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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

[Dept. Reg. 108.314]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS

Section 325.11 *Designation of differential posts* is amended as follows, effective on the dates indicated:

1. Effective as of the beginning of the first pay period following April 6, 1957, paragraph (a) is amended by the deletion of the following:

Gold Coast, all posts except Accra.

2. Effective as of the beginning of the first pay period following April 6, 1957, paragraph (b) is amended by the deletion of the following:

Accra, Gold coast.
India, all posts except Bangalore, Bhopal, Bombay, Calcutta, Chandigarh, Gwalior, Hazaribagh, Hyderabad, Izatnagar, Lucknow, Ludhiana, Madras, Nabha, Nagpur, New Delhi, Simla, Trivandrum and Vellore.
Saldia, Morocco.

3. Effective as of the beginning of the first pay period following May 5, 1956, paragraph (a) is amended by the addition of the following:

Pakse, Laos.

4. Effective as of the beginning of the first pay period following August 11, 1956, paragraph (a) is amended by the addition of the following:

Grand Cayman, B. W. I.
Guadeloupe, F. W. I.
Saint Maarten Island, N. W. I.

5. Effective as of the beginning of the first pay period following April 6, 1957, paragraph (a) is amended by the addition of the following:

Ghana, all posts except Accra.

6. Effective as of the beginning of the first pay period following April 6, 1957, paragraph (b) is amended by the addition of the following:

Accra, Ghana.
India, all posts except Bangalore, Bhopal, Bombay, Calcutta, Chandigarh, Gwalior, Hazaribagh, Hyderabad, Izatnagar, Kotah, Lucknow, Ludhiana, Madras, Nabha, Nagpur, New Delhi, Simla, Trivandrum and Vellore.

7. Effective as of the beginning of the first pay period following April 6, 1957, paragraph (c) is amended by the addition of the following:

Kotah, India.

(Sec. 102, Part I, E. O. 10000, 13 F. R. 5453, 3 CFR, 1948 Supp.)

Dated: March 26, 1957.

For the Secretary of State.

I. W. CARPENTER, Jr.,
Assistant Secretary-Controller.

[F. R. Doc. 57-2705; Filed, Apr. 8, 1957; 8:45 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

[1957 C. C. C. Grain Price Support Bulletin 1]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—GENERAL PROVISIONS FOR 1957-CROP PRICE SUPPORT PROGRAMS FOR GRAINS AND RELATED COMMODITIES

This bulletin (hereinafter called subpart) contains regulations of a general nature which will be applicable with respect to 1957 price support programs for certain grains and other commodities for which the Secretary of Agriculture makes price support available through the Commodity Credit Corporation and the Commodity Stabilization Service (referred to in this subpart and supplements hereto as CCC and CSS respectively).

A separate supplement to this subpart (hereinafter referred to as "commodity supplement"), containing additional specific requirements, will be issued for each commodity to which the provisions of this subpart are to be applicable.

(Continued on p. 2323)

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FEDERAL REGISTER

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CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

Sec.

AUTHORITY: §§ 421.2201 to 421.2221 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 301, 401, 63 Stat. 1051, 66 Stat. 758, 70 Stat. 188, 15 U. S. C. 714c; 7 U. S. C. 1441, 1447, 1421.

§ 421.2201 *Administration.* The programs to which this subpart applies will be administered by CSS, under the general direction and supervision of the Executive Vice President, CCC, and, in the field, will be carried out by Agricultural Stabilization and Conservation State Committees and Agricultural Stabilization and Conservation County Committees (hereinafter called State and county committees) and CSS commodity offices. Producers interested in participating in any program should contact their county office through which the price support documents will be distributed. Where the county office has experienced difficulties in settling farm-storage loans with a producer, the county committee shall determine that he is not eligible for a farm-storage loan. He shall be eligible, however, to obtain a warehouse-storage loan or sign a purchase agreement. All documents will be approved by the county office manager, or other employee of the county office designated by him to act in his behalf. Such designations shall be on file in the county office. Copies of all price support documents shall be retained in the county office. County office managers, State and county committees, and CSS commodity offices do not have authority to modify or waive any of the provisions of this subpart or any amendments or supplements to this subpart.

§ 421.2202 *Commodities covered by this subpart.* The provisions of this subpart shall apply to 1957 price support programs for barley, corn, dry edible beans, grain sorghums, flaxseed (except direct purchases), oats, rice, rye, soybeans, wheat, and any other 1957 price support program for which a commodity supplement to this subpart is issued. Commodities produced in violation of restrictive leases on Federally owned land shall not be eligible for price support.

§ 421.2203 *Methods of price support.* This subpart applies to farm-storage loans, warehouse-storage loans, and purchase agreements. The particular methods to be used for each commodity will be specified in the applicable commodity supplement to this subpart.

§ 421.2204 *Disbursement of loans.* Disbursement of loans will be made to producers by approved lending agencies under an agreement with CCC, or by ASC county offices by means of sight drafts drawn on CCC: *Provided, however,* That loans on commodities covered by this subpart (except rice), produced in the States of Colorado, Kansas, Missouri, Nebraska, and Wyoming, will be disbursed by financial institutions under separate regulations published in the FEDERAL REGISTER, or by ASC county offices by means of sight drafts drawn on CCC. No disbursements shall be made later than 15 days after the final date of availability of loans set forth in the applicable commodity supplement to this subpart, unless authorized by the Executive Vice President, CCC. Disbursements shall be made not later than the maturity date applicable to the commodity when, with the prior approval of the county committee, the producer repays a farm-storage loan, transfers the commodity to an approved warehouse, and obtains a warehouse-storage loan on the same commodity. Payment in cash, credit to the producer's account, or the drawing of a check or draft shall constitute disbursement. The producer shall not present the loan documents for disbursement unless the commodity is in existence and in good condition. If the commodity was not in existence or in good condition at the time of disbursement, the total amount disbursed under the loan shall be promptly refunded by the producer. In the event the amount disbursed exceeds the amount authorized under the applicable commodity supplement to this subpart, the producer shall be personally liable for repayment of the amount of such excess.

§ 421.2205 *Approved lending agencies.* An approved lending agency shall be any bank, cooperative marketing association, corporation, partnership, individual, or other legal entity, with which CCC has entered into a lending agency agreement.

§ 421.2206 *Approved storage.* Loans will be made only on commodities in approved storage. Purchase agreements may be executed without regard to whether the commodity is in approved storage. However, warehouse receipts representing commodities tendered to CCC under purchase agreements will be accepted in lieu of physical delivery only if the commodity is in approved warehouse storage, is in existence, and is in good condition at the time the warehouse receipt is tendered.

(a) *Farm-storage.* Approved farm storage shall consist of storage structures located on or off the farm (excluding public warehouses), which are determined by the county committee within the specifications, if any, prescribed by the State committee to be so located and of such substantial and permanent construction as to afford safe storage of the commodity.

(b) *Warehouse-storage.* Approved warehouse storage shall consist of (1) public warehouses for which a CCC uniform storage agreement for the commodity is in effect and which are approved by CCC for price support purposes, or (2) warehouses operated by Eastern common carriers under tariffs approved by the Interstate Commerce Commission for which custodian agreements are in effect. The names of approved warehouses may be obtained from CSS commodity offices or State and county offices.

§ 421.2207 *Applicable forms and requirements*—(a) *Farm-storage loans.* Applicable forms shall consist of Producer's Note and Supplemental Loan Agreement, secured by Commodity Chattel Mortgage, Commodity Delivery Notice, Loan Settlement, and such other forms and documents as may be required by CCC.

(b) *Warehouse-storage loans.* Applicable forms shall consist of the Producer's Note and Loan Agreement and such other forms and documents as may be required by CCC.

(c) *Purchase agreements.* Applicable forms shall consist of the Purchase Agreement and Purchase Agreement Settlement signed by the producer and approved by the county office manager, the Delivery Instructions issued by the county office, and such other forms and documents as may be required by CCC.

(d) *Warehouse receipts.* The form in which warehouse receipts shall be sub-

mitted will be stated in each commodity supplement to this subpart.

(e) *Other requirements.* Producer's Note and Supplemental Loan Agreements, Commodity Chattel Mortgages, and Producer's Note and Loan Agreements, must have State and documentary revenue stamps affixed thereto where required by law. Loan and purchase agreement documents executed by an administrator, executor, or trustee, will be acceptable only where legally valid. All of the commodity pledged as security for a loan evidenced by a single Producer's Note and Loan Agreement must be stored in the same warehouse. Farm-storage loans shall be made on the entire quantity of the commodity stored in the bin or crib except where the county committee has determined a loan on part of the commodity stored therein is necessary to enable an otherwise eligible producer to obtain a price support loan. Approval of a loan on part of the commodity stored in a bin or crib shall not be granted in the event the State committee has determined on a Statewide basis that such partial loans shall not be made.

§ 421.2208 *Liens.* If there are any liens or encumbrances on the commodity, waivers that will fully protect the interests of CCC must be obtained even though the liens or encumbrances are satisfied from the loan or purchase proceeds.

§ 421.2209 *Service charges.* (a) Producers shall pay the following service charges on the quantity of the commodity placed under loan or specified in the purchase agreement. In the case of loans, the service charges shall be collected from the proceeds of the loan at the time the loan is disbursed except for prepayment of such minimum service charges as may be required under paragraph (b) of this section. In the case of purchase agreements, the service charges shall be collected at the time the purchase agreement form (Commodity Purchase Form 1) is completed. Such service charges shall be computed at the rates shown in column (2) of the following table for commodities the quantity of which is determined on the basis of bushels, and at the rates shown in column (3) for commodities the quantity of which is determined on the basis of 100 pounds. An additional service charge shall be paid on any additional quantity delivered to and accepted by CCC under a farm-storage loan or not redeemed in the case of an identity-preserved warehouse-storage loan.

Method of price support	Service charges		
	Per bushel	Per 100 pounds	Minimum charges
(1)	(2)	(3)	(4)
	Cents	*Cents*	
Farm-storage loans	1	2	[1] $3.00
Warehouse-storage loans	½	[2] 1	[2] 1.50
Purchase agreements	½	1	1.50

[1] Except rice for which State committees are authorized to require payment of $5 for each lot sampled.
[2] Except rice for which the service charge for warehouse-storage loans shall be 2 cents per 100 pounds with a minimum charge of $3.

(b) In the case of farm-storage loans, and identity-preserved and modified commingled warehouse-storage loans, State committees are authorized to require prepayment of the minimum service charges (shown in paragraph (a) of this section) at the time the producer applies for a loan.

(c) No refund of service charges will be made except if the amount collected is in excess of the correct amount.

§ 421.2210 *Set-offs.* If the producer is indebted to CCC on any accrued obligation, or if any installment or installments on any loan made available by CCC on farm-storage facilities or mobile drying equipment are delinquent, or are payable under the provisions of the note evidencing such loan out of the proceeds of the price support loan or purchase, he must designate CCC or the lending agency holding such note as the payee of the proceeds of the price support loan or purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of loan service charges and amounts due prior lienholders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided in this section. Indebtedness owing to CCC or to a lending agency as provided in this section shall be given first consideration after claims of prior lienholders. Where the producer has an outstanding loan(s), made under the Farm Storage Facility Loan Program or the Mobile Drying Equipment Loan Program, any storage payment due the producer for storage of the commodity in farm-storage structures shall be applied (a) to any delinquent amount(s), (b) to the borrower's storage facility loan installment or mobile drying equipment loan installment which is due and payable when the storage payment is due, and (c) to any extended installment(s), each including interest. Any amount of such storage payment not so applied, together with all other payments for services due the producer, shall be subject to set-off in the same manner as provided in this section for loan or purchase proceeds. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 421.2211 *Interest rate.* Loans shall bear interest at the rate of 3½ percent per annum from the date of disbursement of the loan, except that (a) where there is a default in satisfaction of a farm-storage loan, identity-preserved or modified commingled warehouse-storage loan, the deficiency shall bear interest at the rate of 6 percent per annum from the date of default and (b) where there has been a fraudulent representation by the producer in the loan documents or in obtaining the loan, the loan shall bear interest at the rate of 6 percent per annum from the date of disbursement of the loan.

§ 421.2212 *Transfer of producer's interest*—(a) *Warehouse-storage loans.* The producer shall not transfer either his remaining interest in or his right to redeem a commodity pledged as security for a warehouse-storage loan, nor shall anyone acquire such interest or right. Warehouse receipts will be released only to the producer or his authorized agent as provided in § 421.2217.

(b) *Farm-storage loans.* The producer shall not transfer either his remaining interest in or his right to redeem a commodity mortgaged as security for a farm-storage loan nor shall anyone acquire such interest or right. Subject to the provisions of § 421.2217 regarding partial redemption of loans, a producer who wishes to liquidate all or part of his loan by contracting for the sale of the commodity must obtain written prior approval of the county committee on Commodity Loan Form 12 to remove the commodity from storage when the proceeds of the sale are needed to repay all or any part of the loan. Any such approval shall be subject to the terms and conditions set out in Commodity Loan Form 12, copies of which may be obtained by producers or prospective purchasers at the office of the county committee.

