should not be attached to an application for license but should be mailed in a separate envelope. Memoranda attached to license applications should be limited to informational data relating to those applications and should not include inquiries requiring individual reply.

(3) Inquiries concerning the status of applications may be made only by an applicant or his authorized agent. The Bureau of Foreign Commerce will not furnish status information to other persons. When these inquiries are made, they should be submitted to Exporters' Service Section, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C., on Form IT- or FC-743-A,* in duplicate, in accordance with the instructions contained thereon. After receipt of the form and a determination of the status of an application, the Bureau of Foreign Commerce will return the form, indicating thereon a statement of the desired information. A separate form must be submitted for each application. For convenience of mailing, the form is designed for use in a standard window envelope.

(4) Information as to the probable action of the Bureau of Foreign Commerce respecting a proposed shipment or a hypothetical license application will not be given. It will be necessary in all cases to submit an application together

with pertinent information in order to obtain a decision.

(5) A supporting letter should give additional information only for the application to which it is attached.

(6) When an exporter requests telegraphic reply to an inquiry, the complete address of such person or company, including name, street, city, postal zone number, and state, must be given; or if desired, the Western Union "WUX" designation may be substituted for the address. This will expedite the servicing of these requests by the telegraph companies.

(7) Telegraphic replies will be made at the expense of the inquirer.

§ 372.6 *License applications for in-transit shipments.*—(a) *Information required on application.* License applications for commodities moving in transit through the United States which may not be exported under General License GIT, shall include in the commodity description column of the Application for Export License, Form IT- or FC-419, the following:

(1) The name and address of the foreign consignor who shipped the goods to the United States;

(2) A statement that the shipment is wholly of foreign origin; and

(3) The notation "In-Transit Shipment."

(b) *Applicability of special provisions.* In addition, except for shipments originating in Canada, the applicant must comply, where applicable, with the provisions of § 373.2 of this subchapter with respect to confirmation of country of ultimate destination and verification of actual delivery (IC/DV); § 373.65 of this subchapter with respect to ultimate consignee and purchaser statement; § 373.67 of this subchapter with respect to Swiss Blue Import Certificate; and § 373.66 of this subchapter with respect to Austrian import identification number, Belgian Congo and Swedish Import Certificate number, or other import authorization number.

(c) *Shipments originating in Japan.* Shipments of Positive List commodities (§ 399.1 of this subchapter) which originate in Japan and are not exportable from the United States under General License GIT, or General License GO, or under the provisions of § 370.7 of this subchapter, relating to shipments from foreign trade zones, require a validated license for export. Applicants for licenses to export such commodities must disclose, in the commodity description column of Form IT- or FC-419, that the commodities originated in Japan; and the application must be accompanied by a true copy of the bill of lading covering the shipment of the commodities from Japan.

(d) *Nature of exportations covered by provisions of this section.* Licenses issued under this section will be valid only for the export of in-transit shipments wholly of foreign origin and for which a Transportation and Exportation (T. & E.) customs entry or an Immediate Exportation (I. E.) customs entry is outstanding covering the shipments.

NOTE: 1. *Inapplicable requirements.* The provisions of the Export Regulations relat-

ing to quota limitations or other short supply considerations affecting the licensing of the commodity are not applicable to license applications for in-transit shipments. For example, the following requirements are inapplicable: Adherence to time-table licensing § 373.71 of this subchapter; and priority ratings Part 398 of this subchapter.

2. *Other applicable provisions.* For in-transit shipments under general license, see § 371.9 of this subchapter; and for special clearance procedures applicable to in-transit shipments, see § 379.3 (b) of this subchapter.

3. *Submission of T. & E. or I. E. entry.* In clearing an in-transit shipment under a validated license, the Collector of Customs may, at his discretion, require the licensee to submit a copy of the Transportation and Exportation (T. & E.) customs entry or an Immediate Exportation (I. E.) customs entry covering such shipment.

4. *Destination control statement.* Exportations made under a validated export license for shipments of foreign origin moving in transit through the United States must comply with the destination control provisions (§ 379.5 of this subchapter). Under these provisions all copies of the in-transit Shipper's Export Declaration presented to the Collector at the port of exit must contain the destination control statement. In addition, the destination control statement must be shown on all bills of lading and commercial invoices in the possession of, or sent to the ultimate consignee or purchaser by, the shipper, exporter, carrier, and agent in the United States.

§ 372.7 *License applications for ship stores, plane stores, supplies and equipment.*—(a) *Exportations requiring validated license.* The provisions of § 371.13 of this subchapter establish general licenses for the exportation of ship stores, plane stores, supplies and equipment under prescribed conditions. Where any commodities to be used on operating vessels and aircraft are not authorized to be exported under the provisions of § 371.13 of this subchapter or where commodities are being exported for vessels under construction and are not authorized to be exported under any general license, the exportation must be authorized by a validated license.

NOTE: See § 371.13 (d) of this subchapter on exports to vessels located at foreign ports.

(b) *Preparation of license applications.*—(1) *Vessels under construction.* Applications for licenses to export commodities, including ship stores, supplies and equipment, to vessels under construction shall be prepared on Form IT- or FC-419 in accordance with the instructions contained in § 372.5 of this subchapter, with the following modifications:

(i) *Country of ultimate destination.* Show country in which vessel is being constructed.

(ii) *Ultimate consignee in foreign country.* Show name and address of shipyard where vessel is being constructed.

(iii) *Commodity description.* For vessels under 40 feet in length, include a statement as to the length of the vessel. For vessels 40 feet in length, or over, show the following information in this item or on an attachment to the application:

(a) Hull number and name of vessel (if known).

(b) Type of vessel.

* Form IT- or FC-743-A may be obtained at all Department of Commerce field offices and from the Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C.

(c) Name and business address of prospective owner, and his nationality.

(d) Country of registry, or intended country of registry.

(iv) *End use of commodities covered by this application.* If the vessel is a tanker, the application or an attachment thereto shall include the following statement signed by the prospective owner of the vessel or his duly authorized agent:

The vessel _____
(Hull number and name of vessel, if known)
for which these commodities are required (will be used) (will not be used)¹ to transport petroleum or petroleum products directly or indirectly to any Subgroup A destination.

¹Strike out inapplicable phrase.

(v) *Identification of parties to transaction.* In all cases, all parties to the transaction, including the U. S. or foreign purchaser, must be identified with a clear statement of the capacity or function of each, as provided in § 372.4 (c).

(2) *Operating vessels and aircraft.* Applications for licenses to export commodities, including ship or plane stores, supplies and equipment, to operating vessels and aircraft, whether in operation or being repaired, shall be prepared on Form IT- or FC-419 in accordance with the instructions contained in § 372.5, with the following modifications:

(i) *Country of ultimate destination.*

(a) Show country where the vessel or aircraft will take on the commodities.

(b) If the country where the vessel or aircraft will take on the commodities is uncertain at the time of filing the license application, and the commodities will not be shipped to Hong Kong, Macao, or a Subgroup A country, enter the statement: "Uncertain; however, shipment(s) will not be made to Hong Kong, Macao, or a Subgroup A destination." An export license issued under these circumstances will bear the following destination restriction: Shipment(s) may be made to the named vessel at any port in any country except Hong Kong, Macao, or a Subgroup A destination.

(ii) *Ultimate consignee in foreign country.* (a) Show name of owner and port or place where commodities will be taken aboard. Also, if a vessel, show name of vessel.

(b) If the port or place where the commodities will be taken aboard is uncertain at the time of filing the license application, and the commodities will not be shipped to Hong Kong, Macao, or a Subgroup A country, enter the statement: "Port or place where the commodities will be taken aboard the vessel is uncertain; however, the commodity(ies) will not be loaded on the named vessel at a port or place located in Hong Kong, Macao, or a Subgroup A destination." An export license issued under these circumstances will bear the destination restriction indicated in subdivision (i) of this subparagraph.

(iii) *Commodity description.* For vessels under 40 feet in length, include a statement as to the length of the vessel. For vessels 40 feet in length, or over, show the following information

in this item or on an attachment to the application:

- (a) Type of vessel.
- (b) Business address of owner and his nationality.
- (c) Country of registry.
- (d) Name of charterer and the terms and type of charter, if under charter.

(iv) *End use of commodities covered by this application.* If the vessel is a tanker, the application or an attachment thereto shall include the following statement signed by a responsible person in a position to furnish this information; that is, the owner or his duly authorized agent, or the owner and charterer (or their duly authorized agents) when the vessel is chartered:

The vessel _____
(Name of vessel)
for which these commodities are required (will be used) (will not be used)¹ to transport petroleum or petroleum products directly or indirectly to any Subgroup A destination.

¹Strike out inapplicable phrase.

(v) *Identification of parties to transaction.* In all cases, all parties to the transaction, including the U. S. or foreign purchaser, must be identified with a clear statement of the capacity or function of each, as provided in § 372.4 (c).

(3) *Subsequent applications.* After the additional information required by the instructions set forth in subparagraphs (1) and (2) of this paragraph has been supplied to the Bureau of Foreign Commerce, a subsequent application for an additional license to export commodities to the same vessel or hull number under construction or the same operating vessel may incorporate the required additional information by reference to the previous application containing that information. Such subsequent applications shall include a certification that the information previously submitted to the Bureau of Foreign Commerce has not changed, giving the appropriate BFC Case Number of the previously submitted application or, if the BFC Case Number is unknown, the applicant's reference number, date of submission, and Schedule B Nos. shown on that application. (Whenever possible, the BFC Case Number should be indicated on the application since failure to supply the BFC case Number may result in delay in processing the licensing application.)

(4) *Additional information.* The Bureau of Foreign Commerce may require, where necessary, that the exporter submit a letter of confirmation or amplification of the information specified in this paragraph.

(c) *Exportations of petroleum and petroleum products, including bunker fuel for use on vessels and fuel for planes departing from the U. S.* Applications for licenses to export petroleum or petroleum products, including bunker fuel for vessels or fuel for planes, may be included on a single Form IT- or FC-419. Such application shall indicate, at the top of the Form IT- or FC-419, the word "Bunker" in the case of exportations for the use of vessels, or "Plane Fuel"

in the case of exportations for the use of aircraft. The application shall be prepared otherwise in the manner described in paragraph (b) of this section, with the following modifications:

(1) In the commodity description column (or in an attachment thereto), state the reasons why a general license is inapplicable to the proposed exportation. In addition, supply the following information:

(i) The carrier's points of call with dates of each call within 120 days prior to date of application (or 30 days in the case of aircraft).

(ii) The carrier's itinerary for the next 120 days in the case of vessels (or 30 days in the case of aircraft) from the anticipated date of departure from the last port in the United States.¹

(iii) If the points of call submitted in accordance with subdivision (i) of this subparagraph include Macao or any point under Far Eastern Communist control, submit for each such point of call a copy of the manifest of cargo loaded or discharged. Also give the destination and anticipated dates of discharge of any cargo still on board the carrier which was loaded at such point. The contents of the manifest submitted will be treated as confidential and will not be disclosed to others than parties in interest.

(iv) If the itinerary submitted in accordance with subdivision (ii) of this subparagraph includes Macao, any point under Far Eastern Communist control, or any point in a Subgroup A country, or if the carrier is registered in, or under charter to, a Subgroup A country, or if the carrier is under charter to a national of a Subgroup A country, state whether any commodities included on the Positive List of Commodities (§ 399.1 of this subchapter), the United States Munitions List (§ 370.4 (a) of this subchapter), or the United States Atomic Energy List (§ 370.4 (d) of this subchapter), are carried on board the vessel or aircraft and which are destined directly or indirectly to any of these destinations. If the answer is in the affirmative, indicate where such commodities will be discharged, unless this information has already been supplied in accordance with subdivision (iii) of this subparagraph.

(2) In the case of vessels, state (in the space provided for "end use") the gross registered tonnage (GRT), type of main engines and rated horsepower, with daily fuel consumption rate, total fuel capacity, and fuel supply on board (indicating specifically the number of days' running supply from the port where additional supplies are requested). In the case of planes, state make and model of plane.

§ 372.8 *Disclosure of prior action on the shipment.*—(a) *Prior detention of commodities by customs.* Any exporter or his agent making application to the

¹ If the carrier's itinerary for all of the next 120 days in the case of vessels (or 30 days in the case of aircraft) is not known and cannot be ascertained, the itinerary shall be stated so far as it may be known or ascertainable. In addition, all other available information as to the future destinations and areas of operation shall be submitted.

Bureau of Foreign Commerce for an export license, who shall know or have reasonable cause to believe that a Collector of Customs has detained commodities which would be exportable under such license, if granted, shall disclose to the Bureau of Foreign Commerce at the time of applying for such license the fact that the Collector of Customs has detained the commodities. Any license obtained without full disclosure of that fact shall be deemed to have been obtained without disclosure of all facts material to the granting of the license, and any license so obtained shall be void.

(b) *Prior exportation without a license.* No export license application shall be submitted to the Bureau of Foreign Commerce covering a shipment that is already laden aboard the exporting carrier or exported. In cases where such export should not have been made without first securing a validated license authorizing the shipment, the exporter should send a letter or telegram to the Investigation Staff, Bureau of Foreign Commerce, Department of Commerce, Washington 25, D. C., Attn: FC-1205, explaining why a validated license was not obtained and disclosing all the facts concerning the shipment that would normally have been disclosed on the license application. The Bureau of Foreign Commerce will inform the exporter of its action and instructions to him in the matter by letter. Any license covering such shipments obtained without such disclosure shall be deemed to have been obtained without disclosure of all facts material to the granting of the license, and any license so obtained shall be void.

NOTE: See §§ 380.2 (d) and 380.4 (e) of this subchapter with respect to amendments to licenses and extensions of validity periods of licenses to authorize shipments described in this section.

§ 372.9 *Documents accompanying license applications*—(a) *Copies may be submitted.* (1) Documents submitted in support of an application for an individual or other validated license will not be returned to the applicant or his agent, except when the application is returned without action. Accordingly, applicants need not submit original documents which they may subsequently require, unless such original documents are specifically required by the provisions of another Section, but in lieu thereof, photostatic or other copies of an original document may be submitted. Individual certification of copies of original documents is not required by the Bureau of Foreign Commerce. By signing Form IT- or FC-419 the applicant certifies and represents that any copies of documents submitted with the application, or submitted in support of the application at any time before or after filing the application, are true copies of the original documents, and that the information contained in such documents is true, correct, and complete to the best of his knowledge and belief.

