

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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## TITLE 3—THE PRESIDENT LETTER OF AUGUST 16, 1955

[EMERGENCY FUND FOR INTERNATIONAL AFFAIRS]

[WAIVER OF CERTAIN PROVISIONS OF LAW]

THE WHITE HOUSE,  
Washington, August 16, 1955.

DEAR MR. STREIBERT:

The Supplemental Appropriation Act, 1956, appropriated \$5,000,000 for the "Emergency Fund for International Affairs." As set forth in my letter to you of September 15, 1954,<sup>1</sup> it is my intention that this fund be used to extend U. S. participation in international trade fairs and to demonstrate to peoples of other countries our accomplishments in the cultural field both through direct Government activities and by means of assistance and encouragement to private groups. It is also my desire that this fund be used for projects of all kinds that will demonstrate in a dramatic and effective manner the excellence of our free enterprise system as reflected in our products and our cultural values.

I hereby designate you the coordinator of the appropriations made to date under the title "Emergency Fund for International Affairs." These appropriations are available for allocation by you among the agencies which are participating or may participate in the program. These agencies will submit their requests for apportionment of allocations directly to the Bureau of the Budget. I shall continue to look to you for the preparation of a quarterly report of expenditures for me to transmit to the Congress as required by law.

I wish to emphasize that these funds are to be used solely for expenses directly chargeable to approved projects or to administrative expenses of the program. Direct administrative expenses chargeable to the program should be kept to a minimum and agency overhead should be met from the general funds of the participating agencies.

In order that this emergency program may proceed as expeditiously as possible, and pursuant to authority contained in the Acts appropriating these funds, I

hereby delegate to the agencies using funds allocated to them under this letter the power to expend them in their discretion for items that will further the general purposes set out above and without regard to the following provisions of law:

(a) Section 3648 of the Revised Statutes, as amended; 60 Stat. 809, as amended (31 U. S. C. 529) (advance of funds).

(b) Sections 302-305 of the Act of June 30, 1949 (Federal Property and Administrative Services Act), c. 288; 63 Stat. 393-396 (41 U. S. C. 252-255) (competitive bids; advances).

(c) Section 3709 of the Revised Statutes, as amended (41 U. S. C. 5) (competitive bids).

(d) Section 3710 of the Revised Statutes (41 U. S. C. 8) (opening of bids).

(e) Section 2 of the Act of March 3, 1933, c. 212; 47 Stat. 1520 (41 U. S. C. 10a) (Buy American Act).

(f) Section 3735 of the Revised Statutes (41 U. S. C. 13) (contracts limited to one year).

(g) Section 901 of the Act of June 29, 1936, c. 858; 49 Stat. 2015 (46 U. S. C. 1241) (Travel of U. S. employees on U. S. ships).

(h) Section 1009 of the Act of January 27, 1948, c. 36, as amended; 62 Stat. 14 (22 U. S. C. 1440), to the extent necessary to permit the Department of State to participate in this program without regard to the provisions of Section 1001 of said Act of January 27, 1948, 62 Stat. 13, as amended (22 U. S. C. 1434). (Special personnel security provisions relating to activities under the United States Information and Educational Exchange Act of 1948 and applicable to all such international activities carried on under the jurisdiction of the Department of State.)

(i) Section 16a of the Act of August 2, 1946, c. 744; 60 Stat. 810 (5 U. S. C. 78) (hiring automobiles and aircraft).

(j) Section 322 of the Act of June 30, 1932, c. 314; 47 Stat. 412 (40 U. S. C. 278a) (rental of buildings).

(k) Section 1 of the Act of June 20, 1878, c. 359, as amended; 20 Stat. 216, as amended (44 U. S. C. 322); and Section 3828 of the Revised Statutes (44 U. S. C. 324) (advertising).

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<sup>1</sup>Not filed with the Federal Register Division.



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(1) Section 87 of the Act of January 12, 1895, c. 23, as amended; 28 Stat. 622, as amended (44 U. S. C. 111) (printing by G. P. O.).

This supersedes my above mentioned letter of September 15, 1954.

Sincerely,

DWIGHT D. EISENHOWER

HONORABLE THEODORE C. STREIBERT,  
Director, U. S. Information Agency,  
Washington 25, D. C.

[F. R. Doc. 57-79; Filed, Jan. 2, 1957;  
3:46 p. m.]



## LETTER OF AUGUST 21, 1956

(PRESIDENT'S SPECIAL INTERNATIONAL PROGRAM)

[WAIVER OF CERTAIN PROVISIONS OF LAW]

THE WHITE HOUSE,  
Washington, August 21, 1956.

DEAR MR. STREIBERT:

As you know, the "International Cultural Exchange and Trade Fair Participation Act of 1956" became Public Law 860, 84th Congress, on August 1, 1956. It is my intention to issue in the very near future an Executive order implementing this Act, which will appropriately delegate the powers and duties conferred upon me by the Act.

The Supplemental Appropriation Act, 1957, Public Law 814, 84th Congress, appropriated \$5,900,000 under the head "President's Special International Program" to carry out the provisions of Public Law 860. The Second Supplemental Appropriation Act, 1957, Public Law 855, 84th Congress, appropriated an additional \$4,000,000 under this head for United States participation in the Universal and International Exposition of Brussels, 1958, as authorized by Section 3 (c) of Public Law 860.

In order that this program may proceed as expeditiously as possible, you are hereby authorized to allocate the funds thus appropriated. Until the issuance of the Executive order mentioned above, the provisions of my letter to you of August 16, 1955,<sup>1</sup> regarding the apportionment of funds and the power of the operating agencies to expend these funds without regard to certain provisions of law as specified therein, shall continue in effect. These funds may be also expended without regard to the limitations of Section 15 of the Act of August 2, 1946 (5 U. S. C. 55a) on the employment of experts and consultants. I hereby determine that the waiver of the requirements of law referred to in this paragraph is in furtherance of the purposes of Public Law 860, approved August 1, 1956.

Sincerely,

DWIGHT D. EISENHOWER

HONORABLE THEODORE C. STREIBERT,  
Director, U. S. Information Agency,  
Washington 25, D. C.[F. R. Doc. 57-80; Filed, Jan. 2, 1957;  
3:46 p. m.]

## LETTER OF DECEMBER 27, 1956

(U. S. PARTICIPATION IN BRUSSELS UNIVERSAL AND INTERNATIONAL EXHIBITION, 1958)

[WAIVER OF CERTAIN PROVISIONS OF LAW]

THE WHITE HOUSE,  
Washington, December 27, 1956.

DEAR MR. SECRETARY:

With respect to United States participation in the Brussels Universal and International Exhibition, 1958, as au-

thorized by the International Cultural Exchange and Trade Fair Participation Act of 1956 (Public Law 860, 84th Congress, approved August 1, 1956), I hereby determine, pursuant to authority vested in me by section 8 of that Act, that the performance of functions without regard to the following additional provisions of law and limitations of authority is in furtherance of the purposes of said Act:

(1) That part of section 3734 of the Revised Statutes, as amended, now codified in section 267 of title 40 of the United States Code (40 U. S. C. 267) (restrictions on buildings; approval of sketch plans; changes; limit of cost).

(2) Section 1 of the act of August 24, 1935, 49 Stat. 793 (40 U. S. C. 270a) (bonds of contractors for public buildings).

(3) Provisions contained in section 1 of the act of October 22, 1913, 38 Stat. 212 (5 U. S. C. 54) (publicity experts).

(4) The Civil Service Act of January 16, 1883, 22 Stat. 403, as amended (5 U. S. C. 632 et seq.), and other civil service laws, and the Classification Act of 1949, as amended (employment and compensation of personnel).

(5) (a) Standardized Government Travel Regulations, (b) rates of per diem allowances in lieu of subsistence expenses under the Travel Expense Act of 1949, as amended (5 U. S. C. 835-842), and (c) section 10 of the act of March 3, 1933, 47

Stat. 1516, as amended (5 U. S. C. 73b) (travel expenses).

(6) Sections 189 and 365 of the Revised Statutes (5 U. S. C. 49 and 314, respectively) (employment of attorneys or counsel and payment of fees therefor), except with respect to litigation involving an interest of the United States.

Waivers of provisions of law and of limitations of authority coming into existence by reason of the foregoing determination shall be deemed to be additional to those heretofore existing under my letters of August 16, 1955,<sup>1</sup> and August 21, 1956,<sup>2</sup> to the Honorable Theodore C. Streibert, Director of the United States Information Agency.

All waivers of statutes and limitations of authority effected above should be utilized in a prudent manner and as sparingly as is feasible. Suitable steps should be taken to insure that result, including, as may be appropriate, the imposition of administrative limitations in lieu of the waived statutory requirements and limitations of authority.

Sincerely,

DWIGHT D. EISENHOWER

HONORABLE JOHN FOSTER DULLES,  
Secretary of State,  
Washington 25, D. C.[F. R. Doc. 57-81; Filed, Jan. 2, 1957;  
3:46 p. m.]

## RULES AND REGULATIONS

## TITLE 7—AGRICULTURE

## Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

## PART 53—MEATS, PREPARED MEATS, AND MEAT PRODUCTS (GRADING, CERTIFICATION, AND STANDARDS)

## SUBPART A—REGULATIONS

## FEES FOR GRADING SERVICE

Pursuant to the authority of sections 203 and 205 of the Agricultural Marketing Act of 1946 (7 U. S. C. 1622, 1624), and section 520 of the Revised Statutes (5 U. S. C. 511), the provisions prescribing fees for Federal meat grading service in 7 CFR 53.35a, as amended, are hereby amended to read as follows:

§ 53.35a Fees for grading service. (a) The hourly rate for grading service shall be \$5.00 per hour with a minimum charge of \$2.50, and double said amounts for service on legal holidays.

(b) Fees for grading performed on a weekly contract basis shall be \$200.00 per calendar week (less any allowable credits), to cover up to 40 hours of weekly grading service.

(c) When grading service is requested at a place so distant from a grader's official headquarters that a total of 1 hour or more is required for the grader to travel to and from such place, the fee

for such grading service shall equal the usual fee calculated at the applicable rates prescribed in paragraph (a) or (b) of this section, as the case may be, plus a mileage fee of 8 cents per mile for such travel.

(d) When grading service is requested at a place so distant from a grader's official headquarters that the work and travel required for such service cannot be performed within a calendar day, the fee for such grading service shall equal the usual fee calculated at the applicable rates prescribed in paragraph (a) or (b) of this section, as the case may be, plus any mileage chargeable under paragraph (c) of this section and a per diem charge at the rate of \$12 per day for each day or quarter portion thereof spent by the grader away from his official headquarters in the performance of such work and travel. A fee of \$3 shall be charged for such work and travel although the time spent therein is less than a quarter portion of a day.

(e) The following fees are prescribed for each investigation other than the first one necessary to determine the acceptability of an inspection system at any nonfederally inspected plant preparing products for which application for grading service is made. A fee at the rate of \$5.00 per hour shall be charged for time actually spent by an authorized official in making such investigation and in travel-

<sup>1</sup> See Letter of August 16, 1955, *supra*.<sup>2</sup> See Letter of August 21, 1956, *supra*.



ing to the particular plant from the place at which he receives the assignment to perform such work and in traveling back to such place or to another place equally distant from such plant. In addition there shall be charged a transportation fee not to exceed 8 cents per mile for such travel plus any per diem at the rate of \$12 per day or portion thereof paid to such official in accordance with applicable regulations of the Department of Agriculture. In no case shall the total fees for any such investigations be less than \$15.

The Agricultural Marketing Act of 1946 provides for the collection of fees equal as nearly as may be to the cost of the services, such as Federal meat grading service, rendered under its provisions. What such cost is and the fees necessary to cover it are matters wholly within the knowledge of the Department of Agriculture. It has been determined that the fees for Federal meat grading service must be increased as provided for herein to cover the cost of the service. Therefore, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found that notice and other public procedure with respect to the changes in fees provided by this amendment are impracticable and unnecessary and good cause is found for making such amendment effective less than 30 days after its publication in the FEDERAL REGISTER. This amendment shall become effective at 12:01 a. m., January 13, 1957, with respect to all Federal meat grading service thereafter rendered including service under weekly grading contracts whether theretofore or thereafter made.

(Sec. 205, 60 Stat. 1090; 7 U. S. C. 1624. Interprets or applies R. S. 520, sec. 203, 60 Stat. 1087; 5 U. S. C. 511, 7 U. S. C. 1622)

Done at Washington, D. C., December 28, 1956.

[SEAL] ORIS V. WELLS,  
Administrator,  
Agricultural Marketing Service.

[F. R. Doc. 57-61; Filed, Jan. 3, 1957; 8:48 a. m.]

## Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

### PART 729—PEANUTS

#### PROCLAMATION OF RESULTS OF REFERENDUM ON MARKETING QUOTAS FOR YEARS 1957, 1958, AND 1959

§ 729.804 *Basis and purpose.* This document is issued to announce the results of the referendum held December 11, 1956, pursuant to section 358 (b) of the Agricultural Adjustment Act of 1938, as amended, to determine whether farmers favor or oppose marketing quotas for peanuts produced in the three calendar years beginning with 1957. The act requires the results of any peanut marketing quota referendum to be proclaimed within thirty days after the date on which it is held. Since the only purpose of this proclamation is to announce

the results of the referendum, it is hereby found and determined that, with respect to this proclamation, application of the notice and public procedure provisions of the Administrative Procedure Act (5 U. S. C. 1003) is impracticable and unnecessary.

§ 729.805 *Proclamation of the results of the marketing quota referendum for peanuts for the crops produced in the three calendar years beginning with the calendar year 1957.* In a referendum of farmers engaged in the production of the 1956 crop of peanuts held on December 11, 1956, 39,138 farmers voted. Of those voting 36,596 farmers, or 93.5 percent, favored quotas for peanuts produced in the three calendar years beginning with 1957, and 2,542 farmers, or 6.5 percent were opposed to having quotas in effect for the crops produced in the three calendar years beginning with the calendar year 1957. Since more than two-thirds of the farmers voting favored quotas, the national marketing quota proclaimed by the Secretary of Agriculture for peanuts produced in the calendar year 1957 (21 F. R. 8913) shall be in effect, and national marketing quotas hereafter proclaimed for peanuts for the calendar years 1958 and 1959 shall be effective.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply sec. 358, 55 Stat. 88, as amended; 7 U. S. C. 1358)

Done at Washington, D. C., this 28th day of December 1956. Witness my hand and the seal of the Department of Agriculture.

[SEAL] E. L. PETERSON,  
Acting Secretary of Agriculture.

[F. R. Doc. 57-53; Filed, Jan. 3, 1957; 8:47 a. m.]

## Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

### Subchapter B—Sugar Requirements and Quotas [Sugar Regs. 814.17, 814.18]

#### PART 814—ALLOTMENT OF SUGAR QUOTAS QUOTAS AND DIRECT CONSUMPTION PORTION, PUERTO RICO, 1957

*Basis and purpose.* This allotment order is issued under section 205 (a) of the Sugar Act of 1948, as amended (hereinafter called the "act"), for the purpose of (A) allotting the 1957 sugar quota for Puerto Rico for consumption in the continental United States (including raw sugar transferred for further processing and shipment within the direct-consumption portion of such quota) and the 1957 sugar quota for local consumption in Puerto Rico, among persons who process Puerto Rican sugarcane into sugar (1) to be brought into the continental United States and (2) to be marketed for local consumption in Puerto Rico and (B) allotting the portion of the 1957 sugar quota for Puerto Rico which may be filled by direct-consumption sugar among persons who market such sugar for consumption in the continental United States.

The sugar quota for Puerto Rico for consumption in the continental United States is referred to herein as "mainland quota", allotments thereof are referred to as "mainland allotments" and the allotments of the direct-consumption portion thereof as "direct-consumption allotments". The sugar quota for consumption in Puerto Rico and allotments thereof are referred to as "local quota" and "local allotments", respectively.

*Omission of recommended decision and effective date.* The record of the hearing regarding allotment of the 1957 sugar quotas for Puerto Rico shows that inventories of sugar on January 1, 1957, will approximate 90,000 tons and production of sugar from 1956-57 crop sugarcane will be approximately the sum of the local and mainland quotas (R. 7). Some of the mainland and local allotments made by this order could be exceeded by the marketing of the 1956 carryover plus a comparatively small quantity of new-crop sugar. Also, the record of the hearing regarding allotment of direct-consumption sugar shows that the capacity of Puerto Rican refiners to produce direct-consumption sugar far exceeds the maximum quantities of Puerto Rican direct-consumption sugar that may be marketed within the 1957 mainland and local quotas (R. 66). Some of the direct-consumption allotments made by this order are small and delay in the issuance of the order might result in some persons marketing more than their fair share of the direct-consumption portion of the quota (R. 24). Since this proceeding was instituted for the purpose of issuing allotments to prevent disorderly marketing of sugar and to afford all interested persons an equitable opportunity to market, it is hereby found that due and timely execution of the functions imposed upon the Secretary under the act imperatively and unavoidably requires omission of a recommended decision in this proceeding. It is hereby further found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237), is impracticable and contrary to the public interest and, consequently, this order shall be effective on January 1, 1957.

*Preliminary statement.* Under the provisions of section 205 (a) of the act, the Secretary is required to allot a quota or proration thereof whenever he finds that allotment is necessary (1) to assure an orderly and adequate flow of sugar or liquid sugar in the channels of interstate or foreign commerce, (2) to prevent the disorderly marketing of sugar or liquid sugar, (3) to maintain a continuous and stable supply of sugar or liquid sugar, or (4) to afford all interested persons equitable opportunities to market sugar within the quota for the area. Section 205 (a) also requires that such allotment be made after such hearing and upon such notice as the Secretary may by regulation prescribe.

Pursuant to the applicable rules of practice and procedure (21 F. R. 4251), a preliminary finding was made that allotment of the quotas is necessary and a notice was published on October 13, 1956 (21 F. R. 7832), of a public hearing



to be held at Santurce, Puerto Rico, in the Conference Room, Caribbean Area Office, ASC, Segarra Building, on October 24, 1956, at 10:00 a. m., for the purpose of receiving evidence to enable the Secretary to make a fair, efficient and equitable distribution of (A) the 1957 mainland quota (including raw sugar transferred for further processing and the shipment within the direct-consumption portion of the quota) and the 1957 local quota, among persons who process Puerto Rican sugarcane into sugar (1) to be brought into the continental United States and (2) to be marketed for local consumption in Puerto Rico, and of (B) the direct-consumption portion of the 1957 sugar quota for Puerto Rico. The hearing was held at the time and place specified in the notice.

In arriving at the findings, conclusions, and regulatory provisions of this order, all proposed findings and conclusions were carefully and fully considered in conjunction with the record evidence pertaining thereto. To the extent that findings and conclusions proposed by interested persons are inconsistent with the findings and conclusions contained herein, the specific or implied requests to make such findings and reach such conclusions are denied on the basis of the facts found and stated in connection with the conclusions herein set forth.

**Basis for findings and conclusions.** Section 205 (a) of the act reads in pertinent part as follows:

\*\*\* Allotments shall be made in such manner and in such amounts as to provide a fair, efficient, and equitable distribution of such quota or proration thereof, by taking into consideration the processing of sugar or liquid sugar from sugar beets or sugarcane to which proportionate shares, determined pursuant to the provisions of subsection (b) of section 302, pertained; the past marketings or importations of each such person and the ability of such person to market or import that portion of such quota or proration thereof allotted to him \*\*\*

**A. Allotment of mainland and local quotas.** The record of the hearing indicates that the prospective Puerto Rican sugar supplies for 1957 sufficiently exceeded the quota for Puerto Rico that allotment of the quotas is necessary (R. 7).

All three factors specified in the provision of law quoted above have been considered and each is given a percentile weighting by the formula on which this allotment of the 1957 quotas for Puerto Rico is based. That formula follows the Government proposal made in the record as to the measures and weightings of factors to be used for determining combined mainland and local allotments (R. 7-8), with provisions for estimates to be used in making initial allotments (R. 9) and sources of data to be used in making final allotments (R. 9-11).

The formula is made applicable to combined allotments because total marketing opportunities are of greatest significance in determining an equitable distribution among the allottees and because two of the three factors specified in the act for consideration, processings from proportionate shares and ability to market, represent quantities applicable to total marketings. Direct measurement of these factors in relation to

local allotments has little relevance because, for the area as a whole, local marketings amount to only about 10 percent of these factors (R. 11-13). All processings from a crop are used as a measure of the factor "processing of sugar or liquid sugar from \*\*\* sugarcane to which proportionate shares \*\*\* pertained," even though small quantities of processings from non-proportionate share sugar may be included, since such quantities have insignificant effect in the formula used for fixing allotments (R. 10).

Some allottees with low inventories relative to the total for the industry favored weighting the factors 70 percent to "processings," 10 percent to "past marketings" and 20 percent to "ability to market" as used in allotting the 1956 quotas, and objected to the Government weighting of factors, 20, 10 and 70 percent, respectively, on the basis that such "weighting resulted in a greater tendency to equalize inventories (R. 32, 33, 52, 58, 59). Other allottees supported the weighting of factors proposed by the Government (R. 27, 50). The finding is based on testimony that under the weighting used in 1956 some allottees would be unable to fill their 1956 allotments and that to provide allotments more in line with the ability of allottees to market sugar, greater weight should be given to the ability factor, which gives recognition to inventories, and less weight should be given to the production factor, thereby reducing the likelihood of deficits in 1957 allotments. The proposed weightings would continue to provide allotments closely paralleling processings and that tend to equalize inventories (R. 8, 9). No exceptions were taken to other aspects of the proposed method for establishing allotments.

A proposal was made in the record for dividing the combined allotment of each allottee into mainland and local allotments on the basis of the percentage that local marketings of each allottee was of its total marketings in 1956 (R. 13). Local marketings utilized in the findings and conclusions include all of the marketings to purchasers in Puerto Rico not accounted for by sugar (1) brought into the continental United States by a refiner to whom the allottee transferred sugar for that purpose, or (2) exported at so-called "world prices" (R. 10). No exceptions were taken with respect to dividing combined allotments into mainland and local allotments.

As proposed in the hearing record (R. 16) a finding is made to limit initial allotments of mainland quota to 850,000 short tons, raw value, and allotments of local quota to 85,000 short tons, raw value, because the use of estimates may result in allotments for some higher than would result from the use of final data. Findings also are made upon uncontroverted evidence in the record that revisions be made in the order, without further notice or hearing, for the purposes of substituting final data for estimates (R. 16) and for revising allotments resulting from the release of allotments by any allottee, resulting from the proration of any deficit in a quota of another area or resulting from any

change in the quotas due to any change in requirements (R. 16, 17). It was proposed that whenever a change is made only in the mainland quota no change shall be made in individual allotments of local quota and that each allottee shall share in the increase or decrease in mainland quota in proportion that his total local and mainland allotments bears to the total of such allotments then in effect. Whenever a change is made in the local quota, revised allotments shall be established in the same manner as adopted for allotting 1957 combined mainland and local quotas (R. 17).

Findings are made under paragraphs 12, 13, 14, and 15, and paragraphs (b), Exchange of allotments; (c) Producers marketings under allotments; (d) Restrictions on marketings; (e) Specific charges against allotments; and (f) Transfer of allotments, are included in the order since similar provisions operated satisfactorily in 1956 and no objection was made to the proposal in the record that such provisions be included (R. 18, 20) except to request that the period in which an allottee could market within the allotment of another allottee be changed from two months to six months (R. 59, 65). Such an extension would decrease the effectiveness of allotments.

**B. Allotment of the direct-consumption portion of the mainland quota.** The record of the hearing shows that the potential capacity of Puerto Rican refiners to produce direct-consumption sugar sufficiently exceeds the quantity of such sugar which may be marketed within quotas that allotment of the direct-consumption portion of the quota is necessary (R. 66).

While all three factors specified in the provisions of section 205 (a) of the act quoted above have been considered, only the "past marketing" and "ability to market" factors have been given percentile weightings in the formula used on which the allotment of the direct-consumption portion of the 1957 mainland quota for Puerto Rico is based. Testimony indicates that allottees accounting for 93 percent of the marketings of direct-consumption sugar into the continental United States do not process sugar from sugarcane and that giving weight to the factor "processing from proportionate shares" would not lead to equitable allotment (R. 67).

The findings and conclusions for measuring and weighting the two factors "past marketing" and "ability to market" follow a proposal made in the record (R. 68, 69). By using marketings of direct-consumption sugar in the continental United States during the years 1952-56, inclusive, as a measure of "past marketings," a period of years has been selected that represent experience under marketing conditions similar to those which may be expected in 1957, and also provide a period of time sufficient to offset short-run factors affecting data for a single year. By using the largest marketings of direct-consumption sugar in the continental United States by each allottee in any year during the period 1935 through 1956 as a measure of "ability to market," a sufficient period of



time has been provided to permit the selection of a year for each allottee which will reflect relative abilities. A comparison with present plant capacity shows no impairment in the ability of any of the allottees to produce direct-consumption sugar (R. 68).

Two hundred tons of the direct-consumption portion of the quota to be allotted has been set aside for the marketing of raw sugar for direct-consumption as proposed in the record (R. 69). It is not practicable to allot such a small quantity to numerous raw sugar mills in advance, hence allotments will be made upon application for specific sales. This procedure continues a trade practice followed in previous years, and contributes to an efficient allocation of the direct-consumption portion of the 1957 sugar quota to be allotted.

The two hundred tons set aside would permit the marketing of Puerto Rican raw sugar for direct consumption in the continental United States at a slightly higher rate than in 1956 but at a lower rate than in any other recent year (R. 70).

In accordance with the record of the hearing (R. 71) provision has been made in the findings and the order to reallocate, without further notice or hearing, any quantity of an allotment released by an allottee or any quantity of the unallotted reserve not needed for the marketing of raw sugar for direct consumption and to revise allotments to give effect to any change in the direct-consumption portion of the mainland quota. Also, as proposed in the record (R. 73), the findings and order contain provisions relating to restrictions on marketing and transfer of allotments similar to those contained in the 1956 Puerto Rican allotment order, since such provisions operated successfully in 1956 and no objection was made in the record to their inclusion in 1957. The hearing record supports the request of South Porto Rico Sugar Company for an allotment of the direct-consumption portion of the 1957 mainland quota (R. 72-76).

**Findings and conclusions.** On the basis of the record of the hearing, I hereby find and conclude that in regard to:

**A. Allotment of mainland and local quotas.** (1) For the calendar year 1957 Puerto Rican processors will have available for marketing on the mainland and in Puerto Rico an amount of sugar which exceeds the combined mainland and local quotas by approximately 90,000 short tons.

(2) The allotment of the 1957 mainland quota for Puerto Rico (including raw sugar transferred for further processing to be brought in within the direct-consumption portion of the quota) and the 1957 local quota for Puerto Rico is necessary to prevent disorderly marketing of such sugar and to afford all interested persons equitable opportunities to market such sugar in the continental United States and in Puerto Rico.

(3) To assure a fair, efficient and equitable distribution of the mainland and local quotas for Puerto Rico for 1957 the three statutory standards should be weighted as follows: "processings \* \* \* from \* \* \* proportionate shares", 20

percent; "past marketings", 10 percent; and "ability to market", 70 percent.