(c) *Purchase agreements.* The producer may not assign his interest in a purchase agreement.

§ 421.2213 *Safeguarding the commodity.* The producer obtaining a farm-storage loan is obligated to maintain the storage structure in good repair and to keep all the mortgaged commodity in storage and in good condition until the loan is liquidated.

§ 421.2214 *Insurance on farm-storage loans.* CCC will not require the producer to insure the commodity placed under a farm-storage loan; however, if the producer insures such commodity and an indemnity is paid thereon, such indemnity shall inure to the benefit of CCC to the extent of its interest, after first satisfying the producer's equity in the commodity involved in the loss.

§ 421.2215 *Loss or damage to the commodity.* The producer is responsible for any loss in quantity or quality of the commodity placed under farm-storage loan. Notwithstanding the foregoing, and subject to the provisions of § 421.2214, physical loss or damage occurring after disbursement of the loan funds will be assumed by CCC to the extent of the settlement value at the time of destruction of the quantity of the commodity destroyed, or in an amount equivalent to the extent of the damage as determined by CCC, if the producer establishes to the satisfaction of CCC each of the following conditions: (a) The physical loss or damage occurred without fault, negligence, or conversion on the part of the producer, or any other person having control of the storage structure; (b) the physical loss or damage resulted solely from an external cause (other than insect infestation, rodents, or vermin), such as theft, fire, lightning, inherent explosion, windstorm, cyclone, tornado, flood or other acts of God; (c) the producer has given

the county committee immediate notice confirmed in writing of such loss or damage; (d) the producer has made no fraudulent representation in the loan documents or in obtaining the loan. No physical loss or damage occurring prior to disbursement of the loan funds to the producer will be assumed by CCC. Where disbursement of funds is made by sight draft or check, the date of the draft or check shall constitute the date of disbursement of the funds.

§ 421.2216 *Personal liability of the producer.* The making of any fraudulent representation by the producer in the loan documents, or in obtaining the loan or the conversion or unlawful disposition of any portion of the commodity by him may render the producer subject to criminal prosecution under the Federal Law and shall render him personally liable for the amount of the loan (including interest as provided in § 421.2211) and for any resulting expense incurred by any holder of the note. A producer shall be personally liable for any damage resulting from tendering to CCC any commodity containing mercurial compounds or other substances poisonous to man or animals which is inadvertently accepted by CCC.

§ 421.2217 *Release of the commodity under loan.* A producer may at any time obtain release of the commodity remaining under loan by paying to the holder of the note and supplemental loan agreement or note and loan agreement the principal amount thereof, plus charges and accrued interest. All charges in connection with the collection of the note shall be paid by the producer. Upon presentation of the paid note, the county office manager shall, in the case of farm-storage loans, arrange for the release of the chattel mortgage. The producer may arrange with the county committee for partial release of the commodity prior to maturity after making payment to the holder of the note for the quantity of the commodity released, plus charges and accrued interest; however, in the event the quantity of the commodity contained in the bin or crib and covered by the chattel mortgage is greater than the quantity with respect to which the amount of the loan was computed, all or part of such excess may be removed without payment on the loan but only upon prior approval by the county committee. Partial redemption of farm-storage loans and release of the commodity will not be approved by the county committee in the event the State committee has determined on a State-wide basis that partial redemption of loans and release of the commodity will not be permitted, except if redemptions are made by the use of soil bank certificates. In the case of warehouse-storage loans, such partial release must cover all of the commodity represented by one warehouse receipt. Warehouse receipts redeemed by repayment shall be released only to the producer-borrower or to another whom the producer has authorized in writing to receive the warehouse receipts as his agent. Such written authorization must be made within 30 days prior to redemption of warehouse receipts by repayment.

§ 421.2218 *Liquidation of loans and delivery under purchase agreements*—(a) *Farm-storage loans.* (1) The producer is required to pay off his loan on or before maturity or to deliver the commodity in accordance with instructions issued by the county committee. If the producer desires to deliver the commodity, he should, prior to maturity, give the county committee notice in writing of his intention to do so. The producer may, however, pay off his loan and redeem his commodity at any time prior to the delivery of the commodity to CCC or removal of the commodity by CCC. If, either before or after maturity, the commodity is going out of condition or is in danger of going out of condition, the producer shall so notify the county committee, and confirm such notice in writing. If the county committee determines that the commodity is going out of condition or is in danger of going out of condition and that the commodity cannot be satisfactorily conditioned by the producer, and delivery cannot be accepted within a reasonable length of time, the county committee shall arrange for an inspection and grade and quality determination. When delivery is completed, settlement shall be made on the basis of such grade and quality determination or on the basis of the grade and quality determination made at the time of delivery, whichever is higher. In the event the farm is sold, there is a change of tenancy or the producer dies, the commodity may be delivered before the maturity date of the loan, upon prior approval by the county committee, or may be delivered before the maturity date of the loan for other reasons upon authorization of the Executive Vice President, CCC. Settlement will be made on the grade, quality and quantity delivered by the producer, as determined by the county committee, in accordance with the provisions of the Producer's Note and Supplemental Loan Agreement and applicable commodity supplement. Delivery of commodities in bulk will be accepted only from the bin(s) in which the commodity under loan is stored. The maximum quantity eligible for delivery in cases where a loan has been made on part of the commodity in the bin shall be the quantity on which the loan was made plus any normal overrun established by the State committee. In the case of commodities stored in bags, only the quantity contained in the bags included in the lot placed under loan may be delivered.

(2) If the settlement value of the commodity delivered exceeds the amount due on the loan (excluding interest), such excess amount will be paid to the producer. Deliveries of commodities to CCC under farm-storage loans will be handled by the county office which initially approved the loan. Any payment due the producer will be made by sight draft drawn on CCC by the county office.

(3) If the settlement value of the commodity is less than the amount due on the loan (excluding interest), the amount of the deficiency plus interest thereon, shall be paid to CCC and may be set off against any payment which would otherwise be due to the producer under any agricultural program administered by the Secretary of Agriculture or any other payments which are due or may become due the producer from CCC or any other agency of the United States.

(b) *Warehouse-storage loans.* If the producer does not repay his loan by maturity, CCC shall have the right to sell or pool the commodity in accordance with the provisions of the note and loan agreement and § 421.2219. Any payment due the producer because of an over-plus realized from the sale or pooling of the commodity shall be made by the appropriate CSS commodity office. Where loans are called prior to maturity solely for the benefit or protection of CCC (as determined by the CSS commodity office serving the area) and storage has been deducted or prepaid through the maturity date and the amount of the unearned storage can be determined by CCC, refunds of this amount shall be made to the producer by the appropriate CSS commodity office. The amount of the storage charges to be refunded if such charges have been prepaid by the producer shall be computed at the lower of (1) the rate prepaid or (2) the applicable storage agreement rate or other applicable rate. If storage charges were deducted from the loan rate, the amount to be refunded shall be the amount of the storage deduction less storage charges accrued on the commodity. Refunds of prepaid handling charges shall be made by the appropriate county office.

(c) *Purchase agreements.* (1) The producer who signs a purchase agreement will not be obligated to sell any quantity of the commodity to CCC. However, he may sell to CCC any quantity of the commodity eligible for delivery not in excess of the quantity stated in the purchase agreement. If the producer who signs a purchase agreement wishes to sell the commodity to CCC, he will have a 30-day period during which he must notify the county committee in writing of his intentions to sell. Such period shall end on the loan maturity date specified in the applicable commodity supplement to this subpart or such earlier date as may be prescribed by the Executive Vice President, CCC.

(2) Provisions for the inspection, delivery and settlement on commodities under purchase agreements will be contained in the commodity supplements to this subpart.

(d) *Payments and collections; amounts not exceeding $3.00.* To avoid administrative costs of making small payments and handling small accounts, amounts due the producer of $3.00 or less will be paid only upon his request. Deficiencies of $3.00 or less, including interest, may be disregarded unless demand for payment is made by CCC.

§ 421.2219 *Foreclosure.* If the loan is not satisfied upon maturity, the holder of the note is authorized to remove the commodity from storage; and also to sell, assign, transfer, and deliver the commodity or documents evidencing title thereto at such time, in such manner, and upon such terms as the holder may determine, at public or private sale, either by separate contract or after pool-

ing it with other lots of a commodity similarly held. Any such disposition may similarly be effected without removing the commodity from storage. The commodity may be processed before sale and the holder of the note may become the purchaser of the whole or any part of the commodity. If the commodity is pooled, the producer has no right of redemption after the date the pool is established, but shall share ratably in any overplus remaining upon liquidation of the pool. CCC shall have the right to treat the pooled commodity as a reserve supply to be marketed under such sales policies as CCC determines will promote orderly marketing, protect the interests of producers and consumers, and not unduly impair the market for the current crop of the commodity even though part or all of such pooled commodity is disposed of under such policies at prices less than the current domestic price for such commodity. Any sum due the producer from the sale of the commodity or from an insurance indemnity paid on the commodity, or any ratable share resulting from the liquidation of a pool, after deducting the amount of the note, interest, and charges, shall be payable only to the producer without right of assignment by him. If a farm-stored commodity removed by CCC from storage is sold at less than the amount due on the loan (excluding interest) and the quantity, grade, or quality of the commodity as removed is lower than that on which the loan was computed, the producer shall pay to CCC the difference between the amount due on the loan and the higher of the sales proceeds or the settlement value of the commodity removed by CCC, plus interest. The settlement value shall be determined in accordance with the provisions of the applicable commodity supplement and Producer's Note and Supplemental Loan Agreement concerning settlement of commodities delivered by the producer to CCC. The amount of the deficiency may be set off against any payment which would otherwise be due to the producer under any agricultural program administered by the Secretary of Agriculture, or any other payments which are due or may become due the producer from CCC, or any other agency of the United States.

§ 421.2220 *Purchase of notes.* Notes evidencing loans held by lending agencies will be purchased by CCC from approved lending agencies in accordance with the terms of the lending agency agreement. The purchase price to be paid by CCC will be the principal sums remaining due on such notes plus an amount computed according to the lending agency agreement to cover interest. At maturity, or earlier upon request, lending agencies shall submit notes and reports to the ASC county office where the loan documents were approved.

§ 421.2221 *CSS commodity offices.* The CSS commodity offices and the areas served by them are shown below:

Chicago 5, Illinois, 623 South Wabash Avenue: Connecticut, Delaware, Illinois (except for rice), Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.

Dallas 1, Texas, 500 South Ervay Street: Alabama, Arkansas, Florida, Georgia, Illinois (for rice only), Louisiana, Mississippi, Missouri (for rice only), New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, Texas.

Kansas City 11, Missouri, 560 Westport Road: Colorado, Kansas, Missouri (except for rice), Nebraska, Wyoming.

Minneapolis 8, Minnesota, 1006 West Lake Street: Minnesota, Montana, North Dakota, South Dakota, Wisconsin.

Portland 5, Oregon, 1218 Southwest Washington Street: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

Issued this 4th day of April 1957.

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

[F. R. Doc. 57-2743; Filed, Apr. 8, 1957; 8:52 a. m.]

PART 438—NAVAL STORES

SUBPART—1957 GUM NAVAL STORES PRICE SUPPORT LOAN PROGRAM

Statement with respect to the Gum Naval Stores Price Support Loan Program for the calendar year 1957, formulated by the Commodity Credit Corporation and the Commodity Stabilization Service (hereinafter referred to as "CCC" and "CSS").

Sec.

AUTHORITY: §§ 438.801 to 438.815 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, sec. 301, 63 Stat. 1053; 15 U. S. C. 714c, 7 U. S. C. 1447.

§ 438.801 *Adminstration.* The Naval Stores Branch, Tobacco Division, CSS, will supervise the administration of the program. CCC will make a loan to the American Turpentine Farmers Association Cooperative, Valdosta, Georgia (hereinafter referred to as the "Association"), under a Loan Agreement which will enable the Association in turn to make loans to eligible producers on eligible naval stores, to store or supervise the storage of the collateral, to perform related field administration functions, to arrange for redemptions, and to collaborate in the liquidation of unredeemed collateral. The CSS Commodity Office, Dallas, Texas, will perform accounting and auditing functions.

§ 438.802 *Eligible producer.* A producer will be eligible for loans if he (a) is a member of the Association under membership requirements approved by CCC (no producer who is otherwise eligible may be excluded from membership in the Association), (b) is a cooperator in the 1957 Naval Stores Conservation Program of the United States Department of Agriculture or otherwise follows one or more good forestry conservation practices established by State and Federal forestry services, as determined by the Association, (c) has made satisfactory arrangements to pay any indebtedness to the United States Department of Agriculture or any agency thereof, as evidenced by the registers of indebtedness maintained by the Agricultural Stabilization and Conservation County Offices of the United States Department of Agriculture, and (d) has executed, and has not breached his obligations under, the Producer's Marketing Agreement (ATFA Form 1-1957), or any other similar agreement.