(2) Any document submitted in connection with a license application which is submitted separately from an application must be identified clearly as part of

that application. Such document must be identified by a statement, signed by the applicant, that "this document is to be considered as a part of application number (give Bureau of Foreign Commerce Case No.)." Unless documents filed separately from the license application are identified with the application in this manner, they will not be accepted by the Bureau of Foreign Commerce.

(b) *Originals must be available.* The Bureau of Foreign Commerce may demand the originals of any copies of documents submitted in support of applications. Such originals must be kept available for inspection, upon request of the Bureau of Foreign Commerce, for 3 years from the date of receipt of the license application by the Bureau of Foreign Commerce, as shown on the Acknowledgment Card (Form IT- or FC-116).

(c) *Documents submitted with applications.* Documents which are submitted with an application and which will ultimately become a part of the license, such as proposed lists of consignees, must be submitted in duplicate, affixed to the application. Such documents will become a part of the license, if issued, and must remain affixed thereto. Other documents submitted in support of an application which will not become a part of the license, such as evidence of accepted orders or evidence of availability of the commodity, need be submitted in one copy only and should be attached to the application.

(d) *Coded terms, foreign languages.* In the case of originals and copies of documents, all abbreviations, coded terms, or other expressions having special significance in the trade or to the parties to the transaction must be explained. Documents in a foreign language must be accompanied by an accurate English translation. Such translation need not be made by a translating service, but, if not, must be certified by the applicant to be a correct translation.

§ 372.10 *Additional information.* (a) Every person applying for an individual or other type of validated license shall, in addition to the information called for in the Export Regulations in connection with such type of license or in the form on which the application is made, furnish such information with respect to such application as may be required by the Bureau of Foreign Commerce.*

(b) Any additional information submitted by an applicant in connection with a license application must be clearly identified as part of such application as provided in § 372.9 (a).

§ 372.11 *Issuance and use of validated licenses*—(a) *Issuance of license document.* When an application for an export license is duly approved by the Bureau of Foreign Commerce, an export license is issued on a separate document (Form IT- or FC-628) authorizing, subject to the provisions of the Export Regulations and to the terms and provisions of such license, the exportation of the quantity of those commodities described

therein. (See §§ 372.5, 372.12, and 379.5 of this subchapter.)

NOTE: 1. *Case number.* Each license application, Form IT- or FC-419, when received by the Bureau of Foreign Commerce is given a number (the Bureau of Foreign Commerce Case Number) for identification purposes. The number does not indicate whether the application has been rejected or has been validated as a license. The Bureau of Foreign Commerce Case Number appears in the upper right corner.

2. *Validation of Form IT- or FC-628.* When an application for export license is approved the license will be issued in the following manner:

(a) Form IT- or FC-628 will be prepared, validated, and issued by the Bureau of Foreign Commerce upon approval of a license application for the exportation of commodities to any destination. The license will be validated and identified by a license number in the upper right corner of the document. The license number is composed of a letter and a series of numerals following the validating symbol; for example, A0-2-8-04051, or B01031-33031. The digits immediately following the letter indicate the year, month and day of validation; the last half of the number is the validating sequence. (A0-2-8 signifies a validating action in the year 1950 (0), in the month of February (2), on the eighth day of the month (8). B01031 signifies a validating action in the year 1950 (0), in the month of October (10), on the last day of the month (31).)

(b) License continuation sheets and other attachments to licenses will be validated by imprinting a facsimile of the Bureau of Foreign Commerce seal followed by a five digit number representing the date of validation.

3. *Use of license number.* Exporters are cautioned to use the complete license number (letter, digits indicating date of validation, and digits indicating validating sequence) when preparing Shipper's Export Declarations and other export documents, and when communicating with or requesting services from the Department of Commerce.

(b) *Units of quantity.* Where no unit of quantity is shown in the column on the Positive List headed "Unit" (§ 399.1 of this subchapter), the quantity of such commodities authorized for export is licensed by the Bureau of Foreign Commerce in terms of the total dollar value shown on the licenses. For purposes of consideration of license applications, the Bureau of Foreign Commerce requires that the unit of quantity commonly used in the trade must be shown on the license application for export of such commodities; and although the units of quantity commonly used in the trade may be shown on the export license issued, the quantity of commodities authorized for export by the license is limited entirely by the total dollar value shown on the license.

(c) *Partial shipments.* Partial shipments may be made against a validated license; however, when the exportation is by mail, only one shipment may be made, unless shipment is made in accordance with the provisions of § 379.1 (f) of this subchapter.

(d) *Validity of licenses.* (1) Outstanding licenses may be revised, suspended, or revoked, or the validity periods thereof may be extended or reduced, by appropriate orders or regulations.

(2) Unless otherwise stated on the face of the license, export licenses will be issued for a validity period ending on the last day of the sixth month following

* Subject to approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

the month during which the license is validated, e. g., a license issued on January 12 would expire on July 31. If the validity period expires on a day when the office of the Collector of Customs is not open for business, the validity period shall automatically be extended to midnight of the first day of business following the expiration date.

Note: Refer to Part 373 of this subchapter to determine if the special provisions for a commodity include any particular terms regarding the validity period of the individual export license.

§ 372.12 Reexportation from country of destination—(a) General provisions.

(1) No exportation may be made under any validated license with the knowledge or intention that the commodities so exported are to be reexported from the country stated on the license application as the country of ultimate destination, unless the reexportation has been specifically authorized by the Bureau of Foreign Commerce, except as provided in paragraphs (b) and (c) of this section.

(2) Except under the Time Limit (TL) license (see Part 377 of this subchapter), and the Foreign Distribution (FD) license (see Part 378 of this subchapter), if it is stated in a consignee's statement or on an export license application that the commodity or commodities to be exported are intended for distribution or resale in a country or countries other than the named country of ultimate destination, the validated license will specifically name the country or countries to which distribution or resale is authorized. Authorization will be granted or withheld by appropriate statement on the face of the license, as follows:

(i) "Distribution or resale of the commodities listed above is permitted in the country of ultimate destination only"; or

(ii) "Distribution or resale of the commodities listed above is permitted in (name of country of destination), and (names of other approved countries)."

(b) *Tangier to Morocco.* Validated licenses covering R commodities which permit exportation to Tangier (including the International Zone), French Morocco, or Spanish Morocco are valid for shipment or transshipment of such commodities to Tangier (including the International Zone), French Morocco, or Spanish Morocco.

(c) *Reexportations.* Any commodity which has been exported from the United States may be reexported from any destination to any other destination; provided that at the time of reexportation, the commodities to be reexported may be exported directly from the United States to the new country of destination either under General License GO, GRO, GHS, or GHK, or where the value of the reexportation does not exceed the GLV dollar-value limit shown on the Positive List with reference to the country of destination.

§ 372.13 *Duplicate licenses.* Where a license is lost or destroyed, a duplicate of such license may be obtained by the

licensee by submitting to the Bureau of Foreign Commerce a letter certifying:

(a) That the original license assigned Case No. _____ and License No. _____ (if known) issued to _____

(Name and address of licensee) _____ has been lost or destroyed;

(b) The circumstances under which it was lost or destroyed;

(c) The quantity of commodities, if any, that have been shipped under the original license and at what port the license was filed;

(d) If the original license is found, the licensee agrees to return the original or duplicate license to the Bureau of Foreign Commerce.

Note: Where partial shipments have been made, the duplicate license issued by the Bureau of Foreign Commerce will be mailed directly to the Collector's office at the port where the license had been filed.

§ 372.14 *Return of revoked, expired, or unused licenses.* If the license is revoked or expires or if shipment is not to be made, the license shall be returned immediately to the Bureau of Foreign Commerce, with a covering letter explaining the reason for such return. If the license is not in his possession, the licensee shall so notify the Bureau of Foreign Commerce.

§ 372.15 *Reports.* Any person to whom a validated license has been issued shall file with the Bureau of Foreign Commerce such reports as the Bureau of Foreign Commerce shall, from time to time, require.*

This part of the amendment shall become effective as of July 31, 1954.

3. Section 373.2 *Confirmation of country of ultimate destination and verification of actual delivery* paragraph (e) *Submission of delivery verification* is amended in the following particulars:

a. In the first sentence of subparagraph (1) *Notification of requirement* the reference to "paragraphs (a) (2) and (g) of this section" is amended to read: "paragraphs (a) (2) and (h) of this section".

b. A new subdivision (ii) is added to subparagraph (1) *Notification of requirement* to read as follows:

(ii) The notification of the requirement that a Delivery Verification be submitted for a particular commodity is cancelled automatically if subsequent to the issuance of a license, the commodity is deleted from the Positive List, or the letter "A" in the Commodity Lists column is removed from the commodity listing on the Positive List.

This part of the amendment shall become effective as of July 1, 1954.

4. Section 379.1 *Presentation for export* is amended in the following particulars:

a. Paragraph (a) *Commodities; use of license or other authorization for export shipments* is amended by the addition of a new subparagraph (6) to read as follows:

* Subject to approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(6) *Port of exit—(i) Shipments leaving United States before final exportation from United States port.* Commodities which leave the United States at one port, cross adjacent foreign territory, and reenter the United States at another port before final exportation to a foreign country will be treated as an export at the last port of exit from the United States.

(ii) *Licenses valid for shipment from any port.* A license may be used for exportation from any port of exit from the United States subject to the jurisdiction of the United States unless the Bureau of Foreign Commerce shall otherwise provide.

(iii) *Simultaneous shipments from different ports.* Simultaneous shipments from different ports of exit may be cleared for export under a single license by the Collector of Customs having possession of the license, through arrangements with the Collector of Customs at the other port or ports of exit, as provided by the Bureau of Foreign Commerce.

b. New paragraphs (g) and (h) are added to read as follows:

(g) *Shipments against expiring licenses—(1) Commodities ready for loading or laden.* Commodities which are (i) laden aboard the exporting carrier or (ii) ready for loading and located on a pier for the purpose of lading prior to midnight of the expiration date of a license, and not for the purpose of storage, may clear with the vessel even though the vessel does not clear until after the expiration date of the license. Furthermore, where the vessel is expected to be available at the pier for loading in advance of the expiration of the license, but exceptional and unforeseen circumstances delay it, the commodities may be cleared for export without an extension of the validity period of the license, if in the judgment of the Collector of Customs undue hardship would otherwise result.

(2) *Commodities in transit to port of exit.* Commodities in transit to the port of exit prior to midnight of the date of expiration of the validated license covering the shipment may be cleared for export, at the discretion of the Collector of Customs if the shipment qualifies under subparagraph (1) of this paragraph within 5 days following the expiration date of the license. Collectors of Customs may require exporters to submit a bill of lading or other evidence that the shipment was in transit to the port of exit prior to the expiration date of the license and was delayed in transit.

(3) *Other shipments.* Licensed shipments not coming within one of the foregoing provisions may not be cleared for export except by extension of the validity period of the license by the Bureau of Foreign Commerce.

(h) *Weight and volume tolerance—*

(1) *10 percent tolerance.* For all commodities requiring an export license, unless otherwise specified in such license, a 10 percent tolerance by weight or volume over the amount specified in the license is allowed, except as listed below in this section:

Commodities	Tolerance
Rice (Schedule B Nos. 105500, 105710, 105750)-----	None
Raw cotton except linters (Schedule B Nos. 300005 through 300312) (pounds or bales)-----	2 percent
Sulfur, crude (containing 85% or more sulfur), crushed, ground, refined, sublimed, and flowers (Schedule B Nos. 571410 and 571500)-----	1 percent
Medicinal and pharmaceutical preparations with processing codes DRUG and ACID, other than radium salts and compounds, Schedule B No. 829940 (Schedule B Nos. 811100 through 818000)-----	1 percent

(2) *Unit of quantity covered.* (i) This tolerance is allowed only when the unit of quantity called for on the license is in the following weight or volume terms:

Avoirdupois ounce.	M (1,000) board feet.
Bale.	Milligram.
Barrel.	Oxford unit.
Content pound.	Pound.
Cubic foot.	Proof gallon.
Gallon.	Short ton (2,000 pounds).
Gram.	Square foot.
Hundredweight (100 pounds).	Square yard.
Linear foot.	Troy ounce.
Linear yard.	U. S. P. unit.
Long ton (2,240 pounds).	

(ii) The weight and tolerance provisions of this section shall not apply to the following units of quantity:

Carat.	Pencil gross.
Cell.	Piece.
Dozen.	Ream.
Gross.	Roll.
Number.	Round.
Pack.	Set.
Pair.	Square.

(3) *Maximum tolerance allowed.* (i) In all cases, the tolerance shall be allowed on the basis of the actual quantity stated in the license; and in no case shall the tolerance exceed 10 percent of such quantity.

(ii) For example:

(a) If the quantity shown on the license is "100,000 pounds," not more than 110,000 pounds may be exported.

(b) If the quantity shown on the license is "100,000 pounds 10 percent more or less," not more than 110,000 pounds may be exported.

(c) If the quantity shown on the license is "approximately 100,000 pounds," not more than 110,000 pounds may be exported.

(iii) Where an amount equivalent to the quantity stated on the license has been shipped, no further shipment may be made under the license.

(4) *Commodities licensed in both container and weight or volume units.* (i) Where commodities are licensed in terms of both standard-size container units and weight or volume units, the tolerance is allowed on the total weight or volume licensed; provided that the number of standard-size container units shall

not be increased over the number there-of stated in the license.

(ii) For example: If the license authorized the shipment of 10,000 pounds of a commodity in twenty 500-pound drums, that license may be used to clear an exportation of not more than 11,000 pounds in not more than twenty such drums.

(5) *Partial shipments.* Whenever one or more partial shipments of the licensed commodity have been made, the 10 percent tolerance is allowed only on the unshipped balance, except that in the case of shipments of iron and steel products (processing code STEE), and tinplate (processing code TNPL), the tolerance of 10 percent, and, in the case of raw cotton, except linters, a tolerance of two percent, is allowed on the basis of the actual quantity stated in the license. Where an amount equivalent to the quantity stated on the license has been shipped, no further shipment may be made under the license.

NOTE: 1. *Tolerance.* When there is a discrepancy in weight or volume within the

tolerance allowance between the amount shown on the license and the amount actually shipped, the amount actually shipped shall be noted on the license by the Collector of Customs at the final port of exit before the license is returned to the Bureau of Foreign Commerce.