(4) The percentage which all of each allottee's processings for the 1956-57 crop is of the total of such processings for all allottees constitutes a fair and equitable measure of "processings \* \* \* from \* \* \* proportionate shares" and in the initial order all processings from 1955-56 crop sugarcane should be used as estimates of processings from 1956-57 crop sugarcane.

(5) A fair and equitable measure of the factor past marketings for each allottee is the percentage which its average mainland and local marketings during the years 1952 through 1956 is of the total of such average marketings for all allottees and in the initial order the combined allotments for 1956 as set forth in Exhibit 4 of the record should be used as estimates of marketings for 1956.

(6) The sum for each allottee of processings of sugar from 1956-57 crop sugar plus the inventory of sugar on January 1, 1957, as a percentage of the total of such sums for all allottees constitutes a fair and equitable measure of the ability

of each allottee to market sugar during 1957. In the initial order the estimate of 1956-57 processings indicated in paragraph (4), above, should be used, and the January 1, 1956, inventories plus processings of sugar from 1955-56 crop sugarcane less 1956 combined allotments as indicated in (5), above, should be used as estimates of the January 1, 1957, inventories.

(7) The percentages that local marketings were of combined mainland and local marketings for each processor during 1956 are representative for the purpose of dividing the combined 1957 allotment for each processor into a mainland allotment and a local allotment and in the initial order the local allotments for 1956 adjusted for exchanges of local and mainland allotments between allottees effected prior to October 1, 1956, as set forth in the records (Ex. 4) should be used as estimates of local marketings for 1956.

(8) The quantities of sugar and the percentages referred to in paragraphs (4), (5), (6), and (7), above, are as set forth in the following table:

Processor	Production of sugar from 1955-56 crop sugarcane		Average Annual marketings (estimated) 1952 through 1955		Jan. 1, 1957, estimated stocks plus production from 1955-56 crop sugarcane		Estimated local marketings 1956	
	Short tons raw value	Percent of total	Short tons raw value	Percent of total	Short tons raw value	Percent of total	Short tons raw value	Percent <sup>1</sup>
	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Antonio Roig, Sucesores, S. en C.	48,308	4.195	48,350	4.166	51,397	4.138	21,008	43.235
Asociación Azucarera Cooperativa	31,933	2.773	33,140	2.855	32,484	2.615	000	000
Central Aguirre Sugar Co., a trust	109,454	9.506	111,181	9.579	114,748	9.238	1,600	1.416
Central Coloso, Inc.	59,583	5.175	58,911	5.076	65,452	5.269	551	.891
Central Eureka, Inc.	39,185	3.403	38,549	3.321	43,329	3.488	623	1.530
Central Guanani, Inc.	12,655	1.099	12,028	1.036	13,466	1.084	000	000
Central Igualdad, Inc.	42,912	3.727	44,107	3.800	47,454	3.820	16,971	37.749
Central Juanita, Inc.	43,360	3.766	41,193	3.549	53,040	4.270	1,400	3.661
Central Mercedes, Inc.	85,357	7.413	79,275	6.830	89,466	7.203	24,272	27.937
Central Monserrate, Inc.	25,454	2.211	26,146	2.253	26,754	2.154	97	.309
Central San Francisco	10,564	.917	7,969	.687	11,962	.963	2,129	19.994
Central San Vicente, Inc.	59,487	5.166	63,288	5.453	68,278	5.497	55	.088
Compañía Azucarera del Camuy, Inc.	14,170	1.231	14,621	1.260	14,557	1.172	000	000
Compañía Azucarera del Toa	29,659	2.576	33,220	2.862	35,722	2.876	000	000
Cooperativa Azucarera Los Canos	39,695	3.447	38,318	3.302	42,786	3.444	000	000
Eastern Sugar Associates, a trust	117,143	10.173	124,646	10.740	124,196	9.999	14,084	11.535
Fajardo Sugar Co.	104,706	9.093	113,222	9.755	117,890	9.491	14	.013
Land Authority of Puerto Rico	76,463	6.640	70,902	6.109	77,827	6.266	000	000
Mario Mercaderes Hijos	31,362	2.724	32,937	2.838	33,129	2.667	501	1.541
Mayaguez Sugar Co., Inc.	8,386	.728	9,614	.828	8,386	.675	120	1.366
Plata Sugar Co.	51,990	4.480	50,618	4.361	56,463	4.546	278	.621
Soller Sugar Co.	12,840	1.115	12,523	1.079	12,840	1.034	000	000
South Porto Rico Sugar Co. of Puerto Rico	97,207	8.442	95,879	8.261	100,503	8.091	15,697	15.706
Total	1,151,473	100.000	1,160,637	100.000	1,242,129	100.000	100,000	-----

<sup>1</sup> Percent of allottee's estimated 1956 total marketings.

(9) The combined local and mainland quotas should be allotted by applying the weightings of the factors specified in paragraph (3) above to the percentage measures of those factors listed for each allottee in paragraph (8), and by multiplying the sum of such weighted percentages for each allottee by the sum of such quotas. The combined allotments so established should be divided into local and mainland allotments on the basis of the percentages local marketings are of total marketings in 1956 as listed in paragraph (8), above.

(10) In order to prevent any allottee from marketing a quantity of sugar in excess of the allotments established therefor on the basis of final data relating to 1956-57 crop processings, 1956 marketings and January 1, 1957, inventories, allotments established by this order should be limited to 850,000 short tons, raw value, of the 1957 mainland quota and to 85,000 short tons, raw value, of the 1957 local quota for Puerto Rico.

(11) The order shall be revised without further notice or hearing for the purpose of (a) substituting data on proc-



essings of the 1956-57 crop sugarcane, 1956 local and mainland marketings and January 1, 1957, inventories for estimates used in measuring the factors in (4), (5), (6) and (7); (b) allotting any quantity of an allotment which may be released by an allottee, in writing to the Director of the Sugar Division, to other allottees able to utilize additional allotment in proportion to the established allotments of such allottees; (c) allotting any area deficits to which Puerto Rico may become a beneficiary and (d) revising allotments to give effect to any change in the mainland or local quotas due to action pursuant to secs. 201, 202 (a) and 203 of the act. Whenever a change is made only in the mainland quota no change shall be made in individual allotments of the local quota and each allottee shall share in any change in mainland quota in proportion that his total local and mainland allotments bears to the total of such allotments then in effect. Whenever a change is made in the local quota, revised allotments shall be established in the same manner as adopted for allotting the 1957 mainland and local quotas.

(12) Any producer who receives sugar in payment for sugarcane (a) should be permitted to market, within the allotment of the processor who processed his sugarcane, a quantity of sugar equal to the same percentage of the producer's 1956-57 crop sugar that the sum of the processor's mainland and local allotments is of the total 1956-57 crop sugar processed from cane by such processor, and (b) such permitted quantity should be within the mainland allotment unless the producer requests local allotment. Further, a person who, as a producer, has sugar received from a processor in settlement for sugarcane of crops prior to that of 1956-57 shall be permitted to market such sugar within that processor's mainland allotment.

(13) An efficient distribution of the quotas requires exchanges between allottees of quantities of mainland allotment for like quantities of local allotment, subject to the approval of an officer of the Department designated in the order.

(14) To facilitate full and effective use of allotments, provision shall be made in the order for transfer of allotments under circumstances of a succession of interest.

(15) Provision shall be made in the order to restrict marketings or importations into the continental United States of sugar to allotments established herein.

(16) Allotments established in the foregoing manner and in the amounts set forth in the order provide a fair, efficient, and equitable distribution of the quotas, as required by section 205 (a) of the act.

**B. Allotment of direct-consumption portion of the mainland quota.** (1) The potential capacity of Puerto Rican refiners to produce direct-consumption sugar during the calendar year 1957 exceeds 280,000 short tons and this quantity is far greater than the total quantity of such sugar which may be marketed

within the 1957 sugar quotas for Puerto Rico.

(2) The allotment of the direct-consumption portion of the 1957 sugar quota for Puerto Rico is necessary to prevent disorderly marketing of such sugar and to afford each interested person an equitable opportunity to market such sugar in the continental United States.

(3) Assignment of a percentile weight to the "proportionate shares" factor in the final allotment formula would not result in fair, efficient and equitable allotment.

(4) The best measure of the "past marketings" factor for each allottee is its percentage of the average marketings of direct-consumption sugar of all allottees in the continental United States during the years 1952 through 1956.

(5) The best measure of the "ability to market" factor for each allottee is its percentage of the sum of the largest quantities of direct-consumption sugar of all allottees marketed in the continental United States during any calendar year during the period 1935-56, inclusive, and the ability so measured is within the present plant capacity of each refiner.

(6) The allotments of the direct-consumption portion of the 1956 mainland quota for Puerto Rico as established in Sugar Regulation 814.16, Amendment 1 (21 F. R. 7207) and set forth in the record (Ex. 10) are adequate measures of 1956 marketings of direct-consumption sugar in the continental United States.

(7) The quantity of sugar marketed, referred to in paragraphs (4) and (5), above, are as follows:

[Short tons, raw value]

Allottee	Average annual marketings 1952-56	Highest annual marketings 1935-56
Central Aguirre Sugar Co., a trust.	6,166	10,440
Central Refining Co.	10,837	28,665
Central San Francisco	794	2,590
Porto Rican American Sugar Refinery, Inc.	79,155	116,611
South Porto Rico Sugar Co. of Puerto Rico	000	4,982
Western Sugar Refining Co.	19,845	29,988
Total	125,797	193,476

(8) A small part of the direct-consumption portion of the mainland quota is normally marketed in the continental United States as raw sugar for direct consumption. Two hundred short tons, raw value, should be reserved for this purpose in 1957.

(9) Allotments totaling the direct-consumption portion of the Puerto Rican mainland quota in excess of that reserved for entry as raw sugar should be established by giving fifty percent weight to past marketings, measured as provided in paragraph (4), above, and fifty percent weight to ability to market, measured as provided in paragraph (5), above.

(10) In addition to the allottees of the direct-consumption portion of the 1956

mainland quota, the South Porto Rico Sugar Company of Puerto Rico shall be an allottee of the direct-consumption portion of the 1957 mainland quota.

(11) Any quantity that may be released by any allottee who finds that it cannot use its full allotment and so indicates in writing to the Director of the Sugar Division, or any quantity that may not be needed to meet the demands upon the unallocated reserve for raw sugar for direct consumption, may be reallocated to allottees in proportion to their established allotments without further notice or hearing.

(12) This order shall be revised without further notice or hearing to adjust allotments to take account of any change in the direct-consumption portion of the 1957 quota for Puerto Rico due to actions pursuant to sections 201, 202 (a) and 207 of the act, on the same basis as used in establishing allotments in this order.

(13) Each allottee in 1957 should be restricted from bringing into the continental United States for consumption therein any direct-consumption sugar in excess of the smaller of its allotment established herein or the quantity transferred to such allottee and charged against an allotment of the 1957 Puerto Rican mainland quota. All other persons should be prohibited from bringing such sugar into the continental United States in 1957 for consumption therein except such sugar acquired from an allottee within its allotment established herein, or brought in as raw sugar within the quantity established therefor. All persons collectively shall be prohibited from bringing into the continental United States any direct-consumption sugar other than crystalline sugar in excess of the quantity by which the direct-consumption portion of the mainland quota exceeds 126,033 short tons, raw value.

(14) To facilitate full and effective use of allotments, provision shall be made in the order for transfer of allotments under circumstances of a succession of interest.

(15) Allotments established in the foregoing manner and in the amounts set forth in the order provide a fair, efficient, and equitable distribution of the direct-consumption portion of the mainland quota, as required by section 205 (a) of the act.

**Order.** Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act; *It is hereby ordered:*

**§ 814.17 Allotment of 1957 sugar quotas for Puerto Rico—(a) Allotments.** The 1957 sugar quota for Puerto Rico for consumption in the continental United States (including raw sugar to be further processed and marketed within the direct-consumption portion of such quota) and the 1957 sugar quota for local consumption in Puerto Rico, are hereby allotted, to the extent shown in this section, to the following processors in amounts which appear in columns (1) and (2) opposite their respective names:



[Short tons, raw value]

Processor	Mainland allotment (1)	Local allotment (2)
Antonio Reig, Sucesores, S. en C.	20,471	18,350
Asociación Azucarera Cooperativa	24,974	000
Central Aguirre Sugar Co., a trust	85,850	1,348
Central Coloso, Inc.	48,434	476
Central Eureka, Inc.	31,756	539
Central Guamaní, Inc.	10,117	000
Central Igualdad, Inc.	20,881	14,640
Central Juanita, Inc.	37,026	1,281
Central Mercedes, Inc.	46,839	20,556
Central Monserrate, Inc.	20,254	82
Central San Francisco	6,768	1,890
Central San Vicente, Inc.	50,684	49
Compañía Azucarera del Camuy, Inc.	11,155	000
Compañía Azucarera del Toa	26,320	000
Cooperativa Azucarera Los Canos	32,070	000
Eastern Sugar Associates, a trust	82,607	11,903
Fajardo Sugar Co.	88,233	12
Land Authority of Puerto Rico	59,139	000
Mario Mercado e Hijos	24,784	424
Mayaguez Sugar Co., Inc.	6,456	98
Plata Sugar Co.	41,966	240
Soller Sugar Co.	9,864	006
South Porto Rico Sugar Co. of Puerto Rico	63,352	13,112
All other persons	000	000
Subtotal	850,000	85,000
Unallotted	264,130	25,000
Total	1,114,130	110,000

(b) *Exchange of allotments.* The allotments established in paragraph (a) of this section, or producers' shares thereof established under paragraph (c) of this section, shall not be exchanged without the approval of the Chief of the Quota and Allotment Branch, Sugar Division, Commodity Stabilization Service of the Department.

(c) *Producers' marketings under allotments.* Each processor shall reserve a share of its mainland allotment for the marketings of each producer with whom settlement for sugarcane is made in sugar equal to the same percentage of the producer's 1956-57 crop sugar that the sum of the processor's mainland and local allotments is of the processor's total production of 1956-57 crop sugar: *Provided,* That, upon written request to the processor within 30 days of the effective date of this order, the producer's share shall be divided between local and mainland allotments as the sum of the processor's allotments is divided between mainland and local allotments. Further, a person who, as a producer, has sugar received from a processor in settlement for sugarcane of crops prior to that of 1956-57 shall be permitted to market such sugar within that processor's mainland allotment.

(d) *Restrictions on marketings.* (1) During the calendar year 1957 all persons are prohibited from bringing into the continental United States or marketing to a refinery in Puerto Rico for such purposes, a quantity of sugar produced by each allottee named in paragraph (a) of this section in excess of the quantity established in paragraph (a) of this section as his mainland allotment adjusted as provided in paragraph (b) of this section; except that after November 1, 1957, or at such other time as deemed necessary by the Director of the Sugar Division to facilitate orderly marketing, a quantity of sugar produced by one allottee (hereinafter referred to as "first allottee"), may be brought into the continental United States within the

allotment of another allottee (hereinafter referred to as "second allottee") and charged to the allotment of the "second allottee" at the time it is brought in provided prior thereto the following conditions have been met: (i) The "first allottee" must have acquired from and hold an equivalent quantity of sugar produced by the "second allottee" which acquired quantity of sugar thereafter shall be subject to all the other provisions of this part as if it were produced by the "first allottee"; and (ii) the allottees concerned must have notified, in writing, the Chief, Quota and Allotment Branch, Sugar Division, Commodity Stabilization Service, Department of Agriculture, Washington 25, D. C., of the transaction proposed within the provisions of this exception and obtained his approval thereof in writing.

(2) During the calendar year 1957 each person named in paragraph (a) of this section is hereby prohibited from marketing for local consumption in Puerto Rico sugar processed from sugarcane by such person in excess of the local allotment established for such person in paragraph (a) of this section as adjusted pursuant to paragraph (b) of this section.

(3) During the calendar year 1957 all persons who acquire raw sugar for further processing and resale as direct-consumption sugar are hereby prohibited from marketing sugar for local consumption in Puerto Rico in excess of the sum of (i) the quantity of sugar acquired for such purpose under the limitations specified in § 814.15, as amended (20 F. R. 9001, 21 F. R. 105, 5819, 7207, 8794, 9398, 9760), and held in inventory on December 31, 1956, and (ii) the quantity of sugar acquired for such purpose within the limits specified in this section.

(e) *Specific charges against allotments.* Except as provided in paragraph (d) of this section, sugar produced in Puerto Rico which is brought into the continental United States for consumption therein or marketed for local consumption in Puerto Rico during 1957 shall be charged to the applicable allotment of the processor who processed such sugar.

(f) *Transfer of allotments.* The Director of the Sugar Division, Commodity Stabilization Service, of the Department, may, consistent with the provisions of the act, permit marketing of sugar for local consumption in Puerto Rico and bringing sugar into the continental United States for consumption therein by one allottee, or other person, within the allotment or portion thereof established for another allottee upon receipt of evidence satisfactory to him of a merger, consolidation, transfer of sugar-processing facilities, or other action of similar effect upon the allottees or persons involved, and upon relinquishment by one of the allottees of all or a portion of its allotment.

§ 814.18 *Allotment of the direct-consumption portion of 1957 sugar quota for Puerto Rico—(a) Allotments.* The direct-consumption portion of the 1957 sugar quota for Puerto Rico, amounting to 130,016 short tons, raw value, is hereby allotted as follows:

*Direct-consumption allotment short tons, raw value*

Allottee	
Central Aguirre Sugar Co., a trust	6,751
Central Reig Refining Co.	19,852
Central San Francisco	1,279
Porto Rican American Sugar Refinery, Inc.	79,963
South Porto Rico Sugar Co. of Puerto Rico	1,671
Western Sugar Refining Co.	20,300
All other persons (raw sugar only)	200

Total 130,016

(b) *Restrictions on marketing.* (1) During the calendar year 1957, each allottee named in paragraph (a) of this section is hereby prohibited from bringing into the continental United States, for consumption therein, any direct-consumption sugar from Puerto Rico in excess of the smaller of (i) the allotment therefor established in paragraph (a) of this section, or (ii) the quantity transferred to such allottee and charged against a 1957 mainland allotment under § 814.17.

(2) During the calendar year 1957, all persons other than the allottees specified in paragraph (a) of this section are hereby prohibited from bringing into the continental United States, for consumption therein, any direct-consumption sugar from Puerto Rico except (i) that acquired from an allottee within the quantity established in this section, and (ii) that brought in within the quantity established in this section for "all other persons".

(3) During the calendar year 1957 no person shall bring into the continental United States direct-consumption sugar from Puerto Rico which is principally not of crystalline structure after 3,973 short tons, raw value, of such sugar has been brought in within the allotments established in paragraph (a) of this section.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interpretations or applies secs. 205, 209, 61 Stat. 926, 928; 7 U. S. C. 1115, 1119)

Done at Washington, D. C., this 31st day of December 1956.

[SEAL]

EARL L. BUTZ,  
Acting Secretary.

[F. R. Doc. 57-65; Filed, Jan. 3, 1957; 8:49 a. m.]

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter I—Civil Service Commission

#### PART 6—EXCEPTIONS FROM COMPETITIVE SERVICE

##### HOUSING AND HOME FINANCE AGENCY

Effective upon publication in the FEDERAL REGISTER, § 6.142 (a) (1) and (3) and § 6.142 (c) (1) and (2) are amended as set out below:

§ 6.142 *Housing and Home Finance Agency—(a) Office of the Administrator.* (1) Until March 31, 1957, Executive Secretary and Deputy Executive Secretary of the National Committee and the Executive Secretary and Deputy Executive Secretary of each regional subcommittee



established under Title VI of the Housing Act of 1954.

(3) Until March 31, 1957, six Regional Administrators.

(c) *Federal Housing Administration.*  
(1) Until March 31, 1957, 80 Field Directors (State, District, and Territorial).  
(2) Until March 31, 1957, six Regional Directors.

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

UNITED STATES CIVIL SERVICE COMMISSION,  
WM. C. HULL,  
*Executive Assistant.*

[F. R. Doc. 57-60; Filed, Jan. 3, 1957; 8:48 a. m.]

## TITLE 6—AGRICULTURAL CREDIT

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

#### Subchapter B—Loans, Purchases, and Other Operations

[1956 C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 3, Soybeans]

#### PART 421—GRAINS AND RELATED COMMODITIES

#### SUBPART—1956 CROP SOYBEAN LOAN AND PURCHASE AGREEMENT PROGRAM

##### BASIC COUNTY SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 21 F. R. 7471, 7683, 8970, and 9142 containing the specific requirements for the 1956-crop soybean price support program are amended as follows:

Section 421.2033 (a) (2) is amended by adding the following to the list of basic county support rates:

CALIFORNIA	Rate per bushel
County: All counties	\$2.01
MINNESOTA	
Clearwater	2.04

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, sec. 301, 401, 63 Stat. 1053; 15 U. S. C. 714c, 7 U. S. C. 1447, 1421)

Issued this 31st day of December 1956.

[SEAL] CLARENCE L. MILLER,  
*Acting Executive Vice President,*  
*Commodity Credit Corporation.*

[F. R. Doc. 57-63; Filed, Jan. 3, 1957; 8:49 a. m.]

## TITLE 14—CIVIL AVIATION

### Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 3]

#### PART 514—TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS, PROCESSES, AND APPLIANCES

##### SUBPART B—MINIMUM PERFORMANCE STANDARDS

#### TECHNICAL STANDARD ORDERS, TSO-C25a AND TSO-C39, AIRCRAFT SEATS AND BERTHS

Technical Standard Order TSO-C25, as it appears in § 514.35 (21 F. R. 6508),

No. 3—2

is amended to apply only to Type I transport seats for use in aircraft for which application for type certificate was made prior to March 5, 1952. A new regulation, § 514.36 (TSO-C39), defines the minimum performance standards for approved seats pursuant to §§ 4b.1, 4b.18, and 4b.358 of Chapter I of this title. These standards are applicable to seats for rotorcraft, and to aircraft for which an application for type certification was made on or after March 5, 1952.

Sections 514.35 and 514.36 appeared as a notice of proposed rule making in 21 F. R. 7738-7739 on October 10, 1956. All interested persons have been afforded an opportunity to submit written views, data, or argument. No comments were received.

1. Section 514.35 under Subpart B of this part is amended to read as follows:

§ 514.35 *Aircraft seats and berths (Type I transport, 6g forward load)*—TSO-C25a—(a) *Applicability*—(1) *Minimum performance standards.* Minimum performance standards are hereby established for aircraft seats and berths (Type I transport, 6g forward load) which are to be used in civil aircraft of the United States. These standards apply to Type I transport seats for use in transport category aircraft for which an application for type certificate was made prior to March 5, 1952.<sup>1</sup> New models of seats and berths (Type I transport, 6g forward load) manufactured for installation in civil aircraft on or after January 15, 1957 shall meet the standards of National Aircraft Standard Specification 806, revised January 1, 1956,<sup>2</sup> with the changes and exceptions listed in subparagraph (2) of this paragraph. Seats and berths approved by the Civil Aeronautics Administration prior to January 15, 1957, may continue to be manufactured under the provisions of their original approval.

(2) *Exceptions.* (i) The ultimate loads corresponding to the aircraft reduced weight gust load factor or the airplane designer's special requirements may exceed the ultimate down loads for Type I seats specified in subsection 4.1.2 of NAS 806. For the purpose of this section, in order to provide for such loading conditions, the ultimate down loads specified in Table I of 4.1.2 for Type I seats shall be 1,000 pounds (6g) instead of 765 pounds.

(ii) To insure that pilot and copilot seats will provide for the rearward loads resulting from the application of pilot forces to the flight controls, such seats shall withstand a rearward load of 450 pounds. The load shall be applied 8 inches above the intersection of the seat back with the seat bottom.

(iii) The weight of the seat or berth times the appropriate "g" value shall be added to the design ultimate load specified in subdivision (i) of this subparagraph and in subsection 4.1.2 of NAS 806.

(iv) For the purpose of this section, 4.3 (c) of NAS 806 should read: "that

<sup>1</sup> Standards for Types II, III, IV, and I (for installation in aircraft for which an application for type certificate was made after March 5, 1952), are contained in § 514.36 (TSO-C39).

<sup>2</sup> Copies may be obtained from the National Standards Association, 616 Washington Loan and Trust Building, Washington 4, D. C.

the structure is capable of supporting without failure for at least 3 seconds the ultimate loads specified in this order when applied separately."

(b) *Marking.* The weight required in § 514.3 need not be included.

Effective date: January 15, 1957.

2. Section 514.36 is added under Subpart B of this part, to read as follows:

§ 514.36 *Aircraft seats and berths—TSO-C39*—(a) *Applicability*—(1) *Minimum performance standards.* (i) Minimum performance standards are hereby established for aircraft seats and berths of the following types which are to be used in civil aircraft of the United States:

Type I—Transport (9g forward load).  
Type II—Normal and utility.  
Type III—Acrobatic.  
Type IV—Rotorcraft.

(ii) New models of seats and berths manufactured for installation in civil aircraft on or after the effective date of this order shall meet the standards of National Aircraft Standards Specification 809, dated January 1, 1956,<sup>2</sup> with the exception in subparagraph (2) of this paragraph. Seats and berths approved by the Civil Aeronautics Administration prior to January 15, 1957, may continue to be manufactured under the provisions of their original approval.

(2) *Exception.* The sideward loads as specified in 4.1.2 Table I need not exceed the requirements of the applicable Civil Air Regulations.

(b) *Marking.* The weight required in § 514.3 need not be included.

Effective date: January 15, 1957.

(Sec. 205, 54 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] JAMES T. PYLE,  
*Administrator of Civil Aeronautics.*

[F. R. Doc. 57-41; Filed Jan. 3, 1957; 8:45 a. m.]

[Amdt. 4]

#### PART 514—TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS, PROCESSES, AND APPLIANCES

##### TECHNICAL STANDARD ORDER TSO-C35a, RADIO MARKER RECEIVING EQUIPMENT

Minimum performance standards for radio marker receiving equipment which is to be used in civil aircraft of the United States is defined in the new regulation § 514.37 (TSO-C35a).

Section 514.37 appeared as a notice of proposed rule making in 21 F. R. 7739 on October 10, 1956. All interested persons have been afforded an opportunity to submit written views, data, or argument. No comments were received.

Section 514.37 is added under Subpart B of this part to read as follows:

§ 514.37 *Radio marker receiving equipment operating on 75 mc (for air carrier aircraft—TSO-C35a)*—(a) *Applicability*—(1) *Minimum performance standards.* (i) Minimum performance standards are hereby established for radio marker receiving equipment which is to be used in civil aircraft of the United States.



[Amdt. 5]

**PART 514—TECHNICAL STANDARD ORDERS  
FOR AIRCRAFT MATERIALS, PARTS, PROCESSES,  
AND APPLIANCES**

**TSO-C40, VOR RADIO RECEIVING EQUIPMENT,  
AND TSO-C41, AIRBORNE RADIO RECEIVING  
AND DIRECTION FINDING EQUIPMENT**

Minimum performance standards for airborne VOR radio receiving and direction finding equipment to be used in civil aircraft of the United States engaged in air carrier operations are defined in the new regulations, §§ 514.38 and 514.39.

Sections 514.38 and 514.39 appeared as a notice of proposed rule making in 21 F.R. 7993 on October 18, 1956. All interested persons have been afforded an opportunity to submit written views, data, or argument. No comments were received.