§ 438.803 *Eligible naval stores.* "Eligible naval stores" are eligible turpentine, eligible rosin and the turpentine and rosin content in eligible oleoresin.

§ 438.804 *Eligible turpentine.* "Eligible turpentine" is gum turpentine which (a) was produced from eligible oleoresin, (b) is free and clear from all liens and encumbrances, (c) has not been theretofore pledged for a loan under this or any similar program and in which the beneficial interest is and always has been in the producer, (d) is "waterwhite" in color, (e) is free from excess resin acids, as evidenced by a total acid number of not more than 0.50, and (f) conforms as to specific gravity to Federal Specifications TT-T-801a, to-wit: A maximum of 0.875 and a minimum of 0.860 taken at 60 degrees over 60 degrees Fahrenheit.

§ 438.805 *Eligible rosin.* "Eligible rosin" is gum rosin which (a) was produced from eligible oleoresin, (b) grades "K" or better, (c) is free and clear from all liens and encumbrances, (d) has not been theretofore pledged for a loan under this or any similar program and in which the beneficial interest is and always has been in the producer, (e) is packed to the net weight approved by CCC, in eligible metal drums, (f) is transparent, (g) is free from visible foreign materials and contains no extraneous matter resulting from chemical or other treatment of the rosin, or of the oleoresin or the trees from which it came, and (h) conforms as to softening point to not less than Federal Specifications LLL-R-626, to-wit: 158 degrees Fahrenheit (American Society for Testing Materials Methods No. E 28-51T). Rosin must be federally inspected and weighed or the weights checked prior to tender for loan.

§ 438.806 *Eligible oleoresin.* "Eligible oleoresin" is oleoresin (a) which was produced in 1957 in the United States by an eligible producer, (b) which is free and clear from all liens and encum-

brances, (c) the turpentine or rosin content in which has not been theretofore pledged for a loan under this or any similar program and in which the beneficial interest is and always has been in the producer, and (d) which will yield turpentine of the prescribed quality, and rosin of the prescribed grades and quality. When a producer's eligible oleoresin was commingled with oleoresin produced by other producers in the processing operation, the turpentine and rosin tendered for loan by the producer as representing the processed equivalent of his eligible oleoresin will be deemed to be, if otherwise eligible, eligible turpentine and eligible rosin, produced by such producer.

§ 438.807 *Eligible metal drums.* "Eligible metal drums" are drums conforming to the specifications for metal drums approved by CCC, obtainable from and on file in the office of the Association.

§ 438.808 *Availability of loans.* (a) Under the Loan Agreement, CCC will make a loan to the Association for the purpose of enabling the Association to make loans available, or to make loans, to eligible producers of eligible naval stores produced in 1957. The loan to the Association will be in an amount equal to (1) the amount of the loans made by the Association to producers, (2) the administrative and operating expenses, approved by CCC, incurred by the Association in connection with making loans available and the making of loans, and the handling, preservation and sale of pledged naval stores, (3) the storage charges after naval stores are pledged, and (4) an indemnification charge to cover the assumption by CCC of the risk of loss on rosin and rosin content in oleoresin (the storage rate for turpentine includes insurance).

(b) Each producer desiring to obtain loans will execute a Producer's Marketing Agreement with the Association. Each loan will be secured by a pledge by the producer to the Association of eligible turpentine, eligible rosin, or unprocessed turpentine or rosin content in eligible oleoresin, and the Association, in turn, will pledge the same to CCC as security for the loan made by CCC to the Association. Loans on rosin will be made only on full drums thereof, and loans on the rosin content in oleoresin, only upon the equivalent of full drums thereof. No loans will be made on any naval stores offered later than December 31, 1957.

(c) Eligible naval stores will be deemed tendered for loan by the producer to the Association only when such naval stores have been (1) processed (except where unprocessed turpentine or rosin content in oleoresin is offered for loan), (2) placed in storage in the custody of an approved warehouseman who has entered into and is fully complying with a Warehouse Agreement (ATFA Form 2–1957), or in the custody of the Association acting under a Storage Agreement with Commodity, and (3) offered for loan on a Producer's Offer (ATFA Form 3A–1957) (the date of which, unless a first offer and dated not later than April 30, 1957, shall be not later than thirty (30) days from the date of delivery of eligible oleoresin for processing). If there are any liens or encumbrances on the naval stores offered for loan, proper waivers are required on a Lienholders' Waiver and Agreement (ATFA Form 3–1957).

§ 438.809 *Rate of loan to producers.* The Association will make loans to producers based on the rate of $28.29 per standard barrel (435 lbs. net weight each) of crude pine gum, processed basis; this rate will remain fixed throughout the loan period. Initially, the rate of $28.29 per barrel of crude pine gum, processed basis, will be allocated to the individual commodities to provide a loan rate for turpentine of fifty-one cents (51¢) per gallon of 7.2 pounds in bulk, and loan rates of $7.67 for rosin of the (average) grade WG, $7.77 for grades X and WW, and $7.37 for grades N, M, and K per hundred pounds net packed in eligible metal drums. CCC reserves the right to revise such allocation of loan values between turpentine and rosin during the loan period, within the fixed loan rate on the barrel of gum. The amount which the Association will lend to any producer will be determined by applying the applicable loan rates in effect for turpentine and rosin on the date of the applicable Producer's Offer to the quantities thereof tendered for loan.

§ 438.810 *Storage provisions.* The producer will be required to place naval stores offered for loan in storage in the custody of an approved warehouseman who has entered into and is fully complying with a Warehouse Agreement with the Association (this agreement will be assigned by the Association to CCC), or in the custody of the Association acting under a Storage Agreement with Commodity. All processing charges, including the cost of the eligible metal drums for rosin, and all storage and other warehouse charges to the date of tender for loan will be borne by the producer. Storage charges accruing after the naval stores are pledged are payable by CCC, and comprise part of the loan by CCC to the Association.

§ 438.811 *Maturity.* The loan made by CCC to the Association and the loans made by the Association to producers will be due and payable upon demand, or on July 1, 1958, whichever is earlier.

§ 438.812 *Redemption.* (a) Subject to terms and conditions of the Producers' Marketing Agreement, the producer may redeem pledged naval stores, prior to maturity of the loan, upon application to the Association and payment of the redemption price. The producer's right to redeem may be exercised for him and in his behalf by the Association and the producer's exercise of the right of redemption is subject to the prior exercise thereof by the Association. Subject to the terms and conditions of the Loan Agreement, the Association may redeem naval stores pledged by the Association to CCC, upon application to CCC therefor prior to the maturity of the loan and upon payment of the redemption price.

(b) The redemption price shall be determined by CCC and shall be the amount outstanding under the Loan Agreement, including any unpaid accrued expenses and charges, plus interest at the rate of three and one-half percent (3½%) per annum, applied to the gallons of turpentine, pounds of rosin, or the content thereof in oleoresin, respectively, to be redeemed. Any naval stores redeemed shall not be thereafter eligible for loan.

§ 438.813 *Rights of CCC upon maturity.* CCC will have the right at any time after maturity of the loan to sell, assign, transfer and deliver the pledged naval stores, or documents evidencing title thereto, at such time, in such manner, and upon such terms and conditions as CCC may determine.

§ 438.814 *Disposition of proceeds upon liquidation.* CCC will apply the net proceeds from the disposition of pledged naval stores (a) towards satisfaction of accrued interest, (b) towards satisfaction of the principal amount loaned, and (c) towards satisfaction of any other indebtedness of the Association to CCC. In the event that any sum remains after application of these amounts, such sum will be returned to the Association by CCC for distribution by the Association to its producer-member loan participants, or for and in behalf of its producer-members, on an equitable basis as determined by the Association with the approval of CCC.

§ 438.815 *Personal liability.* The loans will be nonrecourse, except that any fraudulent representation by the producer or the Association in the loan documents, or in obtaining a loan, will render him or it subject to criminal prosecution under applicable law, and personally liable for the amount by which the proceeds received upon the disposition of the pledged naval stores are less than the amount of indebtedness incurred by the Association with respect thereto.

Issued this 4th day of April 1957.

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

[F. R. Doc. 57–2742; Filed, Apr. 8, 1957; 8:52 a. m.]

PART 464—TOBACCO

SUBPART—1956 TOBACCO LOAN PROGRAM

MARYLAND TOBACCO

Set forth below are schedules of advance rates, by grades, for the 1956 crop of types 32 and 32b, Maryland tobacco under the tobacco loan program formulated by Commodity Credit Corporation and Commodity Stabilization Service, published June 6, 1956 (21 F. R. 3863).

§ 464.846 *1956 crop; Maryland tobacco, Type 32, advance schedule.*[1]

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
B1F	72.12	C3R	66.12
B2F	70.12	C4R	60.12
B3F	67.12	C5R	46.12
B4F	62.12	C3V	62.12
B5F	52.12	C4V	54.12
B3R	45.12	C5V	38.12
B4R	33.12	C4D	36.12
B5R	23.12	C5D	25.12
B3V	50.12	C3M	50.12
B4V	41.12	C4M	45.12
B5V	26.12	C5M	35.12
B3D	28.12	C4G	30.12
B4D	22.12	C5G	22.12
B5D	18.12	X1L	72.12
B3M	38.12	X2L	67.12
B4M	35.12	X3L	60.12
B5M	26.12	X4L	48.12
B3G	28.12	X5L	35.12
B4G	20.12	X1F	72.12
B5G	18.12	X2F	67.12
T3F	58.12	X3F	60.12
T4F	49.12	X4F	48.12
T5F	34.12	X5F	35.12
T3R	38.12	X3R	48.12
T4R	31.12	X4R	36.12
T5R	21.12	X5R	25.12
T4V	32.12	X3V	48.12
T5V	22.12	X4V	35.12
T4D	21.12	X5V	24.12
T5D	18.12	X4D	23.12
T4M	26.12	X5D	18.12
T5M	19.12	X4G	20.12
T4G	21.12	X5G	18.12
T5G	18.12	P3L	44.12
C1L	75.12	P4L	35.12
C2L	73.12	P5L	21.12
C3L	69.12	P3F	43.12
C4L	65.12	P4F	34.12
C5L	59.12	P5F	20.12
C1F	75.12	P4R	25.12
C2F	73.12	P5R	19.12
C3F	70.12	N1L	17.12
C4F	67.12	N1D	17.12
C5F	62.12	N1G	17.12

§ 464.847 *1956 crop; Maryland tobacco, Type 32b, advance schedule.*[1]

[Dollars per hundred pounds, farm sales weight]

Grade	Advance rate	Grade	Advance rate
B1F	54.12	C3R	50.12
B2F	52.12	C4R	45.12
B3F	50.12	C5R	34.12
B4F	46.12	C3V	46.12
B5F	39.12	C4V	40.12
B3R	34.12	C5V	28.12
B4R	25.12	C4D	27.12
B5R	17.12	C5D	19.12
B3V	38.12	C3M	38.12
B4V	31.12	C4M	34.12
B5V	20.12	C5M	26.12
B3D	21.12	C4G	22.12
B4D	16.12	C5G	16.12
B5D	14.12	X1L	54.12
B3M	28.12	X2L	50.12
B4M	26.12	X3L	45.12
B5M	20.12	X4L	36.12
B3G	21.12	X5L	26.12
B4G	15.12	X1F	54.12
B5G	14.12	X2F	50.12
T3F	44.12	X3F	45.12
T4F	37.12	X4F	36.12
T5F	26.12	X5F	26.12
T3R	28.12	X3R	36.12
T4R	23.12	X4R	27.12
T5R	16.12	X5R	19.12
T4V	24.12	X3V	36.12
T5V	16.12	X4V	26.12
T4D	16.12	X5V	18.12
T5D	14.12	X4D	17.12
T4M	20.12	X5D	14.12
T5M	14.12	X4G	15.12
T4G	16.12	X5G	14.12
T5G	14.12	P3L	33.12
C1L	56.12	P4L	26.12
C2L	55.12	P5L	16.12
C3L	52.12	P3F	32.12
C4L	49.12	P4F	26.12
C5L	44.12	P5F	15.12
C1F	56.12	P4R	19.12
C2F	55.12	P5R	14.12
C3F	52.12	N1L	13.12
C4F	50.12	N1D	13.12
C5F	46.12	N1G	13.12

[1] The Cooperative Associations through which price support is made available are authorized to deduct from the amount paid to growers 12 cents per hundred pounds to apply against overhead costs. Only the original producer is eligible to receive advances. Tobacco graded "W" (doubtful keeping order), "U" (unsound), "DAM" (damaged), N2L, N2D, N2G, N-K, botched, nested, off-type, or decayed will not be accepted.

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

Issued this 4th day of April, 1957.

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

[F. R. Doc. 57-2741; Filed, Apr. 8, 1957; 8:52 a. m.]