2. *BLT shipments.* When shipments are cleared against a BLT license, the applicable tolerance may be applied to the quantity approved for export to each single consignee; provided, however, that the total amount shipped against the license does not exceed the total amount approved for export plus 10 percent. In other words, the tolerance provisions may be applied on the amount approved for each consignee in the same manner and to the same extent as if he were the only consignee named in an individual license.

This part of the amendment shall become effective as of July 31, 1954.

5. Section 382.51 *Table of compliance orders currently in effect denying export privileges* paragraph (b) *Table of compliance orders* is amended in the following particulars:

a. The following entries are added:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
O. H. Pharmacy, 147/75 Chakrapetch Rd., Bangkok, Thailand.	5-19-54	Duration....	General and validated, all commodities, any destination; also exports to Canada.	19 F. R. 3009, 5-25-54.
Chanwit Kunothai a/k/a Chan Vit Kunothai, Chanvitya Kunothai, 147/75 Chakrapetch Rd., Bangkok, Thailand.	5-19-54	Duration....	do.....	19 F. R. 3009, 5-25-54.
Jaffe, Charles S., 92 Liberty St., New York, N. Y.	6-3-54	7-13-54.....	General and validated, all commodities, any destination; also exports to Canada. (On probation for additional period 7-14-54 to 7-11-55.)	19 F. R. 3403, 6-9-54.
Jaffe, Sidney L., 92 Liberty St., New York, N. Y.	6-3-54	7-13-54.....	General licenses, all commodities, any destination; also exports to Canada. (On probation for additional period 7-14-54 to 7-11-55.)	19 F. R. 3403, 6-19-54.
Johart International Corp., 15 Whitehall St., New York 4, N. Y.	10-1-53	10-1-54.....	Validated licenses, all commodities, any destination; also exports to Canada. (On probation for additional period 10-2-54 to 10-2-55.) (Related to Charles Y. Rofe, which see.)	18 F. R. 6305, 10-4-53.
Kow Ting Heng a/k/a Koh Ting Heng, proprietor, O. H. Pharmacy, 147/75 Chakrapetch Rd., Bangkok, Thailand.	5-19-54	Duration....	General and validated, all commodities, any destination; also exports to Canada.	19 F. R. 3009, 5-25-54.
Lu Lih Ming, proprietor, Well Lu Trading Co., P. O. Box 697, 201, Rama I Rd., Pratunam, Bangkok, Thailand.	5-19-54	Duration....	do.....	19 F. R. 3009, 5-25-54.
Monarch Industrial Corp., 92 Liberty St., New York, N. Y.	6-3-54	7-13-54.....	General and validated, all commodities, any destination; also exports to Canada. (On probation for additional period 7-14-54 to 7-11-55.)	19 F. R. 3403, 6-9-54.
North American Mineral & Metal Corp., formerly North American Mineral & Asbestos Corp., 92 Liberty St., New York, N. Y.	6-3-54	7-13-54.....	General licenses, all commodities, any destination; also exports to Canada. (On probation for additional period 7-14-54 to 7-11-55.)	19 F. R. 3403, 6-9-54.
North American Overseas Corp., 92 Liberty St., New York, N. Y.	6-3-54	7-13-54.....	Validated licenses, all commodities, any destination; also exports to Canada. (On probation for additional period 7-14-54 to 7-11-55.)	19 F. R. 3403, 6-9-54.
Tanben, Sheldon F., 92 Liberty St., New York, N. Y.	6-3-54	6-12-54.....	General licenses, all commodities, any destination; also exports to Canada. (On probation for additional period 7-14-54 to 7-11-55.) (Controlled corporation of North American Mineral & Metal Corp., which see.)	19 F. R. 3403, 6-9-54.
Well Lu Trading Co., P. O. Box 697, 201, Rama I Rd., Pratunam, Bangkok, Thailand.	5-19-54	Duration....	do.....	19 F. R. 3009, 5-25-54.

b. The following entries are deleted:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Ahern, C. F., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all Positive List commodities, any destination.	16 F. R. 5845, 6-19-51.
Carney, Chesney M., 1 Wall St., New York, N. Y., and Clarkbury, W. Va.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.
Chao, C. H., Chien, C. F., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.
Comopolitan Supply Co., Inc., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.
Flight Equipment and Engineering Corp., P. O. Box 38, Miami, Fla.	6-12-51	6-12-54	General and validated, all Positive List commodities, any destination. (Related to L. K. Kung, which see.)	16 F. R. 5845, 6-19-51.
Hartung, Marvin F., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all Positive List commodities, any destination.	16 F. R. 5845, 6-19-51.
Havana Trading Corp., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.
Kung, L. K., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.
Lincoln, Donald, 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.
Ludman Corp., 14100 Biscayne Blvd., North Miami, Fla.	5-6-54	5-20-54	General and validated, all commodities, any destination.	19 F. R. 2704, 5-11-54.
McQuinn, George W., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all Positive List commodities, any destination.	16 F. R. 5845, 6-19-51.
Metropolitan Trading Corp., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.
Pan Continental Trading Corp., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.
Shen, C. P., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.
Smith, Kingsley R., Soong, E. Y., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.
Tauben, Sheldon F., 92 Liberty St., New York, N. Y.	6-3-54	6-12-54	General and validated, all commodities, any destination; also exports to Canada.	19 F. R. 3403, 6-9-54.
Wang, Y. P., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	General and validated licenses, all Positive List commodities, any destination.	16 F. R. 5845, 6-19-51.
Yangtze Trading Corp., 1 Wall St., New York, N. Y.	6-12-51	6-12-54	do	16 F. R. 5845, 6-19-51.

c. The following entry is amended to read as follows:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	FEDERAL REGISTER citation
Finkelstein, Stanley, 15 Whitehall St., New York, N. Y.	2-20-53	2-20-56	General and validated licenses, all commodities, any destination; also exports to Canada.	18 F. R. 1142, 2-27-53. 19 F. R. 3008, 5-25-54.

This part of the amendment shall become effective as of July 1, 1954.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 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,

Director,

Bureau of Foreign Commerce.

[F. R. Doc. 54-5303; Filed, July 12, 1954; 8:49 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6124]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

NIK-O-LOK CO. ET AL.

Subpart—Combining or conspiring: § 3.410 To eliminate or restrain competition in conspirators' goods; § 3.430 To enhance, maintain or unify prices. In or in connection with the selling, leasing, installing, or maintaining in commerce, coin toilet locks, and on the part of the respondents, The Nik-O-Lok

Company, Pacific Nik-O-Lok Company, Inc., General Service Company, Inc., General Service Coin Lock Company, Inc., and American Coin Lock Company, Inc., their officers, etc., entering into, cooperating in, carrying out, or continuing in any combination, conspiracy, agreement, understanding, or planned common course of action between any two or more of said respondents, or between one or more of said respondents and any person or persons so engaged in any line of commerce as to ordinarily compete with any of said respondents, to: (1) Fix the prices, terms, or conditions for leasing, installing, and maintaining of respondents' respective locks; (2) refuse to quote prices or other terms in the leasing of said locks where a member of respondents' association has installations; (3) enter into or carry out any arrangement as to, or pertaining to, the portion of the proceeds from the installation of said locks to be allocated to the lessees or customers thereof; (4) engage in collusive bidding; (5) enter into any arrangement whereby one manufacturer or lessor of said machines is to receive any portion or share of the income which another manufacturer or lessor receives from the installation of its machines; (6) abstain from soliciting each other's

customers, and from displacing each other's installations at the solicitation of lessees except in accordance with the agreement or understanding between them; (7) exchange with each other locations of their installations; (8) allocate customers; (9) unite their facilities or acting, by or through the association, or by any other means or method, for the purpose, or with the effect of, eliminating competitors or of preventing or attempting to prevent new competition; (10) agree to refuse, or refuse, to sell or otherwise supply their said locks to others desiring to purchase the same; (11) agree to prevent, or prevent, others from securing said locks from any sources of supply other than the respondents; (12) punish or penalize, by any means or method, for any violation of any rules or practices established or promulgated by the association, or any similar association to which the respondents belong or are affiliated; (13) keep each other informed as to the activities, rules, or practices of the association, or any similar group or association to which the respondents belong, or to which they are affiliated, for the purpose of effectuating, or attempting to effectuate, any of the prohibitions or injunctions contained in the order; and (14) use or employ the association, or any other association or group to which the respondents belong, or with which they are affiliated, or through any other means or method, for the purpose or with the effect of carrying out or attempting to carry out any of the prohibitions or injunctions of the instant order; prohibited, subject to the proviso, however, that nothing contained in prohibitions "(3)" and "(5)" of the order shall be construed to prohibit any lawful license arrangement or lawful lease arrangement by respondent American Coin Lock Company, Inc., whereby the use of "Sterileseats" are licensed or leased in return for a percentage or share of the income received by another from the installation of locks.

(Sec. 6, 38 Stat. 722; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719; 15 U. S. C. 45) [Cease and desist order, The Nik-O-Lok Company (Indianapolis, Ind.) et al., Docket 6124, June 18, 1954]

In the Matter of The Nik-O-Lok Company, a Corporation; Pacific Nik-O-Lok Company, Inc., a Corporation; General Service Company, Inc., a Corporation; General Service Coin Lock Company, Inc., a Corporation; and American Coin Lock Company, Inc., a Corporation

This proceeding having been heard by James A. Purcell, hearing examiner, upon the complaint of the Commission, the respective answers filed by the different respondents, by which they severally admitted all the material allegations of the complaint and waived all intervening procedure and further hearing as to said facts, said proceeding thereafter regularly came on for final consideration by said examiner upon the complaint and answers thereto, and said examiner, having duly considered the record in the matter, and having found that the proceeding was in the interest of the public,

made his initial decision comprising certain findings as to the facts,¹ conclusion drawn therefrom,¹ and order to cease and desist.

No appeal having been filed from said initial decision of said hearing examiner, as provided for in Rule XXII of the Commission's rules of practice, nor any other action taken as thereby provided to prevent said initial decision becoming the decision of the Commission thirty days from service thereof upon the parties, said initial decision, including said order, accordingly, under the provisions of said Rule XXII became the decision of the Commission on June 18, 1954.

Said order is as follows:

It is ordered, That the respondents, The Nik-O-Lok Company, Pacific Nik-O-Lok Company, Inc., General Service Company, Inc., General Service Coin Lock Company, Inc., and American Coin Lock Company, Inc., their officers, directors, agents and employees, directly or indirectly, in or in connection with, the selling, leasing, installing or maintaining, in commerce, between and among the several states of the United States, and the District of Columbia, coin toilet locks, do forthwith cease and desist from entering into, cooperating in, carrying out or continuing in any combination, conspiracy, agreement, understanding, or planned common course of action between any two or more of said respondents, or between one or more of said respondents and any person or persons so engaged in any line of commerce as to ordinarily compete with any of said respondents, to do or perform any of the following acts or things, namely:

1. Fixing the prices, terms or conditions for leasing, installing and maintaining of their respective locks.
2. Refusing to quote prices or other terms in the leasing of said locks where a member of the Association has installations.
3. Entering into or carrying out any arrangement as to, or pertaining to, the portion of the proceeds from the installation of said locks to be allocated to the lessees or customers thereof.
4. Engaging in collusive bidding.
5. Entering into any arrangement whereby one manufacturer or lessor of said machines is to receive any portion or share of the income which another manufacturer or lessor receives from the installation of its machines.
6. Abstaining from soliciting each other's customers, and from displacing each other's installations at the solicitation of lessees except in accordance with the agreement or understanding between them.
7. Exchanging with each other locations of their installations.
8. Allocating customers.
9. Uniting their facilities or acting, by or through the Association, or by any other means or method, for the purpose, or with the effect of, eliminating competitors or of preventing or attempting to prevent new competition.
10. Agreeing to refuse, or refusing, to sell or otherwise supply their said locks to others desiring to purchase the same.
11. Agreeing to prevent or preventing others from securing said locks from

any sources of supply other than the respondents.

12. Punishing or penalizing, by any means or method, for any violation of any rules or practices established or promulgated by the Association, or any similar Association to which the respondents belong or are affiliated.

13. Keeping each other informed as to the activities, rules or practices of the Association, or any similar group or association to which the respondents belong, or to which they are affiliated, for the purpose of effectuating, or attempting to effectuate, any of the prohibitions or injunctions contained in this order.

14. Using or employing the Association, or any other association or group to which the respondents belong, or with which they are affiliated, or through any other means or method, for the purpose or with the effect of carrying out or attempting to carry out any of the prohibitions or injunctions of this order.

Provided, however, That nothing contained in subparagraphs 3 and 5 of this order shall be construed to prohibit any lawful license arrangement or lawful lease arrangement by respondent American Coin Lock Company, Inc., whereby the use of Sterileseats are licensed or leased in return for a percentage or share of the income received by another from the installation of locks.

By "Decision of the Commission and Order to File Report of Compliance", Docket 6124, June 28, 1954, which announced and decreed fruition of said initial decision, report of compliance was required as follows:

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

Issued: June 28, 1954.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 54-5305; Filed, July 12, 1954;
8:50 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Docket No. R-136; Order 173]

PART 152—APPLICATION FOR EXEMPTION FROM THE PROVISIONS OF THE NATURAL GAS ACT PURSUANT TO SECTION 1 (c) THEREOF

In this proceeding the Commission has under consideration the amendment of its general rules and regulations under the Natural Gas Act (Chapter 1, Subchapter E, of Title 18, Code of Federal Regulations) by promulgation of a new Part 152 to govern the filing of applications for exemption from jurisdiction under the act pursuant to subsection (c) of section 1 thereof (Public Law No. 323, 83d Congress, 2d Session, approved March 27, 1954, 68 Stat. 36).

General public notice of proposed rule making in the above matter was given by publication of notice in the FEDERAL REGISTER on April 15, 1954 (19 F. R. 2184) and by mailing notices to interested persons, including natural-gas companies, and to State and Federal regulatory agencies.

In response to such notice, as extended by similar publication on May 14, 1954 (19 F. R. 2789), numerous suggestions and comments were submitted by interested persons respecting the changes in the Commission's rules herein proposed. All suggestions, comments and views submitted have been carefully considered and, to the extent deemed pertinent and appropriate, have been embodied in the amendment herein adopted.

The Commission finds:

(1) It is desirable, for administrative purposes, that the Commission have a written statement from a responsible officer of each natural gas company affected by section 1 (c) of the Natural Gas Act to assist the Commission in finding that all the natural gas transported by each of said companies is received and consumed within a single state.

(2) The amendment to the Commission's general rules and regulations as hereinafter adopted is necessary and appropriate to carry out the provisions of the Natural Gas Act, as amended.