Sections 514.38 and 514.39 are added under Subpart B of this part to read as follows:

§ 514.38 *VOR radio receiving equipment operating within the radio frequency range of 108–118 megacycles (for air carrier aircraft)—TSO-C40—(a) Applicability—(1) Minimum performance standards.* Minimum performance standards are hereby established for airborne VOR radio receiving equipment operating within the radio frequency range of 108–118 megacycles which is to be used in civil aircraft of the United States engaged in air carrier operations. New models of airborne VOR radio receiving equipment manufactured for use in civil aircraft on or after January 31, 1957, shall meet the minimum performance standards as set forth in Radio Technical Commission for Aeronautics' Paper entitled "Minimum Performance Standards Airborne VOR Receiving Equipment Operating Within the Radio Frequency Range of 108–118 Megacycles" (Paper 225-55/DO-69 dated December 13, 1955),<sup>3</sup> with the exception listed in subparagraph (2) of this paragraph. Airborne VOR radio receiving equipment approved by the Civil Aeronautics Administration prior to January 31, 1957, may continue to be manufactured under the provisions of its original approval.

(2) *Exception.* The exception applies to Section 3.0, Minimum Performance Standards Under Environmental Test Conditions. Radio Technical Commission for Aeronautics' Paper 100-54/DO-60 dated April 13, 1954,<sup>4</sup> which is incorporated by reference in and thus is a part of Paper 225-55/DO-69, outlines environmental test procedures for equipment designed to operate under three different temperature ranges as specified therein under Procedures A, B, and C. Only airborne VOR radio receiving equipment which meets the operating requirements in the temperature range of -55° C. to +55° C. or -40° C. to +55° C., whichever is applicable, as outlined under Procedure A or Procedure B of Paper 100-54/DO-60, is eligible under this section.

(b) *Marking.* In addition to the information required in § 514.3, equipment which has been designed to operate over

a temperature range of -55° C. to +55° C. as outlined in Procedure A of RTCA Paper 100-54/DO-60 shall be marked as Category A equipment. Equipment which has been designed to operate over a temperature range of -40° C. to +55° C. as outlined in Procedure B of this same paper shall be marked as Category B equipment.

Effective date: January 31, 1957.

§ 514.39 *Airborne radio receiving and direction finding equipment operating within the radio-frequency range of 200–415 kilocycles (for air carrier aircraft)—TSO-C41—(a) Applicability—(1) Minimum performance standards.* Minimum performance standards are hereby established for airborne radio receiving and direction finding equipment operating within the radio-frequency range of 200–415 kilocycles which is to be used in civil air carrier aircraft of the United States. New models of airborne radio receiving and direction finding equipment manufactured for use in civil aircraft on or after January 31, 1957 shall meet the minimum performance standards as set forth in Radio Technical Commission for Aeronautics' Paper entitled "Minimum Performance Standards Airborne Radio Receiving and Direction Finding Equipment Operating Within the Radio-Frequency Range of 200–415 Kilocycles" (Paper 83-56/DO-70 dated April 25, 1956),<sup>5</sup> with the exception listed in subparagraph (2) of this paragraph. Airborne radio receiving and direction finding equipment approved by the Civil Aeronautics Administration prior to January 31, 1957, may continue to be manufactured under the provisions of its original approval.

(2) *Exception.* The exception applies to section 3.0, Minimum Performance Standards Under Environmental Test Conditions. Radio Technical Commission for Aeronautics' Paper 100-54/DO-60 dated April 13, 1954,<sup>4</sup> which is incorporated by reference in and thus is a part of Paper 83-56/DO-70, outlines environmental test procedures for equipment designed to operate under three different temperature ranges as specified therein under Procedures A, B, and C. Only airborne radio receiving and direction finding equipment which meets the operating requirements in the temperature range of -55° C. to +55° C. or -40° C. to +55° C., whichever is applicable, as outlined in Procedure A or Procedure B of Paper 100-54/DO-60, is eligible under this section.

(b) *Marking.* In addition to the information required in § 514.3, equipment which has been designed to operate over a temperature range of -55° C. to +55° C. as outlined in Procedure A of RTCA Paper 100-54/DO-60 shall be marked as Category A equipment. Equipment which has been designed to operate over a temperature range of -40° C. to +55° C., as outlined in Pro-

(ii) New models of radio marker receiving equipment for use in air carrier operations, manufactured on or after January 15, 1957, shall meet the standards of Radio Technical Commission for Aeronautics' Paper entitled, "Minimum Performance Standards—Airborne Radio Marker Receiving Equipment Operating on 75 Megacycles" as amended (Paper 87-54/DO-57 dated April 13, 1954, and amendment, Paper 202-55/EC-273, dated November 14, 1955),<sup>3</sup> with the exception listed in subparagraph (2) of this paragraph. Radio marker receiving equipment models approved by the Civil Aeronautics Administration prior to January 15, 1957, may continue to be manufactured under the provisions of their original approval.

(2) *Exception.* The exception applies to section 3.0, Minimum Performance Standards Under Environmental Test Conditions. Radio Technical Commission for Aeronautics' Paper 100-54/DO-60 dated April 13, 1954,<sup>4</sup> which is incorporated by reference in and thus is a part of Paper 87-54/DO-57, outlines environmental test procedures for equipment designed to operate under three different temperature ranges as specified therein under Procedures A, B, and C. Only radio marker receiving equipment which meets the operating requirements in the temperature range of -55° C. to +55° C. or -40° C. to +55° C., whichever is applicable, as outlined under Procedure A or Procedure B of Paper 100-54/DO-60 is eligible under this section.

(b) *Marking.* In addition to the information required in § 514.3, equipment which has been designed to operate over a temperature range of -55° C. to +55° C. as outlined in Procedure A of RTCA Paper 100-54/DO-60 shall be marked as Category A equipment. Equipment which has been designed to operate over a temperature range of -40° C. to +55° C. as outlined in Procedure B of this same paper shall be marked as Category B equipment.

(c) *Data requirements.* Ten copies each of the operating instructions, schematic diagrams, and installation procedures for the equipment shall be furnished the Chief, Aircraft Engineering Division, Civil Aeronautics Administration, Washington 25, D. C., with the statement of conformance.

Effective date: January 15, 1957.

(Sec. 205, 54 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] JAMES T. PYLE,  
Administrator of Civil Aeronautics.

[F. R. Doc. 57-40; Filed, Jan. 3, 1957;  
8:45 a. m.]

<sup>3</sup> Copies of this paper may be obtained from the RTCA Secretariat, Room 2036, T-5 Building, 16th and Constitution Avenue NW., Washington 25, D. C., at a cost of 30 cents per copy.

<sup>4</sup> Copies of this paper may be obtained from the RTCA Secretariat, Room 2036, T-5 Building, 16th and Constitution Avenue NW., Washington 25, D. C., at a cost of 20 cents per copy.

<sup>5</sup> Copies of this paper may be obtained from the RTCA Secretariat, Room 2036 T-5 Building, 16th and Constitution Avenue NW., Washington 25, D. C., at a cost of 40 cents per copy.



cedure B of this same paper shall be marked as Category B equipment.

Effective date: January 31, 1957.

(Sec. 205, 54 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] JAMES T. PYLE,  
Administrator of Civil Aeronautics.

[F. R. Doc. 57-39; Filed, Jan. 3, 1957;  
8:45 a. m.]

## TITLE 26—INTERNAL REVENUE, 1954

### Chapter I—Internal Revenue Service, Department of the Treasury

#### Subchapter E—Alcohol, Tobacco, and Other Excise Taxes

[T. D. 6221]

#### PART 194—LIQUOR DEALERS

#### PART 195—PRODUCTION OF VINEGAR BY THE VAPORIZING PROCESS

#### PART 216—DENATURATION OF RUM

#### PART 220—PRODUCTION OF DISTILLED SPIRITS

#### PART 221—PRODUCTION OF BRANDY

#### PART 225—WAREHOUSING OF DISTILLED SPIRITS

#### PART 230—BOTTLING OF TAXPAID SPIRITS

#### PART 235—RECTIFICATION OF SPIRITS AND WINES

#### PART 240—WINE

#### RECORDS AND REPORTS

On September 20, 1956, a notice of proposed rule making with respect to amendments of 26 CFR (1954) Parts 194, 195, 216, 220, 221, 225, 230, 235, and 240 was published in the FEDERAL REGISTER (21 FR 7148). The purposes of the proposed amendments as set forth in the notice are (a) to simplify recordkeeping and reporting requirements, (b) to delete detailed listing of various tax rates, and (c) to eliminate requirements for submission of reports on Form 1686 by storekeeper-gaugers.

In accordance with the notice, interested parties were afforded an opportunity to submit written data, views, or arguments pertaining thereto. No written comments were received within the 30-day period prescribed. The amendments so published are hereby adopted, subject to the following editorial modifications:

PARAGRAPH 1. Paragraph 4 (B) of the notice is amended by making the following changes in § 220.369:

(A) By striking from the first sentence the words "and records", and inserting in lieu thereof the word "daily".

(B) By striking from the second sentence the phrase "He shall furnish dated, signed quantity reports", and inserting in lieu thereof the phrase "He shall prepare dated, signed quantity reports, in duplicate, and shall furnish the original thereof".

(C) By striking the final sentence.

PAR. 2. Paragraph 4 (MM) of the notice is amended as follows:

(A) By striking from § 220.757 the final sentence.

(B) By striking from the third sentence of § 220.758, which begins "Separate records", the word "at", and inserting in lieu thereof the word "for".

PAR. 3. Paragraph 5 (GG) of the notice is amended by striking from the third sentence of § 221.773, which begins "Separate records", the word "at", and inserting in lieu thereof the word "for".

PAR. 4. Paragraph 8 (N) of the notice is amended by striking from paragraph (h) of § 245.815 the phrase "finished storage room", and inserting in lieu thereof the phrase "finished products room".

As so changed, the amendments to Parts 194, 195, 220, 221, 225, 230, 235, and 240 read as set forth below.

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

(Sec. 7805, 68A Stat. 917; 26 U. S. C. 7805)

[SEAL] O. GORDON DELK,  
Acting Commissioner  
of Internal Revenue.

Approved: December 27, 1956.

W. RANDOLPH BURGESS,  
Acting Secretary of the Treasury.

In order (a) to simplify recordkeeping and reporting requirements, (b) to delete detailed listing of various tax rates, and (c) to eliminate requirements for submission of reports on Form 1686 by storekeeper-gaugers, 26 CFR Parts 194, 195, 216, 220, 221, 225, 230, 235, and 240 are amended as follows:

PARAGRAPH 1. 26 CFR Part 194, "Liquor Dealers," is amended as follows:

(A) Section 194.215, and the headnote thereto, is amended to read:

§ 194.215 *Proprietors*. Wholesale liquor dealer operations conducted by proprietors of industrial alcohol plants or bonded warehouses, registered distilleries, fruit distilleries, internal revenue bonded warehouses, taxpaid bottling houses, and rectifying plants shall be recorded and reported in accordance with the regulations governing the operations of each such premises.

(68A Stat. 619, 637, 652; 26 U. S. C. 5114, 5197, 5285)

(B) Section 194.260, and the headnote thereto, is amended to read:

§ 194.260 *Requirements and procedure*. Wholesale dealers in liquors may package alcohol for industrial purposes in containers in excess of 1 wine gallon and less than 5 wine gallons and shall be governed as to such operations by those provisions of Part 230 of this chapter which are applicable. Form 27 E, properly modified, must be submitted to, and be approved by, the assistant regional commissioner before any packaging operations may be conducted. The provisions of Part 230 of this chapter relating to procuring, accounting for, overprinting as to denomination, and attaching red strip stamps must be followed, except that requisitions on Form 428 for red strip stamps will be submitted to the assistant regional commissioner

for approval. The wholesale dealer shall keep records, daily, showing the bulk alcohol received, dumped, packaged, and disposed of, and the name and address of each consignor and consignee. Packaging operations will be carried on without the supervision of a storekeeper-gauger, and the preparation of Forms 230 will not be required. A monthly report of strip stamp transactions on Form 2260, and of alcohol transactions on Form 52 D properly modified, shall be submitted to the assistant regional commissioner, as prescribed in Part 230 of this chapter. Records, documents, or copies of documents supporting such records, and copies of reports submitted to the assistant regional commissioner shall be filed on the wholesale dealer's premises, and shall be retained as prescribed in § 194.234.

(68A Stat. 602, 639; 26 U. S. C. 5008, 5214)

PAR. 2. 26 CFR Part 195, "Production of Vinegar by the Vaporizing Process," is amended as follows:

(A) Section 195.152 is amended by striking the second and third sentences and inserting in lieu thereof the sentence, "The quantities of fermenting and distilling materials received and used must be determined and recorded at the time of receipt and use as provided in § 195.175."

(B) Section 195.153, and the headnote thereto, is amended to read:

§ 195.153 *Removal of fermenting material from premises*. The removal of fermenting material from the premises shall be recorded in the records required by § 195.175, and reported on the monthly report, Form 1623. The reasons for such removal shall be stated in the record.

(C) Section 195.155 is amended by striking the phrase "Form 1623," and inserting in lieu thereof the phrase "the record required by § 195.175."

(D) Section 195.159 is amended by striking from the second sentence, which begins, "The receiving tanks", the phrase "on Form 1623, as indicated by the headings of the columns and the instructions printed on the form" and inserting in lieu thereof the phrase "by the proprietor on the records required by § 195.175".

(E) Section 195.160 is amended by striking the words "manufacture of vinegar: *Provided*, That the quantity thus removed or used is first accurately ascertained, and recorded on Form 1623" and inserting in lieu thereof, "manufacture of vinegar. The quantity thus removed or used must be determined and recorded by the proprietor on the records required by § 195.175".

(F) Section 195.161 is amended as follows:

(1) By striking the phrase "reported monthly" and inserting in lieu thereof the phrase "reported in the proprietor's monthly report, Form 1623".

(2) By striking the second and third sentences.

(G) Subpart L is amended to read as follows:

#### SUBPART L—PROPRIETOR'S RECORDS AND REPORTS

§ 195.175 *Daily records*. The proprietor of every vinegar factory shall keep daily records of operations which



shall contain all data necessary (1) to enable internal revenue officers to verify and trace each lot of low wines from receipt of material to production of finished vinegar, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating thereto, and (2) to provide the proprietor with records for compiling his monthly report on Form 1623. Such records shall clearly and accurately reflect the following:

(a) The receipt and disposition of each lot of fermenting or distilling material.

(b) The kind and quantity of fermenting material used, the quantity of mash set, and the quantity of distilling material produced (serial numbers of fermenters shall be shown on such records).

(c) The quantity of distilling material used, and the quantity of low wines produced.

(d) The quantity of vinegar produced.

(e) The quantity of vinegar removed (including losses).

In addition to any other information shown therein, the records shall show the date of each transaction or operation and, where applicable, the identity of each consignor and consignee. Quantities of fermenting materials shall be given in terms of pounds of dry measure and wine gallons of liquid measure. Quantities of low wines shall be given in terms of proof gallons. Quantities of vinegar shall be given in terms of gallons of 100-grain strength. All information required to be shown in the daily records required by this section shall be assembled or entered, as the case may be, by the close of the business day next succeeding the day on which the transaction occurs. The assistant regional commissioner may require additional information which he considers necessary.

**§ 195.176 Monthly report, Form 1623.** At the end of each month the proprietor shall prepare a report on Form 1623, in duplicate, showing a monthly summary account of fermenting and distilling materials, low wines, and vinegar. On or before the 10th day of the succeeding month, the proprietor shall forward the original to the assistant regional commissioner and retain the duplicate.

**§ 195.177 Filing and retention of records and reports.** All records required to be maintained by this part, and legible copies of all reports submitted to the assistant regional commissioner, shall be filed and maintained by the proprietor for a period of not less than two years in such manner as to facilitate inspection by internal revenue officers. Records and reports shall be available during regular business hours for examination and taking of abstracts therefrom by internal revenue officers.

(H) Section 195.202 is amended by changing the first sentence to read, "The predecessor shall report on his Form 1623 all fermenting or distilling materials, materials in process, and low wines transferred to his successor, who shall in turn report such items on his Form 1623 as received from his predecessor."

(I) Section 195.203 is amended by striking the last sentence and inserting in lieu thereof the following new sentence, "The fiduciary will make appropriate notation on Form 1623, and the records required by § 195.175, of his succession and the date thereof."

(J) Section 195.210 is amended by striking the last sentence and inserting in lieu thereof the following new sentence, "All fermenting and distilling materials, low wines, and vinegar must be accounted for on Form 1623, the original of which must be marked 'Final report, permanent discontinuance of business,' and must be submitted to the assistant regional commissioner."

**PAR. 3. 26 CFR Part 216, "Denaturation of Rum," is amended as follows:**

(A) Section 216.211 is amended by placing a period after the phrase "will not be required" and striking the remainder of the section.

(B) Section 216.214 is amended to read:

**§ 216.214 Record of samples.** All samples of denatured rum furnished by the proprietor shall be recorded in the records required by § 216.315.

(C) Section 216.243 is amended by striking the fifth and sixth sentences, which begin, "Upon removal" and "The foreign", respectively, and inserting in lieu thereof the following new sentence, "The proprietor shall record the removal of the denatured rum from the warehouse on the records required by § 216.315."

(D) Section 216.285 is amended by striking all sentences except the first.

(E) Section 216.297 is revoked.

(F) Subpart X is amended to read as follows:

#### **SUBPART X—PROPRIETOR'S RECORDS AND REPORTS**

**§ 216.315 Daily records.** The proprietor shall keep daily records of denaturing operations which shall contain all data necessary (1) to enable internal revenue officers to identify and trace the movement of each lot of rum from receipt to disposition, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating to such rum, and (2) to provide the proprietor with records for compiling his monthly report on Form 575. Such records shall clearly and accurately reflect the following:

(a) The receipt of each lot of rum.

(b) The quantities of rum and denaturant used.

(c) The quantity of denatured rum produced.

(d) The quantity of denatured rum packaged.

(e) The quantity of denatured rum removed from the premises (including samples and losses).

In addition to any other information shown thereon, the records shall show the date of the transaction or operation, the number of packages and their serial numbers (identifying pipeline receipts as such), the identity of each consignor and consignee, and, where available, the serial numbers of applications and basic permits. In the case of exportations,

the number of the car and the route, or the name of the vessel by which, and the port through which, the denatured rum is to be exported, will be shown. Quantities shall be recorded in wine gallons except that the quantity of rum received shall be recorded in proof gallons, and the quantity of rum used for denaturation shall be shown in wine and proof gallons. All information required to be shown in the daily records required by this section shall be assembled or entered, as the case may be, by the close of the business day next succeeding the day on which the transaction occurs. The assistant regional commissioner may require additional information which he considers necessary.

(68A Stat. 681; 26 U. S. C. 5555)

**§ 216.316 Monthly report, Form 575.** At the end of each month the proprietor shall prepare a report on Form 575, in duplicate, showing a monthly summary account of all rum, denaturants, and denatured rum. Form 575 shall be prepared and executed in accordance with the instructions on the form, and as required by this part. The quantities of rum, denaturant, and denatured rum reported as on hand at the end of the month shall be determined by actual inventory: *Provided*, That in the absence of any evidence of casualty or theft, the transfer gauge of packages of rum, and the filling gauge of packages of denatured rum may be used as the inventory of such packages. The actual quantities of rum, denaturant, and denatured rum held in tanks must be ascertained. On or before the 10th day of the succeeding month, the proprietor shall submit both copies of the report to the storekeeper-gauger.

**§ 216.317 Filing and retention of records and reports.** All records required to be maintained by this part, and legible copies of all reports submitted to the assistant regional commissioner shall be filed and maintained by the proprietor for a period of not less than two years in such manner as to facilitate inspection by internal revenue officers. Records and reports shall be available during regular business hours for examination and taking of abstracts therefrom by internal revenue officers.

(G) Section 216.325 is amended to read:

**§ 216.325 Entry on Form 575.** Where denatured rum is for any reason returned to the denaturing bonded warehouse by a bonded dealer or manufacturer or by the carrier, as provided in Part 182 of this chapter, the proprietor will maintain a record of the return as required by § 216.315. The total quantity of such rum, identified as "Denatured rum returned," will be entered as a debit on the monthly report, Form 575. Shipments of such rum will be included in the total of removals for the month.

(H) Section 216.331 is amended to read:

**§ 216.331 Records.** Separate records will not be required for operations under a new individual or corporate name, or



under each trade name or style, but the proprietor must note on each record, and on the monthly report, Form 575, the individual or corporate name or the trade names or styles under which operations were conducted during the month, and the dates of operation under each.

(I) Section 216.341 is amended as follows:

(1) By striking the word "enter" in two places in the first sentence and inserting in lieu thereof the word "report".

(2) By striking from the last sentence the phrase "on Form 575 of his succession" and inserting in lieu thereof the phrase "of his succession, and the date thereof, on Form 575 and the records required by § 216.315".

PAR. 4. 26 CFR Part 220, "Production of Distilled Spirits," is amended as follows:

(A) Section 220.367 is amended as follows:

(1) By striking from the first sentence the word "distilling".

(2) By inserting in the first sentence, immediately after the phrase "distillery premises", the phrase "for use in the production of distilled spirits".

(3) By striking from the second sentence the phrase "or bills of lading" and inserting in lieu thereof the phrase "bills of lading, or prescribed forms".

(4) By inserting a comma after the phrase "commercial invoices" in the third sentence.

(B) Section 220.369, and the headnote thereto, is amended to read:

§ 220.369 *Determining quantities of materials used.* The distiller shall determine daily the quantity of (a) each lot of materials used in the production of each type of spirits, and (b) each lot of materials capable of producing spirits used in preparing yeast mash. He shall prepare dated, signed quantity reports, in duplicate, and shall furnish the original thereof to the storekeeper-gauger not later than the morning of the business day next succeeding the day on which the materials were weighed or measured. The quantities determined by the distiller shall be reflected in the records of production prescribed by § 220.755. Where materials are to be used for producing spirits, the quantity reports shall show the type of mash being set ("molasses," "wheat," "corn in excess," "rye in excess," etc.) and the serial number of each fermenter being filled.

(68A Stat. 637; 26 U. S. C. 5197)

(C) Section 220.370 is revoked.

(D) Section 220.371 is revoked.

(E) Section 220.373 is revoked.

(F) Section 220.374 is amended by changing the first sentence to read, "The distiller will not be required to prepare weight or quantity slips of materials used in preparing pure yeast cultures or jug yeast which is added to the yeast mash, or to record the same on his records of production."

(G) Section 220.379 is amended as follows:

(1) By changing the headnote to read "Measurement of fermenters".

(2) By striking the phrase "Form 1598" in the first sentence, and inserting in lieu thereof the phrase "the record of production required by § 220.755".

(3) By striking the remaining sentences of the section.

(H) Section 220.381 is revoked.

(I) Section 220.389 is amended by changing the last sentence to read, "The quantity of finished spirits produced will be determined and recorded daily on the record of production required by § 220.755".

(J) Section 220.409 is amended as follows:

(1) By striking from the second sentence the word "immediate".

(2) By striking the last sentence.

(K) Section 220.416 is revoked.

(L) Section 220.417 is amended as follows:

(1) By inserting a period after the phrase "removed for denaturation or destroyed" and striking the remainder of the sentence.

(2) By adding at the end of the section the following new sentence, "The distiller shall maintain records of the removal or destruction of such distillates, as required by § 220.756".

(M) Section 220.420 is amended as follows:

(1) By striking the second sentence, which begins, "Such gauge".

(2) By striking from the fourth sentence, which begins, "The destruction must", the word "immediate".

(3) By striking the last sentence and inserting in lieu thereof the following new sentence, "The destruction will be reported by the distiller on Form 1598".

(N) Section 220.424 is amended by striking the last sentence and inserting in lieu thereof the following new sentence, "The distiller shall maintain a record of all removals of distilled water, showing the date of removal, the name and address of the consignee, and the quantity removed."

(O) Section 220.433 is amended as follows:

(1) By striking the second sentence, which begins, "Such removals".

(2) By adding at the end of the section the following new sentence, "The distiller shall maintain records showing the date of removal, the name and address of the consignee, and the quantity removed."

(P) Section 220.434 is amended as follows:

(1) By striking from the second sentence, which begins, "If the washwater", the phrase "Form 1598 or 1686" and inserting in lieu thereof the phrase "the distiller's records".

(2) By striking the last sentence and inserting in lieu thereof the following new sentence, "The distiller shall maintain records showing the date of destruction and the quantity (proof gallons) destroyed."

(Q) Section 220.435 is amended as follows:

(1) By striking from the first sentence the phrase "thoroughly washed or scrubbed and purified" and inserting in lieu thereof the phrase "so treated as".

(2) By striking the last sentence and inserting in lieu thereof the following

new sentence, "No record need be made of such disposition."

(R) Section 220.449 is amended as follows:

(1) By striking from the first sentence the phrase "quantity of spirits received will be ascertained by appropriate gauge and immediately transferred" and inserting in lieu thereof the phrase "quantity will be determined and the spirits will be promptly transferred".

(2) By striking from the last sentence the phrase "making or verification of entries in monthly records and reports," and inserting in lieu thereof the phrase "verification of records and reports".

(S) Section 220.451 is amended by changing the third sentence, which begins, "The spirits introduced", to read, "The spirits introduced into the distilling system shall be recorded as materials used (in proof gallons and by class and type) on the proprietor's records of production required by § 220.755".

(T) Section 220.452 is amended as follows:

(1) By changing the second sentence to read "In any case where the deficiency in redistillation of any particular lot or lots of spirits exceeds that which may be attributed to normal redistillation deficiencies, the distiller will make explanatory statements relative to such deficiencies in the production record required by § 220.755".

(2) By inserting the following new sentence at the end of the section, "The storekeeper-gauger will make proper inquiry and appropriate investigation to determine the cause of the deficiency, and will make a full report thereof to the assistant regional commissioner."

(U) Section 220.455 is amended to read, "Spirits removed from a registered distillery to another distillery for redistillation shall be recorded by the distiller on the record of removals required by § 220.756, and shall be reported on Form 1598".

(V) Section 220.487 is amended to read, "Taxable samples shall be recorded by the distiller on the record of removals required by § 220.756, and shall be included in the report on Form 1598".

(W) Section 220.541 is amended by striking the last sentence.

(X) Section 220.580 is amended as follows:

(1) By striking from the first sentence the phrase "properly filled out".

(2) By striking the second and third sentences, which begin, "The district director" and "The remaining", respectively.

(Y) Section 220.582 is amended by striking from the last sentence "1697" and inserting in lieu thereof "2260".

(Z) Section 220.585 is amended by striking from the last sentence "1697" and inserting in lieu thereof "2260".

(AA) Section 220.586, and the headnote thereto, is amended to read as follows:

§ 220.586 *Monthly report of distilled spirits stamps.* At the end of each month the distiller shall prepare a report on Form 2260, in duplicate, showing a summary monthly account of distilled spirits excise tax stamps. The original shall be submitted to the assistant regional com-



missioner on or before the 10th day of the succeeding month. The duplicate shall be retained on the premises for a period of not less than two years, and during such period shall be available during business hours for examination by internal revenue officers.

(68A Stat. 614; 26 U. S. C. 5061)

(BB) Section 220.624 is amended to read, "The distiller shall maintain records of removals of distilled spirits from the distillery in accordance with the provisions of § 220.756."