Subchapter D—Regulations Under Soil Bank Act

PART 485—SOIL BANK

SUBPART—ACREAGE RESERVE PROGRAM

WAIVER

Section 485.133 of the regulations governing the 1956 acreage reserve part of the Soil Bank Program (21 F. R. 4379, 4847, 5205, 5259, 5685, 5959, 6879, 7611, 7612, 9365, and 22 F. R. 971) is hereby amended by inserting in the first sentence after the word "Administrator" the words "or Deputy Administrator."

(Sec. 124, Pub. Law 540, 84th Cong.)

Issued at Washington, D. C., this 4th day of April 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-2740; Filed, Apr. 8, 1957; 8:52 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

DATE OF FINANCIAL STATEMENTS IN CONNECTION WITH REGISTRATION OF SECURITIES

The Securities and Exchange Commission announced today that it has adopted a new rule under the Securities Act of 1933 relating to the date as of which financial statements must be furnished in connection with the registration of securities under the Act.

The new rule, which is designated § 230.417, provides that where financial statements of any person are required to be furnished as of a date within a specified period prior to the date of filing the registration statement and the last day of such period falls on a Saturday, Sunday, or holiday, the registration statement may be filed on the first business day following the last day of the period. The purpose of the rule is to avoid hardship in cases where the intervention of a nonbusiness day prevents the completion and filing within the prescribed period.

The text of the rule is as follows:

§ 230.417 *Date of financial statements.* Whenever financial statements of any person are required to be furnished as of a date within a specified period prior to the date of filing the registration statement and the last day of such period falls on a Saturday, Sunday, or holiday, such registration statement may be filed on the first business day following the last day of the specified period.

The foregoing action is taken pursuant to the Securities Act of 1933, particularly sections 6, 7, 10 and 19 (a) thereof. Inasmuch as the furnishing of financial statements pursuant to the new rule is optional, and the rule is a relaxation of a previously existing requirement, the Commission finds that the rule may be adopted without notice and procedure pursuant to the Administrative Procedure Act, and that the rule may be made effective immediately upon publication. Accordingly, the rule shall become effective March 27, 1957.

(Sec. 19, 48 Stat. 85, as amended; 15 U. S. C. 77s)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

MARCH 27, 1957.

[F. R. Doc. 57-2710; Filed, Apr. 8, 1957; 8:46 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 111—POSTAL UNION MAIL

PART 112—PARCEL POST

MISCELLANEOUS AMENDMENTS

a. In § 111.1 *All categories* make the following changes in the chart in paragraph (a):

1. Convert "Gold Coast Colony" to "Ghana" and insert the latter, with accompanying data, in proper alphabetical order in the chart.

2. Opposite "Libya (United Kingdom of)" and under "Special delivery" change X to √.

b. In § 111.2 *Specific categories* make the following changes in paragraph (d) (2):

1. In subdivision (ii) strike out the Republic of Honduras.

2. In subdivision (iii) insert, in proper order, the Republic of Honduras.

c. In § 112.1 *Chart of rates and mailing conditions* make the following changes:

1. Amend the table of countries by converting "Gold Coast Colony" to "Ghana" and inserting the latter, with accompanying data, in proper alphabetical order.

2. Strike out footnote 24.

(R. S. 161, 396, as amended, 398, as amended; 5 U. S. C. 22, 369, 372)

[SEAL] ABE MCGREGOR GOFF,
General Counsel.

[F. R. Doc. 57-2709; Filed, Apr. 8, 1957; 8:46 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 243]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

NOTE: Where the general classification (LFR, VAR, ADF, ILS, RADAR, or VOR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

1. The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less: 65 knots or less	2-engine or less: More than 65 knots	More than 2-engine, more than 65 knots	
				T-dn	300–1	300–1	200–½	Procedure turn N side E course, 094° outbound, 274° inbound, 2,100′ within 10 miles. Minimum altitude over facility on final approach course, 1,600′. Course and distance, facility to airport, 314—2.3. If visual contact not established upon descent to authorized landing minimums or if, landing not accomplished within 2.3 miles, climb to 2,500′ on N course within 20 miles of MSN-LFR. NOTE: ADF procedure not authorized. Amount of turn over facility on final approach exceeds standard.
				C-dn	600–1	600–1	600–1½	
				A-dn	800–2	800–2	800–2	
Madison, Wis.; Truax Field, elevation 859′; facility BMRLZ, identification MSN; Procedure No. 1, Amendment No. 7, effective date, May 4, 1957; supersedes Amendment No. 6, dated April. 20, 1954								
Wichita Falls VOR	Wichita Falls LFR	Direct	2,300	T-dn	300–1	300–1	200–½	Procedure turn E side SE course, 121° outbound, 301° inbound, 2,200′ within 10 miles. Not authorized beyond 10 miles. Minimum altitude over facility on final approach, 2,200′. Course and distance, facility to airport, 289—1.0. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.0 mile turn right, climb to 2,500′ on NE course within 20 miles.
Jolly FM	Wichita Falls LFR (final)	Direct	1,700	C-dn	500–1	500–1	500–1½	
				A-dn	800–2	800–2	800–2	
Wichita Falls, Tex.; Sheppard AFB/Mun. Airport, elevation 1,029′; facility SBMRAZ, identification SPS; Procedure No. 1, Amendment Original, effective date, May 4, 1957								

2. The automatic direction finding procedures prescribed in § 609.8 are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		

Oklahoma City, Okla.; Will Rogers Airport, elevation 1,283'; facility MHW, identification TWO; Procedure No. 2, Amendment No. 3, effective date, Sept. 24, 1955; supersedes Amendment No. 2, dated May 6, 1954

SUPERSEDED BY COMBINATION ILS-ADF PROCEDURE NO. 2; AMENDMENT ORIGINAL; EFFECTIVE MAY 4, 1957.

Tulsa, Okla.; Municipal Airport, elevation 674'; facility MHW, identification OWS; Procedure No. 2, Amendment No. 8, effective date, Mar. 20, 1957; supersedes Amendment No. 7, dated Mar. 10, 1956

SUPERSEDED BY COMBINATION ILS-ADF PROCEDURE NO. 2; EFFECTIVE APRIL 9, 1957.

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.9 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
ABQ LFR	ABQ-VOR	Direct	8,000	T-dn	300-1	300-1	200-½	Procedure turn N side of course, 258° outbound, 078° inbound, 8,000' within 10 miles (nonstandard due to restricted area). Minimum altitude over facility on final approach course, 6,700'. Course and distance, facility to airport, 078—8.9. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 8.9 miles turn right and climb to 10,000' on R-256 within 20 miles. CAUTION: Landing minimums do not provide standard clearance over 6,008'; tower 1 mile NE of VOR.
				C-d	500-1½	500-1½	500-1½	
				C-n	500-2	500-2	500-2	
				S-d-8	500-1	500-1	500-1	
				S-n-8	500-2	500-2	500-2	
				A-dn	800-2	800-2	800-2	

Albuquerque, N. Mex.; Kirtland AFB/Mun. Airport, elevation 5,352'; facility BVOR, identification ABQ; Procedure No. 1, Amendment No. 4, effective date, May 4, 1957; supersedes Amendment No. 3, dated Feb. 23, 1957

Lansing LFR	LAN-VOR	Direct	2,200	T-dn	300-1	300-1	*200-½	*300-1 required on SE-NW Runway. Procedure turn S side of course, 234° outbound, 054° inbound, 2,100' within 10 miles. Minimum altitude over facility on final approach course 1,500'. Course and distance, facility to airport, 054—5.4. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles, climb to 2,000' within 20 miles, or when directed by ATC: (1) Make right turn, climbing to 2,900', proceed to LAN LFR. MAJOR CHANGES: Procedure turn altitude raised due to WCER-AM tower 1,079' mean sea level.
				C-dn	400-1	500-1	500-1½	
				S-dn-6	400-1	400-1	400-1	
				A-dn	800-2	800-2	800-2	

Lansing, Mich.; Capital City Airport, elevation 858'; facility BVOR, identification LAN; Procedure No. 1, Amendment No. 4, effective date, May 4, 1957; supersedes Amendment No. 3, dated Oct. 15, 1955

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
Stockton LFR	MOD-VOR	Direct	2,000	T-dn	300–1	300–1	200–½	Procedure turn N side of course, 025° outbound, 205° inbound, 1,500′ within 10 miles. Not authorized beyond 10 miles. Minimum altitude over facility on final approach course, 1,000′. Course and distance, facility to airport, 205—4.0. If visual contact not established upon descent to authorized landing minimums of if landing not accomplished within 4.0 miles, climb to 2,000′ on R–205 within 15 miles.
Intersection S course Stockton LFR and R–255 MOD VOR.	MOD-VOR	Direct	2,000	C-dn	500–1	600–1	600–1½	
				A-dn	1,000–2	1,000–2	1,000–2	
Modesto, Calif.; Municipal Airport, elevation 96′; facility VORW, identification MOD; Procedure No. 1, Amendment No. 4, effective date, May 4, 1957; supersedes Amendment No. 3, dated Jan. 8, 1955								
Pocatello LFR	PIH-VOR	Direct	7,000	T-dn	300–1	300–1	200–½	Procedure turn N side of course, 027° outbound, 207° inbound, 7,000′ within *10 miles of OM. Not authorized beyond 10 miles. *Make procedure turn after passing PIH–ILS outer marker outbound. Minimum altitude over outer marker on final approach course, 5,800′ Course and distance outer marker to airport, 211°#—3.7. #After passing outer marker, turn left to intercept R–031 inbound. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles of PIH outer marker proceed to VOR, climbing; continue climb to 6,500′ on R–234 within 20 miles. CAUTION: 5,000′ mean sea level terrain located 2.6 miles SE of airport.
				C-D	500–1	600–1	600–1½	
				C-n	500–2	600–2	600–2	
				S-dn-21	400–1	400–1	400–1	
				A-dn	800–2	800–2	800–2	
Pocatello, Idaho; Pocatello Airport, elevation 4,448′; facility BVOR LOM identification PIH PT; Procedure No. 2, Amendment No. 1, effective date, Apr. 4, 1957; supersedes Amendment Original, dated Feb. 2, 1957								
Tulsa LFR	TUL-VOR	Direct	1,800	T-dn	300–1	300–1	200–½	300–1 required on Runways 3L, 21R, 17R, and 35L. Procedure turn N side of course, 079° outbound, 259° inbound, 1,900′ within 10 miles. Minimum altitude over facility on final approach course, 1,400′. Course and distance, facility to airport, 259—3.7. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles, climb to 2,200 on R 114 within 20 miles. MAJOR CHANGES: VOR relocated.
Verdigris River FM via course 230.	TUL-VOR	Direct	1,900	C-dn	400–1	500–1	500–1½	
				S-dn-26	400–1	400–1	400–1	
Skiatook FM via course 108	TUL-VOR	Direct	2,000	A-dn	800–2	800–2	800–2	
Tulsa, Okla.; Municipal Airport, elevation 674′; facility BVOR, identification TUL; Procedure No. 1, Amendment No. 6, effective date, Apr. 9, 1957; supersedes Amendment No. 5, dated Oct. 22, 1955								
Wichita Falls LFR	Wichita Falls VOR	Direct	2,300	T-dn	300–1	300–1	200–½	Procedure turn S side of course, 264° outbound, 084° inbound, 2,200′ within 10 miles. Not authorized beyond 10 miles. Minimum altitude over facility on final approach, 1,700′. Course and distance, facility to airport, 084—4.0. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles, turn left, climb to 2,500′ on R–040 within 20 miles.
Jolly FM	Wichita Falls VOR	Direct	2,600	C-dn	500–1	500–1	500–1½	
				A-dn	800–2	800–2	800–2	
Wichita Falls, Tex.; Sheppard AFB/Mun. Airport, elevation 1,075′; facility BVOR, identification SPS; Procedure No. 1, Amendment Original, effective date, May 4, 1957								

4. The terminal very high frequency omnirange (TVOR) procedures prescribed in § 609.9 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
Stinson Beach Intersection	SFO-VOR	Direct	2,500	T-dn	300–1	300–1	200–½	300–1 required for takeoff Runway 19 L–R.
Half Moon Bay Intersection	SFO-VOR	Direct	3,000	C-dn	500–1	600–1	600–1½	Aircraft may be vectored to final approach radial in accordance with patterns approved for radar approach.
Richmond VHF Intersection	SFO-VOR	Direct	2,500	S-dn	500–1	500–1	500–1	Procedure turn E side 011° outbound, 191° inbound, or teardrop type 036° outbound, 191° inbound, 1,000′ within 5 miles.
AGW VOR	SFO-VOR	Direct	2,500	A-dn	800–2	800–2	800–2	Beyond 5 miles (N of AGW 301 R) not authorized.
Fremont FM–HW	SFO-VOR	Direct	2,500					Minimum altitude over facility on final approach course, 500.
OAK VOR	Intersection R-224 OAK and R-011 SFO.	Direct	2,000					Final approach course parallel to and between Runways 19 L–R.
Intersection of R-224 OAK and R-011 SFO.	SFO-VOR (final)	Direct	500					If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile, make immediate left climbing turn to 2,000′ on R–101 within 10 miles.
								NOTE: Circling minimums do not provide standard clearance W and SW of airport.