The Commission, acting pursuant to authority granted by the Natural Gas Act, particularly sections 1 (c) and 16 (68 Stat. 36, 52 Stat. 830; 15 U. S. C. 717 (c), 717c), orders:

(A) The Commission's general rules and regulations (18 CFR Chapter 1, Subchapter E) are hereby amended by prescribing Part 152, entitled "Application for Exemption from the Provisions of the Natural Gas Act Pursuant to Section 1 (c) thereof," reading as follows:

- Sec.
152.1 Who may apply.
152.2 Form of application.
152.3 Contents of application.
152.4 Certificate from State Commission.
152.5 Applicability of exemption.

AUTHORITY: §§ 152.1 to 152.5 issued under sec. 16, 52 Stat. 830; 15 U. S. C. 717c. Interpret or apply sec. 3, 52 Stat. 822, Pub. Law 323, 83d Cong.; 15 U. S. C. 717b.

§ 152.1 Who may apply. Application for exemption from the provisions of the Natural Gas Act and the rules and regulations of the Commission issued pursuant thereto may be made by any person as defined in the Natural Gas Act engaged in, or authorized to engage in the transportation in interstate commerce or the sale in interstate commerce for resale, of natural gas received by such applicant from another person within or at the boundary of a State, if all of the natural gas so received is ultimately consumed in such State: *Provided*, That the natural-gas rates and service of the applicant and its natural-gas facilities are subject to regulation by a State commission, as defined in the Natural Gas Act, and that such State commission is exercising that jurisdiction.

§ 152.2 Form of application. An application under this part shall conform with §§ 1.15 and 1.16 of this chapter and

¹ Filed as part of the original document.

the original application shall be signed and verified under oath by a responsible officer of the applicant.

§ 152.3 *Contents of application.* Every application shall set forth in the order indicated the following:

(a) The exact legal name of applicant.

(b) The name, title, and postoffice address of the person to whom correspondence in regard to the application shall be addressed.

(c) A statement of pertinent facts as to the existing service, if any, or authorized service by applicant, including a showing that all of the natural gas which applicant receives from out-of-State sources is and will be ultimately consumed within the State in which the operations sought to be exempted are conducted.

§ 152.4 *Certificate from State Commission.* Applications for exemption under § 152.3 shall contain, or there shall be separately filed, a certificate from the appropriate State Commission that the natural-gas (a) rates, (b) service, and (c) facilities of the applicant are subject to the regulatory jurisdiction of the State Commission and that the State Commission is exercising such jurisdiction.

§ 152.5 *Applicability of exemption.* Nothing in this part shall be construed to relieve any person exempted from the provisions of the Natural Gas Act by section 1 (c) thereof from compliance with valid State regulatory requirements. If an exemption from the provisions of the Natural Gas Act is effective pursuant to section 1 (c), the exempted person shall be responsible for calling to the attention of the State Commission by which it is regulated and of the Federal Power Commission any future operations in which it may engage which may make the exemption inapplicable to it.

(B) The new and amended rules and regulations herein prescribed be and they are hereby made effective upon the issuance of this order.

(C) The Secretary of the Commission shall cause publication of this order to be made in the FEDERAL REGISTER.

Adopted: June 30, 1954.

Issued: July 7, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-5297; Filed, July 12, 1954;
8:48 a. m.]

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

[Dept. Reg. 108.223]

PART 41—VISAS: DOCUMENTATION OF NONIMMIGRANT ALIENS UNDER THE IMMIGRATION AND NATIONALITY ACT

WAIVER OF DOCUMENTARY REQUIREMENTS

JULY 1, 1954.

The following amendments to Part 41, Chapter I, Title 22 of the Code of Federal Regulations, are hereby prescribed:

No. 134—4

1. Section 41.6 *Nonimmigrants not required to present passports, visas, or border-crossing identification cards* is amended to read as follows:

§ 41.6 *Nonimmigrants not required to present passports, visas, or border-crossing identification cards.* (a) The provisions of section 212 (a) (26) of the act relating to the requirement of passports, visas, and border-crossing identification cards for nonimmigrants are waived on a reciprocal basis by the Secretary of State and the Attorney General, acting jointly, in pursuance of the authority contained in section 212 (d) (4) (B) of the act in the cases of aliens (including alien crewmen) who fall within any of the following-described categories:

(1) A Canadian citizen who has his residence in Canada and who makes application for admission into the United States (i) from Canada; or (ii) from, and after a visit solely to, some place in foreign contiguous territory or adjacent islands; or (iii) from, and after a visit solely to, some place in the Western Hemisphere if such citizen departed on a round-trip cruise from a port of the United States or Canada and has not transhipped from the original vessel or aircraft.

(2) A British subject who has his residence in Canada and who makes application for admission into the United States (i) from Canada; or (ii) from, and after a visit solely to, some place in foreign contiguous territory or adjacent islands; or (iii) from, and after a visit solely to, some place in the Western Hemisphere if such subject departed on a round-trip cruise from a port of the United States or Canada and has not transhipped from the original vessel or aircraft.

(3) A national of Mexico who:

(i) Is a military or civilian official or employee of the Mexican national government, or of a Mexican state or municipal government, or a member of the family of any such official or employee, and who makes application for admission into the continental United States from Mexico on personal or official business or for pleasure; or

(ii) Makes application to pass in immediate and continuous transit through the continental United States from one place in Mexico to another by means of a transportation line which crosses the border between United States and Mexico; or

(iii) Is a member of a fire-fighting group entering the United States in connection with fire-fighting activities.

(4) International Boundary and Water Commission officers, employees, and other personnel entering the United States in the performance of their official duties, and Mexican nationals employed directly or indirectly on the construction, operation, or maintenance of works in the United States undertaken in accordance with the treaty concluded on February 3, 1944 between the United States and Mexico, and entering the United States temporarily in connection with such employment. (59 Stat. 1252.)

(5) A national of Cuba who is an official of the Cuban Immigration Serv-

ice, who makes continuous round trips on regularly scheduled steamships between Havana, Cuba and Miami, Florida, for the purpose of inspecting passengers, and who makes application for admission into the United States in connection with such employment.

(6) A national of Cuba who is a crewman serving on board a Cuban military or naval aircraft, and who makes application for admission into the United States in connection with his official duties.

(b) The provisions of section 212 (a) (26) of the act relating to the requirement of passports, visas, and border-crossing identification cards for nonimmigrants are waived by the Secretary of State and the Attorney General, acting jointly, in pursuance of the authority contained in section 212 (d) (4) (C) of the act in the cases of aliens (including alien crewmen) who fall within any of the following-described categories:

(1) An alien who is being transported by railroad or air in immediate and continuous transit through the United States directly from one part of Canada or Mexico to another, without stopover, in accordance with the terms of a contract, including a bonding agreement, entered into by the transportation line and the Attorney General under the provisions of section 238 (d) of the act: *Provided*, That at all times such alien is in transit through the United States, and is not aboard an aircraft which is in flight through the United States, he shall be in the custody of an officer of the United States, or in such other custody as may be approved by the Attorney General.

(2) An alien not within the purview of paragraph (b) (1) of this section who is being transported in immediate and continuous transit through the United States without stopover from one foreign place to another in accordance with the terms of a contract, including a bonding agreement, entered into by a transportation line and the Attorney General under the provisions of section 238 (d) of the act, to insure such immediate and continuous transit through, and departure from, the United States en route to a specifically designated foreign country: *Provided*, That such alien is in possession of a travel document which is valid for his entry into a foreign country for a period of not less than 60 days after the date his immediate and continuous transit through the United States begins: *And provided further*, That at all times such alien is not aboard an aircraft which is in flight through the United States he shall be in the custody of an officer of the United States or, if the Attorney General finds that such custody is not practicable, in such other custody as may be approved by the Attorney General.

(3) An alien who is a passenger aboard a vessel or aircraft of a transportation line which is signatory to a contract, including a bonding agreement, entered into between such line and the Attorney General under the authority of section 238 (d) of the act to guarantee the passage through the United States in immediate and continuous transit of aliens destined to foreign countries, and who

makes application for admission into Guam, Hawaii, Puerto Rico, or the Virgin Islands for a period of not more than twenty-four hours: *Provided*, That at all times such alien is not aboard the vessel or aircraft and is within the territorial limits of Guam, Hawaii, Puerto Rico, or the Virgin Islands he shall be in the custody of an officer of the United States or such other custody as may be approved by the Attorney General.

2. Section 41.7 *Nonimmigrants required to present passports but not visas or border-crossing identification cards* is amended to read as follows:

§ 41.7 *Nonimmigrants required to present passports but not visas or border-crossing identification cards.* (a) The provisions of section 212 (a) (26) (B) of the act relating to the requirement of visas and border-crossing identification cards for nonimmigrants are waived on a reciprocal basis by the Secretary of State and the Attorney General, acting jointly, in pursuance of the authority contained in section 212 (d) (4) (B) of the act in the cases of aliens (including alien crewmen) who fall within any of the following-described categories:

(1) A Canadian citizen who has his residence in Canada, who is not within the purview of § 41.6 (a) (1), and who makes application for admission into the United States.

(2) A British subject who has his residence in British territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States.

(3) A French national who has his residence in French territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States.

(4) A Netherlands subject who has his residence in Netherlands territory in the West Indies and who makes application for admission to Puerto Rico or the Virgin Islands of the United States.

(5) Nationals of foreign contiguous territory or adjacent islands who make application for admission into the United States as seasonal or temporary workers under specific legislation enacted by the Congress and, if required, in accordance with international arrangements concluded upon the basis of such legislation.

(6) Nationals of adjacent islands in the British West Indies who are being imported as agricultural workers from the British West Indies, and who make application for admission into the United States.

(7) A Mexican national who makes application for admission into the United States as a crewman of an aircraft belonging to a Mexican company authorized to engage in commercial transportation into the United States, who is employed in any capacity required for normal operation and service on board, including a crewman employed as a steward or hostess, and who is in possession of a valid Mexican passport or a

valid air-crewman's certificate issued under the provisions of Annex 9 of the International Civil Aviation Convention.

(8) A Cuban national who makes application for admission into the United States as a crewman of an aircraft belonging to a Cuban company authorized to engage in commercial transportation into the United States, who is employed in any capacity required for normal operation and service on board, including a crewman employed as a steward or hostess, and who is in possession of a valid Cuban passport or a valid air-crewman's certificate issued under the provisions of Annex 9 of the International Civil Aviation Convention.

(9) A British subject who has his residence in, and arrives in the United States directly from the Cayman Islands and who, in making application for admission into the United States, presents a certificate from the Clerk of Court of the Cayman Islands stating what, if anything, the Court's criminal records show concerning such subject, and a certificate from the Office of Commissioner of the Cayman Islands stating what, if anything, its records show with respect to such subject's political associations or affiliations.

(b) The provisions of section 212 (a) (26) (B) of the act relating to the requirement of visas and border-crossing identification cards for nonimmigrants are waived by the Secretary of State and the Attorney General, acting jointly, in pursuance of the authority contained in section 212 (d) (4) (A) of the act in the individual cases of aliens who fall within any of the following-described categories, which are hereby declared to be unforeseen emergencies within the purview of that section:

(1) A crewman serving on a vessel or aircraft proceeding directly to the United States from a port or place at which no American consular officer is stationed and no consular officer is stationed at a nearby port or place to whom the crew list may be submitted for visaing by mail or otherwise without delaying the departure of the vessel or aircraft.

(2) A crewman serving on a vessel or aircraft which is proceeding from a foreign port or place, not destined to the United States, and is diverted to a port of the United States.

(3) A crewman serving on a vessel or aircraft, who was necessarily signed on as a replacement after the crew-list visa was obtained, and there was no opportunity thereafter to have such crewman included in a supplemental crew-list visa, without delaying the departure of the vessel or aircraft.

(Sec. 104, 66 Stat. 174; 8 U. S. C. 1104)

The regulations contained in this order shall become effective upon publication in the FEDERAL REGISTER. The provisions of section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1003) relative to notice of proposed rule making and delayed effective date are inapplicable to this order because the regulations contained therein involve for-

eign affairs functions of the United States.

Dated: March 24, 1954.

JOHN FOSTER DULLES,
Secretary of State.

Dated: July 1, 1954.

HERBERT BROWNELL, Jr.,
Attorney General.

[F. R. Doc. 54-5302; Filed, July 12, 1954;
8:48 a. m.]

TITLE 21—FOOD AND DRUGS

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

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 141c—CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

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

PART 146c—CERTIFICATION OF CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Secretary by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, as amended by 61 Stat. 11, 63 Stat. 409, 67 Stat. 389; sec. 701, 52 Stat. 1055; 21 U. S. C. 357, 371; 67 Stat. 18), the regulations for tests and methods of assay for antibiotic and antibiotic-containing drugs (21 CFR Parts 141a, 141c; 18 F. R. 1205, 5347; 19 F. R. 1141) and certification of antibiotic and antibiotic-containing drugs (21 CFR Parts 146a, 146c; 19 F. R. 1141) are amended as indicated below:

1. Section 141a.49 (a) (2) (iii) is revised to read as follows:

§ 141a.49 *Penicillin-streptomycin-bacitracin ointment* * * * (a) *Potency.* * * * (2) * * *

(iii) If dihydrostreptomycin is present, use as the test organism the Food and Drug Administration dihydrostreptomycin-resistant strain of *M. flavus* (P. C. I. 16 R. D.), which is grown and maintained in media containing 500 micrograms of dihydrostreptomycin per milliliter of media, or calculate from the quantity of dihydrostreptomycin found, using the method prescribed by subparagraph (1) of this paragraph, the quantity of dihydrostreptomycin that would be present when the sample is diluted to contain 1 unit of bacitracin (labeled potency) per milliliter. Prepare the bacitracin standard curve by adding the calculated quantity of dihydrostreptomycin to each concentration of bacitracin used for the curve. Use this standard curve to calculate the bacitracin content of the sample.