(CC) Section 220.649 is amended to read, "The distiller shall maintain a record showing the nature and extent of any loss of distilled spirits, the date the loss was discovered, and the proof gallons lost, and shall report such losses on Form 1598."

(DD) Section 220.662 is amended as follows:

(1) By striking from the headnote the word "returns" and inserting in lieu thereof the phrase "Form 1598".

(2) By striking from the first sentence the phrase, "Upon receipt of the distiller's monthly return, Form 1598, Part 3," and inserting in lieu thereof the phrase, "On receipt of Form 1598 from the distiller."

(EE) Section 220.697 is amended by striking the last two sentences and inserting in lieu thereof the following new sentence, "The removal of finished spirits shall be recorded in the records of the distiller by the trade name or style under which the spirits were finished."

(FF) Section 220.698 is amended as follows:

(1) By striking from the first sentence the phrase, "Separate record" and inserting in lieu thereof the phrase, "Separate records, and separate reports".

(2) By striking from the first sentence the phrase, "such records" and inserting in lieu thereof the phrase, "his records of operation, and his report on Form 1598."

(3) By striking the second sentence, which begins, "The storekeeper-gauger".

(GG) Section 220.712 is amended as follows:

(1) By striking from the first sentence the phrase "will complete his record, Form 1598, and the storekeeper-gauger his record, Form 1686, as to" and inserting in lieu thereof the phrase, "shall show on the record of production required by § 220.755 and on Form 1598".

(2) By striking from the second sentence, which begins, "If the distillates", the phrase "Form 1598" and inserting in lieu thereof the phrase "the distiller's records and on Form 1598".

(3) By striking the third sentence, which begins, "The storekeeper-gauger".

(4) By striking from the fourth sentence, which begins "The distiller", the phrase "and the storekeeper-gauger will continue to maintain a record on Form 1686".

(5) By changing the fifth sentence to read, "Where the plant is operated as a registered distillery in two or more periods during the same month by the same proprietor, the operations of such proprietor will be recorded on one record of production and reported on one Form 1598."

(6) By adding the following new sentence at the end of the section, "Appropriate notations will be made to show the dates the distillery was operated as a fruit distillery or an industrial alcohol plant and the names under which it was so operated."

(HH) Section 220.713 is amended as follows:

(1) By changing the first sentence to read, "The succeeding proprietor will record all materials in process received from his predecessor on the appropriate records and reports prescribed by Part 182 of this chapter if the distillery is to be operated as an industrial alcohol plant, or on the appropriate records and reports prescribed by Part 221 of this chapter if the distillery is to be operated as a fruit distillery."

(2) By striking from the last sentence the phrase "and the storekeeper-gauger".

(II) Section 220.723 is amended as follows:

(1) By changing the first sentence to read, "The outgoing distiller shall show on his record of production, and report on Form 1598, all materials in process and all unfinished spirits outside the cistern room which are transferred to his successor, who shall in turn show such items on his record, and report on Form 1598, as received from his predecessor."

(2) By striking from the fourth sentence, which begins "Where the distillery", the phrase "keep a separate Form 1598" and inserting in lieu thereof the phrase "maintain separate records and submit separate monthly reports on Form 1598".

(3) By striking from the fifth sentence, which begins "When operations", the phrase "entered on the same" and inserting in lieu thereof the phrase "recorded on the same set of records, and reported on the same".

(4) By striking from the fifth sentence the phrase "on the separating lines".

(5) By striking the sixth sentence, which begins "The storekeeper-gauger".

(6) By striking from the last sentence the figures "220.756" and inserting in lieu thereof the figures "220.757".

(JJ) Section 220.724 is amended by changing the last sentence to read, "In the case of such change, the fiduciary shall make appropriate notation on his records, and on Form 1598, of his succession and the date thereof."

(KK) Section 220.745 is revoked.

(LL) Section 220.746 is revoked.

(MM) Subpart FF is amended to read as follows:

#### SUBPART FF—DISTILLER'S RECORDS AND REPORTS

##### RECORDS AND REPORTS OF DISTILLERY OPERATIONS

§ 220.755 *Record of production.* The distiller shall maintain at his distillery daily records of production which shall include all data necessary (1) to enable internal revenue officers to identify and trace the movement of all materials and spirits through the various processes from the use of materials to the deposit of the finished spirits in receiving cisterns, and to ascertain whether there has been compliance with all internal

revenue laws and regulations relating to such materials and spirits, and (2) to enable the distiller to properly mark and brand packages of distilled spirits, and to provide him with records for compiling the monthly report, Form 1598. Such records shall accurately and clearly reflect the following:

(a) The kind and quantity of materials used, in terms of pounds of dry measure and gallons of liquid measure (giving the sugar content for molasses).

(b) The type and quantity of mash set in each fermenter.

(c) The type and quantity of beer distilled.

(d) The type and quantity of spirits produced.

Where distillates from two or more types of mash are produced, the distiller shall maintain a separate record for each type of distillate, and each such record shall show, by kind, proof, and proof gallons, the deposits in unfinished spirits tanks, charges to the various stills for redistillation, redeposits in unfinished spirits tanks, and other movement of the distillate. Each such record of the movement of distillates shall also show the fermenter number and the date set, or a symbol or lot number which will enable ready identification of the mash from which the spirits were produced. In addition to any other information shown therein, the records required by this section shall show the date of the transaction or operation, and, as applicable, the serial numbers of fermenters, unfinished spirits tanks, and receiving cisterns. The date of production shall be the date of gauge and removal from the receiving cisterns, and the quantity produced shall be the quantity reported on Form 1520 covering such removal.

(68A Stat. 637; 26 U. S. C. 5197)

§ 220.756 *Record of removals.* The distiller shall maintain at his distillery daily records of removals which shall include all data necessary (1) to enable internal revenue officers to identify each lot of distilled spirits destroyed or removed from the premises, and to verify such destruction or removal, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating to such spirits, and (2) to provide the distiller with records for compiling the monthly report, Form 1598. Such records shall accurately and clearly reflect the following:

(a) The date of the transaction.

(b) The serial number of the cistern (or unfinished spirits tank) from which the spirits are drawn for destruction or removal from the premises.

(c) The name, address, and registry number of the consignee.

(d) The kind, number, and serial numbers of containers.

(e) The kind of spirits.

(f) The tax gallons removed.

(g) The purpose of the removal, such as taxpayment, transfer to internal revenue bonded warehouse (distinguishing between transfers to warehouses on or contiguous to the distillery premises and all others), transfer to denaturing bonded warehouse or denaturing plant, redistillation, destruction, etc.



All information required to be shown in the daily records required by this section and by § 220.755 shall be assembled or entered, as the case may be, before the close of the business day next succeeding the day on which the operation or transaction occurs.

(68A Stat. 637; 26 U. S. C. 5197)

§ 220.757 *Monthly report, Form 1598.* At the end of each month the distiller shall prepare a monthly report on Form 1598, in duplicate, and deliver both copies to the storekeeper-gauger on or before the 5th day of the month succeeding that for which the report is rendered. Form 1598 shall be prepared and executed in accordance with the instructions on the form and as required by this part.

(68A Stat. 637; 26 U. S. C. 5197)

#### TAXPAID PREMISES

§ 220.758 *Records at taxpaid premises.* Every distiller who maintains taxpaid premises in connection with his distillery shall keep daily records of the receipt and disposition of distilled spirits at such premises. By taxpaid premises is meant the "taxpaid" or "free" warehouse or room maintained in conjunction with the distillery, or premises maintained at other locations, for the receipt, storage, and disposition of taxpaid distilled spirits. Separate records must be kept for each of such premises. The records shall contain all data necessary (1) to enable internal revenue officers to identify and trace such receipts and dispositions, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating thereto, and (2) to provide the distiller with records from which the monthly report on Form 338 may be compiled. Such records, in addition to any other information shown therein, must clearly and accurately reflect the following:

- The date of the transaction (or date of discovery in the case of casualty or theft).
- The name and address of each consignor and consignee.
- The actual quantity of distilled spirits involved (proof gallons if in packages, wine gallons if in bottles).
- The serial numbers of packages or cases.
- The name of the producer.
- The country of origin, if imported.

All information required to be shown in the daily records required by this section shall be assembled or entered, as the case may be, before the close of the business day next succeeding that on which the transaction occurs.

(68A Stat. 610; 26 U. S. C. 5114)

§ 220.759 *Reports from taxpaid premises.* At the end of each month the distiller shall, for each taxpaid premises, prepare a report (or reports) on Form 338 showing, separately as to bulk and bottled spirits, the total quantities of taxpaid distilled spirits received and disposed of during the month and on hand at the beginning and end of the month. The report shall be prepared in duplicate. The original shall be submitted to the assistant regional commissioner not later than the 10th day of the month next succeeding that for which rendered, and the

duplicate shall be retained by the distiller. Distilled spirits in bulk containers shall be reported in proof gallons, and distilled spirits in bottles shall be reported in wine gallons. When reporting bulk spirits Form 338 should be modified to show that bulk containers are involved, and that quantities are being reported in terms of proof gallons. Form 338 will be provided by users at their own expense, and, except for modification as above, must be in the form prescribed by the Director, Alcohol and Tobacco Tax Division.

#### FILING AND RETENTION OF RECORDS AND REPORTS

§ 220.760 *Filing and retention of records and reports.* All records required by this part, all auxiliary or supplemental records of individual operations and transactions from which such records are compiled, and copies of all reports submitted to the assistant regional commissioner shall be filed and maintained by the distiller for a period of not less than two years in such manner as to facilitate inspection by internal revenue officers. Records and reports of noncontiguous taxpaid premises shall be filed at such premises unless the assistant regional commissioner authorizes their filing at some other location. The files of records and reports shall be available during regular business hours for examination and taking of abstracts therefrom by internal revenue officers.

PAR. 5. 26 CFR Part 221, "Production of Brandy," is amended as follows:

(A) Section 221.355 is amended as follows:

(1) By striking from the first sentence the phrase "distilling materials" and inserting in lieu thereof the phrase "materials (fermented or unfermented)".

(2) By inserting in the first sentence, immediately following the phrase "distillery premises", the phrase "for use in the production of brandy".

(3) By striking from the second sentence, which begins "Where commercial invoices," the word "or" and inserting in lieu thereof a comma.

(4) By inserting in the second sentence, immediately following the phrase "bills of lading", a comma and the phrase "or prescribed forms".

(B) Section 221.357 is amended as follows:

(1) By striking from the first sentence the phrase "on Form 15".

(2) By changing the last sentence to read, "Where wine, or brandy for redistillation, is received the alcohol content thereof will also be entered on the record required by § 221.355".

(C) Section 221.358 is amended as follows:

(1) By striking from the third sentence, which begins "Where water", the phrase "so entered on Form 15" and inserting in lieu thereof the phrase "will be recorded in the record required by § 221.355".

(2) By striking from the last sentence the phrase "alcoholic strength" and inserting in lieu thereof the phrase "alcohol content".

(D) Section 221.360 is amended as follows:

(1) By striking from the first sentence the phrase "Form 15" and inserting in lieu thereof the phrase "the production record required by § 221.770".

(2) By striking from the last sentence the word "form" and inserting in lieu thereof the word "record".

(E) Section 221.361 is amended as follows:

(1) By changing the word "alcoholic" in the headnote and in the first sentence to "alcohol".

(2) By striking from the last sentence the phrase "entries on Form 15" and inserting in lieu thereof the word "records".

(F) Section 221.362 is amended as follows:

(1) By changing the word "alcoholic" to "alcohol" in the first, fourth, eighth, and ninth sentences.

(2) By striking from the ninth sentence, which begins "The kind", the phrase "Form 15" and inserting in lieu thereof the phrase "the production record required by § 221.770".

(3) By striking the tenth and eleventh sentences, which begin "Where two" and "Each page", respectively.

(G) Section 221.363 is amended as follows:

(1) By striking from the first sentence the phrase "Form 15" and inserting in lieu thereof the phrase "the distiller's records".

(2) By striking from the last sentence the word "reporting" and inserting in lieu thereof the word "recording".

(H) Section 221.366 is amended by striking from the last sentence the phrase "recording on Form 15 prior to" and inserting in lieu thereof the phrase "recording on the distiller's records prior to".

(I) Section 221.370 is amended by striking the phrase "such quantity entered" and inserting in lieu thereof the phrase "included in the total of unfinished spirits reported".

(J) Section 221.386 is amended by striking the second and third sentences and inserting in lieu thereof the following new sentence, "The distiller shall maintain records showing the date of removal, kind of material, quantity, and the name and address of each consignee if the material has been disposed of to other persons".

(K) Section 221.388 is amended by striking from the last sentence the word "entered" and inserting in lieu thereof the word "reported".

(L) Section 221.414 is amended by striking from the second sentence, which begins "The destruction", the word "immediate".

(M) Section 221.420 is amended as follows:

(1) By inserting a period after the phrase "removed from denaturation" in the first sentence and striking the remainder of the sentence.

(2) By inserting, immediately after the first sentence, the following new sentence, "The distiller shall maintain records of the removal or destruction of such distillates as required by § 221.771".

(N) Section 221.423 is amended as follows:

(1) By striking the second sentence, which begins "Such gauge".



(2) By striking from the fourth sentence, which begins "The destruction", the word "immediate".

(3) By striking the last sentence and inserting in lieu thereof the following new sentence, "The destruction will be reported by the distiller on his monthly report, Form 15."

(O) Section 221.425 is amended as follows:

(1) By changing the second sentence, which begins "Distilled water", to read "Under no circumstances may distilled water be drawn off or removed through the receiving room, brandy deposit room, or bonded warehouse."

(2) By changing the third sentence to read, "Barrels which have been used to package distilled spirits may not be used for the removal of distilled water."

(3) By adding after the last sentence the following new sentence, "The distiller shall maintain a record of all removals of distilled water, showing the date of removal, the name and address of the consignee, and the quantity removed."

(P) Section 221.437 is amended as follows:

(1) By striking the first sentence.

(2) By inserting at the end of the section the following new sentence, "The distiller shall maintain records showing the date of removal, the name and address of the consignee, and the quantity removed."

(Q) Section 221.438 is amended as follows:

(1) By striking from the second sentence, which begins "If the washwater", the phrase "Form 15" and inserting in lieu thereof the phrase "the distiller's records".

(2) By changing the word "alcoholic" in the last sentence to "alcohol".

(3) By inserting a period after the phrase "on Form 1520" in the last sentence and striking the remainder of the sentence.

(4) By adding at the end of the section the following new sentence, "The distiller shall maintain records showing the date of destruction and the quantity (proof gallons) destroyed."

(R) Section 221.439 is amended as follows:

(1) By striking from the first sentence the phrase "thoroughly washed or scrubbed and purified to" and inserting in lieu thereof the phrase "so treated as to".

(2) By striking the third, fourth, and fifth sentences, which begin "Where the washwater", "Where the washwater", and "An approved", respectively.

(3) By striking the last sentence and inserting in lieu thereof the following new sentence, "No record need be made of such disposition."

(S) Section 221.467 is amended as follows:

(1) By striking from the second sentence, which begins "In any case", the phrase "submit explanatory statements relative to such deficiencies with Form 15" and inserting in lieu thereof the phrase "make explanatory statements relative to such deficiencies in the production record required by § 221.770".

(2) By striking from the last sentence the word "thereof" and inserting in lieu thereof the phrase "of the deficiency and will make a full report thereof to the assistant regional commissioner".

(T) Section 221.470, and the headnote thereto, is amended to read as follows:

§ 221.470 *Record of removals for redistillation.* Brandy removed from a fruit distillery to another distillery for redistillation shall be recorded by the consignor distiller on the record of removals required by § 221.771 and shall be reported by him on Form 15.

(68A Stat. 634, 637; 26 U. S. C. 5194, 5197)

(U) Section 221.580 is amended as follows:

(1) By striking from the first sentence the phrase "properly filled out".

(2) By striking the second and third sentences, which begin "The district director" and "The remaining copy", respectively.

(V) Section 221.582 is amended by changing the phrase "Form 1697" in the last sentence to read "Form 2260".

(W) Section 221.585 is amended by changing the phrase "Form 1697" in the last sentence to read "Form 2260".

(X) Section 221.586, and the headnote thereto, is amended to read as follows:

§ 221.586 *Monthly report of distilled spirits excise tax stamps.* At the end of each month the distiller shall prepare a report on Form 2260, in duplicate, showing a summary monthly account of distilled spirits excise tax stamps. The original shall be submitted to the assistant regional commissioner on or before the 10th day of the succeeding month. The copy shall be retained on the premises for a period of not less than two years, and during such period shall be available during business hours for examination by internal revenue officers.

(68A Stat. 614; 26 U. S. C. 5061)

(Y) Section 221.598 is amended by changing the figures "221.173" in the last sentence to read "221.541".

(Z) Section 221.654 is amended to read, "Where brandy is lost or destroyed, after it has been gauged for removal or for deposit in the brandy deposit room, appropriate notation shall be made by the distiller in the record of removal required by § 221.771, and on Form 15. The loss or destruction of brandy before it has been gauged shall be recorded and explained in the record of production required by § 221.770, and on Form 15."

(AA) Section 221.667 is amended as follows:

(1) By striking from the headnote the word "returns" and inserting in lieu thereof the phrase "Form 15".

(2) By striking from the first sentence the phrase "Upon receipt of the distiller's return, Form 15, Part 3," and inserting in lieu thereof the phrase "On receipt of Form 15 from the distiller,".

(BB) Section 221.713 is amended as follows:

(1) By inserting in the first sentence, immediately after the phrase "Separate records", the phrase "and separate reports".

(2) By striking from the first sentence the phrase "such record" and inserting in lieu thereof the phrase "his records of operations and his report on Form 15".

(CC) Section 221.727 is amended as follows:

(1) By changing the first sentence to read, "The outgoing distiller shall show on the record of production required by § 221.770, and on Form 15, the transfer to the successor of materials in process, and the removal from the distillery of all brandy produced by the outgoing distiller."

(2) By inserting in the second sentence, immediately following the phrase "will be made on", the phrase "the distiller's records and on".

(3) By changing the last sentence to read, "Where the plant is operated as a fruit distillery in two or more periods during the same month by the same proprietor, the operations of such proprietor will be recorded on one record of production, and reported on one Form 15."

(4) By adding at the end of the section the following new sentence, "Appropriate notations will be made to show the dates the distillery was operated as a registered distillery or an industrial alcohol plant and the names under which it was so operated."

(DD) Section 221.728 is amended by striking the first and second sentences and inserting in lieu thereof the following new sentence, "The succeeding proprietor will record all materials in process received from his predecessor on the appropriate records and reports prescribed by Part 182 of this chapter if the distillery is to be operated as an industrial alcohol plant, or on the appropriate records and reports prescribed by Part 220 of this chapter if the distillery is to be operated as a registered distillery."

(EE) Section 221.743 is amended as follows:

(1) By striking from the first sentence the phrase "enter on his Form 15" and inserting in lieu thereof the phrase "show on his record of production, and report on Form 15,".

(2) By striking from the first sentence the phrase "enter such items on his Form 15" and inserting in lieu thereof the phrase "show such items on his records, and report on Form 15,".

(3) By striking from the fourth sentence, which begins "Where the", the phrase "keep a separate Form 15" and inserting in lieu thereof the phrase "maintain separate records and submit separate monthly reports on Form 15".

(4) By striking from the fifth sentence, which begins "When operations", the phrase "entered on the same Form 15, appropriate notations being made on the separating lines", and inserting in lieu thereof the phrase "recorded on the same set of records and reported on the same Form 15, appropriate notations being made".

(5) By changing the last sentence to read, "At the end of the month, the distiller will submit his report on Form 15 to the assistant regional commissioner in accordance with Subpart HH of this part."



(FF) Section 221.744 is amended by inserting in the last sentence, immediately following the phrase "notation on" the phrase "the records and on".

(GG) Subpart HH is amended to read as follows:

#### SUBPART HH—DISTILLER'S RECORDS AND REPORTS

##### RECORDS AND REPORTS OF DISTILLERY OPERATIONS

§ 221.770 *Record of production.* The distiller shall maintain at his distillery daily records of production which shall include all data necessary (1) to enable internal revenue officers to identify and trace the movement of all materials and brandy through the various processes from the use of materials to the deposit of finished brandy in receiving tanks, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating to such material and brandy, and (2) to enable the distiller to properly mark and brand packages of brandy, and to provide him with records from which the monthly report, Form 15, may be compiled. Such records shall accurately and clearly reflect the following:

(a) The kind and quantity of fermenting material in each fermenter.

(b) The kind and quantity of distilling material produced.

(c) The kind and quantity of distilling material distilled.

(d) The type and quantity of brandy produced.

Where distillates from two or more types of materials are produced, the distiller shall maintain a separate record for each type of distillate, and each such record shall show, by kind, proof, and proof gallons, the deposits in unfinished brandy tanks, charges to the various stills for redistillation, redeposits in unfinished brandy tanks, and other movement of the distillate. Each such record of the movement of distillates shall also show the fermenter number and the date set, or a symbol or lot number which will enable ready identification of the material from which the brandy was produced. In addition to any other information shown therein, the records required by this section shall show the date of the transaction or operation, and, as applicable, the serial numbers of fermenters, unfinished brandy tanks, and receiving tanks. The date of production shall be the date of gauge and removal from the receiving tanks, and the quantity produced shall be the quantity reported on Form 1520 covering such removal.

(68A Stat. 637; 26 U. S. C. 5197)

§ 221.771 *Record of removals.* The distiller shall maintain at his distillery daily records of removals which shall include all data necessary (1) to enable internal revenue officers to identify each lot of brandy destroyed or removed from the premises, and to verify such removal or destruction, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating to such brandy, and (2) to provide the distiller with records for compiling

the monthly report, Form 15. Such records shall accurately and clearly reflect the following:

(a) The date of the transaction.

(b) The serial number of the receiving tank (or unfinished brandy tank) from which the brandy is drawn for removal from the premises or for destruction.

(c) The name, address, and registry number of the consignee.

(d) The kind, number, and serial numbers of containers.

(e) The kind of brandy.

(f) The tax gallons removed.

(g) The purpose of the removal, such as taxpayment, transfer to internal revenue bonded warehouse (distinguishing between transfers to warehouses on or contiguous to the distillery premises and all others), transfer to bonded wine cellar, redistillation, destruction, etc.

Removals to and from the brandy deposit room shall be recorded in such manner as to provide data necessary to complete the brandy deposit room account on the monthly report, Form 15. All information required to be shown in the daily records required by this section and by § 221.770 shall be assembled or entered, as the case may be, before the close of the business day next succeeding the day on which the operation or transaction occurs.

(68A Stat. 637; 26 U. S. C. 5197)

§ 221.772 *Monthly report, Form 15.* Immediately after the close of the month the distiller shall prepare a report on Form 15, in duplicate. Form 15 shall be prepared and executed in accordance with the instructions on the form and as required by this part. The original shall be submitted to the assistant regional commissioner on or before the 10th day of the succeeding month, and the copy shall be retained by the distiller.

(68A Stat. 637, 640; 26 U. S. C. 5197, 5215)

##### TAXPAID PREMISES

§ 221.773 *Records at taxpaid premises.* Every distiller who maintains taxpaid premises in connection with his fruit distillery shall keep daily records of the receipt and disposition of distilled spirits at such premises. By taxpaid premises is meant the "taxpaid" or "free" warehouse or room maintained in conjunction with the distillery, or premises maintained at other locations, for the receipt, storage, and disposition of taxpaid distilled spirits. Separate records must be kept for each of such premises. The records shall contain all data necessary (1) to enable internal revenue officers to identify and trace such receipts and dispositions, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating thereto, and (2) to provide the distiller with records from which the monthly report on Form 338 may be compiled. Such records, in addition to any other information shown therein, must clearly and accurately reflect the following:

(a) The date of the transaction (or date of discovery in the case of casualty or theft).

(b) The name and address of each consignor and consignee.

(c) The actual quantity of distilled spirits involved (proof gallons if in packages, wine gallons if in bottles).

(d) The serial numbers of the cases or packages.

(e) The name of the producer.

(f) The country of origin, if imported.

All information required to be shown in the daily records required by this section shall be assembled or entered, as the case may be, before the close of the business day next succeeding that on which the transaction occurs.

(68A Stat. 619; U. S. C. 5114)

§ 221.774 *Reports from taxpaid premises.* At the end of each month the distiller shall, for each taxpaid premises, prepare a report (or reports) on Form 338 showing, separately as to bulk and bottled spirits, the total quantities of taxpaid distilled spirits received and disposed of during the month and on hand at the beginning and end of the month. The report shall be prepared in duplicate. The original shall be submitted to the assistant regional commissioner not later than the 10th day of the month next succeeding that for which rendered, and the duplicate retained by the distiller. Distilled spirits in bulk containers shall be reported in proof gallons, and distilled spirits in bottles shall be reported in wine gallons. When reporting bulk spirits, Form 338 should be modified to show that bulk containers are involved, and that quantities are being reported in terms of proof gallons. Form 338 will be provided by users at their own expense, and, except for modification as above, must be in the form prescribed by the Director, Alcohol and Tobacco Tax Division.

##### FILING AND RETENTION OF RECORDS AND REPORTS

§ 221.775 *Filing and retention of records and reports.* All records required by this part, all auxiliary or supplemental records of individual operations and transactions from which such records are compiled, and copies of all reports submitted to the assistant regional commissioner shall be filed and maintained by the distiller for a period of not less than two years in such manner as to facilitate inspection by internal revenue officers. Records and reports of noncontiguous taxpaid premises shall be filed at such premises unless the assistant regional commissioner authorizes their filing at some other location. The files of records and reports shall be available during regular business hours for examination and taking of abstracts therefrom by internal revenue officers.

PAR. 6. 26 CFR Part 225, "Warehousing of Distilled Spirits", is amended as follows:

(A) Section 225.244, and the headnote thereto, is amended to read as follows:

§ 225.244 *Reports.* Upon transfer of the business to the successor, the outgoing proprietor must file with the assistant regional commissioner a final report on Form 52 C, prepared in accordance with Subpart VV of this part, showing such transfer.

(68A Stat. 643, 645; 26 U. S. C. 5231, 5242)



(B) Section 225.255 is amended by striking from the first sentence the phrase "Form 1606" and inserting in lieu thereof the phrase "Form 2260".

(C) Section 225.287 is amended by striking from the last sentence the phrase "Form 1606" and inserting in lieu thereof the phrase "Form 2260".

(D) Section 225.586, and the headnote thereto, is amended to read as follows:

§ 225.586 *Proprietor's records and monthly report.* The proprietor shall keep records and render reports of all spirits removed from the warehouse, as provided in Subpart VV of this part.

(68A Stat. 637; 26 U. S. C. 5197)

(E) Section 225.715 is amended by striking from the last sentence the phrase "Form 1697" and inserting in lieu thereof the phrase "Form 2260".

(F) Section 225.718 is amended by striking from the last sentence the phrase "Form 1697" and inserting in lieu thereof the phrase "Form 2260".

(G) Section 225.719, and the headnote thereto, is amended to read as follows:

§ 225.719 *Monthly report of distilled spirits stamps.* At the end of each month the proprietor shall prepare a report on Form 2260, in duplicate, showing a monthly summary account of all distilled spirits excise tax stamps. On or before the 10th day of the succeeding month the original thereof shall be submitted to the assistant regional commissioner in accordance with the instructions printed on the form. The copy shall be retained on the premises for a period of not less than two years, and during such period shall be available during business hours for examination by internal revenue officers.