San Francisco, Calif.; International Airport, elevation 11′; facility VOR, identification SFO; Procedure No. Ter VOR-19 L–R, Amendment No. 2, effective date, May 4, 1957; supersedes Amendment No. 1, dated June 28, 1956

5. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
Chattanooga LFR	CQN MHW	Direct	2,200	T-dn	300–1	300–1	200–½	Takeoff on Runways 14–32 not authorized with less than 300–1.
Daisy FM	CQN MHW	Direct	2,200	C-dn	600–1½	700–1½	700–2	Procedure turn E side of N course, 015° outbound, 195° inbound, 2,500′ within 10 miles of CQN (nonstandard due to terrain).
Signal Mt. Intersection	CQN MHW	Direct	2,200	S-dn-19*:				Minimum altitude at G. S. intersection inbound 2,500′ ILS; minimum altitude over CQN MHW inbound final 2,500′ ADF; over LOM inbound final 1,900′ ADF.
Chattanooga VOR	ILS LOM	Direct	2,300	ILS	300–¾	300–¾	300–¾	
Chickamauga Intersection	CQN MHW	Direct	2,200	ADF	500–1	500–1	500–1	
Whitwell Intersection	CQN MHW	Direct	3,400	A-dn:				
Bridgeport Intersection	CQN MHW	Direct	3,400	ILS	600–2	600–2	600–2	Altitude of G. S. and distance to approach end of runway at CQN, 2,500′—7.7; at OM, 1,900′—4.1; at MM, 890′—0.6.
Coalmont Intersection	CQN MHW	Direct	3,400	ADF	800–2	800–2	800–2	
Georgetown Intersection	CQN MHW	Direct	2,900					If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.7 miles after passing CQN MHW (ADF), climb to 3,300′ on S course ILS (195) within 20 miles.
Crandall Intersection	CQN MHW	Direct	2,900					CAUTION: Chattanooga "Z" marker will be received over range on final.
								NOTE: *500–¾ required when glide slope not utilized. No approach lights.
								AIR CARRIER NOTE: Application of sliding scale to straight-in minima not authorized.

Chattanooga, Tenn.; Lovell Field, elevation 682′; facility ILS-ICHA, identification MHW-CQN; Procedure No. 1, Amendment No. 4, Combination ILS-ADF; effective date, May 4, 1957; supersedes Amendment No. 3, dated May 28, 1955

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
Oklahoma City LFR	TWO MHW	Direct	2,500	T-dn	300-1	300-1	200-½	Distance is from radar site—azimuths are from radar site progressing clockwise.
Oklahoma City VOR	TWO MHW	Direct	2,500	C-dn	400-1	500-1	500-1½	300-1 required for takeoff, Runways 8-26.
Oklahoma City LOM	TWO MHW	Direct	2,400	S-dn-17:				Procedure turn W side course, 350° outbound, 170° inbound, 2,500′ within 10 miles. Beyond 10 miles not authorized.
Mustang FM	TWO MHW	Direct	2,500	ILS	300-1	300-1	300-1	No glide slope. Altitude over TWO on final, 2,000′; bearing and distance to Runway 17, 170—4.0.
Bethany intersection	TWO MHW (final)	Direct	2,000	ADF	400-1	400-1	400-1	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles climb to 2,400′ on S course ILS within 20 miles or on course 170° from TWO within 20 miles.
Radar terminal area transition altitudes:	Radar terminal area transition altitudes:			A-dn	800-2	800-2	800-2	
000°	090°	Within 20 miles	3,800					
090°	180°		2,700					
180°	270°		2,800					
270°	360°		2,800					
Oklahoma City, Okla.; Will Rogers Airport, elevation 1,283′; facility MHW-ILS, identification TWO-IOKC; Procedure No. 2, Amendment Original Combination ILS-ADF; effective date, May 4, 1957								
Verdigris River FM	OWS-Radiobeacon	Direct	1,900	T-dn	300-1	300-1	200-½	300-1 required on Runways 3L, 21R, 17R and 35L.
Tulsa LFR	OWS-Radiobeacon	Direct	1,900	C-dn	400-1	500-1	500-1½	Procedure turn W side of course, 354° outbound, 174° inbound, 2,200′ within 10 miles. Not authorized beyond 10 miles.
Skiatook FM	OWS-Radiobeacon	Direct	2,000	S-dn-17L ADF and ILS	400-1	400-1	400-1	No glide slope. Minimum altitude over OWS on final approach, 1,300′.
Tulsa VOR	OWS-Radiobeacon	Direct	1,900	A-dn	800-2	800-2	800-2	Bearing and distance, OWS to Runway 17L, 174—5.4.
Intersection R-327 TUL and N course ILS.	OWS-Radiobeacon (final)	Direct	1,300					If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles, climb to 2,200′ on S course ILS (174° from OWS) within 20 miles.
Tulsa, Okla.; Municipal Airport, elevation 674′; facility ILS-ITUL, identification MHW-OWS; Procedure No. 2, Amendment Original, Combination ILS-ADF; effective date, Apr. 9, 1957								
St. Louis LFR	Lake "H"	Direct	2,000	T-dn	300-1	300-1	200-½	#Holding not authorized at Beaufort Intersection. ILS transition only.
St. Louis VOR	Lake "H"	Direct	2,000	C-dn	500-1	500-1	500-1½	Procedure turn S side SW course, 238° outbound, 058° inbound, 2,100′ within 10 miles of Lake "H".
St. Louis LOM	Lake "H"	Direct	2,000	S-dn 6:				No glide slope or markers. Altitude over Lake "H" 1,500′. Distance from Lake "H" to Runway 6, 3.8.
St. Peters FM	Lake "H"	Direct	2,000	ADF	500-1	500-1	500-1	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles, climb to 1,800′ on NE course ILS (058°) within 20 miles of Lake "H" or when directed by ATC: (1) Climb to 2,100′ on S course STL-LFR within 20 miles; (2) climb to 2,000′ on course of 312 to STL-VOR; (3) make left turn climb to 2,000′ on 238° course to Lake "H".
Intersection S course STL-LFR and 315° bearing to Lake "H".	Lake "H"	Direct	2,100	ILS	500-1	500-1	500-1	
Beaufort Intersection via SW course ILS#.	Lake "H"	Direct	3,000	A-dn	800-2	800-2	800-2	
Howell Intersection via course 092°.	SW course ILS	Direct	2,200					
St. Louis, Mo.; Lambert Field, elevation 558′; facility ILS-STL, identification MHW-LAQ; Procedure No. 2, Amendment No. 4, Combination ILS-ADF; effective date, May 4, 1957; supersedes Amendment No. 3, dated Apr. 14, 1956								
YKM-LFR	LOM	Direct	3,500	T-dn#	400-1	400-1	400-1	#Takeoff minimums Runways 22-4 and 34-16: 500-1 day, 800-2 night.
YKM-VOR	LOM	Direct	3,500	C-d	800-2	800-2	800-2	Procedure turn S side of course, 089° outbound, 269° inbound, 3,500′ within 5 miles. Not authorized beyond 5 miles (nonstandard due to terrain).
Selah Intersection	LOM	Direct	3,500	C-n	800-2	1,000-2	1,000-2	Minimum altitude at G. S. Intersection inbound, 3,500′.
Intersection SE course of YKM-LFR and bearing 325 to YKM-LOM.	LOM	Direct	4,500	S-dn-27	400-1	400-1	400-1	Altitude of G. S. and distance to approach end of runway at OM 3377—6.9, at MM 1318—0.6.
				A-d	800-2	800-2	800-2	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb on localizer course 269° outbound, 089° inbound to 3,500′ within 5 miles of middle marker. All turns N side of course.
White Swan Intersection	LOM	Direct	4,000	A-n	800-2	1,000-2	1,000-2	Alternate missed approach, when directed by ATC, climb on NW course YKM-LFR to 2 miles NW Selah Intersection, then turn right shuttle climb on west side south course, ELN-LFR to 4,500′ within 10 miles north of Selah Intersection.
Toppenish Intersection	LOM	Direct	4,000					NOTE: All components of ILS must be functioning while executing this approach.
Yakima, Wash.; Yakima Airport, elevation 1,077′; facility ILS, identification YKN, Procedure No. 1, Amendment No. 3, effective date, May 4, 1957; supersedes Amendment No. 2, dated Mar. 17, 1956								

6. The radar procedures prescribed in § 609.13 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
King Salmon LFR	King Salmon Radar		4,500	Precision approach				*Runways 11-18-29-36. **Runways 18, 29, 36. #300–¾ required with approach lights inoperative. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb on SE course King Salmon LFR to 4,500' within 20 miles. Alternate missed approach: When directed by ATC, climb on SW course King Salmon LFR to 1,500' within 20 miles.
				S-dn-11#	200–½	200–½	200–½	
				A-dn	600–2	600–2	600–2	
				Surveillance approach				
				T-dn*	300–1	300–1	200–½	
				C-dn*	500–1	500–1	500–1½	
				S-dn**	400–1	400–1	400–1	
				S-dn-11	500–1	500–1	500–1½	
				A-dn	800–2	800–2	800–2	

King Salmon, Alaska; King Salmon Airport, elevation 52'; facility and identification, King Salmon Radar; Procedure No. 1, Amendment No. 4; effective date, May 4, 1957; supersedes Amendment No. 3, dated July 2, 1955

These procedures shall become effective on the dates indicated on the procedures.

(Sec. 205, 52 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. 57–2579; Filed, Apr. 8, 1957; 8:45 a. m.]

TITLE 7—AGRICULTURE

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

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

SUBPART—UNITED STATES STANDARDS FOR GRADES OF CANNED SAUERKRAUT [1]

On October 24, 1956, a notice of proposed rule making was published in the FEDERAL REGISTER (21 F. R. 8144) regarding a proposed revision of United States Standards for Grades of Canned Sauerkraut.

After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice, the following United States Standards for Grades of Canned Sauerkraut are hereby promulgated pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., 7 U. S. C. 1621 et seq.).

PRODUCT DESCRIPTION, STYLES, AND GRADES

Sec.
52.2951 Product description.
52.2952 Styles of canned kraut.
52.2953 Grades of canned kraut.

FILL OF CONTAINER AND DRAINED WEIGHTS

52.2954 Recommended fill of container.
52.2955 Recommended minimum drained weight.
52.2956 Compliance with recommended minimum drained weights.

FACTORS OF QUALITY

52.2957 Ascertaining the grade.
52.2958 Ascertaining the rating for the factors which are scored.
52.2959 Color.
52.2960 Cut.
52.2961 Defects.
52.2962 Character.
52.2963 Flavor.

DEFINITIONS; METHODS OF ANALYSES

Sec.
52.2964 Definitions of terms and methods of analyses.

LOT CERTIFICATION TOLERANCES

52.2965 Tolerances for certification of officially drawn samples.

SCORE SHEET

52.2966 Score sheet for canned sauerkraut.

AUTHORITY: §§ 52.2951 to 52.2966 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

PRODUCT DESCRIPTION, STYLES, AND GRADES

§ 52.2951 *Product description.* Canned (or packaged) sauerkraut, hereinafter referred to as canned kraut, is prepared from clean, sound, well matured heads of the cabbage plant which have been properly trimmed and cut; to which salt is added, and is cured by natural fermentation. The product contains not less than one percent acid, expressed as lactic, and may or may not be packed with pickled peppers, pimientos, tomatoes, or contain other flavoring ingredients to give the product specific flavor characteristics. The product is sufficiently processed by heat to assure preservation in hermetically sealed containers or may be packaged in sealed containers and preserved with or without the addition of benzoate of soda or any other ingredient permissible under the provisions of the Federal Food, Drug, and Cosmetic Act or applicable State laws or regulations.

§ 52.2952 *Styles of canned kraut.* (a) "Shredded" means canned kraut which has been prepared from cabbage cut into shreds.

(b) "Chopped" means canned kraut which has been prepared from cabbage that is cut or chopped into small pieces.

§ 52.2953 *Grades of canned kraut.* (a) "U. S. Grade A" or "U. S. Fancy" is the quality of canned kraut that possesses a good color; that is well cut; that is practically free from defects; that possesses a good character; that possesses a good flavor; and that for those factors which are scored in accordance

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

with the scoring system outlined in this subpart the total score is not less than 90 points: *Provided*, That the canned kraut may possess a reasonably good color, scoring not less than 25 points, may be reasonably well cut, may possess a reasonably good character, and may be reasonably free from minor defects, if the total score is not less than 90 points.