2. Section 141a.65 *Procaine penicillin-streptomycin-neomycin in oil* * * * is amended as follows:

a. Subparagraph (1) of paragraph (a) *Potency* is amended by changing the period at the end thereof to a comma and adding the following clause: "except use only the cup-plate method of assay for streptomycin and dihydrostreptomycin."

b. Paragraph (a) (2) is amended by adding the following new subdivision:

(iii) If it contains dihydrostreptomycin, the neomycin content may also be determined as follows: Place 1.0 milliliter of the sample in a separatory funnel containing 50 milliliters of peroxide-free ether and extract with four successive 20-milliliter portions of 0.1 M potassium phosphate buffer at pH 7.8 to 8.0. Make the combined aqueous extractions to 100 milliliters with the 0.1 M potassium phosphate buffer. Pipette an appropriate volume for assay and accurately add sufficient 0.1 M potassium phosphate buffer to provide a solution containing 10 micrograms of neomycin per milliliter. Proceed as directed in § 141c.410 (b) (1) of this chapter, except add sufficient penicillinase to completely inactivate the penicillin present, and use as the test organism the Food and Drug Administration dihydrostreptomycin-resistant strain of *M. pyogenes* var. *aureus* (P. C. I. 1209 R. D.), which is grown and maintained in media containing 1,000 micrograms of dihydrostreptomycin per milliliter of agar.

3. Part 141c is amended by adding the following new section:

§ 141c.222 *Tetracycline hydrochloride oral suspension*—(a) *Potency*. Transfer 1 milliliter of the well-shaken suspension to a suitable high-speed blender containing 500 milliliters of 0.01 N HCl. Blend for 5 minutes and proceed as directed in § 141c.218 (a). Its potency is satisfactory if it contains not less than 85 percent of the number of milligrams of tetracycline hydrochloride per milliliter that it is represented to contain.

(b) *Moisture*. Proceed as directed in § 141a.7 (c) of this chapter.

4. In § 146a.57 *Procaine penicillin and streptomycin in oil* * * *, paragraph (a) (1) is amended by changing the number "6.7" to "3.0".

5. Part 146c is amended by adding the following new section:

§ 146c.222 *Tetracycline hydrochloride oral suspension*—(a) *Standards of identity, strength, quality, and purity*. Tetracycline hydrochloride oral suspension is tetracycline hydrochloride and one or more suitable and harmless suspending and dispersing agents, with or without one or more suitable and harmless colorings and flavorings, suspended in a suitable and harmless vehicle. Its potency is not less than 50 milligrams per milliliter. Its moisture content is not more than 2 percent. The tetracycline hydrochloride used conforms to the standards prescribed by § 146c.218 (a), except

§ 146c.218 (a) (2), (4), and (5). Each other substance used, if its name is recognized in the U. S. P. or N. F., conforms to the standards prescribed therefor by such official compendium.

(b) *Packaging*. The immediate container shall be a tight container as defined by the U. S. P., and shall be of such composition as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor in applicable standards, except that minor changes so caused that are normal and unavoidable in good packaging, storage, and distribution practice shall be disregarded.

(c) *Labeling*. Each package shall bear on its label or labeling as herein-after indicated, the following:

(1) On the outside wrapper or container and the immediate container:

(i) The batch mark.
(ii) The number of milligrams of tetracycline hydrochloride in each milliliter of the batch.

(iii) The statement "Shake well."

(iv) The statement "Expiration date _____" the blank being filled in with the date that is 18 months after the month during which the batch was certified: *Provided, however*, That such expiration date may be omitted from the immediate container if such immediate container is packaged in an individual wrapper or container.

(2) On the outside wrapper or container:

(i) The statement "Caution: Federal law prohibits dispensing without prescription," unless it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled.

(ii) If it is packaged for dispensing and it is intended for use by man, a reference specifically identifying a readily available medical publication containing information (including contraindications and possible sensitization) adequate for the use of such drug by practitioners licensed by law to administer it; or a reference to a brochure or other printed matter containing such information, and a statement that such brochure or other printed matter will be sent on request: *Provided, however*, That this reference may be omitted if the information is contained in a circular or other labeling within or attached to the package.

(3) On the circular or other labeling within or attached to the package, if it is packaged for dispensing and it is intended solely for veterinary use and is conspicuously so labeled, adequate directions and warnings for the veterinary use of such drug by the laity. Such circular or other labeling may also bear a statement that a brochure or other printed matter containing information for other veterinary uses of such drug by a veterinarian licensed by law to administer it will be sent to such veterinarian on request.

(d) *Request for certification; samples*.

(1) In addition to complying with the requirements of § 146.2 of this chapter,

a person who requests certification of a batch shall submit with his request a statement showing the batch mark, the number of packages of each size in such batch, the batch mark and (unless it was previously submitted) the date on which the latest assay of the tetracycline hydrochloride used in making such batch was completed, the potency per milliliter of the batch, the date on which the latest assay of the drug comprising such batch was completed, the quantity of each ingredient used in making the batch, and a statement that each such ingredient conforms to the requirements prescribed therefor by this section.

(2) Except as otherwise provided in subparagraph (4) of this paragraph, each person shall submit in connection with his request results of the tests and assays listed after each of the following, made by him on an accurately representative sample of:

(i) The batch: Average potency per milliliter and average moisture.

(ii) The tetracycline hydrochloride used in making the batch: Potency, toxicity, moisture, pH, crystallinity, and extinction coefficient.

(3) Except as otherwise provided by subparagraph (4) of this paragraph, such person shall submit in connection with his request, in the quantities hereinafter indicated, accurately representative samples of the following:

(i) The batch: 1 immediate container for each 5,000 immediate containers in the batch, but in no case less than 5 or more than 12 immediate containers, collected by taking single immediate containers at such intervals throughout the entire time of packaging the batch that the quantities packaged during the intervals are approximately equal.

(ii) The tetracycline hydrochloride used in making the batch: 10 packages, each containing approximately equal portions of not less than 60 milligrams, packaged in accordance with the requirements of § 146c.201 (b).

(iii) In the case of an initial request for certification, each other ingredient used in making the batch: 1 package of each containing approximately 5.0 grams.

(4) No result referred to in subparagraph (2) (ii) of this paragraph, and no sample referred to in subparagraph (3) (ii) of this paragraph, is required if such result or sample has been previously submitted.

(e) *Fees*. The fee for the services rendered with respect to each batch under the regulations in this part shall be:

(1) \$4.00 for each package in the samples submitted in accordance with paragraph (d) (3) (i), (ii), and (iii) of this section.

(2) If the Commissioner considers that investigations other than the examination of such packages are necessary to determine whether or not such batch complies with the requirements of § 146.3 of this chapter for the issuance of a certificate, the cost of such investigations.

The fee prescribed by subparagraph (1) of this paragraph shall accompany the

request for certification unless such fee is covered by an advance deposit maintained in accordance with § 146.8 (d) of this chapter.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371)

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the amendments set forth above.

This order shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected industry will benefit by the earliest effective date, and I so find.

Dated: July 7, 1954.

[SEAL] OVETA CULP HOBBY,
Secretary.

[F. R. Doc. 54-5306; Filed, July 12, 1954;
8:50 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

Subchapter B—Property Improvement Loans

PART 201—CLASS 1 AND 2 PROPERTY IMPROVEMENT LOANS

ELIGIBLE IMPROVEMENTS

Part 201 is amended by adding a new § 201.7a (a) (2) as follows:

§ 201.7a *Eligible improvements.* * * *
(2) *Additional list of ineligible items.* No part of the proceeds of a loan made on or after July 6, 1954, shall be used to finance any of the following items:

Patios, unless permanently attached and affixed to an existing structure and covered by a roof.

(Sec. 2, 48 Stat. 1246, as amended; 12 U. S. C. and Sup. 1703)

Issued at Washington, D. C., July 6, 1954.

[SEAL] NORMAN P. MASON,
Acting Federal Housing Commissioner.

[F. R. Doc. 54-5282; Filed, July 12, 1954;
8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XIV—General Services Administration

[Revision 1, Amdt. 3]

MANGANESE REGULATION: DOMESTIC MANGANESE PURCHASE PROGRAM

ACCEPTANCE ON WEIGHTED AVERAGE BASIS

Pursuant to the authority vested in me by Executive Order 10480, dated August 14, 1953 (18 F. R. 4939), this regulation, as revised and amended, is hereby further amended as follows:

1. In section 1, delete the second sentence of paragraph (a), and in lieu

thereof substitute the following: "Any small domestic producer whose total anticipated or actual production of metallurgical grade manganese ores and concentrates meeting the specifications set forth in Section 5 hereof is less than ten thousand (10,000) long dry tons per calendar year shall be eligible to participate under the provisions of this Program as hereinafter specifically set forth."

2. In section 1, delete the first sentence of paragraph (b), and in lieu thereof substitute the following: "This regulation interprets and implements the authority of the Administrator of General Services to purchase metallurgical grade manganese ores and concentrates, all of domestic origin, pursuant to Executive Order 10480, dated August 14, 1953 (18 F. R. 4939)."

3. In section 4, delete the date "June 30, 1954" appearing in the first sentence, and in lieu thereof substitute the date "June 30, 1955".

4. In section 5, delete the sentence preceding the table of chemical analysis appearing in paragraph (a), and in lieu thereof substitute the following: "Except as otherwise provided in paragraph (c) of this section, each carload of material offered hereunder must meet the following chemical analysis:"

5. In section 5, delete the second sentence of paragraph (b), and in lieu thereof substitute the following: "All offers shall stipulate the type covered, and except as otherwise provided in paragraph (c) of this section, each carload of material offered hereunder must meet the following rejection limits for each type."

6. In section 5, add the following new paragraph (c) immediately preceding section 6:

(c) Those participants who have made consistent deliveries of acceptable quality ore or concentrates may, upon written request by such participants, and at the option of the appropriate regional office, make subsequent offerings on a ten (10) carload lot weighted average basis: *Provided, however,* That the weighted average chemical analysis and physical characteristics of the aggregate of all the material in such lot, at no time falls below the chemical and physical requirements as set forth in paragraphs (a) and (b) of this section.

7. In section 7, delete the next to the last sentence of paragraph (a), and in lieu thereof substitute the following: "The lot will be weighed, sampled and analyzed at the receiving point or at the shipping point, at the option of the Government, and the cost of weighing, sampling and analysis will be at the expense of the Government."

8. In section 7, add the following new paragraph (c) immediately following paragraph (b):

(c) In the case of deliveries authorized to be made on a ten (10) carload lot weighted average basis under the provisions of paragraph (c) of section 5, the provisions of paragraphs (a) of this section with respect to the delivery and acceptance of each "lot", shall apply to the delivery and acceptance of each "car-

load" when a given lot constitutes more than one carload.

9. Delete in its entirety section 11, and in lieu thereof substitute the following:

SEC. 11. *Payment.* (a) Upon receipt by the appropriate regional office of applicable moisture and analysis determination and certified weight certificate with respect to each acceptable delivery under the terms of the Program hereinabove stated, the participants shall be promptly paid for each such delivery in accordance with the price provisions of this Program.

(b) In the case of shipments accepted on a ten (10) carload lot weighted average basis, payment shall be computed by ascertaining at the time of each delivery the total value of the aggregate of all material accepted in such lot, and by subtracting therefrom the aggregate of the payments previously made for such material. The difference shall be the amount to be paid for the current acceptable carload or carloads.

(Sec. 704, 64 Stat. 816, as amended, Pub. Law 85, 83d Cong.; 50 U. S. C. App. Sup. 2154; Pub. Law 206, 83d Cong.)

All other provisions of this regulation shall remain in full force and effect.

This amendment is effective immediately.

Dated: July 7, 1954.

AL E. SNYDER,
Assistant Administrator.

[F. R. Doc. 54-5345; Filed, July 9, 1954;
12:53 p. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 34—CLASSIFICATION AND RATES OF POSTAGE

FREE-IN-COUNTY MATTER, AND RATES ON SECOND-CLASS MATTER AT LETTER-CARRIER OFFICES

In § 34.41 *Free-in-county matter, and rates on second-class matter at letter-carrier offices*, amend the last sentence of paragraph (a) by striking out the words "by stamps affixed".

The foregoing amendment shall be effective July 18, 1954.

(R. S. 161, 396, sec. 25, 20 Stat. 361, as amended; secs. 304, 309; 42 Stat. 24, 25; 68 Stat. 262; 5 U. S. C. 22, 309, 39 U. S. C. 286)

[SEAL] ARE MCGREGOR GOFF,
The Solicitor.

[F. R. Doc. 54-5299; Filed, July 12, 1954;
8:48 a. m.]

PART 92—TRANSPORTATION OF MAIL BY RAILROADS

SUBSTITUTION OF MOTOR VEHICLE FOR RAIL TRANSPORTATION

In § 92.26 *Substitution of motor vehicle for rail transportation*, make the following changes:

1. Amend paragraph (b) (1) by striking out that part which precedes the first

proviso and by inserting, in lieu thereof, the following: "The Postmaster General is authorized to use Government-owned motor vehicles or contract for carrying the mails and postal transportation clerks on routes between points where, in his judgment, conditions justify the operation of such service in motor vehicles especially designed and equipped for the distribution of mail en route."

2. Amend the citation to paragraph (b) (1) to read as follows: "(Sec. 1, 54 Stat. 756, 68 Stat. 255; 39 U. S. C. 505)."

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25, sec. 1, 54 Stat. 756, 68 Stat. 255; 5 U. S. C. 22, 369, 39 U. S. C. 505)

[SEAL] ABE MCGREGOR GOFF,
The Solicitor.

[F. R. Doc. 54-5300; Filed, July 12, 1954;
8:48 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter B—Hunting and Possession of Wildlife

PART 8—PROCLAMATIONS DESIGNATING AREAS CLOSED TO HUNTING

REVOKING REGULATION DESIGNATING AS
CLOSED AREA CERTAIN LANDS AND WATERS
WITHIN, ADJACENT TO, OR IN THE VICINITY
OF THE EVERGLADES NATIONAL WILDLIFE
REFUGE, FLORIDA

Whereas the President of the United States by Proclamation 2724 of April 4, 1947 (3 CFR 1947 Supp.), approved and proclaimed a regulation of the Under Secretary of the Department of the Interior dated March 27, 1947, designating under authority of the Migratory Bird Treaty Act of July 3, 1918 (40 Stat. 755, 16 U. S. C. 704) and Reorganization Plan II (53 Stat. 1431) certain lands and waters within, adjacent to, or in the vicinity of the Everglades National Wildlife Refuge, Florida, as a closed area in or on which pursuing, hunting, taking, capturing, or killing of migratory birds, or attempting to take, capture, or kill migratory birds is not permitted, and

Whereas the Everglades National Wildlife Refuge has been abolished and the lands thereof are now within and a part of the Everglades National Park established by Order of the Secretary of the Interior on June 20, 1947 (12 F. R. 4189), and

Whereas the Everglades National Park, as enlarged by Order No. 2555 of the Secretary of the Interior dated February 23, 1950, includes all land, water, and submerged land within the area closed to the hunting of migratory waterfowl by the regulation of March 27, 1947, of the Under Secretary of the Interior as proclaimed by Presidential Proclamation 2724 of April 4, 1947, and

Whereas hunting within the Everglades National Park is prohibited under regulations in Title 36, Code of Federal Regulations, and the protection thereby afforded migratory birds eliminates any further need for the regulation of March 27, 1947, as proclaimed by Presidential Proclamation 2724 of April 4, 1947:

Now, therefore, I, Douglas McKay, Secretary of the Interior, do hereby revoke

the regulation of March 27, 1947, of the Under Secretary of the Interior as proclaimed by Presidential Proclamation 2724 of April 4, 1947.