(68A Stat. 599, 614; 26 U. S. C. 5006, 5061)

(H) Section 225.1035 is amended as follows:

(1) By striking the fourth, fifth, and sixth sentences, each of which begins "The district director".

(2) By striking from the seventh sentence the beginning phrase "The proprietor", and inserting in lieu thereof the phrase "Upon receipt of the stamps from the district director, the proprietor".

(3) By striking the last sentence.

(I) Section 225.1040 is amended by striking from the last sentence the phrase "Form 1606" and inserting in lieu thereof the phrase "Form 2260".

(J) Section 225.1047, and the undesignated centerhead immediately preceding that section, is revoked.

(K) Section 225.1048, and the headnote thereto, is amended to read as follows:

§ 225.1048 *Removal of strip stamps prohibited.* Strip stamps which have been affixed to bottles of distilled spirits shall not be removed therefrom, except in the process of breaking when the bottles are opened. Unused strip stamps may not be requisitioned, transferred, or possessed except as provided by law or regulations, and used strip stamps may not be possessed.

(68A Stat. 602, 645; 26 U. S. C. 5008, 5243)

(L) Subpart VV is amended to read as follows:

#### SUBPART VV—RECORDS AND REPORTS OF PROPRIETOR

§ 225.1120 *Daily records of removal from warehouse.* The proprietor shall maintain daily records of removals which shall contain all data necessary (a) to enable internal revenue officers to identify each lot of distilled spirits removed from the warehouse, to verify such removal, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating thereto, and (b) to provide the proprietor with records for compiling the monthly report, Form 52 C. Such records, in addition to any other information shown therein, shall show (1) the name and address of the consignee, (2) the date of removal, (3) the kind of spirits, (4) the name and registry number of the producing distiller, (5) the number of packages and cases (identifying tank car, tank truck, or pipeline removals), (6) the tax gallons removed, and (7) the serial numbers of cases or packages and identifying numbers of tank cars and tank trucks. All information required to be shown in the records required by this section shall be assembled or entered, as the case may be, before the close of the business day next succeeding the day on which the removals are made.

(68A Stat. 619; 26 U. S. C. 5114)

§ 225.1121 *Monthly report of removals from warehouse, Form 52 C.* At the end of each month the proprietor shall prepare a report on Form 52 C, in duplicate, showing the total quantities of bulk and bottled-in-bond distilled spirits removed from the internal revenue bonded warehouse during the month. The original shall be submitted to the assistant regional commissioner on or before the 10th day of the succeeding month, and the copy shall be retained by the proprietor. Form 52 C will be provided by users at their own expense, and must be in the form prescribed by the Director, Alcohol and Tobacco Tax Division.

(68A Stat. 619; 26 U. S. C. 5114)

§ 225.1122 *Records at taxpaid premises.* Every proprietor who maintains taxpaid premises shall keep daily records of the receipt and disposition of distilled spirits at such premises. By "taxpaid premises" is meant the "taxpaid" or "free" warehouse or room maintained in conjunction with the internal revenue bonded warehouse, or premises maintained at other locations, for the receipt, storage, and disposition of taxpaid distilled spirits. Separate records must be kept for each of such premises. The records shall contain all data necessary (1) to enable internal revenue officers to identify and trace the receipt and disposition of each lot of distilled spirits, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating thereto, and (2) to provide the proprietor with records from which his monthly report on Form 338 may be compiled. Such records, in addition to any other informa-

tion shown therein, must clearly and accurately reflect the following:

(a) The date of the transaction (or date of discovery in the case of theft or casualty).

(b) The name and address of each consignor and consignee.

(c) The actual quantity of distilled spirits involved (proof gallons if in packages, wine gallons if in bottles).

(d) The serial numbers of the packages or cases.

(e) The name of the producer.

(f) The country of origin, if imported.

All information required to be shown in the daily records required by this section shall be assembled or entered, as the case may be, before the close of the business day next succeeding the day on which the transaction occurs.

(68A Stat. 619; 26 U. S. C. 5114)

§ 225.1123 *Reports from taxpaid premises.* At the end of each month the proprietor shall, for each taxpaid premises, prepare a report (or reports) on Form 338 showing, separately as to bulk and bottled spirits, the total quantities of taxpaid distilled spirits received and disposed of during the month and on hand at the beginning and end of the month. The report shall be prepared in duplicate. The original shall be submitted to the assistant regional commissioner not later than the 10th day of the month next succeeding that for which rendered, and the duplicate shall be retained by the proprietor. Distilled spirits in bulk containers shall be reported in proof gallons, and distilled spirits in bottles shall be reported in wine gallons. When reporting bulk spirits, Form 338 should be modified to show that bulk containers are involved, and that quantities are being reported in terms of proof gallons. Form 338 will be provided by users at their own expense, and, except for modification as above, must be in the form prescribed by the Director, Alcohol and Tobacco Tax Division.

§ 225.1124 *Records and reports of off-premises export storage.* The provisions of §§ 225.1122 and 225.1123 relating to records and reports of distilled spirits at taxpaid premises are applicable to distilled spirits which have been bottled or packaged especially for export with benefit of drawback and which are held at the proprietor's contiguous off-premises export storage. The provisions of Part 194 of this chapter which relate to records and reports of distilled spirits and wines at wholesale liquor dealers' premises are applicable to distilled spirits and wines which have been bottled or packaged especially for export with benefit of drawback and which are held at the proprietor's noncontiguous off-premises export storage. The provisions of Part 194 of this chapter which relate to records of receipt of wine at wholesale liquor dealers' premises are applicable to wine which has been bottled or packaged especially for export with benefit of drawback and which is received at the proprietor's contiguous or noncontiguous off-premises export storage.

(68A Stat. 614; 26 U. S. C. 5062)



§ 225.1125 *Daily memorandum report of strip stamps.* The proprietor shall furnish a daily report of bottled-in-bond strip stamp usage (both domestic and export) to the storekeeper-gauger, which shall show (a) the number of cases of distilled spirits bottled, by number and size of bottles, (b) the serial numbers of such cases, and (c) separate summaries, by denomination, of the domestic and the export bottled-in-bond strip stamps received, used, mutilated in cutting or overprinting, mutilated in bottling, destroyed under supervision, unaccounted for, and on hand at the beginning and end of the day. The report shall be furnished not later than the morning of the business day next succeeding the day on which the strip stamp transactions occur. Reports will not be required for days on which no transactions occur. Reports may be in simple memorandum form, or be a copy of a record or report prepared by the proprietor for his own use. Copies of such reports shall be filed as prescribed in § 225.1127.

§ 225.1126 *Monthly report of strip stamps, Form 2260.* At the end of each month the proprietor shall prepare a report (or reports) on Form 2260 showing, separately, a monthly summary account of domestic and export bottled-in-bond strip stamps. Reports shall be prepared in duplicate, and all copies shall be submitted to the internal revenue officer for verification of the monthly inventories of stamps on hand. After such verification the internal revenue officer will return all copies to the proprietor, who will, on or before the 10th day of the succeeding month, forward the original to the assistant regional commissioner and retain the copy for filing in accordance with § 225.1127.

(68A Stat. 602; 26 U. S. C. 5008)

§ 225.1127 *Filing and retention of records and reports.* All records required by this part, all auxiliary or supplemental records of individual operations and transactions from which such records are compiled, and copies of all reports submitted to the assistant regional commissioner shall be filed and maintained by the warehouseman for a period of not less than two years in such manner as to facilitate inspection by internal revenue officers. Records and reports of noncontiguous taxpaid premises shall be filed at such premises, unless the assistant regional commissioner authorizes their filing at some other location. The files of records and reports shall be available during regular business hours for examination and taking of abstracts therefrom by internal revenue officers.

PAR. 7. 26 CFR Part 230, "Bottling of Taxpaid Spirits", is amended as follows:

(A) Section 230.197 is amended as follows:

(1) By striking the word "subchapter" from the first sentence and inserting in lieu thereof the word "chapter".

(2) By striking from the first sentence, which begins "The proprietor will cancel", the word "subchapter" and inserting in lieu thereof the word "chapter".

(3) By striking from the 19th sentence, which begins "The proprietor shall", the phrase "Form 1697, properly modified", and inserting in lieu thereof the phrase "Form 2260".

(B) Section 230.201 is amended as follows:

(1) By striking from the first sentence the phrase "or to the wholesale liquor dealer premises or placed" and inserting in lieu thereof the phrase "or the wholesale liquor dealer premises, or be placed".

(2) By striking the last sentence.

(C) Section 230.223 is amended to read, "Red strip stamps will be furnished without charge to proprietors of taxpaid bottling houses by the district director of the district in which such bottling houses are located. Except in cases of emergency, they will not be furnished by district directors of other districts. The proprietor, on receipt of the copy of Form 428 and the stamps from the district director, will deliver the form and the stamps to the internal revenue officer for verification of receipt."

(D) Section 230.231 is amended as follows:

(1) By striking from the headnote the word "Non-usable" and inserting in lieu thereof the word "Mutilated".

(2) By striking the first sentence.

(3) By striking from the second sentence the phrase "supervision of the" and inserting in lieu thereof the phrase "supervision of an".

(4) By changing the last sentence to read, "The proprietor will report on Form 2260 the number of each denomination of stamps so destroyed."

(E) Subpart V is amended to read as follows:

#### SUBPART V—PROPRIETOR'S RECORDS AND REPORTS

##### RECORDS

§ 230.280 *Daily records.* The proprietor shall maintain, at his taxpaid bottling house, daily records which shall include all data necessary (1) to enable internal revenue officers to identify and trace the movement of all distilled spirits and wines from receipt to disposition, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating to such distilled spirits and wines, and (2) to provide the proprietor with records from which the monthly report, Form 52 D, may be compiled. Such records must accurately and clearly reflect the following:

(a) The distilled spirits and wines received on the premises (including export storage and the contiguous wholesale liquor dealer room).

(b) The dumping and packaging or original bottling of distilled spirits and wines.

(c) The bottling of spirits previously packaged on the premises.

(d) The rebottling of bottled spirits removed from the case storage room, export storage, or the contiguous wholesale liquor dealer room.

(e) The distilled spirits and wines removed from the premises (including export storage and the contiguous wholesale liquor dealer room).

In addition to any other information shown thereon, such records shall, for each transaction or operation, show the date and the kind and quantity of distilled spirits or wine involved, and, where applicable, (i) the date and serial number of each Form 230, (ii) the producer or rectifier of domestic spirits, (iii) the country of origin of imported spirits, (iv) the alcohol content of wines, (v) the serial numbers of bottling tanks used, (vi) the number of cases or packages and their serial numbers, (vii) the gains or losses during each operation, and (viii) the identity of each consignor for receipts and of each consignee for shipments. Spirits packaged or bottled especially for export with benefit of drawback must be appropriately identified at each operation or transaction. Wines will be recorded in wine gallons only. Distilled spirits must be recorded in both wine and proof gallons, except that the removal of distilled spirits bottled for domestic consumption will be recorded in wine gallons only. All information required to be shown in the daily records required by this section shall be assembled or entered, as the case may be, before the close of the business day next succeeding the day on which the operation or transaction occurs.

§ 230.281 *Wholesale liquor dealer room.* A contiguous wholesale liquor dealer room operated by the proprietor in connection with the taxpaid bottling house, whether or not it is used exclusively for the products of such taxpaid bottling house, will be considered a part of the bottling house premises for purposes of records and reports required by this part.

(68A Stat. 619; 26 U. S. C. 5114)

##### REPORTS

§ 230.282 *Daily memorandum report of distilled spirits bottled and strip stamps used.* The proprietor shall furnish a daily report to the storekeeper-gauger showing:

(a) The number of cases of distilled spirits bottled, by number and size of bottle.

(b) The serial numbers of such cases.

(c) A summary, by denomination, of red strip stamps received, used, mutilated, unaccounted for, destroyed, and on hand at the beginning and end of the day.

The report shall be furnished not later than the morning of the business day next succeeding that on which the strip stamps were used. The report may be in simple memorandum form, or it may be a copy of a record prepared by the proprietor for his own use. Copies of such reports shall be filed as prescribed by § 230.285.

§ 230.283 *Monthly report of red strip stamps.* At the end of each month the proprietor shall prepare a report on Form 2260, showing a summary of all red strip stamp transactions which occurred during the month. The report shall be prepared in duplicate, and both copies shall be delivered to the storekeeper-gauger for verification of the monthly inventories of stamps on hand. After such



verification both copies shall be returned to the proprietor, who shall, on or before the 10th day of the succeeding month, forward the original to the assistant regional commissioner and retain the duplicate for his files.

(68A Stat. 602; 26 U. S. C. 5008)

§ 230.284 *Monthly summary report.* At the end of each month the bottler shall prepare a report on Form 52 D, in duplicate, of all operations and transactions at the taxpaid bottling house during the month. The original of the report shall be submitted to the assistant regional commissioner not later than the 10th day of the succeeding month, and the duplicate shall be retained by the proprietor.

#### FILING AND RETENTION OF RECORDS AND REPORTS

§ 230.285 *Filing.* All records required by this part, all auxiliary or supplemental records of individual operations and transactions from which such records are compiled, and copies of all reports submitted shall be filed and maintained by the bottler for a period of not less than two years in such manner as to facilitate inspection by internal revenue officers. The files of records and reports shall be available during regular business hours for examination and taking of abstracts therefrom by internal revenue officers.

#### PROCUREMENT OF FORMS

§ 230.286 *Forms to be provided by users at own expense.* Forms 52 D and 230 will be provided by users at their own expense and must be in the form prescribed by the Director, Alcohol and Tobacco Tax Division.

(68A Stat. 619; 26 U. S. C. 5114)

(F) Section 230.302 is amended as follows:

(1) By striking from the first sentence the phrase "on Form 52 D, or on a separate record with identifying data in accordance with § 230.285" and inserting in lieu thereof the phrase "in the daily records required by § 230.280".

(2) By striking the second sentence.

(G) Section 230.322 is amended to read, "Separate records will not be required for operations under a new individual or corporate name, or under each trade name or style. The proprietor shall, however, note on his daily records and on his monthly reports, Forms 52 D and 2260, the individual or corporate names or the trade names or styles under which operations were conducted during the month. In addition, the dates of operation under each such name shall be shown on Forms 52 D and 2260."

(H) Section 230.332 is amended by striking from the last sentence the phrase "part 2 of Form 182" and inserting in lieu thereof the phrase "Form 2260".

(I) Section 230.333 is amended to read, "Where there is a change in the proprietorship otherwise than by operation of law, the outgoing proprietor shall enter in his daily records of disposition and report on his Form 52 D all spirits transferred to his successor, who shall in turn enter in his daily records of re-

ceipt and report on his Form 52 D all spirits received from his predecessor. Where an administrator, executor, assignee, receiver, trustee, or other fiduciary succeeds to the business and qualifies to operate the same, his daily records and Form 52 D shall reflect such succession."

PAR. 8. 26 CFR Part 235, "Rectification of Spirits and Wines", is amended as follows:

(A) Section 235.418 is amended by striking from the 17th sentence, which begins "The proprietor shall", the phrase "Form 1697, properly modified," and inserting in lieu thereof the phrase "Form 2260".

(B) Section 235.465 is amended by striking the second sentence.

(C) Section 235.498 is amended by striking from the last sentence the phrase "also make appropriate entries on Form 45 of" and inserting in lieu thereof the phrase "report on Form 45".

(D) Section 235.544 is amended to read, "Section 5041, I. R. C., imposes a tax, at rates prescribed therein, on all wines (including imitation, substandard, or artificial wine, and compounds sold as wine, which contain 24 percent or less of alcohol by volume) in bond in, produced in, or imported into, the United States; such tax to be determined as of the time of removal for consumption or sale. All wines which contain more than 24 percent of alcohol by volume are classed as distilled spirits and taxed accordingly."

(E) Section 235.551 is amended by changing the first sentence to read, "Section 5022, I. R. C., imposes a tax, at the rate prescribed therein, on all liqueurs, cordials, or similar compounds produced in the United States and not sold as wine, which contain more than 2½ percent by volume of wine of an alcohol content in excess of 14 percent by volume (other than bottled cocktails); such tax to be in lieu of the rectification tax imposed by Section 5021, I. R. C."

(F) Section 235.627 is amended by striking from the last sentence the phrase "and Form 45".

(G) Section 235.720 is amended by changing the last sentence to read, "Report of such transfers of stamps must be made on Form 2260 by the proprietors of both premises."

(H) Section 235.722 is amended by striking from the last sentence the phrase "Form 45" and inserting in lieu thereof the phrase "the Form 2260".

(I) Section 235.723 is amended as follows:

(1) By changing the headnote to read "Stamp report."

(2) By striking from the first sentence the phrase "keep a record on Form 45" and inserting in lieu thereof the phrase "make a report on Form 2260".

(3) By striking the remainder of the section.

(J) Section 235.742 is amended by striking the last sentence.

(K) Section 235.747 is amended to read, "Red strip stamps will be furnished without charge to proprietors of rectifying plants by the district director of the district in which such plants are located. Except in cases of emergency, they will not be furnished by district directors of

other districts. The proprietor, on receipt of the copy of Form 428 and the stamps from the district director, will deliver the form and the stamps to the storekeeper-gauger for verification of receipt."

(L) Section 235.755 is amended as follows:

(1) By striking from the headnote the word "Non-usable" and inserting in lieu thereof the word "mutilated".

(2) By striking the first sentence.

(3) By striking from the last sentence the phrase "enter appropriate credit on Form 182 for" and inserting in lieu thereof the phrase "report on Form 2260".

(M) Section 235.807 is amended as follows:

(1) By striking from the first sentence the phrase "on Form 45 or Record 52, or on a separate record with identifying data in accordance with § 235.821" and inserting in lieu thereof the phrase "in the daily records as provided in § 235.815".

(2) By striking the second sentence, which begins "Broken cases".

(N) Subpart JJ is amended to read as follows:

#### SUBPART JJ—RECTIFIER'S RECORDS AND REPORTS

##### RECORDS

§ 235.815 *Daily records.* The rectifier shall maintain, at his rectifying plant, daily records which shall include all data necessary (1) to enable internal revenue officers to identify and trace the movement of all distilled spirits and wines from receipt to disposition, and to ascertain whether there has been compliance with all internal revenue laws and regulations relating to such distilled spirits and wines, and (2) to provide the rectifier with records from which the monthly report, Form 45, may be compiled. Such records must accurately and clearly reflect the following:

(a) The distilled spirits, wines, and alcoholic flavoring materials received on the premises, including export storage and the contiguous wholesale liquor dealer room.

(b) The distilled spirits, wines, and alcoholic flavoring materials dumped for rectification.

(c) The rectification of each batch of distilled spirits and wines.

(d) The packaging or original bottling of each batch of distilled spirits and wines after rectification.

(e) The transfer of rectified products by pipeline to contiguous premises.

(f) The dumping and packaging or original bottling of distilled spirits and wines without rectification.

(g) The bottling of products previously packaged on the premises.

(h) The rebottling of bottled products removed from the finished products room, contiguous wholesale liquor dealer room, or export storage.

(i) The distilled spirits and wines removed from the premises. Separate records will be made of removals from the receiving room and removals from the finished products room (including export storage and the contiguous wholesale liquor dealer room).



In addition to any other information shown therein, such records shall, for each transaction or operation, show the date and the kind and quantity of distilled spirits or wine (including alcoholic flavoring materials) involved, and, where applicable, (i) the date and serial number of each Form 122, 230, or 237, (ii) the producer or rectifier of domestic spirits, (iii) the country or origin of imported spirits, (iv) the alcohol content of wines and flavoring materials, (v) the serial numbers of bottling tanks used, (vi) the serial number of the formula, (vii) the number of cases or packages and their serial numbers (identifying tank cars, tank trucks, and pipeline removals as such), (viii) the gains and losses during each operation, and (ix) the identity of each consignor for receipts and of each consignee for shipments. Products packaged or bottled especially for export with benefit of drawback must be appropriately identified at each operation or transaction. Quantities shall be recorded in both wine and proof gallons, except that the removal of finished products bottled for domestic consumption will be recorded in wine gallons only. All information required to be shown in the daily records required by this section shall be assembled or entered, as the case may be, before the close of the business day next succeeding the day on which the operation or transaction occurs.

§ 235.816 *Wholesale liquor dealer room.* A contiguous wholesale liquor dealer room operated by the proprietor in connection with the rectifying plant, whether or not it is used exclusively for the products of such rectifying plant, will be considered a part of such rectifying plant for purposes of records and reports required by this part.

#### REPORTS

§ 235.817 *Daily memorandum report of distilled spirits bottled and strip stamps used.* The rectifier shall furnish a daily report to the storekeeper-gauger showing (a) the number of cases of distilled spirits bottled, by number and size of bottle, (b) the serial numbers of such cases, and (c) a summary, by denomination, of red strip stamps received, used, mutilated, unaccounted for, destroyed, and on hand at the beginning and end of the day. The report shall be furnished not later than the morning of the business day next succeeding that on which the strip stamps were used. The report may be in a simple memorandum form, or it may be a copy of a record prepared by the proprietor for his own use. Copies of such reports shall be filed as prescribed in § 235.821.

§ 235.818 *Monthly report of red strip stamps.* At the end of each month the proprietor shall prepare a report on Form 2260, showing a summary of all red strip stamp transactions which occurred during the month. The report shall be prepared in duplicate, and both copies shall be delivered to the storekeeper-gauger for verification of the monthly inventories of stamps on hand. After such verification, both copies shall be returned to the proprietor, who shall, on or before the 10th day of the succeed-

ing month, forward the original to the assistant regional commissioner and retain the duplicate for his files.

(68A Stat. 602; 26 U. S. C. 5008)

§ 235.819 *Report of rectified spirits stamps (for bottling tanks).* At the end of each month the rectifier shall prepare a summary report on Form 2260, in duplicate, of all operations and transactions in rectified spirits stamps (for bottling tanks) which occurred during the month. He shall submit the original of the report to the assistant regional commissioner not later than the 10th day of the succeeding month, and retain the duplicate for his files.

(68A Stat. 681; 26 U. S. C. 5555)

§ 235.820 *Monthly summary report.* At the end of each month the rectifier shall prepare a report on Form 45, in duplicate, of all operations and transactions at the rectifying plant during the month. He shall submit the original of the report to the assistant regional commissioner not later than the 10th day of the succeeding month, and retain the duplicate for his files.

(68A Stat. 652, 681; 26 U. S. C. 5285, 5555)

#### FILING AND RETENTION OF RECORDS AND REPORTS

§ 235.821 *Filing.* All records required by this part, all auxiliary or supplemental records of individual operations and transactions from which such records are compiled, and copies of all reports submitted shall be filed and maintained by the rectifier for a period of not less than two years in such manner as to facilitate inspection by internal revenue officers. The files of records and reports shall be available during regular business hours for examination and taking of abstracts therefrom by internal revenue officers.

(68A Stat. 652, 681; 26 U. S. C. 5285, 5555)

#### PROCUREMENT OF FORMS

§ 235.822 *Forms to be provided by users at own expense.* Forms 45, 122, 230, and 237 will be provided by users at their own expense and must be in the form prescribed by the Director, Alcohol and Tobacco Tax Division.

(68A Stat. 652, 681; 26 U. S. C. 5285, 5555)

(O) Section 235.851 is amended to read, "Separate records will not be required for operations under a new individual or corporate name or under each trade name or style. The rectifier shall, however, note on his daily records, and on his monthly reports on Forms 45 and 2260 the individual or corporate name or the trade names or styles under which operations were conducted during the month. In addition, the dates of operation under each such name shall be shown on Forms 45 and 2260."

(P) Section 235.861 is amended as follows:

(1) By striking from the second sentence, which begins "The form", the phrase "of this part".

(2) By striking from the third sentence, which begins "Upon completion", the phrase "of this part".

(3) By striking from the last sentence the phrase "entries are made in Form

45" and inserting in lieu thereof the phrase "records are prepared as prescribed in § 235.815".

(Q) Section 235.865 is amended to read, "The outgoing rectifier may not transfer any strip stamps to his successor. Where the change of proprietorship of the plant is to be of a temporary nature, any strip stamps on hand belonging to the outgoing proprietor may be retained pending the qualification and resumption of operations by such proprietor, and he will continue to submit a monthly report on Form 2260 of such stamps."

(R) Section 235.866 is amended as follows:

(1) By striking from the second sentence, which begins "Where the change", the phrase "and proper report will be rendered on Form 45", and inserting in lieu thereof the phrase "who will continue to submit monthly reports of such stamps as prescribed in § 235.818".

(2) By striking the last sentence.

(S) Section 235.867 is amended to read, "Where there is a change in proprietorship otherwise than by operation of law, the outgoing rectifier shall enter in his daily records of disposition and report on his Form 45, all spirits transferred to his successor, who shall in turn enter in his daily records of receipt and report on his Form 45 all spirits as received from his predecessor."

(T) Section 235.868 is amended by striking from the last sentence the phrase "Form 182" and inserting in lieu thereof the phrase "Form 2260".

PAR. 9. 26 CFR Part 240, "Wine", is amended by changing § 240.594 to read "Section 5041, I. R. C., imposes a tax, at rates prescribed therein, on all wines (including imitation, substandard, or artificial wine, and compounds sold as wine, which contain 24 percent or less of alcohol by volume) in bond in, produced in, or imported into, the United States; such tax to be determined as of the time of removal for consumption or sale. Wine containing more than 24 percent of alcohol by volume shall be classed as distilled spirits and taxed accordingly. The tax shall be determined and paid on the quantity of wine marked on the containers as provided in §§ 240.562 and 240.567, or (in case of pipeline removals) on the quantity determined as provided in § 240.597."

[F. R. Doc. 57-45; Filed, Jan. 3, 1957; 8:46 a. m.]

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter II—Corps of Engineers, Department of the Army

#### PART 204—DANGER ZONE REGULATIONS

##### ATLANTIC OCEAN OFF DELAWARE COAST

Pursuant to the provisions of Chapter XIX of the Army Appropriation Act of July 9, 1918 (40 Stat. 892; 33 U. S. C. 3), § 204.25 (b) (2) is hereby amended to prescribe the periods of use of Army Antiaircraft Artillery firing areas in the Atlantic Ocean off the Delaware Coast beginning with 1957, effective on and



after publication of this amendment in the FEDERAL REGISTER, as follows:

§ 204.25 *Atlantic Ocean off Delaware coast; antiaircraft artillery firing areas, Second Army.* \* \* \*

(b) *The regulations.* \* \* \*

(2) Firing in the various areas will take place on certain days other than Saturdays, Sundays, and national holidays, as listed in public notices to be issued about January 1 of each year by the District Engineer, Corps of Engineers, Philadelphia, Pennsylvania.

NOTE: Firing in the various areas is scheduled to take place on the following days in 1957 (all dates inclusive):

January 2 to 4, 7 to 11, 14 to 18, 21 to 25, 28 to 31.

February 1, 4 to 8, 11 to 15, 18 to 21, 25 to 28.

March 1, 4 to 8, 11 to 15, 18 to 22, 25 to 29.

April 1 to 5, 8 to 12, 15 to 19, 22 to 26, 29, 30.

May 1 to 3, 6 to 10, 13 to 17, 20 to 24, 27 to 29, 31.