(b) "U. S. Grade B" or "U. S. Extra Standard" is the quality of canned kraut that possesses a reasonably good color; that is reasonably well cut; that is reasonably free from defects; that possesses a reasonably good character; that possesses a reasonably good flavor; and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 80 points: *Provided*, That the canned kraut may be fairly well cut, if the total score is not less than 80 points.

(c) "U. S. Grade C" or "U. S. Standard" is the quality of canned kraut that possesses a fairly good color; that is fairly well cut; that is fairly free from defects; that possesses a fairly good character; that possesses a fairly good flavor; and that for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 70 points.

(d) "Substandard" is the quality of canned kraut that fails to meet the requirements of U. S. Grade C or U. S. Standard.

FILL OF CONTAINER AND DRAINED WEIGHTS

§ 52.2954 *Recommended fill of container.* The fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that each container of canned kraut be filled as full as practicable with the kraut and that the kraut and packing medium shall fill the container to not less than 95 percent of its total capacity.

§ 52.2955 *Recommended minimum drained weight.* The minimum drained weight recommendations in Table No. 1 of this subpart are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purpose of these grades. The drained weight of canned kraut is determined by emptying the contents of the container upon a United States Standard No. 8 sieve of proper diameter so as to distribute the product evenly, inclining the sieve to facilitate drainage, and allow to drain for two minutes. The drained weight of kraut is the weight of the sieve and the drained kraut less the weight of the dry sieve. A sieve 8 inches in diameter is used for the No. 2½ size can (401 x 411) and smaller sizes; and a sieve 12 inches in diameter is used for containers larger than the No. 2½ size can.

§ 52.2956 *Compliance with recommended minimum drained weights.* Compliance with the recommended minimum drained weights for canned kraut is determined by averaging the drained weights of all containers which are representative of a specific lot. Such lot is considered as meeting recommendations, if:

(a) At least one-half of the containers meets the recommended minimum drained weight;

(b) The drained weights of the containers which do not meet the recommended minimum drained weight are within the range of variability of good commercial practice; and

(c) The average drained weight of all the containers which are representative of the lot does not fall below recommended minimum drained weight.

TABLE NO. 1—RECOMMENDED MINIMUM DRAINED WEIGHTS (IN OUNCES) OF KRAUT

Container size or designation	Dimensions (inches) or water capacity (fluid ounces)	Style of canned kraut shredded or chopped drained weight (ounces)
8 ounces tall	2 1/16 x 3 4/16	6.7
8-ounce jar	8.1 fluid ounces	6.5
No. 1 picnic	2 1/16 x 4	8.5
No. 1 tall	3 1/16 x 4 1/16	13
No. 95	3 7/16 x 4	14
No. 300	3 x 4 7/16	12
No. 303	3 3/16 x 4 6/16	13.2
No. 303 jar	17.0 fluid ounces	13.2
No. 2	3 7/16 x 4 2/16	16
No. 2½	4 1/16 x 4 11/16	23
No. 2½ jar	28.3 fluid ounces	23
Pint jar	16.5 fluid ounces	13.5
Quart jar	32.62 fluid ounces	26.2
No. 10	6 3/16 x 7	80

FACTORS OF QUALITY

§ 52.2957 *Ascertaining the grade*—(a) *General.* In addition to considering other requirements outlined in the standards, the following quality factors are evaluated in ascertaining the grade of the product:

(1) *Factors rated by score points.* The relative importance of each factor which is rated is expressed numerically on the scale of 100. The maximum number of points that may be given each such factor is:

Factors:	Points
Color	30
Cut	10
Defects	20
Character	10
Flavor	30
Total score	100

§ 52.2958 *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for such factors and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "18 to 20 points" means 18, 19, or 20 points).

§ 52.2959 *Color*—(a) *General.* The color of canned kraut has reference to the predominating and characteristic appearance of the shreds or pieces and to the brightness of the product.

(1) Kraut model No. 1 and kraut model No. 2 means the U. S. D. A. kraut models illustrating the color of canned kraut referred to in this section.

(2) Information regarding kraut model No. 1 and kraut model No. 2 may be obtained by writing to the Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, U. S. Department of Agriculture, Washington 25, D. C.

(b) (*A*) *classification.* Canned kraut that possesses a good color may be given a score of 27 to 30 points. "Good color" means that the canned kraut possesses a bright, practically uniform, typical white to light cream general appearance characteristic of properly prepared and properly processed canned kraut equal to or better than kraut model No. 1.

(c) (*B*) *classification.* If the canned kraut possesses a reasonably good color a score of 24 to 26 points may be given. Canned kraut that scores less than 25 points in this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a partial limiting rule). "Reasonably good color" means that the canned kraut possesses a reasonably bright, reasonably uniform, typical cream to light straw general appearance characteristic of properly prepared and properly processed canned kraut equal to or better than kraut model No. 2.

(d) (*C*) *classification.* Canned kraut that possesses a fairly good color may be given a score of 21 to 23 points. Canned kraut that scores in this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good color" means that the canned kraut may possess a dark straw, slightly green, or yellowish general appearance and may be dull or slightly variable but is not off color.

(e) (*SStd.*) *classification.* Canned kraut that fails to meet the requirements of paragraph (d) of this section or is definitely dark or has a pink tint or is off color for any reason may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2960 *Cut*—(a) *General.* The factor of cut has reference to uniformity of the shreds and of the chopped pieces in canned kraut and to the length of the shreds in shredded kraut.

(b) (*A*) *classification.* Canned kraut that is well cut may be given a score of 9 or 10 points. "Well cut" means with respect to shredded kraut that the shreds are uniform in thickness and that the appearance of the product is not more than slightly affected by the presence of short or irregular cut pieces, and with respect to chopped kraut that the pieces are uniform in size and that the presence of pieces markedly smaller or larger than the predominant size of pieces does not more than slightly affect the appearance of the product.

(c) (*B*) *classification.* If the canned kraut is reasonably well cut, a score of 8 points may be given. "Reasonably well cut" means with respect to shredded kraut that the shreds are reasonably uniform in thickness and that the appearance of the product is not materially affected by the presence of short or irregular cut pieces, and with respect to chopped kraut that the pieces are rea-

sonably uniform in size and that the presence of pieces markedly smaller or larger than the predominant size of pieces does not materially affect the appearance of the product.

(d) (*C*) *classification.* Canned kraut that is fairly well cut may be given a score of 7 points. Canned kraut that scores in this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a partial limiting rule). "Fairly well cut" means with respect to shredded kraut that the presence of very short or very fine pieces or large and irregular pieces, and with respect to chopped kraut that the presence of very fine pieces or large and irregular pieces does not seriously affect the appearance of the product.

(e) (*SStd.*) *classification.* Canned kraut that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 6 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2961 *Defects*—(a) *General.* Defects refers to the degree of freedom from coarse pieces of leaves, large and coarse pieces of core material, and blemished, spotted, or otherwise dark or discolored shreds or pieces in canned kraut.

(1) "Minor defects" means large or coarse pieces of leaves and large or coarse pieces of core material in canned kraut.

(2) "Major defects" means blemished, spotted, or otherwise discolored shreds or pieces of leaves or core material in canned kraut.

(b) (*A*) *classification.* Canned kraut that is practically free from defects may be given a score of 18 to 20 points. "Practically free from defects" means that minor defects may be present that do not materially affect the appearance or eating quality and that major defects may be present that do not more than slightly affect the appearance or eating quality of the product.

(c) (*B*) *classification.* If the canned kraut is reasonably free from defects, a score of 16 or 17 points may be given. Canned kraut that falls into this classification on account of the presence of major defects shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a partial limiting rule). "Reasonably free from defects" means that minor and major defects may be present that do not materially affect the appearance or eating quality of the product.

(d) (*C*) *classification.* Canned kraut that is fairly free from defects may be given a score of 14 or 15 points. Canned kraut that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that minor and major defects may be present that do not seriously affect the appearance or eating quality of the product.

(e) (*SStd.*) *classification.* Canned kraut that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2962 *Character*—(a) *General.* Character refers to the condition of the product and the tendency of kraut to be firm and easy to cut.

(b) (*A*) *classification.* Canned kraut that possesses a good character may be given a score of 9 or 10 points. "Good character" means that the kraut is crisp and firm.

(c) (*B*) *classification.* If the canned kraut possesses a reasonably good character, a score of 8 points may be given. "Reasonably good character" means that the kraut is reasonably crisp and reasonably firm.

(d) (*C*) *classification.* Canned kraut that possesses a fairly good character may be given a score of 7 points. Canned kraut that scores in this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" means that the kraut may lack crispness, may be soft or slightly tough, but is not excessively tough or excessively soft or mushy.

(e) (*SStd.*) *classification.* Canned kraut that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 6 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.2963 *Flavor*—(a) *General.* The flavor of canned kraut has reference to the typical lactic fermentation of the product and salt in an amount sufficient for the development of the characteristic kraut flavor and contains not less than 1.0 percent acid, calculated as lactic, and not less than 1.3 percent nor more than 2.5 percent of salt.

(b) (*A*) *classification.* Canned kraut that possesses a good flavor may be given a score of 27 to 30 points. "Good flavor" means that the product possesses a good characteristic kraut flavor which is free from off flavors and off odors of any kind.

(c) (*B*) *classification.* If the canned kraut possesses a reasonably good flavor, a score of 24 to 26 points may be given. Canned kraut that falls into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably good flavor" means that the product possesses a reasonably good characteristic kraut flavor which is free from off flavors and off odors of any kind.

(d) (*C*) *classification.* Canned kraut that possesses a fairly good flavor may be given a score of 21 to 23 points. Canned kraut that falls into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good flavor" means that the product possesses a fairly good kraut flavor which is free from objectionable flavors and objectionable odors which may seriously affect the eating quality of the product.

(e) (*SStd.*) *classification.* Canned kraut that fails to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

DEFINITIONS; METHODS OF ANALYSES

§ 52.2964 *Definitions of terms and methods of analyses.* (a) "Salt" means percent, by weight, of salt (NaCl) in canned kraut. The percent salt in canned kraut may be determined by direct titration on a 10-gram sample of the packing media, after neutralization with a solution of sodium hydroxide or by adding an excess of calcium carbonate. Dilute with about 25 milliliters of distilled water and titrate with N/10 silver nitrate ($AgNO_3$) solution, using 0.5 milliliter of potassium chromate indicator, to the characteristic yellow-orange end point.

(b) "Acidity" means percent, by weight, of acid, calculated as lactic, in canned kraut. The percent acidity may be determined by direct titration on a 10-gram sample of the packing media. Dilute with about 25 milliliters of distilled water and titrate with N/10 sodium hydroxide solution, using several drops of phenolphthalein indicator, to the characteristic permanent faint-pink end point.

(c) "Methods of Analyses." The analyses indicated in this section shall be made in accordance with methods of analyses specified in Official Methods of Analysis of the Association of Official Agricultural Chemists or by any other method which gives equivalent results.

LOT CERTIFICATION TOLERANCES

§ 52.2965 *Tolerances for certification of officially drawn samples.* (a) When certifying samples that have been officially drawn and which represent a specific lot of canned kraut the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, (1) all containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification; and (2) with respect to those factors which are rated by score points:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

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

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores; and

(iv) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample.

SCORE SHEET

§ 52.2966 *Score sheet for canned sauerkraut.*

Size and kind of container	----
Container mark or identification	----
Label	----
Net weight (ounces)	----
Vacuum (inches)	----
Drained weight (ounces)	----
Style	----
Acidity, percent (as lactic)	----
Salt, percent (NaCl)	----

Factors		Score points
I. Color	30	(A) 27-30 (B) [2] 24-26 (C) [1] 21-23 (SStd.) [1] 0-20
II. Cut	10	(A) 9-10 (B) 8 (C) [2] 7 (SStd.) [1] 0- 6
III. Defects	20	(A) 18-20 (B) [2] 16-17 (C) [1] 14-15 (SStd.) [1] 0-13
IV. Character	10	(A) 9-10 (B) 8 (C) [1] 7 (SStd.) [1] 0- 6
V. Flavor	30	(A) 27-30 (B) [1] 24-26 (C) [1] 21-23 (SStd.) [1] 0-20
Total score	100	
Grade		

[1] Indicates limiting rule.
[2] Indicates partial limiting rule.

The United States Standards for Grades of Canned Sauerkraut (which is the second issue) contained in this subpart shall become effective 30 days after publication hereof in the FEDERAL REGISTER, and will thereupon supersede the United States Standards for Grades of Canned Sauerkraut which have been in effect since February 8, 1933.

Dated: April 4, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 57-2739; Filed, Apr. 8, 1957; 8:52 a. m.]