Issued at Washington, D. C., this 6th day of July, 1954.

DOUGLAS MCKAY,
Secretary of the Interior.

[F. R. Doc. 54-5290; Filed, July 12, 1954;
8:46 a. m.]

Subchapter F—Alaska Commercial Fisheries PART 119—SOUTHEASTERN ALASKA AREA, EASTERN DISTRICT, SALMON FISHERIES

OPEN SEASON, EXCEPTIONS

Basis and purpose: Observations and reports of field representatives of the Fish and Wildlife Service indicate that there has been an improvement in the salmon runs in the Taku Inlet-Port Snettisham section coupled with consid-

erable dispersal of gear concentration. On the basis of the above, it has been determined that the extension to the weekly closed period imposed by the amendment published in the FEDERAL REGISTER June 8, 1954, 19 F. R. 3355, is no longer necessary. Said amendment is, therefore, hereby rescinded and the weekly closed period originally fixed in § 119.3 paragraph (a), by the regulations of February 20, 1954, 19 F. R. 1010, is hereby reestablished, effective at 6 o'clock postmeridian July 14, 1954.

Since immediate action is necessary, notice and public procedure on this amendment are impracticable (60 Stat. 237; 5 U. S. C. 1001 et seq.).

(Sec. 1, 43 Stat. 464, as amended; 48 U. S. C. 221)

Date: July 12, 1954.

ERNEST SWIFT,
Acting Director.

[F. R. Doc. 54-5373; Filed, July 12, 1954;
10:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 927]

[Docket No. AO 71-A25]

HANDLING OF MILK IN THE NEW YORK METROPOLITAN MILK MARKETING AREA

RECOMMENDED DECISION AND OPPORTUNITY
TO FILE WRITTEN EXCEPTIONS WITH RE-
SPECT TO A 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), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Deputy Administrator, Agricultural Marketing Service, 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 New York metropolitan milk marketing 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 12th 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 findings and conclusions hereinafter set forth were formulated, was conducted at Utica, New York during the period October 19 through November 20, 1953, and at Albany, New York on November 23 and 24, 1953, pursuant to notice thereof issued on October 6, 1953 (18 F. R. 6457).

All of the material issues considered at the hearing relate to the classification and pricing of milk now in Class III (plus the question of eliminating existing differences between Class II and Class III in the nonfat dry milk solids market quotations and yield factors used). Such issues are concerned with:

1. The level of the Class III price and the pricing of those portions of Class III milk used for butter, cheese and candy products.

2. Whether the Boston weighted average cream price should continue to be used during the months of August through February in the pricing of all or a portion of the Class III milk.

3. Whether different market quotations and yield factors for nonfat dry milk solids should be used in the pricing of Class III milk, and whether such factors should be uniform for both Class II and Class III.

4. Pricing Class III milk on the basis of prices paid at selected Midwest condenseries.

5. Making provision in the order for separate allowances to manufacturing plants.

6. Adoption of a so-called "flexible pricing plan."

Findings and conclusions. The findings and conclusions hereinafter set forth are based upon the evidence in the record of the hearing and relate only to the above listed issues numbered 3 through 6. Findings and conclusions concerning issues 1 and 2 are contained in recommended and final decisions issued on March 24, 1954 (19 F. R. 1672) and April 7, 1954 (19 F. R. 2086), respectively. In arriving at the findings and conclusions herein, official notice is being taken of (1) the decision of the Assistant Secretary issued on April 7, 1954 relating to issues 1 and 2 in this proceeding, (2) announcements of the United States Department of Agriculture

ture issued on February 15 and 18, 1954 relating to the dairy price support level and the prices at which dairy products will be purchased by the Commodity Credit Corporation during the period April 1, 1954 through March 31, 1955, (3) monthly announcements for months since September 1953 issued to date by the market administrator showing class prices, product prices used in calculating class prices, the uniform price, receipts of pool milk and utilization, (4) announcement by the market administrator on December 29, 1953 of the estimated monthly production of pool milk and Class I-A and uniform prices for the first half of 1954, and (5) provisions for the pricing of Class II milk under Orders No. 4 and 61 regulating the handling of milk in Boston and Philadelphia.

Issue No. 3. It is concluded that there should be no change in the nonfat portion of the formula for the pricing of Class III milk. More specifically, it is concluded that no change should be made (1) in the source or the weighting of the nonfat dry milk solids prices used in pricing all or any portion of Class III milk, (2) in the nonfat dry milk solids yield factor used in the formula, or (3) to use the same nonfat dry milk solids price quotations and yield factor for pricing both Class III and Class II milk.

Appropriate appraisal of the facts relating to this issue and evaluation of the conclusions reached involves recognition that they relate only to factors employed in the nonfat portion of the formula for pricing Class III milk, and that such formula factors are of real significance only in combination with other elements in the complete formula. Recognition must be given also to the fact that the dairy product prices and yield factors employed in the Class III formula are designed primarily to reflect changes in the market value of products made from Class III milk, and purport to constitute only an approximation of the actual returns to handlers from the sale of products made from Class III milk. The impracticability of determining with precision and accuracy the actual yields and prices received for all of the numerous products made from Class III milk was clearly established on the record. Since actual product yields and product prices obtained by handlers may be either higher or lower than the yield factors and product prices used in the formula, it follows that only by coincidence is the handler's operating margin between the amount received for products and the producer price for Class III milk equal to the handling and manufacturing allowance specified in the formula.

It was proposed at the hearing that the prices reported in "The Producers' Price Current" by the Urner-Barry Company for roller process nonfat dry milk solids in the New York market be used in the formula rather than to continue using a weighted average of roller and spray process nonfat dry milk solids prices f. o. b. manufacturing plants in the Chicago area. It was asserted that the Chicago area f. o. b. plant prices are not satisfactory for use in the Class III formula because they do not reflect

values or changes in values in the New York market where pool handlers have to sell the products made from pool milk. In support of this assertion, proponents compared Chicago area plant prices with various other series of nonfat dry milk solids prices, and pointed to month to month changes different from month to month changes in other series of markets or f. o. b. plant prices, and to a shift from 1952 to 1953 in the average level of Chicago area f. o. b. plant prices in relation to certain other series.

In view of these relationships, there was considerable speculation indulged in at the hearing relative to the accuracy of the monthly averages of the Chicago area plant prices. In this connection, it was pointed out that such prices are calculated from reports received only from sellers, that the reported selling prices are not verified, and that there is variation from month to month in the number of plants reporting. Such monthly averages, however, are based upon reported prices for a considerable volume of sales of nonfat dry milk solids from plants within a five-State area in which there is substantial production. There is no basis for concluding that the average prices reported do not reflect actual selling prices with sufficient accuracy to be completely acceptable for the purpose for which they are used.

Concerning the month to month changes in the various series of nonfat dry milk solids prices, the thing most apparent is the absence of uniformity. It is only rarely that exactly the same change occurs in any two of the various series compared. Likewise, the relative levels of the various series do not remain constant from one month to the next, nor does the average difference between any two series usually remain the same from one year to the next. The proposal under consideration here is based in part on the contention that the frequency of instances in which the Chicago area plant price moves in the opposite direction from other nonfat dry milk solids price quotations is an indication that there is something peculiar and unrealistic about it, and therefore, is not a suitable indication of changes in market values of products made from Class III milk. Accordingly, the proposal is to shift to the use of the Urner-Barry quotation for roller process nonfat dry milk solids in the New York market.

Comparison of month to month changes in each of these series during the 21-month period January 1952-September 1953 reveals that there were eight months when the Chicago area plant price (with a weight of 70 for roller and 30 for spray as now used) changed in one direction from the preceding month and when the Urner-Barry quotation (for roller only as proposed) either did not change or changed in the opposite direction. Such a comparison, however, appears completely inconclusive. A comparison of changes in each of these series with the changes in the United States average f. o. b. plant price for both roller and spray process nonfat dry milk solids appears more appropriate in view of the very comprehensive nature of the United States average due to wide coverage and weighting by volumes.

Such a comparison reveals that there were seven months during the period January 1952-September 1953 when, in relation to the United States average, the Chicago area plant price changed in the opposite direction, and that during the same period there were nine months when the Urner-Barry quotation failed to change in the same direction on the United States average. Compared to the United States average the diverse changes in the proposed Urner-Barry quotation were more frequent than in the Chicago area plant price.

Concerning the shift from 1952 to 1953 in the relative levels of the Chicago area plant prices and Urner-Barry quotations, both averaged about the same in 1952, there being a difference of only .03 cent with the Urner-Barry quotation higher. For 1953, however, the Chicago area plant price was higher by .78 cent resulting in a shift in relationship of .81 cent. Compared again to the United States average, the Chicago area plant price was lower by 1.03 cents in 1952 and 1.31 cents in 1953 (using United States average January-September). The Urner-Barry quotation was lower than the United States average by 1.00 cent in 1952 and 2.09 cents in 1953. Thus, relative to the United States average, the Chicago area plant price declined .28 cent and the Urner-Barry quotation declined 1.09 cents. The Chicago area plant price appears to have moved more nearly in line with nonfat dry milk solids prices generally, thus more accurately reflecting the value of skim milk for that use.

Use of the Chicago area plant price also results in Class III price changes more nearly in line with changes in the purchase prices under the Department's price support program. Compared to a decline of 1-cent per pound in the support price of nonfat dry milk solids, the declines from 1952 to 1953 in the Chicago area plant price and in the Urner-Barry quotation were 1.32 cents and 2.13 cents, respectively. Unless the product prices used in the formula reflect with a fair degree of accuracy changes in product purchase prices under the support program, it becomes virtually impossible to obtain Class III price changes in line with changes in the support level.

There is no basis for concluding that the proposed Urner-Barry quotation for roller powder would better reflect changes in the value of Class III milk. Use of the midpoint of the range of prices reported by the Urner-Barry Company may or may not reflect the price at which the greater part of the roller nonfat solids is actually sold in the New York market. It is a quotation largely within the control of operators whose price for all Class III milk would be influenced by isolated sales at a price substantially different from the price at which the bulk of the sales are made. Even if the actual selling prices are properly reflected in the quotation used, the use of such quotation for roller nonfat solids does not appear to be a better indicator of the value of Class III milk. It is extremely doubtful that it is even a better indicator of the average price obtained by handlers for nonfat dry

milk solids. The actual prices at which all nonfat solids made by pool handlers are sold are not revealed in the record. Handlers did report that substantial quantities were rejected for purchase under the price support program and thus had to be sold on the open market at lower than support prices. On the other hand, the record indicates that substantial volumes of nonfat solids are sold at prices higher than the quotation used in the formula. During the twelve-month period August 1952-July 1953, approximately 52 million pounds of nonfat dry milk solids were purchased by the Department at locations within the New York milkshed. While the record does not reveal the total actual volume of nonfat solids made from pool milk during this period, it is estimated, on the basis of the proportion of skim used for drying in New York State pool plants, that the volume disposed of under the price support program was equal to between 30 and 35 percent of all nonfat dry milk solids made from pool milk during the year 1953. Taking into account the support prices prevailing during that period and the proportions of spray and roller purchased, it is apparent that these sales were made at prices averaging about 1 cent per pound above the average of the Chicago area plant prices used in the formula during the same period.

On the question of weight to be given to roller and spray price quotations, no change appears justified. Proposals were made to use prices for roller only and to reverse the present weighting of 70 for roller and 30 for spray. It was brought out that the nonfat dry milk solids made from pool milk is probably about 70 percent spray and 30 percent roller. Purchases in the milkshed under the price support program during the period August 1952-July 1953 were about 74 percent spray and 26 percent roller. On the other hand, it is recognized that probably about one-half of the skim milk in Class III milk is used for purposes other than drying, and for which there is an undetermined return. The present weighting appears satisfactory for purposes of reflecting changes in the value of the skim portion of Class III milk. A change for the purpose of changing the level of the price does not appear justified at this time. The reduction from 2 cents to 1½ cents in the spread between support prices for spray and roller reduces slightly the importance of the weighting employed.

Proposals to use only market prices for roller process nonfat dry milk solids in pricing Class III milk from which the skim milk is used to make that particular product run counter to the concept of pricing here employed. Product prices are used in the formula to reflect changes in the general market value of milk for a variety of uses, with the choice of uses being exercised by those handling the milk. It is neither economically sound or administratively feasible to attempt to establish a separate minimum producer price for milk used in each one of the considerable number of products for which Class III milk may be utilized.

No substantial reasons were presented for changing the nonfat dry milk solids yield factor now used in the Class III formula. The proposal to use a higher yield factor more nearly approximating the theoretical nonfat solids content of milk does not appear to constitute any significant improvement in the formula. A yield factor definitely higher than the approximate quantity of nonfat dry milk solids actually obtained from a hundred-weight of milk would tend to exaggerate the amounts of change in the Class III price resulting from changes in the level of market prices for nonfat dry milk solids. The limited data in the record on yields actually obtained indicate that they probably are slightly lower than the yield factor used in the formula, but that there is not enough difference to require changing the factor.

No new evidence appears to have been submitted on the question of using the same nonfat dry milk solids price quotations and yield factor in pricing both Class II and Class III milk. In both instances, the minimum price established under the order is a price for whole milk as such, rather than separate prices for skim milk and butterfat. A handler may assign the total class price for whole milk to various products in any chosen proportion. No uniform assignment of total cost is required under the order, nor would there be if the factors in each formula were the same. Accordingly, the lack of uniformity between Class II and Class III formula factors is considered to be immaterial.

Issue No. 4. It is concluded that the order should not be amended to provide for pricing Class III milk directly on the basis of the price paid farmers for milk at selected Midwest condenseries (the term "Midwest condenseries" as used herein meaning those condenseries, now numbering 15 and formerly 17 and 18 located in Michigan and Wisconsin for which monthly average prices paid for 3.5 percent milk are now and historically have been reported by the United States Department of Agriculture).