July 1 to 3, 5, 8 to 12, 15 to 19, 22 to 26, 29 to 31.

August 1, 2, 5 to 9, 12 to 16, 19 to 23, 26 to 30.

October 1 to 4, 7 to 11, 14 to 18, 21 to 25, 28 to 31.

November 1, 4 to 8, 12 to 15, 18 to 22, 25 to 27, 29.

December 2 to 6, 9 to 13, 16 to 20, 23, 24, 26, 27, 30, 31.

[Regs., Dec. 27, 1956, 800.2121 (Atlantic Ocean, Del.)—ENGWO] (Sec. 4, 28 Stat. 362, as amended; 33 U. S. C. 1. Interprets or applies 40 Stat. 892; 33 U. S. C. 3)

[SEAL]

HERBERT M. JONES,  
Major General, U. S. Army,  
Acting The Adjutant General.

[F. R. Doc. 57-38; Filed, Jan. 3, 1957;  
8:45 a. m.]

## TITLE 45—PUBLIC WELFARE

### Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 106—HEARINGS IN CONNECTION WITH SCHOOL CONSTRUCTION AND FINANCIAL ASSISTANCE IN FEDERALLY IMPACTED AREAS

PART 109—FEDERAL ASSISTANCE UNDER TITLE IV, SINCE JULY 1, 1955, IN THE CONSTRUCTION OF MINIMUM SCHOOL FACILITIES IN AREAS AFFECTED BY FEDERAL ACTIVITIES

PART 110—FEDERAL ASSISTANCE IN THE CONSTRUCTION OF MINIMUM SCHOOL FACILITIES UNDER TITLE III IN AREAS AFFECTED BY FEDERAL ACTIVITIES WITH RESPECT TO APPLICATIONS FILED AFTER JULY 15, 1955

#### MISCELLANEOUS AMENDMENTS

1. In view of the pending republication of Title 45 of the Code of Federal Regulations in revised form so as to present the complete text of the regulations therein duly promulgated on or before December 31, 1956, and effective as to facts arising on and after January 1, 1957, Part 109, 45 CFR (20 F. R. 7605); and Part 110, 45 CFR (20 F. R. 7607) inclusive, of the above parts are hereby deleted without affecting in any way

rights accrued or obligations incurred under either of these parts.

2. Subpart A of Part 106, 45 CFR (20 F. R. 9493, December 17, 1955), the definitions, issued pursuant to Public Law 815, 81st Congress (64 Stat. 967), as amended, and Public Law 874, 81st Congress (64 Stat. 1100) as amended, is hereby amended to conform with recent amendments of those laws, and regulations issued thereunder, by inserting references to those laws and regulations in paragraphs (b), (c), (f), and (g) of § 106.1 of this part. The amended paragraphs read as follows:

§ 106.1 Definitions. \* \* \*

(b) *Public Law 815.* "Public Law 815" means Public Law 815, 81st Cong. (64 Stat. 967), as amended by Public Law 246, 83d Cong. (67 Stat. 522), Public Law 731, 83d Cong. (68 Stat. 1005), Public Law 886, 84th Cong. (70 Stat. 908), and Public Law 949, 84th Cong. (70 Stat. 968). Such term also includes such law as hereafter amended.

(c) *Public Law 874.* "Public Law 874" means Public Law 874, 81st Cong. (64 Stat. 1100), as amended by Public Law 11, 83d Cong. (67 Stat. 13), Public Law 170, 83d Cong. (67 Stat. 250), Public Law 248, 83d Cong. (67 Stat. 530), Public Law 732, 83d Cong. (68 Stat. 1006), Public Law 204, 84th Cong. (69 Stat. 433), Public Law

221, 84th Cong. (69 Stat. 482 and 485), Public Law 382, 84th Cong. (69 Stat. 713), Public Law 896, 84th Cong. (70 Stat. 908), and Public Law 949, 84th Cong. (70 Stat. 968). Such term also includes such law as hereafter amended.

(f) *Applicant.* "Applicant" means a local educational agency which has filed an application under titles III or IV and regulations issued thereunder; or a local educational agency which has filed an application under Public Law 874 and regulations issued thereunder.

(g) *Application.* "Application" means a complete application under title III or title IV, as defined in regulations issued thereunder; or an application under Public Law 874 as defined in regulations issued thereunder.

(Sec. 208, 7, 64 Stat. 975, 1107; 20 U. S. C. 278, 242)

Dated: December 21, 1956.

[SEAL] L. G. DERTHICK,  
United States Commissioner  
of Education.

Approved: December 28, 1956.

M. B. FOLSOM,  
Secretary of Health, Education,  
and Welfare.

[F. R. Doc. 57-55; Filed, Jan. 3, 1957;  
8:47 a. m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

#### Social Security Administration

##### [20 CFR Part 403]

[Reg. 3, further amended]

FEDERAL OLD AGE AND SURVIVORS INSURANCE; TIME WITHIN WHICH REQUESTS FOR HEARING MUST BE FILED

#### NOTICE OF PROPOSED RULE MAKING

Notice is hereby given pursuant to the Administrative Procedure Act approved June 11, 1946, that the amendment to regulation set forth in tentative form below is proposed by the Commissioner of Social Security, with the approval of the Secretary of Health, Education, and Welfare, as an amendment to present Social Security Administration Regulations No. 3 as amended (20 CFR 403.1 et seq.). It is proposed to amend the existing regulation by prescribing time limitations within which requests for hearing pursuant to section 205 (b) of the Social Security Act must be filed.

Prior to the final adoption of the proposed amendment, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Social Security, Department of Health, Education, and Welfare, at the Health, Education, and Welfare Building, Fourth Street and Independence Avenue SW., Washington 25, D. C., within a

period of thirty days from the date of publication of this notice in the FEDERAL REGISTER.

The proposed amendment is to be issued under the authority contained in sections 205 and 1102 of the Social Security Act, 53 Stat. 1368 as amended, 49 Stat. 647 as amended, and section 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18.

[SEAL] CHARLES I. SCHOTTLAND,  
Commissioner of Social Security.

Approved: December 28, 1956.

M. B. FOLSOM,  
Secretary of Health, Education,  
and Welfare.

§ 403.709 Hearing. \* \* \*

(b) *Time and place of filing request for hearing.* (1) The request for hearing shall be made in writing and filed at an office of the Bureau, or with a referee, or with the Office of Appeals Council in the Social Security Administration.

(2) If no request for reconsideration has been filed, as provided in § 403.708 (a) and (b), the request for hearing must be filed within six months from the date of mailing notice of the initial determination, except where the time is extended as provided in §§ 403.701 (j) and 403.711 (a). If a request for reconsideration has been filed, the request for hearing must be filed prior to the expiration of three months after the date of mailing notice of the reconsidered determination, or within six months after



the date of mailing notice of the initial determination, whichever is later, except where the time is extended as provided in §§ 403.701 (j) and 403.711 (a). In any case, other than one where hearing is authorized under section 205 (c) (7) of the act, in which the notice of initial determination was mailed prior to Au-

gust 1, 1956, the request for hearing must be filed within the time specified above, or on or before February 1, 1957, whichever is later, except where the time is extended as provided in §§ 403.701 (j) and 403.711 (a).

[F. R. Doc. 57-59; Filed, Jan. 3, 1957; 8:48 a. m.]

## NOTICES

### DEPARTMENT OF THE TREASURY

#### Fiscal Service, Bureau of Accounts

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1956. Supp. 156]

#### FARMERS ELEVATOR MUTUAL INSURANCE CO. SURETY COMPANIES ACCEPTABLE ON FEDERAL BONDS

DECEMBER 28, 1956.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved July 30, 1947, 6 U. S. C. secs. 6-13, as an acceptable surety on Federal bonds. An underwriting limitation of \$110,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next issue of Treasury Department Form 356, copies of which, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington 25, D. C.

Name of company, location of principal executive office and State in which incorporated: Farmers Elevator Mutual Insurance Company, Des Moines, Iowa.

[SEAL] W. RANDOLPH BURGESS,  
Acting Secretary of the Treasury.

[F. R. Doc. 57-58; Filed, Jan. 3, 1957; 8:48 a. m.]

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

##### ALASKA

#### NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

DECEMBER 27, 1956.

The Alaska Railroad has filed an application, Serial No. Anchorage 032892, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, but excepting the disposal of materials under the Materials Act.

The applicant desires the land for warehouse and industrial site leasing.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

##### ANCHORAGE, ALASKA

Block 41D, East Addition to Anchorage Townsite.

ROBERT J. COFFMAN,  
Acting Operations Supervisor.

[F. R. Doc. 57-42; Filed, Jan. 3, 1957; 8:45 a. m.]

##### ALASKA

#### NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

DECEMBER 27, 1956.

The Department of Air Force has filed an application, Serial No. Fairbanks 013669, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining and mineral leasing laws.

The applicant desires the land for an air defense site.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

##### FAIRBANKS MERIDIAN

T. 2 N., R. 2 W.,

Section 24 (unsurveyed) 640 acres;

Section 26 (unsurveyed) SW  $\frac{1}{4}$  of SW  $\frac{1}{4}$  and NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ , containing 80 acres.

ROBERT J. COFFMAN,  
Acting Operations Supervisor.

[F. R. Doc. 57-43; Filed, Jan. 3, 1957; 8:46 a. m.]

##### ALASKA

#### NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

DECEMBER 27, 1956.

The Territorial Department of Lands has filed an application, Serial No.

Anchorage 027603, for the withdrawal of the lands described below, from all forms of appropriation including the mining laws but excepting provisions of the mineral leasing laws and Materials Act.

The applicant desires the land for public recreation purposes.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

##### KENNEY LAKE AREA

Beginning at Corner No. 1 located at a point 50 feet from the centerline of the Edgerton Cutoff Highway at approximate M. 26.85, and from which USGS-BM 09/1923 bears N. 39° W. 4.00 chains; thence N. 56° W. 3.00 chains to Corner No. 2; thence N. 78° W. 8.00 chains to Corner No. 3; thence South 3.50 chains to Corner No. 4; thence East approximately 4.00 chains to Corner No. 5, which is a meander corner on the shore of Kenney Lake; thence by meander along the shore of Kenney Lake Easterly and Southeasterly to Corner No. 6; thence North approximately 4.50 chains to Corner No. 1, and the point of beginning. Containing 2.55 acres more or less.

ROBERT J. COFFMAN,  
Acting Operations Supervisor.

[F. R. Doc. 57-44; Filed, Jan. 3, 1957; 8:46 a. m.]

### DEPARTMENT OF AGRICULTURE

#### Commodity Stabilization Service

#### ESTABLISHMENT OF AREAS OF VENUE FOR MARKETING QUOTA REVIEW COMMITTEES

Pursuant to section 3 (a) (1) of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1002) which requires that the field organization be published in the FEDERAL REGISTER, and § 711.11 of the Marketing Quota Review Regulations (21 F. R. 9365 and 21 F. R. 9716), which provides for establishment of areas of venue for marketing quota review committees, notice is hereby given of areas of venue established by ASC State committees as follows:

##### ALABAMA

Area I—Counties of: Blount, Cherokee, DeKalb, Etowah, Marshall.

Area II—Counties of: Jackson, Limestone, Madison, Morgan.

Area III—Counties of: Colbert, Cullman, Franklin, Lauderdale, Lawrence.

Area IV—Counties of: Fayette, Jefferson, Lamar, Marion, Walker, Winston.

Area V—Counties of: Calhoun, Chambers, Clay, Cleburne, Randolph, St. Clair, Talladega.

Area VI—Counties of: Autauga, B'bb, Chilton, Dallas, Shelby, Tuscaloosa.

Area VII—Counties of: Greene, Hale, Marengo, Perry, Pickens, Sumter.

Area VIII—Counties of: Coosa, Elmore, Lee, Lowndes, Macon, Montgomery, Russell, Tallapoosa.



Area IX—Counties of: Bullock, Butler, Covington, Crenshaw, Pike.

Area X—Counties of: Barbour, Coffee, Dale, Geneva, Henry, Houston.

Area XI—Counties of: Baldwin, Choctaw, Mobile, Washington.

Area XII—Counties of: Clarke, Conecuh, Escambia, Monroe, Wilcox.

#### ARIZONA

Area of venue: State of Arizona.

#### ARKANSAS

Area I—Counties of: Jackson, Lawrence, Poinsett, White.

Area II—Counties of: Crittenden, Cross, Lee, Lonoke, Monroe, Phillips, Prairie, St. Francis, Woodruff.

Area III—Counties of: Calhoun, Clark, Columbia, Dallas, Grant, Hempstead, Hot Spring, Lafayette, Miller, Nevada, Ouachita, Union.

Area IV—Counties of: Benton, Boone, Carroll, Conway, Crawford, Franklin, Johnson, Madison, Newton, Pope, Sebastian, Washington.

Area V—Counties of: Baxter, Cleburne, Faulkner, Fulton, Independence, Izard, Marion, Pulaski, Searcy, Sharp, Stone, Van Buren.

Area VI—Counties of: Arkansas, Ashley, Bradley, Chicot, Cleveland, Desha, Drew, Jefferson, Lincoln.

Area VII—Counties of: Garland, Howard, Little River, Logan, Montgomery, Perry, Pike, Polk, Saline, Scott, Sevier, Yell.

Area VIII—Counties of: Clay, Craighead, Greene, Mississippi, Randolph.

#### CALIFORNIA

Area I—Counties of: Del Norte, Humboldt, Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, Trinity.

Area II—Counties of: Contra Costa, Lake, Marin, Mendocino, Napa, Solano, Sonoma.

Area III—Counties of: Alpine, Amador, Butte, Calaveras, Colusa, El Dorado, Glenn, Inyo, Mariposa, Mono, Nevada, Placer, Sacramento, Sutter, Tuolumne, Yolo, Yuba.

Area IV—Counties of: Madera, Merced, San Joaquin, Stanislaus.

Area V—Counties of: Alameda, Monterey, San Benito, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz.

Area VI—Counties of: Fresno, Kern, Kings, Tulare.

Area VII—Counties of: Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Ventura.

#### COLORADO

Area I—Counties of: Kit Carson, Logan, Phillips, Sedgwick, Washington, Yuma.

Area II—Counties of: Adams, Arapahoe, Boulder, Grand, Jackson, Jefferson, Larimer, Morgan, Weld.

Area III—Counties of: Cheyenne, Douglas, Elbert, El Paso, Kiowa, Lincoln.

Area IV—Counties of: Baca, Bent, Crowley, Huerfano, Otero, Las Animas, Prowers, Pueblo.

Area V—Counties of: Alamosa, Chaffee, Conejos, Costilla, Custer, Fremont, Gunnison, Park, Rio Grande, Saguache, Teller.

Area VI—Counties of: Archuleta, Delta, Dolores, LaPlata, Mesa, Montezuma, Montrose, Ouray, San Miguel.

Area VII—Counties of: Eagle, Garfield, Moffat, Pitkin, Rio Blanco, Routt.

#### CONNECTICUT

Area of venue: State of Connecticut.

#### DELAWARE

Area I—Counties of: Kent, New Castle, Sussex.

#### FLORIDA

Area I—Counties of: Alachua, Baker, Clay, Columbia, Duval, Gilchrist, Hendry, Hillsborough, Lake, Levy, Marion, Nassau, Orange,

Palm Beach, Polk, Putnam, Seminole, St. Johns, Sumter, Union, Volusia.

Area II—Counties of: Bradford, Dixie, Hamilton, Lafayette, Madison, Suwannee, Taylor.

Area III—Counties of: Calhoun, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, Wakulla.

Area IV—Counties of: Bay, Escambia, Holmes, Okaloosa, Santa Rosa, Walton, Washington.

#### GEORGIA

Area I—Counties of: Bartow, Catoosa, Chattooga, Cherokee, Cobb, Dade, Dawson, DeKalb, Fannin, Floyd, Forsyth, Fulton, Gilmer, Gordon, Gwinnett, Habersham, Hall, Lumpkin, Murray, Paulding, Pickens, Polk, Union, Rabun, Towns, Walker, White, Whitfield.

Area II—Counties of: Baldwin, Banks, Barrow, Burke, Butts, Clarke, Columbia, Elbert, Franklin, Glascock, Greene, Hancock, Hart, Henry, Jackson, Jasper, Jefferson, Lincoln, McDuffie, Madison, Morgan, Newton, Oconee, Oglethorpe, Putnam, Richmond, Rockdale, Stephens, Tallapoosa, Walton, Warren, Washington, Wilkes.

Area III—Counties of: Bibb, Carroll, Chattahoochee, Clayton, Coweta, Crawford, Douglas, Fayette, Haralson, Harris, Heard, Jones, Lamar, Marion, Meriwether, Monroe, Muscogee, Peach, Pike, Schley, Spalding, Stewart, Talbot, Taylor, Troup, Upson, Webster.

Area IV—Counties of: Bleckley, Bulloch, Candler, Crisp, Dodge, Dooley, Emanuel, Houston, Jeff Davis, Johnson, Laurens, Macon, Montgomery, Pulaski, Telfair, Toombs, Treutlen, Twiggs, Wheeler, Wilcox, Wilkinson.

Area V—Counties of: Baker, Ben Hill, Brooks, Calhoun, Clay, Colquitt, Cook, Decatur, Dougherty, Early, Grady, Irwin, Lee, Miller, Mitchell, Quitman, Randolph, Seminole, Sumter, Terrell, Thomas, Tift, Turner, Worth.

Area VI—Counties of: Appling, Atkinson, Bacon, Berrien, Brantley, Bryan, Camden, Charlton, Chatham, Clinch, Coffee, Echols, Effingham, Evans, Glynn, Jenkins, Lanier, Liberty, Long, Lowndes, McIntosh, Pierce, Screven, Tattnall, Ware, Wayne.

#### IDAHO

Area I—Counties of: Bonneville, Butte, Clark, Custer, Fremont, Jefferson, Lemhi, Madison, Teton.

Area II—Counties of: Bannock, Bear Lake, Bingham, Caribou, Franklin, Oneida, Power.

Area III—Counties of: Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minidoka, Twin Falls.

Area IV—Counties of: Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Valley, Washington.

Area V—Counties of: Clearwater, Idaho, Lewis, Nez Perce.

Area VI—Counties of: Benewah, Bonner, Boundary, Kootenai, Latah.

#### ILLINOIS

Area I—Counties of: Carroll, Jo Daviess, Stephenson.

Area II—Counties of: DeKalb, Ogle, Winnebago.

Area III—Counties of: Boone, Kane, Lake, McHenry.

Area IV—Counties of: Henry, Mercer, Rock Island.

Area V—Counties of: Bureau, Lee, Whiteside.

Area VI—Counties of: Marshall, Peoria, Putnam, Stark.

Area VII—Counties of: Grundy, Kendall, La Salle.

Area VIII—Counties of: Livingston, McLean, Woodford.

Area IX—Counties of: DeWitt, Macon, Piatt.

Area X—Counties of: Cook, DuPage, Will.

Area XI—Counties of: Ford, Iroquois, Kankakee.

Area XII—Counties of: Champaign, Edgar, Vermilion.

Area XIII—Counties of: Henderson, Knox, Warren.

Area XIV—Counties of: Adams, Brown, Schuyler.

Area XV—Counties of: Fulton, McDonough, Hancock.

Area XVI—Counties of: Logan, Mason, Tazewell.

Area XVII—Counties of: Cass, Morgan, Pike, Scott.

Area XVIII—Counties of: Christian, Menard, Sangamon.

Area XIX—Counties of: Calhoun, Greene, Jersey.

Area XX—Counties of: Bond, Macoupin, Madison, Montgomery.

Area XXI—Counties of: Clinton, Monroe, St. Clair.

Area XXII—Counties of: Effingham, Fayette, Shelby.

Area XXIII—Counties of: Coles, Douglas, Moultrie.

Area XXIV—Counties of: Clark, Crawford, Cumberland, Jasper.

Area XXV—Counties of: Perry, Randolph, Washington.

Area XXVI—Counties of: Franklin, Jackson, Williamson.

Area XXVII—Counties of: Alexander, Pulaski, Johnson, Union.

Area XXVIII—Counties of: Pope, Hardin, Massac, Saline.

Area XXIX—Counties of: Clay, Jefferson, Marion, Wayne.

Area XXX—Counties of: Edwards, Lawrence, Richland, Wabash.

Area XXXI—Counties of: Gallatin, Hamilton, White.

#### INDIANA

Area I—Counties of: Elkhart, Kosciusko, Lagrange, Lake, Laporte, Marshall, Noble, Porter, St. Joseph, Steuben.

Area II—Counties of: Benton, Carroll, Cass, Fulton, Howard, Jasper, Miami, Newton, Pulaski, Starke, White.

Area III—Counties of: Adams, Allen, Blackford, De Kalb, Grant, Huntington, Jay, Wabash, Wells, Whitley.

Area IV—Counties of: Boone, Clinton, Fountain, Hamilton, Montgomery, Parke, Tippecanoe, Tipton, Vermillion, Warren.

Area V—Counties of: Clay, Daviess, Gibson, Greene, Knox, Martin, Owen, Putnam, Sullivan, Vigo.

Area VI—Counties of: Bartholomew, Brown, Clark, Floyd, Jackson, Johnson, Lawrence, Monroe, Morgan, Washington.

Area VII—Counties of: Dearborn, Decatur, Fayette, Franklin, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland, Union.

Area VIII—Counties of: Crawford, Dubois, Harrison, Orange, Perry, Pike, Posey, Spencer, Vanderburgh, Warrick.

Area IX—Counties of: Delaware, Hancock, Hendricks, Henry, Madison, Marion, Randolph, Rush, Shelby, Wayne.

#### IOWA

Area I—Counties of: Buena Vista, Calhoun, Carroll, Cherokee, Clay, Crawford, Dickinson, Emmet, Hancock, Humboldt, Ida, Kossuth, Lyon, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas, Sac, Sioux, Webster, Winnebago, Woodbury, Wright.

Area II—Counties of: Allamakee, Black Hawk, Bremer, Buchanan, Butler, Cedar, Cerro Gordo, Chickasaw, Clayton, Clinton, Delaware, Dubuque, Fayette, Floyd, Franklin, Howard, Jackson, Johnson, Jones, Linn, Louisa, Mitchell, Muscatine, Scott, Winnesaukee, Worth.

Area III—Counties of: Benton, Boone, Grundy, Hamilton, Hardin, Iowa, Jasper, Marshall, Polk, Poweshiek, Story, Tama.



Area IV—Counties of: Appanoose, Davis, Des Moines, Jefferson, Keokuk, Lee, Mahaska, Marion, Monroe, Van Buren, Wapello, Washington.

Area V—Counties of: Adair, Adams, Clarke, Dallas, Decatur, Greene, Guthrie, Lucas, Madison, Ringgold, Union, Warren, Wayne.

Area VI—Counties of: Audubon, Cass, East Pottawattamie, Fremont, Harrison, Mills, Monona, Montgomery, Page, Shelby, Taylor, West Pottawattamie.

## KANSAS

Area I—Counties of: Washington, Clay, Riley.

Area II—Counties of: Marshall, Nemaha, Pottawattamie.

Area III—Counties of: Atchison, Brown, Doniphan.

Area IV—Counties of: Douglas, Jackson, Jefferson.

Area V—Counties of: Johnson, Leavenworth, Wyandotte.

Area VI—Counties of: Franklin, Linn, Miami.

Area VII—Counties of: Allen, Anderson, Bourbon.

Area VIII—Counties of: Cherokee, Crawford, Neosho.

Area IX—Counties of: Chautauqua, Labette, Montgomery.

Area X—Counties of: Elk, Wilson, Woodson.

Area XI—Counties of: Butler, Cowley, Greenwood, Harvey, Sedgwick.

Area XII—Counties of: Coffey, Lyon, Osage, Shawnee, Wabaunsee.

Area XIII—Counties of: Chase, Dickinson, Geary, Marion, Morris.

Area XIV—Counties of: Cloud, Jewell, Mitchell, Ottawa, Republic.

Area XV—Counties of: Ellsworth, Lincoln, McPherson, Russell, Saline.

Area XVI—Counties of: Harper, Kingman, Reno, Rice, Sumner.

Area XVII—Counties of: Barber, Clark, Comanche, Ford, Kiowa.

Area XVIII—Counties of: Barton, Edwards, Pawnee, Pratt, Stafford.

Area XIX—Counties of: Ellis, Hodgeman, Ness, Rush, Trego.

Area XX—Counties of: Norton, Osborne, Phillips, Rooks, Smith.

Area XXI—Counties of: Decatur, Gove, Graham, Logan, Sheridan.

Area XXII—Counties of: Cheyenne, Rawlins, Sherman, Thomas, Wallace.

Area XXIII—Counties of: Finney, Gray, Lane, Meade, Scott.

Area XXIV—Counties of: Greeley, Hamilton, Kearny, Stanton, Wichita.

Area XXV—Counties of: Grant, Haskell, Morton, Seward, Stevens.

## KENTUCKY

Area I—Counties of: Ballard, Calloway, Carlisle, Crittenden, Fulton, Graves, Hickman, Livingston, Lyon, McCracken, Marshall, Trigg.

Area II—Counties of: Allen, Barren, Butler, Caldwell, Christian, Edmonson, Logan, Monroe, Muhlenberg, Simpson, Todd, Warren.

Area III—Counties of: Breckinridge, Daviess, Grayson, Hancock, Hardin, Henderson, Hopkins, McLean, Meade, Ohio, Union, Webster.

Area IV—Counties of: Adair, Boyle, Casey, Cumberland, Garrard, Green, Hart, Larue, Lincoln, Metcalfe, Russell, Taylor.

Area V—Counties of: Anderson, Bullitt, Franklin, Jefferson, Marion, Mercer, Nelson, Oldham, Shelby, Spencer, Washington, Woodford.

Area VI—Counties of: Boone, Campbell, Carroll, Gallatin, Grant, Harrison, Henry, Kenton, Owen, Pendleton, Scott, Trimble.

Area VII—Counties of: Bourbon, Clark, Estill, Fayette, Jessamine, Lee, Madison, Menifee, Montgomery, Morgan, Powell, Wolfe.

Area VIII—Counties of: Bath, Boyd,

Bracken, Carter, Elliott, Fleming, Greenup, Lewis, Mason, Nicholas, Robertson, Rowan.

Area IX—Counties of: Bell, Clay, Clinton, Jackson, Knox, Laurel, McCreary, Owsley, Pulaski, Rockcastle, Wayne, Whitley.

Area X—Counties of: Breathitt, Floyd, Harlan, Johnson, Knott, Lawrence, Leslie, Letcher, Magoffin, Martin, Perry, Pike.

## LOUISIANA

Area I—Parishes of: Bienville, Bossier, Caddo, Calbarne, DeSoto, Jackson, Lincoln, Red River, Union, Webster.

Area II—Parishes of: Caldwell, Concordia, East Carroll, Franklin, Madison, Morehouse, Ouachita, Richland, Tensas, West Carroll.

Area III—Parishes of: Avoyelles, Beauregard, Catahoula, Grant, LaSalle, Natchitoches, Rapides, Sabine, Vernon, Winn.

Area IV—Parishes of: Acadia, Allen, Calcasieu, Cameron, Evangeline, Jefferson Davis, Lafayette, St. Landry, St. Martin, Vermilion.

Area V—Parishes of: East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, St. Tammany, Tangipahoa, Washington, West Baton Rouge, West Feliciana.