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

PART 728—WHEAT

SUBPART—REGULATIONS PERTAINING TO FARM ACREAGE ALLOTMENTS FOR THE 1958 CROP OF WHEAT

Sec.
728.810 Basis and purpose.
728.811 Definitions.
728.812 Extent of calculations and rule of fractions.
728.813 Instructions and forms.
728.814 Method of apportioning county allotments.
728.815 Data for old wheat farms.
728.816 Determination of base acreages for old farms.
728.817 Determination of acreage allotments for old farms.
728.818 Determination of base acreages for new farms.
728.819 Determination of acreage allotments for new farms.
728.820 Reallocation of allotments released from farms removed from agricultural production.
728.821 Supervision, review and approval by the State committee, and mailing of allotment notices.
728.822 Farms divided or combined.
728.823 Review.
728.824 Request to preserve acreage history for the 1958 crop of wheat.
728.825 Farm normal yields.
728.826 Redelegation of authority.
728.827 Applicability of §§ 728.810 to 728.827.

AUTHORITY: §§ 728.810 to 728.827 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 334, 52 Stat. 38, 53; secs. 106, 112, 70 Stat. 191, 195; 7 U. S. C. 1301, 1334, 1824, 1836.

§ 728.810 *Basis and purpose.* The regulations contained in §§ 728.810 to 728.827 are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of 1958 farm acreage allotments for wheat. The purpose of the regulations in §§ 728.810 to 728.827 is to provide the procedure for establishing farm wheat acreage allotments for 1958. Prior to preparing the regulations in this subpart, public notice (21 F. R. 9778) was given in accordance with the Administrative Procedure Act (5 U. S. C. 1003). The data, views, and recommendations pertaining to the regulations in §§ 728.810 to 728.827 which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 728.811 *Definitions.* As used in the regulations in this subpart and in all instructions, forms and documents in connection therewith, the words and phrases defined in this section shall have the meanings herein assigned to them unless the context or subject matter otherwise requires.

(a) "Act" means the Agricultural Adjustment Act of 1938 and any amendments or supplements thereto.

(b) "Secretary" means the Secretary of Agriculture of the United States or the officer of the Department acting in his stead pursuant to delegated authority.

(c) "Director" means the Director of the Grain Division, Commodity Stabilization Service, U. S. Department of Agriculture.

(d) Committees:

(1) "Community committee" means the group of persons elected within a community as the community committee pursuant to the regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees under sections 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(2) "County committee" means the group of persons elected within a county as the county committee pursuant to the regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees under section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(3) "State committee" means the group of persons designated in a State by the Secretary as the Agricultural Stabilization and Conservation State committee pursuant to section 8 (b) of the Soil Conservation and Domestic Allotment Act, as amended.

(4) "State administrative officer" means the person employed to execute the policies of the State committee and to be responsible for the day-to-day operations of the office of the State committee, or the person acting in such capacity.

(e) "Farm" means all adjacent or nearby farm or range land under the same ownership which is operated by one person, including also:

(1) Any other adjacent or nearby farm or range land which the county committee determines is operated by the same person as part of the same unit in producing range livestock or with respect to the rotation of crops, and with workstock, farm machinery, and labor substantially separate from that for any other land; and

(2) Any field rented tract (whether operated by the same or another person) which, together with any other land included in the farm, constitutes a unit with respect to the rotation of crops.

A farm shall be regarded as located in the county or administrative area in which the principal dwelling is situated, or if there is no dwelling thereon it shall be regarded as located in the county or administrative area in which the major portion of the farm is located.

(f) "Cropland" means farm land which in 1957 was tilled or was in regular crop rotation, including also land which was established in permanent vegetative cover, other than trees, since 1953, and which was classified as cropland at the time of seeding, but excluding (1) bearing orchards and vineyards (except the acreage of cropland therein), (2) plowable non-crop open pasture, and (3) any land which constitutes, or will constitute if tillage is continued, an erosion hazard to the community. Insofar as the acreage of cropland on the farm enters into the determination of the farm acreage allotment, the cropland acreage on the farm shall not be deemed to be decreased during the period of any contract entered into under the conservation reserve program by reason of the establishment and maintenance of vegetative cover or water storage facilities, or other soil- water- wildlife- or forest-conserving uses under such contract.

(g) "Acreage indicated by cropland" means the number of acres computed by multiplying the cropland acreage for a farm by the ratio of historical wheat acreage determined pursuant to § 728.816 (b) for all farms in the community or county to the cropland acreage for all farms in the community or county: *Provided,* That if the State committee finds that the historical wheat acreage as determined for the community is abnormally low due to widespread abnormal weather, then the ratio for the community may be the ratio determined or which could have been determined under § 728.711 (g) (regulations for de-

termining farm acreage allotments for the 1957 crop of wheat, 21 F. R. 1895), or a ratio determined on the basis of the average of the acreages for the years 1953, 1954, 1955, and 1956 which the State committee determines is normal. County ratio determinations will be made and used in lieu of community ratios only upon approval of the State committee if required because of inadequate historical acreage or other factors affecting the community history.

(h) "Person" means an individual, partnership, association, corporation, estate, trust, or other business enterprise or legal entity, and, wherever applicable, a State, a political subdivision of a State, the Federal Government, or any agency thereof.

(i) "Operator" means the person who is in charge of the supervision and conduct of the farming operations on the entire farm.

(j) "Wheat cover crop" means the acreage of wheat which in compliance with applicable regulations did not reach maturity because it was, while still green, turned under, cut off or pastured off, to the extent that wheat did not mature as grain.

(k) "Wheat mixture" means a mixture of wheat and other small grains (excluding flax, Austrian winter peas, rough peas, and vetch) containing, when seeded, less than 50 percent by weight of wheat and which when harvested produced less than 50 percent of wheat by weight.

(l) "Wheat mixture counties" means counties in which the seeding of wheat mixtures has been determined to be a normal farming practice and are as follows: All counties in the States of Alabama, Arkansas, Georgia, Kentucky, Minnesota, North Carolina, South Carolina, Tennessee, Virginia, and Wisconsin; in the State of Idaho the counties of Ada, Bannock, Bingham, Blaine, Boise, Bonneville, Butte, Camas, Canyon, Caribou, Cassia, Clark, Elmore, Fremont, Gem, Gooding, Jefferson, Jerome, Lincoln, Madison, Minidoka, Oneida, Owyhee, Payette, Power, Teton, Twin Falls, and Washington; in the State of Oregon the counties of Benton, Clackamas, Douglas, Lane, Linn, Malheur, Polk, Washington and Yamhill; and in the State of West Virginia, Monroe County.

(m) "Wheat acreage" means any acreage of seeded wheat or self-seeded (volunteer) wheat which reaches maturity, excluding any acreage (1) of a wheat mixture in wheat-mixture counties, or of a mixture of other grains and wheat in nonwheat-mixture counties which does not contain enough wheat to cause the grain to be graded as "mixed grain" under the Official Grain Standards of the United States (Part 26 of this title), (2) of wheat cover crop, (3) in case of a delayed notice of the acreage of wheat, of unharvested wheat plowed or disced under within 15 days after such notice has been mailed to the operator of the farm, (4) of unharvested wheat seeded in excess of the allotment which is completely destroyed by some cause beyond the control of the operator (i) prior to 30 days before the date wheat harvest normally begins in the county or areas within the county, as specified in the 1954, 1955, or 1956 wheat marketing quota regulations issued by the Secretary (19 F. R. 202, 972, 1481, 6134; 20 F. R. 1621, 9475; 21 F. R. 1258), or (ii) within 15 days after a delayed notice of the acreage of wheat is mailed to the operator of the farm, unless the operator or his representative indicates in writing to the county office manager that such destroyed seeded wheat acreage under subdivision (i) or (ii) of this subparagraph should be classified as wheat acreage, (5) any acreage of wheat grown for experimental purposes only by or under contract to a publicly owned agricultural experiment station, and (6) any acreage of wheat grown by any Federal or State wildlife refuge farm where all the wheat on the farm is produced solely for wildlife feed or seed for the production of wildlife feed on such wildlife refuge farm. Wheat acreage shall not include emmer, spelt, einkorn, Polish wheat, and poulard wheat.

(n) "Wheat history acreage" for the purpose of establishing 1958 allotments means for (1) 1953 the wheat acreage on the farm; (2) for 1954 and 1955 the acreage determined for the farm as provided by §§ 728.716 and 728.720 (1957 wheat acreage allotment regulations issued by the Secretary, 21 F. R. 1896, 1897); (3) for 1956 the acreage determined for the farm as provided by § 728.816.

(o) "Old farm" means a farm on which there was wheat acreage in one or more of the three years, 1955 through 1957, including any farm on which all or any part of the 1956 or 1957 wheat acreage allotment was diverted from the production of wheat under the 1956 or 1957 acreage reserve programs or conservation reserve programs in the years 1956 or 1957 even though there was no acreage actually planted to wheat on the farm in 1956 or 1957.

(p) "New farm" means a farm on which there was no wheat seeded in any of the years 1955, 1956, and 1957, or considered seeded in either of the years 1956 or 1957 because all or a part of a farm wheat acreage allotment was diverted from the production of wheat under the 1956 or 1957 acreage reserve program or under the conservation reserve program in 1956 or 1957, but on which wheat will be seeded in 1958.

(q) "Commercial wheat-producing area" means all States in the United States exclusive of States for which the wheat acreage allotment for 1958 will be 25,000 acres or less and which are designated by the Secretary as being outside the commercial wheat-producing area.

§ 728.812 *Extent of calculations and rule of fractions.* All acreage determinations except the farm allotment shall be rounded to whole acres. The allotment determined for the farm shall be rounded to tenths of acres. For all computations other than the allotment fractional acres of fifty-one hundredths of an acre or more shall be rounded upward, and fractional acres of less than fifty-one hundredths of an acre shall be dropped. In computing the allotment for the farm fractional acres of fifty-one thousandths of an acre or more shall be rounded upward, and fractional acres of less than fifty-one thousandths shall be dropped.

§ 728.813 *Instructions and forms.* The Director shall cause to be prepared and issued such forms as are necessary and shall cause to be prepared such instructions with respect to internal management as are necessary for carrying out the regulations in this part. The forms and instructions shall be approved by, and the instructions shall be issued by, the Deputy Administrator for Production Adjustment, Commodity Stabilization Service.

§ 728.814 *Method of apportioning county allotments.* The county acreage allotment shall be apportioned to old farms in the county pro rata according to the farm base acreages which shall be established on the basis of past acreage of wheat, tillable acres, crop-rotation practices, type of soil, and topography.

§ 728.815 *Data for old wheat farms—*(a) *Reports by producers.* To the extent that data are not available in the ASC county office, the owner, operator, or any other interested person shall furnish the following information regarding the farm in which he has an interest to the ASC county office of the county in which the farm is regarded as located if the farm is an old farm:

(1) The names and addresses of the owner and operator.

(2) The total acreage of all land.

(3) The acreage of cropland.

(4) The wheat acreage seeded or considered seeded for the years 1953, 1954, 1955, 1956, and 1957, if available.

(5) The acreage of wheat mixtures seeded for harvest as grain for the years 1953, 1954, 1955, 1956, and 1957, if available.

(6) The acreage of wheat utilized for wheat cover crop for the years 1953, 1954, 1955, 1956, and 1957, if available.

(7) Other pertinent information requested by the county committee relative to the operations of the farm.

(b) *Other available information.* Information not so furnished shall be determined or appraised by the county committees on the basis of records in the county office, available production and sales records, or other available information.

§ 728.816 *Determination of base acreages for old farms.* The county committee shall determine a base acreage for each old farm which will reflect the factors of past acreage of wheat, tillable acres, crop-rotation practices, type of soil, and topography. Each base acreage determined shall be fair and equitable when compared with the base acreages for all other farms in the county. In arriving at the base acreage, consideration shall be given to the wheat history acreage on the farm during the years 1953 through 1956 where data are available, tillable acres, type of soil, topography, the producer's crop-rotation system for the farm, including the equipment and other facilities available for carrying out such system of crop-rotation, and the base acreages for other

farms in the community which are similar with respect to tillable acres, type of soil, and topography, and which are similarly operated. Such base acreages shall be established as follows:

(a) *Use of 1956 or 1957 base acreage.* With prior approval of the State committee, the 1957 base acreage, or the 1956 base acreage if appropriate for 1958 due to the crop-rotation system established for the farm, determined for the farm under the regulations issued by the Secretary for establishing farm acreage allotments for the respective years (20 F. R. 1632; 21 F. R. 1895) may be used as the 1958 base acreage for the farm if the county committee determines that such use will result in a base acreage for 1958 which meets the requirements prescribed above.

(b) *Historical average acreage.* (1) If the 1958 base acreage is not established under paragraph (a) of this section the county committee shall establish for each farm a historical average acreage which shall be the average of the wheat history acreages on the farm for 1953, 1954, 1955 and 1956.