The specific proposal considered at the hearing was that the Midwest condensery price plus 15 cents be fixed as a Class III price floor; that is, that it be the price if higher than the price yielded by other formula provisions (based on butter or cream and nonfat dry milk solids prices). The principal questions involved appear to be whether such a provision would (1) result in the appropriate general level of Class III prices, and (2) constitute an improved means of reflecting changes in the value of Class III milk. It appears from the testimony of proponents that the primary purpose of the proposal was to increase the level of the Class III price.

The stated principle reflected in the proposal was that the Class III price should be at least as high as the price paid by unregulated plant operators for milk used for manufactured dairy products. The Midwest condensery price was proposed as being the best indicator of such a price that is available for timely use in the Class III formula. The addition of 15 cents to the condensery price was stated to be in re-

cognition of the advantage of approximately that amount accruing to pool handlers over Midwest operators on evaporated milk shipped to the New York market.

Probably the most obvious effect of the proposal would be a rather substantial increase in the Class III price. The Class III price averaged 10 cents lower than the Midwest condensery price in 1952 and 2 cents lower in 1953. The proposed Midwest condensery price plus 15 cents (had it been in effect) thus would have increased Class III prices by an average of 25 cents in 1952 and 17 cents in 1953. Monthly increases would have ranged from 0 cents to 40 cents in 1952 and from 9 to 28 cents in 1953. The facts cited in the decision of April 7, 1954, in support of the amendment order effective May 1, 1954, particularly as to issue No. 1, indicate that Class III increases of these proportions are not justified.

The Class III price in 1953 was 8 cents higher than in 1952 in relation to the Midwest condensery price and to the United States average of prices paid for milk used for evaporated milk. From 1952 to 1953 the Class III price declined 46 cents, whereas the Midwest condensery price and the United States average both declined 54 cents. Compared with the United States average of prices paid for milk for American cheese (adjusted by direct ratio to 3.5) the Class III price for milk for cheese was lower by 3 cents in 1952 and by 7 cents for the first 8 months of 1953. For milk used for butter the Class III price was 4 cents below the United States average (adjusted by direct ratio to 3.5) in 1952 and lower by 20 cents for the first 8 months of 1953. The Midwest condensery price exceeded the United States average price paid for milk for butter by 18 cents in 1952 but was 4 cents lower for the first 8 months of 1953. Compared with the United States average price paid for milk for American cheese, the Midwest condensery price was 19 cents higher in 1952 and 9 cents higher for the first 8 months of 1953. In view of these shifting relationships among prices paid for milk used for various manufactured milk products, there appears to be no basis for concluding that the Midwest condensery price is a better measure of the value, or changes in the value, of Class III milk than either (1) prices paid for milk for other manufactured milk uses or (2) the market values of dairy products now used in the Class III formula.

Comparison of the Class III price with a more comprehensive measure of the national average of prices paid for milk for manufacturing uses, calculated by averaging prices paid for milk used for butter, cheese and evaporated milk, indicates an extremely close alignment of absolute levels and no significant shift in relationship from 1952 to 1953. Such composite averages for 1952 and 1953 were \$3.66 and \$3.22, respectively, compared to Class III prices of \$3.68 and \$3.22, respectively.

Because the freight cost from Wisconsin to New York City on evaporated milk is approximately 15 cents greater per hundredweight of milk than from

a representative location in the New York milkshed does not by itself appear to constitute conclusive evidence that the level of the Class III price should be that much higher than the Midwest condensary price. Substantial quantities of evaporated milk are produced much nearer New York City than Wisconsin. Furthermore, evaporated milk is by no means a major use of Class III milk, only slightly more than 1 percent being so used in 1953. Except for fluid cream, the freight advantage on products made from Class III milk is substantially less than 15 cents. Pool cream for ice cream competes with butterfat in more concentrated form from other areas. When supplies are plentiful, as now, there is a tendency for freight differentials not to be reflected in product market prices. No freight differential is recognized for cheese and nonfat dry milk solids under the dairy price support program.

It appears inappropriate also to consider such location advantage as may accrue to pool handlers without also considering other differences in circumstances and conditions associated with the handling of Class III milk different from those prevailing for unregulated plant operators in other areas. There appear to be numerous factors contributing to relatively high handling costs on Class III milk including the necessity of meeting New York City Health Department requirements, low volume per plant and wide seasonal and short time variations in the volume of Class III milk. These and perhaps other factors tend to increase costs of pool plant operators per unit of product handled. On the other hand, certain advantages accrue to pool handlers. Nearness to market not only gives them a definite freight advantage on various products but affords considerable opportunity to dispose of Class III milk in the form of whole fluid milk and plain condensed milk for use directly in such products as ice cream and candy products, thus avoiding all or part of the cost of the processing otherwise necessary. The fact that all Class III milk is of the same high quality required for fluid use also should enable the production of top quality products at top market prices. Because of incomplete information concerning most of these circumstances and conditions obtaining for pool handlers, and because of the nature of such differences it becomes exceedingly difficult, if not impossible, to evaluate them in terms of cents per hundredweight of milk with sufficient precision to determine whether the advantages exactly offset the disadvantages. Accordingly, while market price quotations for dairy products are found to be a more appropriate measure of month to month changes in the Class III price, the price paid by unregulated plant operators to farmers for milk used in manufactured dairy products appears to constitute about the most reliable guide available for determining the proper average level of the Class III price over extended periods.

Issue No. 5. It was concluded in a decision issued November 5, 1951 (16

F. R. 11344) on the basis of evidence in the record of a hearing ending on April 17, 1951, that the order should not be amended to provide a separate allowance or set of allowances to be credited to handlers with respect to milk transferred from the plant where received from producers to a plant where it is manufactured into Class III products. Virtually the same issue is again presented on the record of this hearing. The proposals themselves and the reasons advanced in support of such proposed separate transfer or diversion allowances were substantially the same on both occasions. The only new evidence in this record is of an increase since the 1951 hearing in the volume of Class III milk. Such new evidence is immaterial, however, and does not alter the basic economic principles relating to the question of providing separate transfer allowances. Accordingly, the conclusion reached on this issue, and the reasons therefor, are the same as in the decision of November 5, 1951.

Issue No. 6. It is concluded that the so-called "flexible pricing plan" proposed at the hearing for the pricing of Class III milk should not be adopted. The proposal, submitted at the hearing as an appropriate modification of proposals contained in the notice of hearing, was that provision be made in the order authorizing the market administrator, after holding a meeting to hear interested parties, to make adjustments in the Class III price within prescribed limits. It was proposed that such adjustments be made by various means including (1) the selection of alternative measures of the value of Class III milk, (2) changing the amount of the skim value and of the butter-cheese adjustment by not more than specified percentages, and (3) establishment of additional allowances to handlers on Class III milk handled in accordance with prescribed specifications. It was further proposed that, if the delegation of such authority to the market administrator was ruled to be questionable, provision be made for allowing the Secretary 48 hours after receipt to revoke or modify the price adjustment ordered by the market administrator, and for the price adjustment ordered by the market administrator to become effective unless so revoked or modified by the Secretary.

The stated primary objective of proponents was to obtain prompt adjustments in the Class III price to meet changing market conditions. Lack of flexibility to meet changing market conditions was asserted to be the principal difficulty with Class III prices as they are now established. Advantages claimed for the proposed new procedure were that it would provide for constant scrutiny of marketing conditions and for speedy determinations by someone on the scene who can benefit from every-day experiences of those in the industry under the order.

Some method of establishing a price for Class III milk which reflects changes in marketing conditions as promptly and as accurately as possible was shown to be a sound and desirable objective. No issue is presented as to the soundness or

validity of the objective. The issue here is whether or not the plan proposed constitutes an effective and otherwise acceptable means of attaining the objective.

It was not demonstrated that delegation to the market administrator of authority to make adjustments in the Class III price would materially reduce the time within which a proposed price change could be made effective. Any procedural short-cuts employed by the market administrator consistent with the Administrative Procedure Act and with the principle of providing full opportunity for interested parties to be heard may also be applied in connection with proceedings to amend or suspend. The record reveals instances in which action has been taken promptly under existing procedure on relatively non-controversial issues of limited scope. On the other hand, there appears to be no reason to expect extremely complicated and controversial issues to be resolved with greater dispatch under the proposed plan than under existing procedure. Although, from a strictly technical standpoint, a proposed Class III price adjustment on which there was substantial disagreement among producers could be put into effect under the proposed plan without a producer referendum, it is extremely doubtful that it would be advisable and feasible to do so. Adoption of the proposed plan for the purpose of providing opportunity for more frequent scrutiny of marketing conditions appears unnecessary since that purpose can be accomplished under existing procedure.

The stated advantage of the proposed plan in obtaining more flexibility by having determinations on Class III price adjustments made by someone on the scene who can benefit from every-day experiences of those in the industry operating under the order appears to be somewhat lacking in substance unless it is anticipated that the proposed procedure would result in decisions on proposals considered different from those obtained under existing procedure. Certainly there is nothing under existing procedure precluding consideration of the market administrator's knowledge of conditions in the market. He is presently authorized to recommend amendments to the order. Furthermore, the prospect of obtaining different decisions under the proposed plan appears quite remote if, as conditionally proposed, decisions of the market administrator were to be subject to revision or revocation by the Secretary. If such decisions are not subject to review by the Secretary, there would exist a situation under which authority would have been delegated to a degree precluding the Secretary from effectively discharging the responsibilities imposed on him by the Agricultural Marketing Agreement Act for the fixing of minimum producer prices for milk. In view of these considerations it is concluded that the proposed plan is not an acceptable method of increasing flexibility in the pricing of Class III milk.

Rulings. Briefs were filed on behalf of interested persons. The briefs contained suggested findings of facts, conclusions, and arguments with respect to

the proposals considered at the hearing. Every point covered in the briefs was carefully examined along with the evidence in the record in making the findings and reaching the conclusions hereinbefore set forth. To the extent that the suggested findings and conclusions are inconsistent with the findings and conclusions contained herein, the request to make such findings or to reach such conclusions is denied.

Rulings of the presiding officer to which specific objections were taken are affirmed. Objection to the admission in evidence of Exhibit No. 36 was on grounds of failure to permit cross-examination. Applicable regulations provide for cross-examination only to the extent required for a full and true disclosure of the facts. The document in question is an official publication of the Department of Agriculture. Nevertheless, offer was made to produce the author of the publication upon a showing of necessity to do so for a full and true disclosure of the facts. No such showing was made.

Filed at Washington, D. C., this 8th of July, 1954.

[SEAL]

ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 54-5315; Filed, July 12, 1954;
8:52 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board and Maritime Administration

[46 CFR Part 201]

FEES FOR CERTIFYING, SEARCHING OF RECORDS, AND COPYING SERVICES

NOTICE OF PROPOSED RULE MAKING

It is hereby proposed to supersede § 201.6 by the following new § 201.6:

§ 201.6 *Searching, copying, and certification of records; fees therefor.* (a) Upon written request directed to and within the discretion of the Federal Maritime Board and Maritime Administration, Washington 25, D. C., there are available, with respect to documents subject to inspection as provided in this section, and in § 204.1 of this chapter (General Order 63), services as follows:

- (1) Searching files and records;
 - (2) Copying records and documents; and
 - (3) Certifying of copies of documents.
- (b) Fees for services set forth in paragraph (a) of this section are as follows:
- (1) Certifications and validations of documents with Federal Maritime Board or Maritime Administration seal, 50 cents; without either seal, 25 cents.
 - (2) Searching files and records, except as provided in subparagraph (5) of this paragraph, \$1.00 per half hour or fraction thereof.
 - (3) Copying records and documents, except as provided in subparagraph (5) of this paragraph:

No. 134—5

	First copy of each page (one side)	Additional copies of same page
Typewritten.....	\$1.00	No charge for carbon copies.
Photostat, 18" x 24" or smaller.	.40	\$0.30
Photographic negatives 14" x 17" or smaller.	2.00	
Larger sizes, 40" x 40" maximum.	4.50	
Contact prints (single weight paper) 8" x 10 1/4" or smaller.	.50	.50
Ozolid (per square foot or fraction thereof).	.07	.07

(4) General:

(i) If copy is to be transmitted by registered, air, or special delivery mail, postal fees therefor will be added to fees provided above (or the order must include postage stamps or stamped return envelopes).

(ii) If special handling or packaging is required, the cost thereof will be added to the fees provided above.

(iii) Minimum charge, 50 cents.

(5) Medical records of merchant seamen, including packaging and postage:

Searching.....	\$5.00
Abstracting.....	3.00

(Sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114. Interprets or applies sec. 501, 65 Stat. 290; 5 U. S. C. 140)

It is proposed that this section shall become effective August 16, 1954.

Consideration will be given to any data, views, or arguments pertaining to this § 201.6, now proposed, which are submitted in writing to the Secretary, Federal Maritime Board and Maritime Administration, Washington 25, D. C., within 30 days from publication of this notice in the FEDERAL REGISTER.

Dated: July 7, 1954.

By order of the Federal Maritime Board.

[SEAL]

A. J. WILLIAMS,
Secretary.
LOUIS S. ROTHSCHILD,
Maritime Administrator.

[F. R. Doc. 54-5320; Filed, July 12, 1954;
8:53 a. m.]

FEDERAL POWER COMMISSION

[18 CFR Part 201]

[Docket No. R-130]

UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES; GAS STORED UNDERGROUND

ORDER FIXING DATE OF ORAL ARGUMENT

In the matter of amendment of § 201.134, Part 201, Uniform System of Accounts for Natural Gas Companies, of the Commission's general rules and regulations, relating to accounting for inventories of natural gas stored underground.

By notice of proposed rule making dated December 29, 1953 and published

in the FEDERAL REGISTER on January 9, 1954 (19 F. R. 173) the Commission gave notice of its proposal to amend Part 201 of the general rules and regulations (18 CFR Chapter I, Subchapter F, Part 201, § 201.134) entitled "Uniform System of Accounts for Natural Gas Companies" substituting for the existing paragraph (b) and related Notes B-1 through B-5 of § 201.134 an amended paragraph (b), with Notes B-1 and B-2 relating thereto. The proposed amendment will modify the existing instructions relating to the cost components to be included in the pricing of inventories of gas stored underground by directing that to the cost of purchase or production of such gas shall be added the cost of its transmission to the storage area and the cost of storing it underground.