Area VI—Parishes of: Ascension, Assumption, Iberia, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John, St. Mary, Terrebonne.

## MARYLAND

Area I—Counties of: Allegany, Carroll, Frederick, Garrett, Howard, Montgomery, Washington.

Area II—Counties of: Baltimore, Cecil, Harford, Kent, Queen Annes.

Area III—Counties of: Caroline, Dorchester, Somerset, Talbot, Wicomico, Worcester.

Area IV—Counties of: Calvert, Charles, St. Marys.

Area V—Counties of: Anne Arundel, Prince Georges.

## MASSACHUSETTS

Area of venue: State of Massachusetts.

## MICHIGAN

Area I—Counties of: Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon, Schoolcraft.

Area II—Counties of: Alcona, Alpena, Antrim, Arenac, Charlevoix, Cheboygan, Crawford, Emmet, Iosco, Montmorency, Ogemaw, Oscoda, Otsego, Presque Isle.

Area III—Counties of: Benzie, Clare, Gladwin, Grand Traverse, Kalkaska, Lake, Leelanau, Manistee, Mason, Missaukee, Osceola, Roscommon, Wexford.

Area IV—Counties of: Gratiot, Ionia, Isabella, Kent, Mecosta, Midland, Montcalm, Muskegon, Newaygo, Oceana, Ottawa.

Area V—Counties of: Bay, Clinton, Genesee, Saginaw, Shiawassee.

Area VI—Counties of: Huron, Lapeer, St. Clair, Sanilac, Tuscola.

Area VII—Counties of: Livingston, Macomb, Monroe, Oakland, Wayne.

Area VIII—Counties of: Hillsdale, Ingham, Jackson, Lenawee, Washtenaw.

Area IX—Counties of: Barry, Branch, Calhoun, Eaton, St. Joseph.

Area X—Counties of: Allegan, Berrien, Cass, Kalamazoo, Van Buren.

## MINNESOTA

Area I—Counties of: Anoka, Carver, Chisago, Dakota, Goodhue, Hennepin, McLeod, Ramsey, Rice, Scott, Sibley, Wabasha, Washington.

Area II—Counties of: Beltrami, Clearwater, East Polk, Kittson, Koochiching, Lake of the Woods, Mahanomen, Marshall, Norman, Pennington, Red Lake, Roseau, West Polk.

Area III—Counties of: Big Stone, Chippewa, Kandiyohi, Lac qui Parle, Meeker, Pope, Renville, Stearns, Stevens, Swift, Yellow Medicine.

Area IV—Counties of: Becker, Cass, Clay, Douglas, East Otter Tail, Grant, Hubbard, Morrison, Todd, Traverse, Wadena, West Otter Tail, Wilkin.

Area V—Counties of: Brown, Cottonwood, Jackson, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Rock, Watonwan.

Area VI—Counties of: Blue Earth, Dodge, Faribault, Fillmore, Freeborn, Houston, Le Sueur, Mower, Nicollet, Olmsted, Steele, Waseca, Winona.

Area VII—Counties of: Aitkin, Benton, Carlton, Cook, Crow Wing, Isanti, Itasca, Kanabec, Lake, Mille Lacs, North St. Louis, Pine, Sherburne, South St. Louis, Wright.

## MISSISSIPPI

Area I—Counties of: Alcorn, Benton, Itawamba, Lafayette, Lee, Marshall, Pontotoc, Prentiss, Tippah, Tishomingo, Union.

Area II—Counties of: Chickasaw, Choctaw, Clay, Lowndes, Monroe, Oktibbeha.

Area III—Counties of: Calhoun, Carroll, Grenada, Montgomery, Webster, Yalobusha.

Area IV—Counties of: Attala, Kemper, Leake, Neshoba, Noxubee, Winston.

Area V—Counties of: Clarke, Jasper, Lauderdale, Newton, Scott, Smith.

Area VI—Counties of: Forrest, George, Greene, Hancock, Harrison, Jackson, Jones, Perry, Stone, Wayne.

Area VII—Counties of: Covington, Jefferson Davis, Lamar, Lawrence, Marion, Pearl River, Simpson, Walthall.

Area VIII—Counties of: Adams, Amite, Franklin, Lincoln, Pike, Wilkinson.

Area IX—Counties of: Copiah, Claiborne, Hinds, Jefferson, Madison, Rankin, Warren.

Area X—Counties of: Humphreys, Holmes, Issaquena, Leflore, Sharkey, Sunflower, Washington, Yazoo.

Area XI—Counties of: Bollivar, Coahoma, DeSoto, Panola, Quitman, Tallahatchie, Tate, Tunica.

## MISSOURI

Area I—Counties of: Andrew, Atchison, Buchanan, Clay, Clinton, DeKalb, Gentry, Holt, Nodaway, Platte, Worth.

Area II—Counties of: Caldwell, Carroll, Chariton, Daviess, Harrison, Jackson, Lafayette, Livingston, Pettis, Ray, Saline.

Area III—Counties of: Adair, Clark, Grundy, Knox, Lewis, Linn, Macon, Mercer, Putnam, Schuyler, Scotland, Sullivan.

Area IV—Counties of: Bates, Benton, Cass, Cole, Cooper, Henry, Howard, Johnson, Miller, Moniteau, Morgan.

Area V—Counties of: Audrain, Boone, Callaway, Lincoln, Marion, Monroe, Montgomery, Pike, Ralls, Randolph, Shelby.

Area VI—Counties of: Barton, Camden, Cedar, Dade, Dallas, Hickory, LaCade, Polk, Pulaski, St. Clair, Vernon, Wright.

Area VII—Counties of: Crawford, Dent, Franklin, Gasconade, Jefferson, Maries, Osage, Phelps, St. Charles, St. Louis, Texas, Warren.

Area VIII—Counties of: Barry, Christian, Douglas, Greene, Jasper, Lawrence, McDonald, Newton, Ozark, Stone, Taney, Webster.

Area IX—Counties of: Carter, Howell, Iron, Madison, Oregon, Perry, Reynolds, St. Francois, Ste. Genevieve, Shannon, Washington, Wayne.

Area X—Counties of: Bollinger, Butler, Cape Girardeau, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, Stoddard.

## NEBRASKA

Area I—Counties of: Banner, Box Butte, Dawes, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux.

Area II—Counties of: Arthur, Blaine, Brown, Buffalo, Cherry, Custer, Dawson, Garfield, Grant, Hooker, Keya Paha, Lincoln, Logan, Loup, McPherson, Rock, Thomas, Wheeler.

Area III—Counties of: Antelope, Boyd, Cedar, Dakota, Dixon, Holt, Knox, Madison, Pierce, Stanton, Wayne.



Area IV—Counties of: Chase, Cheyenne, Deuel, Dundy, Frontier, Hayes, Hitchcock, Keith, Perkins, Red Willow.

Area V—Counties of: Adams, Franklin, Furnas, Gosper, Hall, Hamilton, Harlan, Kearney, Phelps, Webster.

Area VI—Counties of: Boone, Howard, Greeley, Merrick, Nance, Platte, Polk, Sherman, Valley.

Area VII—Counties of: Butler, Clay, Colfax, Fillmore, Lancaster, Saline, Saunders, Seward, York.

Area VIII—Counties of: Burt, Cass, Cumming, Dodge, Douglas, Otoe, Sarpy, Thurston, Washington.

Area IX—Counties of: Gage, Jefferson, Johnson, Nemaha, Nuckolls, Pawnee, Richardson, Thayer.

#### NEVADA

Area of venue I: Counties of: Clark, Nye.

#### NEW HAMPSHIRE

Area of venue: State of New Hampshire.

#### NEW JERSEY

Area of venue: State of New Jersey.

#### NEW MEXICO

Area I—Counties of: Colfax, Curry, De Baca, Guadalupe, Harding, Mora, Quay, Roosevelt, San Miguel, Union.

Area II—Counties of: Bernalillo, McKinley, Rio Arriba, Sandoval, San Juan, Santa Fe, Taos, Torrance, Valencia.

Area III—Counties of: Catron, Dona Ana, Grant, Hidalgo, Luna, Sierra, Socorro.

Area IV—Counties of: Chavez, Eddy, Lea, Lincoln, Otero.

#### NEW YORK

Area I—Counties of: Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Cortland, Erie, Genesee, Livingston, Monroe, Niagara, Onondaga, Ontario, Orleans, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming, Yates.

Area II—Counties of: Albany, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Herkimer, Jefferson, Lewis, Madison, Montgomery, Nassau, Oneida, Orange, Oswego, Otsego, Putnam, Rensselaer, Richmond, Rockland, St. Lawrence, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester.

#### NORTH CAROLINA

Area I—Counties of: Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, Polk, Swain, Transylvania.

Area II—Counties of: Alleghany, Ashe, Avery, McDowell, Mitchell, Watauga, Wilkes, Yancey.

Area III—Counties of: Alexander, Burke, Cabarrus, Caldwell, Catawba, Cleveland, Gaston, Iredell, Lincoln, Mecklenburg, Rutherford, Union.

Area IV—Counties of: Davidson, Davie, Forsyth, Guilford, Rockingham, Rowan, Stokes, Surry, Yadkin.

Area V—Counties of: Anson, Chatham, Montgomery, Moore, Randolph, Richmond, Stanly.

Area VI—Counties of: Alamance, Caswell, Durham, Granville, Orange, Person, Vance, Wake.

Area VII—Counties of: Cumberland, Harnett, Hoke, Johnston, Lee, Sampson, Wayne.

Area VIII—Counties of: Bladen, Brunswick, Columbus, New Hanover, Pender, Robeson, Scotland.

Area IX—Counties of: Edgecombe, Franklin, Halifax, Nash, Northampton, Warren, Wilson.

Area X—Counties of: Bertie, Camden, Chowan, Currituck, Dare, Gates, Hertford, Martin, Pasquotank, Perquimans, Tyrrell, Washington.

Area XI—Counties of: Beaufort, Carteret, Craven, Duplin, Greene, Hyde, Jones, Lenoir, Onslow, Pamlico, Pitt.

#### NORTH DAKOTA

Area I—Counties of: Divide, McKenzie, Williams.

Area II—Counties of: Burke, Mountrail, Renville.

Area III—Counties of: Bottineau, McHenry, Pierce, Rolette.

Area IV—Counties of: McLean, Sheridan, Ward.

Area V—Counties of: Benson, Cavalier, Ramsey, Towner.

Area VI—Counties of: Grand Forks, Nelson, Pembina, Walsh.

Area VII—Counties of: Griggs, Steele, Traill.

Area VIII—Counties of: Eddy, Foster, Wells.

Area IX—Counties of: Dunn, Mercer, Oliver.

Area X—Counties of: Billings, Golden Valley, Stark.

Area XI—Counties of: Adams, Bowman, Hettinger, Slope.

Area XII—Counties of: Burleigh, Grant, Morton, Sioux.

Area XIII—Counties of: Emmons, Kidder, Logan, McIntosh.

Area XIV—Counties of: Barnes, Dickey, LaMoore, Stutsman.

Area XV—Counties of: Cass, Ransom, Richland, Sargent.

#### OHIO

Area I—Counties of: Defiance, Paulding, Van Wert, Williams.

Area II—Counties of: Fulton, Henry, Lucas, Ottawa, Wood.

Area III—Counties of: Erie, Huron, Sandusky, Seneca, Wyandot.

Area IV—Counties of: Ashland, Cuyahoga, Lorain, Medina, Summit.

Area V—Counties of: Ashtabula, Geauga, Lake, Portage, Trumbull, Mahoning.

Area VI—Counties of: Allen, Hancock, Hardin, Putnam.

Area VII—Counties of: Crawford, Marion, Morrow, Richland.

Area VIII—Counties of: Coshocton, Holmes, Muskingum, Tuscarawas, Wayne.

Area IX—Counties of: Carroll, Columbiana, Harrison, Jefferson, Stark.

Area X—Counties of: Auglaize, Logan, Mercer.

Area XI—Counties of: Delaware, Franklin, Madison, Union.

Area XII—Counties of: Knox, Licking, Perry.

Area XIII—Counties of: Champaign, Clark, Darke, Miami, Montgomery, Shelby.

Area XIV—Counties of: Butler, Greene, Hamilton, Preble, Warren.

Area XV—Counties of: Jackson, Lawrence, Scioto, Pike.

Area XVI—Counties of: Athens, Belmont, Fairfield, Gallia, Guernsey, Hocking, Meigs, Monroe, Morgan, Noble, Vinton, Washington.

Area XVII—Counties of: Adams, Brown, Clermont.

Area XVIII—Counties of: Clinton, Fayette, Highland, Pickaway, Ross.

#### OKLAHOMA

Area I—Counties of: Beaver, Cimarron, Custer, Dewey, Ellis, Harper, Roger Mills, Texas, Woods, Woodward.

Area II—Counties of: Alfalfa, Garfield, Grant, Kay, Major, Noble, Osage.

Area III—Counties of: Adair, Cherokee, Craig, Delaware, Mayes, Muskogee, Nowata, Okmulgee, Ottawa, Rogers, Tulsa, Wagoner, Washington.

Area IV—Counties of: Blaine, Canadian, Creek, Hughes, Kingfisher, Lincoln, Logan, Okfuskee, Oklahoma, Pawnee, Payne, Pottawatomie, Seminole.

Area V—Counties of: Beckham, Greer, Harmon, Jackson, Kiowa, Tillman, Washita.

Area VI—Counties of: Caddo, Carter, Cleveland, Coal, Comanche, Cotton, Garvin, Grady, Jefferson, Johnson, Love, McClain, Marshall, Murray, Pontotoc, Stephens.

Area VII—Counties of: Atoka, Bryan, Choctaw, Haskell, Latimer, LeFlore, McCurtain, McIntosh, Pittsburg, Pushmataha, Sequoyah.

#### PENNSYLVANIA

Area I—Counties of: Allegheny, Beaver, Butler, Crawford, Erie, Forest, Lawrence, Mercer, Venango, Warren, Washington.

Area II—Counties of: Armstrong, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Elk, Indiana, Jefferson, McKean, Potter.

Area III—Counties of: Bedford, Blair, Fayette, Fulton, Greene, Huntingdon, Mifflin, Somerset, Westmoreland.

Area IV—Counties of: Adams, Chester, Cumberland, Dauphin, Delaware, Franklin, Juniata, Lancaster, Perry, York.

Area V—Counties of: Bradford, Columbia, Lackawanna, Lycoming, Montour, Northumberland, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming.

Area VI—Counties of: Berks, Bucks, Carbon, Lebanon, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Philadelphia, Pike, Schuylkill.

#### SOUTH CAROLINA

Area I—Counties of: Abbeville, Anderson, Greenville, Greenwood, Laurens, Oconee, Pickens, Spartanburg.

Area II—Counties of: Aiken, Edgefield, Fairfield, Lexington, McCormick, Newberry, Saluda.

Area III—Counties of: Bamberg, Barnwell, Calhoun, Clarendon, Orangeburg, Richland, Sumter.

Area IV—Counties of: Allendale, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Hampton, Jasper.

Area V—Counties of: Darlington, Dillon, Florence, Georgetown, Horry, Marion, Marlboro, Williamsburg.

Area VI—Counties of: Cherokee, Chester, Chesterfield, Kershaw, Lancaster, Lee, Union, York.

#### SOUTH DAKOTA

Area I—Counties of: Bennett, Butte, Custer, Fall River, Harding, Lawrence, Meade, Pennington, Shannon.

Area II—Counties of: Brule, Buffalo, Gregory, Haakon, Jackson, Jones, Lyman, Mellette, Todd, Tripp, Washburn.

Area III—Counties of: Aurora, Bon Homme, Charles Mix, Davison, Douglas, Hanson, Hutchinson, Jerauld, Sanborn.

Area IV—Counties of: Clay, Lake, Lincoln, McCook, Miner, Minnehaha, Moody, Turner, Union, Yankton.

Area V—Counties of: Brookings, Clark, Codington, Day, Deuel, Grant, Hamlin, Marshall, Roberts.

Area VI—Counties of: Beadle, Faulk, Hand, Hughes, Hyde, Kingsbury, Potter, Spink, Stanley, Sully.

Area VII—Counties of: Brown, Campbell, Corson, Dewey, Edmunds, McPherson, Perkins, Walworth, Ziebach.

#### TENNESSEE

Area I—Counties of: Carter, Johnson, Sullivan, Unico, Washington.

Area II—Counties of: Cocke, Greene, Hamblen, Hawkins, Jefferson.

Area III—Counties of: Claiborne, Grainger, Hancock, Union.

Area IV—Counties of: Anderson, Campbell, Knox, Morgan, Roane, Scott.

Area V—Counties of: Blount, Loudon, Monroe, Sevier.

Area VI—Counties of: Bradley, Hamilton, McMinn, Meigs, Polk, Rhea.

Area VII—Counties of: Cumberland, Fentress, Overton, Pickett, Putnam, White.

Area VIII—Counties of: Clay, DeKalb, Jackson, Macon, Smith, Trousdale.

Area IX—Counties of: Davidson, Sumner, Williamson, Wilson.



Area X—Counties of: Cheatham, Dickson, Houston, Humphreys, Montgomery, Robertson, Stewart.

Area XI—Counties of: Cannon, Coffee, Rutherford, Van Buren, Warren.

Area XII—Counties of: Bledsoe, Franklin, Grundy, Marion, Moore, Sequatchie.

Area XIII—Counties of: Bedford, Giles, Lincoln, Marshall, Maury.

Area XIV—Counties of: Hickman, Lawrence, Lewis, Perry, Wayne.

Area XV—Counties of: Chester, Decatur, Hardin, McNairy.

Area XVI—Counties of: Fayette, Hardeman, Shelby, Tipton.

Area XVII—Counties of: Crockett, Haywood, Lauderdale, Madison.

Area XVIII—Counties of: Dyer, Gibson, Lake, Obion, Weakley.

Area XIX—Counties of: Benton, Carroll, Henderson, Henry.

## TEXAS

Area I—Counties of: Dallam, Hartley, Moore, Sherman.

Area II—Counties of: Hansford, Hutchinson, Lipscomb, Ochiltree.

Area III—Counties of: Armstrong, Carson, Deaf Smith, Oldham, Potter, Randall.

Area IV—Counties of: Gray, Hemphill, Roberts, Wheeler.

Area V—Counties of: Bailey, Castro, Lamb, Parmer.

Area VI—Counties of: Briscoe, Floyd, Hale, Swisher.

Area VII—Counties of: Cochran, Hockley, Terry, Yoakum.

Area VIII—Counties of: Crosby, Garza, Lubbock, Lynn.

Area IX—Counties of: Childress, Collingsworth, Donley, Hall.

Area X—Counties of: Cottle, Dickens, Kent, King, Motley, Stonewall.

Area XI—Counties of: Foard, Hardeman, Wilbarger.

Area XII—Counties of: Baylor, Haskell, Knox, Throckmorton.

Area XIII—Counties of: Collin, Cooke, Denton, Grayson.

Area XIV—Counties of: Delta, Fannin, Hunt, Lamar, Rockwall.

Area XV—Counties of: Dallas, Ellis, Johnson, Kaufman, Tarrant.

Area XVI—Counties of: Bowie, Franklin, Morris, Red River, Titus.

Area XVII—Counties of: Henderson, Hopkins, Rains, Smith, Van Zandt, Wood.

Area XVIII—Counties of: Camp, Cass, Gregg, Harrison, Marion, Upshur.

Area XIX—Counties of: Andrews, Dawson, Gaines, Glasscock, Martin, Midland.

Area XX—Counties of: Borden, Coke, Howard, Mitchell, Scurry, Sterling.

Area XXI—Counties of: Fisher, Jones, Nolan, Runnels, Taylor.

Area XXII—Counties of: Archer, Clay, Wichita, Young.

Area XXIII—Counties of: Jack, Montague, Parker, Wise.

Area XXIV—Counties of: Callahan, Eastland, Shackelford, Stephens.

Area XXV—Counties of: Comanche, Erath, Hood, Palo Pinto.

Area XXVI—Counties of: Bosque, Hill, McLennan, Navarro.

Area XXVII—Counties of: Bell, Falls, Milam, Williamson.

Area XXVIII—Counties of: Freestone, Leon, Limestone, Madison, Robertson.

Area XXIX—Counties of: Anderson, Cherokee, Houston, Rusk.

Area XXX—Counties of: Angelina, Nacogdoches, Panola, Sabine, San Augustine, Shelby.

Area XXXI—Counties of: Montgomery, San Jacinto, Trinity, Walker.

Area XXXII—Counties of: Jasper, Newton, Tyler, Polk.

Area XXXIII—Counties of: Brewster, Culbertson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves, Terrell, Ward, Winkler.

Area XXXIV—Counties of: Crane, Crockett, Ector, Irion, Reagan, Schleicher, Sutton, Tom Green, Upton.

Area XXXV—Counties of: Brown, Coleman, Concho, McCulloch, San Saba.

Area XXXVI—Counties of: Blanco, Gillespie, Kimble, Llano, Mason, Menard.

Area XXXVII—Counties of: Burnet, Coryell, Hamilton, Lampasas, Mills.

Area XXXVIII—Counties of: Caldwell, Guadalupe, Hays, Travis.

Area XXXIX—Counties of: Bastrop, Fayette, Lavaca, Lee.

Area XL—Counties of: Brazos, Burleson, Grimes, Washington.

Area XLI—Counties of: DeWitt, Goliad, Gonzales, Karnes.

Area XLII—Counties of: Calhoun, Colorado, Jackson, Victoria, Wharton.

Area XLIII—Counties of: Austin, Brazoria, Fort Bend, Matagorda, Waller.

Area XLIV—Counties of: Chambers, Galveston, Hardin, Harris, Jefferson, Liberty.

Area XLV—Counties of: Bandera, Comal, Edwards, Kendall, Kerr, Real.

Area XLVI—Counties of: Dimmitt, Kinney, Maverick, Uvalde, Val Verde, Zavala.

Area XLVII—Counties of: Atascosa, Bexar, Frio, LaSalle, McMullen, Medina, Wilson.

Area XLVIII—Counties of: Aransas, Bee, Live Oak, Refugio, San Patricio.

Area XLIX—Counties of: Brooks, Jim Hogg, Webb, Zapata.

Area L—Counties of: Duval, Jim Wells, Kennedy, Kleberg, Nueces.

Area LI—Counties of: Cameron, Hidalgo, Starr, Willacy.

## UTAH

Area of venue: Entire State of Utah.

## VIRGINIA

Area I—Counties of: Accomack, Amelia, Brunswick, Chesterfield, Dinwiddie, Greensville, Isle of Wight, Nansemond, Norfolk, Northampton, Nottoway, Powhatan, Price George, Princess Anne, Southampton, Surry, Sussex.

Area II—Counties of: Amherst, Appomattox, Bedford, Botetourt, Buckingham, Campbell, Charlotte, Craig, Cumberland, Franklin, Halifax, Henry, Lunenburg, Mecklenburg, Nelson, Patrick, Pittsylvania, Price Edward, Roanoke.

Area III—Counties of: Bland, Buchanan, Carroll, Dickenson, Floyd, Giles, Grayson, Lee, Montgomery, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe.

Area IV—Counties of: Caroline, Charles City, Essex, Fluvanna, Gloucester, Goochland, Hampton, Hanover, Henrico, James City, King and Queen, King George, King William, Lancaster, Louisa, Mathews, Middlesex, New Kent, Northumberland, Richmond, Spotsylvania, Stafford, Westmoreland, Warwick, York.

Area V—Counties of: Albemarle, Alleghany, Augusta, Bath, Clarke, Culpeper, Fauquier, Fairfax, Frederick, Greene, Highland, Loudoun, Madison, Orange, Page, Prince William, Rappahannock, Rockbridge, Rockingham, Shenandoah, Warren.

## WASHINGTON

Area I—Counties of: Asotin, Columbia, Franklin, Garfield, Walla Walla, Whitman.

Area II—Counties of: Douglas, Ferry, Lincoln, Okanogan, Pend Orielle, Spokane, Stevens.

Area III—Counties of: Adams, Benton, Chelan, Grant, Kittitas, Klickitat, Yakima.

## WEST VIRGINIA

Area I—Counties of: Berkeley, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton, Preston, Grant.

Area II—Counties of: Barbour, Braxton, Calhoun, Gilmer, Lewis, Pocahontas, Randolph, Taylor, Tucker, Upshur, Webster.

Area III—Counties of: Brooke, Doddridge, Hancock, Harrison, Marion, Marshall, Monongalia, Ohio, Pleasants, Ritchie, Tyler, Wetzel.

Area IV—Counties of: Cabell, Jackson, Lincoln, Mason, Mingo, Putnam, Roane, Wayne, Wirt, Wood.

Area V—Counties of: Boone, Clay, Fayette, Greenbrier, Kanawha, Logan, McDowell, Mercer, Monroe, Nicholas, Raleigh, Summers, Wyoming.

## WISCONSIN

Area I—Counties of: Dane, Green, Jefferson, Kenosha, Milwaukee, Racine, Rock, Walworth, Waukesha.

Area II—Counties of: Crawford, Grant, Iowa, La Crosse, Lafayette, Monroe, Richland, Sauk, Vernon.

Area III—Counties of: Calumet, Columbia, Dodge, Door, Fond du Lac, Green Lake, Kewaunee, Manitowoc, Marquette, Ozaukee, Sheboygan, Washington, Waushara, Winnebago.

Area IV—Counties of: Adams, Buffalo, Clark, Chippewa, Dunn, Eu Claire, Jackson, Juneau, Pepin, Trempealeau, Wood.

Area V—Counties of: Brown, Florence, Forest, Langlade, Lincoln, Marathon, Marinette, Oconto, Oneida, Outagamie, Portage, Shawano, Taylor, Vilas, Waupaca.

Area VI—Counties of: Ashland, Barron, Bayfield, Burnett, Douglas, Iron, Pierce, Polk, Price, Rusk, St. Croix, Sawyer, Washburn.

## PUERTO RICO

Area of venue: North and South areas, comprising all cotton-producing municipalities in Puerto Rico.

Done at Washington, this 31st day of December 1956. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLARENCE L. MILLER,  
Acting Administrator,  
Commodity Stabilization Service.

[F. R. Doc. 57-62; Filed, Jan. 3, 1957;  
8:49 a. m.]

## UPLAND COTTON AND EXTRA LONG STAPLE COTTON

## NOTICE OF REDELEGATION OF FINAL AUTHORITY BY AGRICULTURAL STABILIZATION AND CONSERVATION STATE COMMITTEES

Section 722.829 (c) of the regulations pertaining to acreage allotments for the 1957 crop of upland cotton (21 F. R. 7817) and § 722.1428 (c) of the regulations pertaining to acreage allotments for the 1957 crop of extra long staple cotton (21 F. R. 8275), provide that any authority delegated to a State Agricultural Stabilization and Conservation Committee by the regulations in §§ 722.817 to 722.829 (b) and in §§ 722.1417 to 722.1428 (b) may be redelegated by the State committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (60 Stat. 238; 5 U. S. C. 1002) which requires that delegations of final authority be published in the FEDERAL REGISTER, there are set forth herein the redelegations of final authority which have been made by Agricultural Stabilization and Conservation State Committees. Shown below are the sections of the regulations in which such authority appears and the persons, designated by name or by title, to whom such authority has been redelegated.

## ALABAMA

Section 722.817 (g)—State Administrative Officer.