Interested persons were invited to submit, in writing, and on or before February 5, 1954, pertinent data, views and comments concerning the proposed amendment.

After publication of the notice several natural gas companies filed motions and requests for an extension of the time within which to submit comments. Upon consideration of these motions and requests the Commission, on February 2, 1954, granted an extension of the time for filing of comments to and including March 1, 1954.

Numerous submittals have been received from interested State Commissions and natural gas companies. Several natural gas companies have also requested an opportunity to present orally their views with respect to the proposed amendment.

The Commission finds: It is reasonable and appropriate for the purposes of the administration of the Natural Gas Act that interested persons be afforded an opportunity to present orally their views with respect to the proposed amendment.

The Commission orders:

(A) Oral argument in the above-entitled matter be had before the Commission on October 4, 1954, commencing at 10:00 a. m., e. s. t., in the Hearing Room of the Commission, 441 G Street NW., Washington, D. C., for the purpose of enabling interested persons to make an oral presentation of their views with respect to the proposed amendment.

(B) On or before September 24, 1954, interested persons intending to participate in the oral argument shall advise the Secretary of such intention and shall state the amount of time (not to exceed one-half hour) they wish to have allotted to them for such purpose.

Adopted: June 30, 1954.

Issued: July 7, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-5298; Filed, July 12, 1954;
8:48 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 6485 et al.]

TRANS-TEXAS AIRWAYS CERTIFICATE
RENEWAL CASE

POSTPONEMENT OF HEARING

In the matter of the application of Trans-Texas Airways under section 401 of the Civil Aeronautics Act of 1938, as amended, for a permanent certificate of public convenience and necessity and/or renewal of its present certificate for route No. 82.

Notice is hereby given that the hearing in the above-entitled proceeding now assigned to be held on July 27, 1954, at 10:00 a. m., c. t., Federal Court Room No. 1, Main Post Office Building, San Jacinto and Caroline Streets, Houston, Texas, before Examiner Walter W. Bryan, is hereby postponed to August 10, 1954, at 10:00 a. m., c. t., at the above location, and is to be recessed for further hearing involving carrier parties on August 24, 1954, at Washington, D. C.

Dated at Washington, D. C., July 8, 1954.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 54-5313; Filed, July 12, 1954;
8:51 a. m.]

[Docket No. 6738]

MACKEY AIRLINES, INC.

NOTICE OF HEARING

In the matter of the application of Mackey Airlines, Inc. for an amendment of its temporary certificate of public convenience and necessity for route No. 112.

Pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, notice is hereby given that a hearing in the above-entitled proceeding is assigned to be held on July 27, 1954, at 10:00 a. m. (local time) in the Assembly Room of the Lago Mar Hotel, 1700 South Ocean Lane, Fort Lauderdale, Florida, before Examiner Joseph L. Fitzmaurice.

Without limiting the scope of the issues presented in this proceeding, particular attention will be directed to these matters:

1. Does the public convenience and necessity require the alteration, amendment or modification of Mackey Airlines, Inc. temporary certificate of public convenience and necessity for route No. 112 so as to authorize Mackey Airlines to engage in foreign air transportation of persons and property between the co-terminal points Tampa/St. Petersburg, Fla., the co-intermediate points West Palm Beach-Palm Beach/Ft. Lauderdale, Fla., and the terminal point Nassau, B. W. I.

2. Is Mackey Airlines a citizen of the United States within the meaning of sec-

tion 1 (13) of the Civil Aeronautics Act of 1938, as amended, and is it fit, willing and able to perform the above services and to conform to the provisions of the act and the rules, regulations and requirements of the Board thereunder.

Notice is further given that any person other than the parties of record desiring to be heard in this proceeding may file with the Board on or before July 27, 1954, a statement setting forth the matters of fact and of law which he desires to controvert. Any person filing such a statement may appear at the hearing in accordance with § 302.14 of the procedural regulations under Title IV of the Civil Aeronautics Act, as amended.

Dated at Washington, D. C., July 8, 1954.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 54-5312; Filed, July 12, 1954;
8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-2462]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

JULY 6, 1954.

Take notice that on June 21, 1954, El Paso Natural Gas Company (Applicant), a Delaware corporation with its principal office in El Paso, Texas, filed application with the Federal Power Commission 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 pipeline and appurtenant facilities, consisting principally of the following:

- (1) 8" O. D. Loop line between 26" O. D. and 30" O. D. California Lines and El Paso Electric Company City Gate, approximately 10.8 miles.
- (2) 6" O. D. Partial loop of existing Morenci Line, approximately 4.4 miles.
- (3) 10" O. D. Santa Rosa Loop Line, approximately 23.0 miles.
- (4) 10" O. D. Loop Line between Eunice and Carlsbad, approximately 10.4 miles.
- (5) 10" O. D. pipeline from Llano Grande Plant to the Dumas Line, approximately 12.4 miles.
- (6) 14" O. D. pipeline from Townsend Field to the Saunders Plant, approximately 13.1 miles.
- (7) Jal No. 4 Compressor Station (additional), 5,000 horsepower.
- (8) Sealy-Smith Compressor Station (additional), 1,100 horsepower.
- (9) Townsend Field Compressor Station (new), 660 horsepower.
- (10) Saunders Compressor Station (additional), 165 horsepower.

The facilities proposed will be used as integral parts of Applicant's Permian-San Juan transmission system. Applicant also proposes to construct and operate a fractionation plant, pipe lines, and underground storage facilities; addi-

tions to various gathering systems; and general structures and auxiliary equipment for extracted products facilities.

Applicant estimates the entire cost of the proposed additional facilities, at \$13,869,017 and proposes to finance their construction out of funds derived from securities heretofore sold.

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 26th day of July 1954. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 54-5291; Filed, July 12, 1954;
8:46 a. m.]

[Docket No. G-2469]

NORTH CENTRAL GAS CO.

NOTICE OF APPLICATION

JULY 6, 1954.

Take notice that North Central Gas Company (Applicant), a Wyoming corporation, having its principal place of business at Casper, Wyoming, filed June 28, 1954, an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to construct and operate the following described facilities for the purpose of selling and delivering natural gas to a military installation near Sidney, Nebraska:

(a) Approximately 5 and 3/4 miles of 4-inch gas transmission pipeline and 1/4 mile of 2-inch gas transmission pipeline, starting at a point on the Huntsman-Northport main transmission pipeline of Applicant, about 4 1/2 miles north of Sidney, Nebraska, and extending in a westerly direction to a point near the southeast corner of the U. S. Army Housing Area, known as Ordville; and

(b) The establishment of a physical connection of the facilities described in (a) above, and the installation of all requisite metering and regulating equipment.

The estimated capital cost of facilities subject to the jurisdiction of the Commission and the distribution system at Ordville is \$148,105, which will be financed by a loan of \$225,000 from Charles A. Monroe of St. Jean Cap Ferrat, France.

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 26th day of July 1954. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 54-5292; Filed, July 12, 1954;
8:47 a. m.]

[Docket No. E-6563]

NORTHERN STATES POWER CO.

NOTICE OF ORDER AUTHORIZING ACQUISITION
AND MERGER OR CONSOLIDATION OF
FACILITIES

JULY 7, 1954.

Notice is hereby given that on June 30, 1954, the Federal Power Commission issued its order adopted June 29, 1954, authorizing acquisition and merger or consolidation of facilities in the above-entitled matter.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.[F. R. Doc. 54-5293; Filed, July 12, 1954;
8:47 a. m.][Docket Nos. G-1966, G-1967, G-2175,
G-2176]HOME GAS CO. AND MANUFACTURERS LIGHT
AND HEAT CO.

NOTICE OF OPINION NO. 272 AND ORDER

JULY 7, 1954.

In the matters of Home Gas Company, Docket Nos. G-1966 and G-2175; the Manufacturers Light and Heat Company, Docket Nos. G-1967 and G-2176.

Notice is hereby given that on July 2, 1954, the Federal Power Commission issued its opinion and order adopted July 1, 1954, prescribing rates and tariff conditions and disposition of funds collected under bond in the above-entitled matters.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.[F. R. Doc. 54-5294; Filed July 12, 1954;
8:47 a. m.]

[Docket No. G-2110]

AMERE GAS UTILITIES CO.

NOTICE OF ORDER ACCEPTING TARIFF SHEETS
AND APPROVING SETTLEMENT

JULY 7, 1954.

Notice is hereby given that on July 1, 1954, the Federal Power Commission issued its order adopted June 30, 1954, accepting proposed tariff sheets and approving proposed settlement, and terminating proceedings in the above-entitled matter.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.[F. R. Doc. 54-5295; Filed, July 12, 1954;
8:47 a. m.]

[Docket No. G-2276]

CENTRAL KENTUCKY NATURAL GAS CO.

NOTICE OF ORDER APPROVING SETTLEMENT,
REQUIRING FILING AND TERMINATING PRO-
CEEDINGS

JULY 7, 1954.

Notice is hereby given that on July 1, 1954, the Federal Power Commission issued its order adopted June 30, 1954, ap-

proving proposed settlement and requiring filing of tariff revisions, and terminating proceedings in the above-entitled matter.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.[F. R. Doc. 54-5296; Filed, July 12, 1954;
8:47 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF OPENING OF LAND TO ENTRY
UNDER THE SMALL TRACT ACT; CORREC-
TION

JULY 6, 1954.

The Notice of Opening of Land to Entry Under the Small Tract Act dated June 30, 1954, which opened lands originally classified under Small Tract Classification Order No. 71 of April 3, 1953, is hereby corrected as follows:

The land description given in paragraph 1 as:

U. S. Survey 3269.

U. S. Survey 3271.

Comprising 28 tracts aggregating approximately 154.76 acres,

is corrected by adding various lot numbers to those surveys so that the descriptions and the tract and acreage summary now read as follows:

U. S. Survey 3269:

Lots 2A, 2B, 3-6, inclusive, and 8-16, inclusive.

U. S. Survey 3271:

Lots 18, 19, and 21-33, inclusive.

Comprising 30 tracts aggregating 137.74 acres.

L. T. MAIN,
Acting Area Lands and
Minerals Officer.[F. R. Doc. 54-5300; Filed, July 12, 1954;
8:50 a. m.]UNITED STATES TARIFF
COMMISSION

[Investigation 37]

BICYCLES

ORDER OF PUBLIC HEARING

The United States Tariff Commission announces a public hearing, to begin at 10 a. m., e. d. s. t., on September 21, 1954, in the Hearing Room of the Tariff Commission, Eighth and E Streets NW., Washington, D. C., in connection with Investigation No. 37 under section 7 of the Trade Agreements Extension Act of 1951, as amended, and section 332 of the Tariff Act of 1930, instituted June 22, 1954, with respect to bicycles, described in the public notice of this investigation previously given (19 F. R. 3899).

Request to appear at hearings. Parties interested will be given opportunity to be present, to produce evidence, and to be heard at the above-mentioned hearing. Such parties desiring to appear at the hearing should notify the Secretary of the Commission,

in writing, in advance of the date of hearing.

I certify that the above hearing was ordered by the Tariff Commission on the 8th day of July 1954.

Issued: July 8, 1954.

[SEAL]

DONN N. BENT,
Secretary.[F. R. Doc. 54-5307; Filed, July 12, 1954;
8:50 a. m.]INTERSTATE COMMERCE
COMMISSION

[4th Sec. Application 29456]

CHLORINE GAS FROM CERTAIN STATES TO
CINCINNATI, OHIO, AND LOUISVILLE,
KY.

APPLICATION FOR RELIEF

JULY 8, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: H. R. Hinsch, Agent, for carriers parties to schedules listed below.

Commodities involved: Chlorine gas, liquid, in tank-car loads.

From: Points in Ohio, Michigan, New York, Virginia, and Maryland.

To: Louisville, Ky., and Cincinnati, Ohio.

Grounds for relief: Market competition.

Schedules filed containing proposed rates: A. C. & Y. R. R., I. C. C. No. 451, supp. No. 25; B. & O. R. R., I. C. C. No. 24126, supp. No. 68; C. & O. Ry., I. C. C. No. 13168, supp. No. 169; D. T. & I. R. R., I. C. C. No. 757, supp. No. 10; G. T. W. R. R., I. C. C. No. 243, Loose Leaf; Erie R. R., I. C. C. No. A-7805, supp. No. 39; N. Y. C. R. R., I. C. C. No. 1123, supp. No. 250; N. Y. C. & St. L. R. R., I. C. C. No. 6170, supp. No. 133; P. R. R., I. C. C. No. 3305, supp. No. 59; Wabash R. R., I. C. C. No. 7600, supp. No. 154; C. W. Boin, I. C. C. No. A-1015, supp. No. 16.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,
Secretary.[F. R. Doc. 54-5286; Filed, July 12, 1954;
8:46 a. m.]

[4th Sec. Application 29457]

FERTILIZER AND FERTILIZER MATERIALS
FROM SOUTHERN TERRITORY TO EICHORN,
ILL.

APPLICATION FOR RELIEF

JULY 8, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Fertilizer and fertilizer materials, carloads.

From: Points in southern territory.

To: Eichorn, Ill.

Grounds for relief: Rail competition, circuitry, grouping and additional destination.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1366, supp. 30.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-5287; Filed, July 12, 1954;
8:46 a. m.]

[4th Sec. Application 29458]

STEERING GEAR ASSEMBLIES FROM WILLOW
RUN, MICH., TO ROSELAND AND DORA-
VILLE, GA.

APPLICATION FOR RELIEF

JULY 8, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: H. R. Hinsch, Agent, for carriers parties to his tariff I. C. C. No. 4510, pursuant to fourth-section order No. 17220.

Commodities involved: Steering gear assemblies, without steering wheels, carloads.

From: Willow Run, Mich.

To: Roseland and Doraville, Ga.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-5288; Filed, July 12, 1954;
8:46 a. m.]

[4th Sec. Application 29459]

IRON ORE FROM BALTIMORE, MD., AND
POINTS TAKING SAME RATES TO MO-
NESSEN, PA.

APPLICATION FOR RELIEF

JULY 8, 1954.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin, Agent, for carriers parties to schedule listed below.

Commodities involved: Iron ore, carloads.

From: Baltimore, Md., and points taking same rates.

To: Monessen, Pa.

Grounds for relief: Rail competition, circuitry, and additional route.

Schedules filed containing proposed rates: Pennsylvania Railroad Company tariff AA I. C. C. No. 2737, supp. 20.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL]

GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-5289; Filed, July 12, 1954;
8:46 a. m.]