Section 722.829 (b)—State Administrative Officer; James C. Bailey, Program Assistant; and all ASC Farmer Fieldmen.

## ARIZONA

Sections 722.829 (b) and 722.1428 (b)—Harold E. Box, Program Specialist; Ray S. Wolf, ASC Farmer Fieldman.

## ARKANSAS

Section 722.829 (b)—All ASC Farmer Fieldmen and all County Office Auditors.

## CALIFORNIA

Sections 722.829 (b) and 722.1428 (b)—J. T. Moody and Harold L. Silcott, Program Specialists; Stanley L. Hill and Main S. Wall, ASC Farmer Fieldmen.

## FLORIDA

Sections 722.817 (g) and 722.1417 (g)—State Administrative Officer or Acting State Administrative Officer and all ASC Farmer Fieldmen.

Sections 722.818 (f) (2) and 722.1418 (b)—State Administrative Officer or Acting State Administrative Officer.

Sections 722.829 (b) and 722.1428 (b)—State Administrative Officer or Acting State Administrative Officer and all ASC Farmer Fieldmen.

## GEORGIA

Section 722.817 (g)—State Administrative Officer.

Section 722.829 (b)—State Administrative Officer; all Program Specialists; and all ASC Farmer Fieldmen.

## ILLINOIS

Sections 722.817 (g), 722.817 (j) (2), 722.829 (b)—Lloyd S. Martin, Program Assistant; Winstead R. Davie, ASC Farmer Fieldman.

## KENTUCKY

Section 722.829 (b)—The following members of the State committee: Roy C. Gray, Ernest E. Bullock, Samuel P. Tuggle; Fred B. Wachs, Jr., Acting State Administrative Officer; Homer V. Yonts, Program Specialist; Kenneth A. Grogan, ASC Farmer Fieldman.

## LOUISIANA

Section 722.817 (g)—All ASC Farmer Fieldmen.

Section 722.818 (f) (2)—State Administrative Officer.

Section 722.829 (b)—Clarence E. Slack, State Administrative Officer; Joseph R. Bath and James F. Davis, Program Specialists; Lloyd A. Mullin, Hugh F. Spencer, Camille J. Clayton, Don L. Rockett, Lindsey E. Landreneau, Lewis L. Sanders, ASC Farmer Fieldmen.

## MISSISSIPPI

Section 722.817 (g)—State Administrative Officer and Acting State Administrative Officer.

Section 722.829 (b)—State Administrative Officer, Acting State Administrative Officer; Marketing Quota Specialist; all ASC Farmer Fieldmen; and County Office Auditors.

## MISSOURI

Section 722.829 (b)—Joe A. Grant, State Administrative Officer; Robert Smola, Program Specialist; and Elmer Kinkade, William MacGum; Robert Little, W. E. Foster, and Ray Neill, ASC Farmer Fieldmen.

## NEVADA

Section 722.829 (b)—State Administrative Officer; and the ASC Farmer Fieldman.

## NEW MEXICO

Sections 722.818 (f) (2) and 722.1418 (b)—Dale H. Helsper, State Administrative Officer.

Sections 722.829 (b) and 722.1428 (b)—Dale H. Helsper, State Administrative Officer;

W. C. Hutchins, Jr., and Theodore R. Baker, Program Specialists; and all ASC Farmer Fieldmen.

## NORTH CAROLINA

Section 722.818 (f) (2)—J. L. Nicholson, Program Specialist.

## OKLAHOMA

Sections 722.817 (g) and 722.829 (b)—S. A. Shelby, Program Specialist; and all ASC Farmer Fieldmen.

## PUERTO RICO

Sections 722.1417 (e) (3) (ii) (a), 722.1417 (g) 722.1417 (j) (2), 722.1418 (b), 722.1428 (b)—G. Laguardia, Director, Caribbean Area ASC Office; J. Capo-Caballero, Assistant Director, Caribbean Area ASC Office; Alcides Zeno, Chief, A. C. Programs and District Offices Division; David Gomez-Montoya, Assistant Chief, A. C. Programs and District Offices Division.

## SOUTH CAROLINA

Section 722.829 (b)—State Administrative Officer; A. R. Crawford, Program Specialist; and C. B. Ringer, Administrative Assistant.

## TENNESSEE

Sections 722.817 (g) and 722.829 (b)—State Administrative Officer; Joe D. Ramsey, Program Specialist; John E. Hudson, Assistant Program Specialist; and all ASC Farmer Fieldmen.

## TEXAS

Sections 722.817 (g), 722.1417 (g), 722.829 (b), and 722.1428 (b)—H. H. Marshall, W. M. Hott, Paul H. Johnson, and John E. Montgomery, Program Specialists; and all ASC Farmer Fieldmen.

## VIRGINIA

Section 722.829 (b)—W. T. Powers, State Administrative Officer; J. S. Shackleton, Jr., Program Specialist; Homer O. Simpson, Chief Production Adjustment Specialist; J. Parker Lambeth, Jr., Production Adjustment Specialist; Leland E. Beale, Jr., Thomas W. Ragsdale, and L. L. Snead, ASC Farmer Fieldmen.

Issued at Washington, D. C., this 31st day of December 1956.

[SEAL]

CLARENCE L. MILLER,  
Acting Administrator.

[F. R. Doc. 57-64; Filed, Jan. 3, 1957;  
8:49 a. m.]

## ATOMIC ENERGY COMMISSION

[Docket No. F-36]

BABCOCK &amp; WILCOX CO.

## NOTICE OF PROPOSED ISSUANCE OF FACILITY EXPORT LICENSE

Please take notice that the Atomic Energy Commission proposes to issue on Form AEC-250, a facility export license, XR-2, described below unless within 15 days after publication in the FEDERAL REGISTER, a request for a formal hearing is filed with the Commission in the manner prescribed by § 2.102 (b) of the Commission's rules of practice (10 CFR 2.102 (b)).

1. Pursuant to section 104 (c) of the Atomic Energy Act of 1954 and 10 CFR, Chapter I, Part 50, "Licensing of Production of Utilization Facilities," and upon findings that (a) the reactor proposed to be exported is a utilization facility as defined in said act and regulations, and (b) the issuance of a license for the export thereof is within the scope of and is consistent with the terms of an

agreement for cooperation with Brazil, the Atomic Energy Commission proposes to issue a license to Babcock & Wilcox Company, 161 East 42d Street, New York 17, N. Y., for the export of a 5 megawatt pool type research reactor described in the supplement to its application filed October 19, 1956, to the Conselho Nacional de Pesquisas do Brasil, a Department of the Brazilian Government, for operation by the University of Sao Paulo.

2. The license will be subject to the following conditions:

(a) Neither the license nor any right under the license shall be assigned or otherwise transferred in violation of the provisions of the Atomic Energy Act of 1954.

(b) The license will be subject to the right of recapture or control reserved by section 108 of the Atomic Energy Act of 1954, and to all other provisions of the act, now or hereafter in effect, and to all rules and regulations of the United States Atomic Energy Commission.

(c) The license will be effective as of the date of issuance thereof and shall expire on March 31, 1958, unless sooner terminated.

Dated at Washington, D. C., this 31st day of December 1956.

For the Atomic Energy Commission.

H. L. PRICE,

Director,

Division of Civilian Application.

[F. R. Doc. 57-66; Filed, Jan. 2, 1957;  
12:34 p. m.]

## FEDERAL POWER COMMISSION

[Docket No. G-11651]

GEORGE C. MCGHEE ET AL.

## ORDER SUSPENDING PROPOSED CHANGE IN RATES

George C. McGhee (Operator) et al. (McGhee), on November 30, 1956, tendered for filing a proposed change in the presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing, which is proposed to become effective on the date shown:

Description, Purchaser, Rate Schedule  
Description, and Effective Date<sup>1</sup>

Notice of change, dated November 30, 1956; Texas Gas Transmission Corporation; Supplement No. 2 to McGhee's FPC Gas Rate Schedule No. 2; January 1, 1957.

In support of the increase, McGhee cites the terms of a "favored nations" provision in his 20-year gas sales contract, which McGhee states was a major inducement to him for entering such contract after arm's length bargaining. See, however, the views of the Commission expressed in Union Oil Company of California, et al., Opinion No. 300, issued December 6, 1956.

<sup>1</sup>The stated effective date is the first day after the expiration of the required thirty days notice, or the effective date proposed by McGhee, if later.



The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until June 1, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Issued: December 27, 1956.

By the Commission.

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 57-46; Filed, Jan. 3, 1957;  
8:46 a. m.]

[Docket No. G-11652]

RUSSELL MAGUIRE ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

Russell Maguire (Operator) et al. (Maguire) on November 29, 1956, tendered for filing a proposed change in the presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing, which is proposed to become effective on the date shown:

Description; Purchaser; Rate Schedule Designation; and Effective Date<sup>1</sup>

Notice of change, dated November 26, 1956; Texas Eastern Transmission Corporation; Supplement No. 3 to Maguire's FPC Gas Rate Schedule No. 2; December 29, 1956.

<sup>1</sup> The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Maguire, if later.

In support of the increase, Maguire states only that it derives from the terms of an arm's length contract, does not involve large dollar amounts and that Maguire's costs and expenditures will increase as the reservoirs are depleted. See, however, the views of the Commission expressed in Union Oil Company of California, et al., Opinion No. 300 issued December 6, 1956.

The increased rates and charges proposed in the aforesaid filings have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision the above-designated supplement be and the same hereby is suspended and the use thereof deferred until May 29, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Issued: December 27, 1956.

By the Commission.<sup>2</sup>

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 57-47; Filed, Jan. 3, 1957;  
8:46 a. m.]

[Docket No. G-11653]

CHICAGO CORP. ET AL.

ORDER SUSPENDING PROPOSED CHANGE IN RATES

The Chicago Corporation, et al. (Chicago) on November 28, 1956, tendered for filing a proposed change in the presently effective rate schedule for sales subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate, is contained in the following designated filing, which is proposed to become effective on the date shown:

<sup>2</sup> Commissioner Digby dissenting.

Description, Purchaser, Rate Schedule Designation, and Effective Date<sup>1</sup>

Notice of change undated; Texas Eastern Transmission Corporation; Supplement No. 3 to FPC Gas Rate Schedule No. 24; December 28, 1956.

In support of the increase, Chicago states only the terms of its 20-year contract and the pricing arrived at therein in view of the length of time involved and Chicago's prospective costs and expenditures. See, however, the views of the Commission expressed in Union Oil Company of California, et al., Opinion No. 300, issued December 6, 1956.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed change in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until May 28, 1957, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

Issued: December 27, 1956.

By the Commission.<sup>2</sup>

[SEAL] J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 57-48; Filed, Jan. 3, 1957;  
8:46 a. m.]

[Docket No. G-11654]

ALABAMA-TENNESSEE NATURAL GAS CO.

ORDER SUSPENDING PROPOSED CHANGES IN RATE SCHEDULE AND SERVICE AGREEMENT

On November 30, 1956, Alabama-Tennessee Natural Gas Company (Alabama-

<sup>1</sup> The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Chicago, if later.



Tennessee) submitted for filing proposed changes in its rate schedule provisions and forms of service agreement with regard to sales of natural gas subject to the jurisdiction of the Commission. The presently material changes<sup>1</sup> are contained in Original Sheets Nos. 11-A, 11-B, 11-C, 28-A, 28-B, 28-C and 36-E of Alabama-Tennessee's FPC Gas Tariff, First Revised Volume No. 1, and are proposed to become effective (pursuant to requested waiver of notice), on December 1, 1956.

The proposal contemplates the establishment of Rate Schedule OPS-CD1 (Optional Peak Service Contract Demand) to be available through April 30, 1957 containing the same monthly rate levels as those in effect for peaking service during the winter season 1955-1956; a demand charge of \$2.25 per Mcf of billing demand and a commodity charge of 75 cents per Mcf for the volumes of peaking gas delivered.<sup>2</sup> Under the proposal, Alabama-Tennessee's customers must, inter alia, elect a billing demand under the General Service Rate Schedule (Rate Schedule G-1) not less than 108% of the billing demand applicable to them respectively on April 30, 1956. Under the proposal, billing demand for the peaking service is importantly changed from that in effect during the winter season 1955-1956, in that such billing demand is the contracted demand for such peaking service instead of the highest peaking service demand actually established during the term of the applicable Rate Schedule.<sup>3</sup>

Letters protesting the change to contract demand billing have been received from five of the eight customers eligible for peaking gas service. Additionally, another customer urges return to the billing arrangement previously used.

Upon consideration of the proposed change, the reasons advanced in support thereof, and the objections advanced thereto, it appears that the proposed change in rate schedule and in the provisions of Alabama-Tennessee's service agreement related thereto have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful. Accordingly, such proposed change must be suspended pending hearing thereon, and cannot be presently given the December 1, 1956 effective date requested by Alabama-Tennessee. However, the overall effect of the proposed change, despite the indicated questions as to its sufficiency in terms of reasonableness and discrim-

ination, may be in general more advantageous to Alabama-Tennessee's customers than supply to them during the period December 1, 1956-April 30, 1957 under Alabama-Tennessee's otherwise applicable Rate Schedule G-1. Alabama-Tennessee has indicated its desire to make such advantages immediately available to its customers, which can be accomplished by its motion, at the end of the one-day suspension hereinafter ordered, to make its proposals effective pursuant to section 4 (e) of the Natural Gas Act.

In addition, the matter of the requested effective date of December 1, 1956 can be given further consideration at the conclusion of the hearings to be hereinafter provided for.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change in rate schedule and service agreement, and that the above-designated tariff sheets be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4, 5, 15 and 16 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held, upon a date to be fixed by notice from the Secretary, concerning the lawfulness of said proposed change in rate schedule and service agreement; and, pending such hearing and decision thereon Original Sheets Nos. 11-A, 11-B, 11-C, 28-A, 28-B, 28-C and 36-E to Alabama-Tennessee's FPC Gas Tariff, First Revised Volume No. 1 hereby are suspended and the use thereof deferred until January 1, 1957 and until such further time as they may be made effective in the manner prescribed by the Natural Gas Act.

(B) Pending such hearing and decision thereon, the proposed rate schedule, terms and conditions contained in the revised tariff sheets referred to in (A) above, hereby are suspended and their use deferred until January 1, 1957, unless otherwise ordered by the Commission, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Issued: December 27, 1956.

By the Commission.

[SEAL] J. H. GUTRIE,  
Acting Secretary.

[F. R. Doc. 57-49; Filed, Jan. 3, 1957;  
8:46 a. m.]

[Docket No. G-9638]

UNITED GAS PIPE LINE CO.

ORDER REOPENING PROCEEDING AND FIXING  
DATE OF HEARING

United Gas Pipe Line Company (Applicant), a Delaware corporation with

principal place of business at Shreveport, Louisiana, filed on November 9, 1956, an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

The aforesaid application was filed by Applicant as a part of its petition to amend the findings and order of the Commission issued on May 28, 1956, in the matter of United Gas Pipe Line Company in Docket No. G-9638 wherein Applicant was authorized, inter alia, to construct and operate certain line taps and appurtenant facilities for the purpose of selling and delivering natural gas in interstate commerce to The Utilities Board of the Town of Foley, Alabama (Riviera Utilities) (1) for resale and distribution in the municipalities of Bon Secour, Foley, Loxley, Magnolia Springs and Southport, Alabama, (2) for resale to the Naval Air Station at Barin Field and (3) for resale to customers adjacent to Riviera Utilities' transmission lines. The remainder of the petition, seeks an extension of time within which to construct and place in operation the instant facilities, and will be disposed of by separate order of the Commission.

Applicant now seeks authorization to sell and deliver an additional volume of natural gas in interstate commerce to Riviera Utilities for resale and distribution by Riviera Utilities in the Town of Summerdale, Alabama.

The estimated annual gas requirements and peak day gas requirements for the Town of Summerdale in Mcf for the first 3 years of operation together with the presently authorized gas requirements and the revised gas requirements of Riviera Utilities are as follows:

Year	(Proposed) Summer- dale	Present authoriza- tion	Revised require- ments including Summer- dale
Annual:			
1.....	3,977	178,874	182,851
2.....	4,751	190,373	201,124
3.....	5,555	215,219	220,774
Peak day:			
1.....	38	1,570	1,608
2.....	41	1,672	1,713
3.....	47	1,772	1,819

The Commission finds:

(1) That this matter should be disposed of as promptly as possible under the applicable rules and regulations.

(2) That the public interest requires the reopening of the proceeding in the matter of United Gas Pipe Line Company in Docket No. G-9638 solely for the purpose of considering the proposed sale of natural gas by Applicant in interstate commerce to Riviera Utilities for resale and distribution in the Town of Summerdale, Alabama as hereinafter ordered.

The Commission orders:

(A) That the proceeding in the matter of United Gas Pipe Line Company in Docket No. G-9638 be and the same hereby is reopened solely for the purpose of considering the proposed sale of natural

<sup>1</sup> Other changes submitted on November 30, 1956, consisting of clarifying provisions contained in First Revised Sheets Nos. 4, 6, 7, 8, 9, 23, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37, and in Second Revised Sheet No. 5, of the above designated Volume No. 1, are not involved in the present order.

<sup>2</sup> I. e., volumes on any day in excess of the customer-elected billing demand under Alabama-Tennessee's existing Rate Schedule G-1.

<sup>3</sup> Assuming the normal event, that Alabama-Tennessee's customers fix such contracted demand at the level of the greatest demand anticipated under average winter conditions, the proposal in effect would probably result in increased rates to such customers over the rates incurred last winter.



gas by Applicant in interstate commerce to Riviera Utilities for resale and distribution in the Town of Summerdale, Alabama.

(B) That pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Monday, January 7, 1957, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the instant application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless other-

wise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

(C) That 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 December 24, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

Issued: December 11, 1956.

By the Commission.

[SEAL] LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 57-70; Filed, Jan. 3, 1957;  
8:50 a. m.]

## GENERAL SERVICES ADMINISTRATION

### REPORT OF PURCHASES UNDER DOMESTIC PURCHASE REGULATION<sup>1</sup>

OCTOBER 31, 1956.

Material	Termination date of program	Unit of measure	Total limitation	Interim limitation	Quantity purchases	
					During October	Inception to Oct. 31, 1956
Asbestos.....	Dec. 31, 1958	Short tons, crude Nos. 1 and 2.	2,000	456	231	231
		Short tons, crude No. 3.	2,000	456	144	144
Columbium-tantalum.....	do.....	Pounds, contained combined pentoxide.	250,000	57,176	0	0
Fluorspar.....	do.....	Short tons, acid grade.	250,000	57,173	0	0
Tungsten.....	do.....	Short ton units, tungsten trioxide.	1,250,000	285,872	77,702	77,702

Dated: December 28, 1956.

EDWARD K. MILLS, Jr.,  
Acting Administrator.

[F. R. Doc. 57-57; Filed, Jan. 3, 1957; 8:47 a. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3538]

KENTUCKY POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE REGARDING BANK BORROWINGS BY SUBSIDIARY OF REGISTERED HOLDING COMPANY PURSUANT TO LINE OF CREDIT

DECEMBER 28, 1956.

Kentucky Power Company ("Kentucky"), a public utility subsidiary of American Gas and Electric Company ("American Gas"), a registered holding company has filed a declaration with this Commission pursuant to section 7 of the Public Utility Holding Company Act of 1935 ("act") regarding the following proposed transactions:

Kentucky has heretofore established a line of credit with the Irving Trust Company and The Hanover Bank in an aggregate amount of \$2,100,000 for the purpose of financing its construction program through the years 1955 and 1956, and in connection therewith filed a declaration with this Commission which

was permitted to become effective by Commission Order dated March 16, 1955 (Holding Company Act Release No. 12821). Thereafter, Kentucky issued Notes evidencing borrowings aggregating \$1,850,000 under this line of credit and it is expected that the full amount of the \$2,100,000 line of credit will have been utilized at December 31, 1956.

Kentucky now proposes to increase this line of credit by \$2,000,000 to an aggregate amount of \$4,100,000 and proposes to make additional borrowings thereunder from time to time prior to December 31, 1957. The borrowings are to be evidenced by promissory notes of Kentucky due not more than 270 days from the dates of issuance, bearing interest at the prime credit rate in effect at the respective dates of issuance and repayable without premium.

The proceeds from all of these borrowings are to be used in connection with Kentucky's program of construction which it estimates will involve expenditures totaling approximately \$2,945,000 for the year 1957.

Any future plan for financing of a permanent nature will provide for the prepayment of all of the then outstanding notes and Kentucky agrees that upon

completion of such financing the authorization requested herein shall terminate.

No State commission and no Federal commission other than this Commission has jurisdiction over the proposed transaction.

No legal or other fees, commissions or expenses are to be paid or incurred by Kentucky or any associate company in connection with the proposed transaction except that routine services incident to the transaction have been and will be performed, at cost, by American Gas and Electric Service Corporation, the service corporation for the American Gas and Electric System.

Due notice having been given of the filing of said declaration in the manner prescribed by Rule U-23 (Holding Company Act Release No. 13332) and no hearing having been requested of or ordered by the Commission; and the Commission finding that the applicable standards of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary; and the Commission deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 57-50; Filed, Jan. 3, 1957;  
8:46 a. m.]

[File No. 812-1054]

ATLAS CORP.

NOTICE OF FILING OF APPLICATION FOR ORDER EXEMPTING TRANSACTIONS BETWEEN AFFILIATES

DECEMBER 28, 1956.

Notice is hereby given that Atlas Corporation ("Atlas") a registered closed-end, non-diversified management investment company, has filed an amended application, pursuant to section 17 (b) of the Investment Company Act of 1940 ("act"), for an order exempting from the provisions of section 17 (a) of the act the transaction described below.

Atlas proposes to purchase from Stanrock Uranium Mines Limited ("Stanrock") certain securities for an aggregate consideration of \$500,000.

Atlas owns 959,000 shares of Common Stock of Stanrock Uranium Corporation ("Stanrock") out of a total of 6,677,388 such shares outstanding. Thus Atlas owns 14.36 percent of the Common Stock of Stanrock, and Stanrock is therefore an affiliated person of Atlas within the meaning of section 2 (a) (3) of the act. Stanrock owns 2,310,101, or 70.54 percent and Atlas owns 95,900 or 2.93 percent of the 3,275,007 shares of Common Stock of Stanrock outstanding. Stanrock is, therefore, an affiliated person of Stanrock within the meaning of section 2 (a) (3) of the act.

<sup>1</sup> Operating on delegation of authority by Department of Interior under PL 733.



Stanrock, a corporation organized under the laws of the Province of Ontario, Canada, owns certain mining claims located in that Province and pursuant to a contract with Eldorado Mining and Refining Limited, an agency of the Crown in Canada, proposes to sell to the latter agency uranium concentrates produced from a mill to be built by Stanrock. In order to provide the initial temporary financing for these mining operations and the proposed mill, Stanrock has arranged to sell to a small group of investors, including Atlas, \$3,000,000 principal amount of 5¼ percent First Mortgage Bonds due June 1, 1957, and 450,000 shares of Common Stock for a total consideration of \$3,000,000. Of this amount Atlas has agreed to purchase, subject to the order of this Commission, \$500,000 principal amount of First Mortgage Bonds and 75,000 shares of Common Stock of Stanrock, for a total consideration of \$500,000. Stanrock's books will reflect the sale of the Bonds at 85 percent of their principal amount, and in the case of the Common Shares, at one dollar per share.

Negotiations are now in progress for the purpose of establishing a permanent financing program which is expected to provide approximately \$24,500,000. It is anticipated that this program will be completed prior to the maturity date of the Bonds and will provide proceeds out of which the Bonds will be repaid at or before maturity. Applicant represents that the terms of the proposed transaction are fair and reasonable to all persons concerned. In support thereof, it is stated that the terms of the proposed financing were negotiated at arm's length between Stanrock and informed investors participating in the purchasing group who were not at the time affiliated in any way with Stanrock or Atlas.

Applicant also represents that the terms of the proposed financing reasonably reflect existing conditions in the market for capital funds available to Stanrock and that the inclusion of Common Shares in the unit offered for purchase at a price less than the current market price thereof, constitutes an essential inducement to the sale of the Bonds. (As of December 3, 1956, Stanrock common stock was quoted at 3 bid and 3¼ asked.)

Section 17 (a) of the act prohibits an affiliated person of a registered investment company, or an affiliated person of such a person from selling to or purchasing from such registered investment

company or any company controlled by such registered investment company, any security or other property, subject to certain exceptions, unless the Commission upon application pursuant to section 17 (b) grants an exemption from the provisions of section 17 (a), after finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the act, and is consistent with the general purposes of the act. Since, by definition under the act, Stanrock is an affiliated person of Stancan, and Stancan is an affiliated person of Atlas, a registered investment company, the proposed purchase of securities by Atlas from Stanrock is subject to the provisions of section 17 (a) of the act.

Notice is further given that any interested person may, not later than January 14, 1957, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 57-52; Filed, Jan. 3, 1957;  
8:46 a. m.]

## INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF  
DECEMBER 31, 1956.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

### LONG-AND-SHORT HAUL

FSA No. 33117: *Trailer-on-flat-car service, Missouri Pacific Railroad.* Filed by Missouri Pacific Railroad Company, Agent, for itself. Rates on freight loaded in highway truck-trailers and transported on railroad flat cars, between St. Louis, Mo.-East St. Louis, Ill., and points taking the same rates, on the one hand, and Atchison, Leavenworth, Kans., Independence, Kansas City, and St. Joseph, Mo., and points taking the same rates, on the other.

Grounds for relief: Motor-truck competition.

Tariff: Missouri Pacific Railroad Company tariff I. C. C. 36.

FSA No. 33118: *Potassium from New York points to Cincinnati, Ohio.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on potassium (Potash), caustic, tank-car loads from Syracuse, Solway, Niagara Falls, and Suspension Bridge, N. Y., to Cincinnati, Ohio.

Grounds for relief: Market competition and circuitry.

Tariffs: Supplement 8 to Agent C. W. Boin's tariff I. C. C. No. A-1116 and other issues listed in the application.

FSA No. 33119: *Various commodities between points in Texas.* Filed by J. F. Brown, Agent, for interested rail carriers. Rates on (A) cement mix, carloads (B) newsprint paper, carloads and (C) sugar, beet, cane, corn, or sorghum grain, carloads, (A) from Echo, Tex., to points in Texas, (B) from Herty, Tex., to points in Texas and (C) between points in Texas.

Grounds for relief: Intrastate rail carrier competition and circuitry.

Tariff: Supplement 34 to Agent Brown's tariff I. C. C. No. 865.

### AGGREGATE-OF-INTERMEDIATES

FSA No. 33120: *Various commodities between points in Texas.* Filed by J. F. Brown, Agent, for interested rail carriers. Rates on (A) cement or cement mix, carloads (B) newsprint paper, carloads and (C) sugar, beet, cane, corn, or sorghum grain, carloads, (A) from Echo, Tex., to points in Texas, (B) from Herty, Tex., to points in Texas and (C) between points in Texas.

Grounds for relief: Intrastate rail carrier competition and circuitry.

Tariff: Supplement 34 to Agent Brown's tariff I. C. C. No. 865.

By the Commission,

[SEAL] HAROLD D. McCoy,  
Secretary.

[F. R. Doc. 57-56; Filed, Jan. 3, 1957;  
8:47 a. m.]