(2) The wheat history acreages for 1953, 1954, and 1955 shall be as provided in § 728.811 (n). The wheat history acreage for 1956 shall be the 1956 wheat acreage plus the acreage diverted under the 1956 wheat acreage allotment program and shall be determined as follows: (i) If the 1956 farm wheat acreage allotment established under § 728.617 (1956 farm wheat acreage allotment regulations, 20 F. R. 1632), as increased or decreased under § 728.620, was knowingly exceeded, the wheat history acreage for 1956 shall be the farm wheat acreage allotment plus the wheat acreage in excess of the farm wheat acreage allotment less the acreage for Durum Wheat (Class II) as determined under § 728.625 (21 F. R. 1815); (ii) if the farm wheat acreage allotment established under § 728.617, as increased or decreased under § 728.620 was not knowingly exceeded and the wheat acreage plus any acreage diverted from the production of wheat under the 1956 Acreage Reserve Program or in 1956 under the Conservation Reserve Program was 75 per centum or more of such allotment, the wheat history acreage shall be the base acreage established for the farm under said regulations; (iii) if the wheat acreage plus any acreage diverted from wheat under the 1956 Acreage Reserve Program or in 1956 under the Conservation Reserve Program was less than 75 per centum of the farm wheat acreage allotment established under § 728.617, as increased or decreased under § 728.620 the wheat history acreage shall be the smaller of the farm base acreage or the acreage obtained by multiplying the wheat acreage, including the acreage diverted under the acreage reserve and conservation reserve programs, by a diversion credit factor. In such cases, the diversion credit factor will be the reciprocal of a decimal fraction which is 75 per centum of the county proration factor as determined under said regulations.

(3) The acreage diverted in 1956 from the production of wheat under the soil bank acreage reserve and conservation reserve programs shall be determined as follows:

(i) The acreage diverted under the acreage reserve program shall be the acreage not devoted to wheat which is eligible for compensation as wheat acreage reserve under the program.

(4) The acreage diverted in 1956 from the production of wheat under the conservation reserve program shall be computed as follows:

(i) Obtain the total of the uncredited history acreage for all acreage allotments and corn base acreages established for the farm for 1956 (the uncredited history acreage for any commodity shall be the acreage allotment (or corn base acreage) minus the acreage eligible for compensation under the acreage reserve program minus the actual acreage of the commodity on the farm).

(ii) Determine from the conservation reserve contract for the farm the 1956 "permitted acreage" under such contract.

(iii) Obtain the sum of the acreage of land on the farm not in the conservation reserve which in 1956 was devoted to soil bank base crops which was chargeable to such "permitted acreage" and the acreage devoted to non-soil bank base crops, counting double cropped acreage only once.

(iv) Obtain the unused "permitted acreage" on the farm by subtracting from subdivision (ii) of this subparagraph the smaller of subdivisions (ii) or (iii) of this subparagraph.

(v) Obtain maximum diversion credit for all allotment and base acreage crops by subtracting subdivision (iv) of this subparagraph from subdivision (i) of this subparagraph, disregarding negative credits.

(vi) Obtain total diversion credit for all allotment and base acreage crops which shall be the smaller of subdivision (v) of this subparagraph or the acreage eligible for compensation under the conservation reserve contract for 1956.

(vii) Obtain the percentage of the total diversion credit attributable to wheat by dividing the uncredited history acreage for wheat by subdivision (i) of this subparagraph.

(viii) Obtain the diversion credit for wheat under the conservation reserve contract by multiplying subdivision (vi) of this subparagraph by subdivision (vii) of this subparagraph.

(5) In no event may the acreage diverted from wheat under the 1956 acreage reserve program plus that diverted under the conservation reserve program in 1956 exceed the difference between the 1956 wheat acreage on the farm and the 1956 wheat acreage allotment.

(c) *Adjusted average acreage.* (1) The county committee shall adjust the historical average acreage for any farm by eliminating from the period of years used in determining the historical average acreage the year or years for which it finds that the wheat history acreage was:

(i) Abnormally low due to excessive wet weather or flood.

(ii) Abnormally low due to drought.

(iii) Abnormally high because in previous years wheat or other crops failed or could not be planted.

(iv) No longer representative because of a change in operations which results in a substantial change in the established crop-rotation system for the farm or because the farm has been sold or leased for non-farm use and the farm will not be in agricultural production in 1958.

(v) Not appropriate for 1958 because of a definitely established crop-rotation system being carried out on the farm.

(2) When one or more of the years are eliminated in accordance with the provisions of subparagraph (1) (i) through (v) of this paragraph, the average of the years not so eliminated shall be considered as the adjusted average acreage. If all four years are eliminated the adjusted average acreage shall be zero.

(3) The county committee may further adjust the historical average or the adjusted average acreage, as the case may be, so as to make such acreage comparable with those acreages for other farms which are similar with respect to tillable acres, type of soil, and topography, and which are similarly operated with respect to the rotation of crops, within the following limitations:

(i) If such acreage is abnormally low, when compared to similar farms, similarly operated, it may be adjusted upward not to exceed 25 percent. If the adjusted average acreage is zero because one of the years in the applicable period was eliminated under subparagraph (1) (i), (ii), (iii), or (iv) of this paragraph, the twenty-five percent limitation will not apply and the adjusted average acreage may be adjusted upward. In no event shall the adjustments made herein exceed the acreage indicated by cropland, unless approval is first obtained from the State committee. If all the years in the applicable period are eliminated under subparagraph (1) (v) of this paragraph, the adjusted average acreage may be adjusted upward but not above the acreage of cropland for the farm.

(ii) If such acreage is excessively high, when compared to similar farms, similarly operated, it may be adjusted downward not to exceed 25 percent. Such adjustment may not result in an acreage below the acreage indicated by cropland unless approval is first obtained from the State committee.

(4) The State committee may grant approval under reasons in subparagraph (3) (i) and (ii) of this paragraph if the committee finds that the use of the acreage indicated by cropland as a limiting factor would result in an inequitable base acreage due to the fact that the type of farming operations carried out generally in the community or county, as the case may be, is not representative of the type of farming operations carried out on the farm for which the base acreage is being determined.

(d) *Base acreage for 1958.* The 1958 base acreage shall be that acreage determined under paragraphs (a) through (c) of this section. A zero base acreage may be established for a farm only if the committee determines that there will be no wheat history acreage for 1958

under the crop-rotation system for the farm.

§ 728.817 *Determination of acreage allotments for old farms.* The 1958 county acreage allotment, after deduction of appropriate reserves for appeals and correction of errors and missed farms, as determined by the county committee with approval of the State committee and Secretary, shall be apportioned pro rata among all farms within the county on the basis of the base acreages determined under § 728.816.

§ 728.818 *Determination of base acreages for new farms.* (a) The county committee shall determine a base acreage for use in establishing a wheat acreage allotment for each eligible new farm for which an acreage allotment is requested prior to a closing date which shall not be later than September 1, 1957, in the winter wheat area, and March 1, 1958, in the spring wheat area. Each request for such allotment shall be in writing, shall be made by the owner or operator, and shall contain statements as to the location and identification of the farm, the names and addresses of the owner and operator, if known, the total acreage of land, the identification and location of any other farms in which the operator will have an interest in 1958, the location of the farm or farms and the wheat acreage in which the operator had an interest during the years 1953 through 1957, the acreage of wheat planned for 1958 under the crop-rotation system for the farm, the reason for requesting a wheat allotment, the reason there was no wheat history acreage on the farm for 1955, 1956, or 1957, and a statement that the operator expects to derive fifty percent or more of his livelihood from the farm.

(b) Eligibility for new farm allotments shall be conditioned upon the following:

(1) The committee determines that the land for which the allotment is requested will ordinarily produce a good crop of wheat without appreciable erosion; and

(2) The producer establishes to the satisfaction of the county committee that:

(i) The system of farming has changed or is changing to the extent that wheat rather than other small grains will be included in such system for 1958, the operator will not operate any other farm for which a 1958 wheat acreage allotment will be determined, and the operator expects to derive 50 percent or more of his livelihood from the farm covered by the application; or

(ii) The established rotation system followed on the farm will include wheat for 1958.

(c) In determining the base acreage for each new farm, the county committee shall take into consideration the tillable acres, crop-rotation practices, type of soil, topography, and the farming system to be followed by the operator, including the equipment and other facilities available for the production of wheat under such system: *Provided,* That the base acreage so established shall not exceed the wheat acreage for the farm for 1958 under the planned crop-rotation system. Without prior approval of the State committee the base acreage recommended by the county committee shall not exceed 100 percent of the acreage indicated by cropland where the operator of the farm has been planting wheat on the farm in regular rotation; 80 percent of the acreage indicated by cropland where the operator has had past history of wheat on other farms; 65 percent of the acreage indicated by cropland where the operator has had no opportunity to establish wheat history for himself; and 25 percent of the acreage indicated by cropland where the applicant could have established wheat history in the past three years, but has not done so, and in all other cases.

§ 728.819 *Determination of acreage allotments for new farms.* The county committee shall, after approval by the State committee of the base acreages established for new wheat farms, determine a 1958 wheat acreage allotment for each new farm by multiplying the base acreage so established by a pro rata adjustment factor which shall be the smaller of the factor determined under § 728.817 or a factor obtained by dividing that portion of the State reserve for new farms allocated by the State committee to the county by the sum of the base acreages determined for new farms under § 728.818. If the 1958 wheat acreage is less than the allotment established under this section, the wheat allotment for the farm shall be reduced to the acreage classified as wheat acreage on the farm, and the acreage resulting from such reductions in each county shall be transferred to the reserve available to the State committee. The sum of all new farm acreage allotments in the State shall not exceed the State reserve set aside for new farm acreage allotments by the State committee and approved by the Secretary, which in no case shall exceed 3 percent of the State allotment.

§ 728.820 *Reallocation of allotments released from farms removed from agricultural production.* The allotment determined or which would have been determined for any form which is removed from agricultural production by acquisition in 1950 or thereafter by a United States agency for national defense purposes shall be placed in a State pool and shall be available to the State committee for use in providing equitable allotments for farms owned or acquired by the owners displaced because of acquisition of their farms by the United States. Upon application to the county committee any owner so displaced shall be entitled to have an allotment for any other farm owned or acquired by him equal to an allotment which shall be comparable to the allotments established for other farms in the same area which are similar except for the past acreage of wheat.

§ 728.821 *Supervision, review, and approval by the State committee and mailing of allotment notices.* (a) The State committee shall be responsible for the work of the county committees under the regulations in this part in the apportionment of the county wheat acreage allotments to farms, the review of all allotments and the revision of any determination it considers necessary. All acreage allotments shall be approved by the State committee or on behalf of the State committee by the State administrative officer, program specialist, or farmer fieldman and no official notice of an acreage allotment shall be mailed until such allotment has been so approved by or on behalf of the State committee.

(b) Notice of the farm acreage allotment shall be mailed by the county committee to the operator of the farm. Insofar as practicable all allotment notices shall be mailed in time to be received prior to the date on which the referendum to determine whether farmers who would be subject to farm marketing quotas favor or oppose such quotas will be held. All allotment notices in a county, insofar as practicable, shall be mailed on the same date.

(c) A copy of each allotment notice approved shall be maintained for not less than thirty days in a conspicuous place in the county office and shall thereafter be permanently kept freely available for public inspection in the office of the county committee.

§ 728.822 *Farms divided or combined.* (a) The 1958 wheat acreage allotment determined for a farm, if there is a division, shall be apportioned to each part on the basis of the acreage of cropland on each part. If the county committee determines that this method would result in allotments not representative of the farming operations normally carried out on each part, an allotment may be determined for each part in the same manner as would have been done if such part had been a completely separate farm: *Provided,* That the sum of the allotments thus determined for each part shall not exceed the allotment originally determined for the entire farm which is being divided.

(b) If two or more farms for which the 1958 wheat acreage allotments are determined will be combined and operated as a single farm in 1958, the 1958 allotment shall be the sum of the allotments determined for each of the farms comprising the combination.

(c) If a farm, a part of which is owned by the Federal Government and is under a restrictive lease to a producer, is to be divided for 1958, the wheat acreage allotment attributed to or established for the Government-owned tract shall become frozen and shall not be available for apportionment to any other farm.

(d) A farm for which a 1958 wheat acreage allotment is established shall be divided or combined pursuant to paragraphs (a), (b) and (c) of this section only if the farm was not properly constituted prior to the date on which the seeding of the 1958 crop of wheat was completed on the farm, or in cases in which no wheat was seeded on the farm, the date by which the county committee determines wheat would have had to be seeded if a 1958 crop of wheat could reasonably be expected on the farm. Prior to approving any division or combination the county committee shall determine that the change in farm identity on

which the reconstitution is based took place prior to such date. In determining compliance with wheat acreage allotments for 1958 on those farms where the operation or ownership of the farm so changes as to warrant reconstitution after such date (due to the sale of a part of or all the farm, changing in leasing agreement, or for any other reason) the farm as originally constituted shall govern.

§ 728.823 *Review.* (a) Any producer who is dissatisfied with the farm acreage allotment and marketing quota established for his farm may, within 15 days after mailing of the official notice of the farm acreage allotment and marketing quota, file application in writing to the county office manager for the county from which the notice was received to have such allotment reviewed by a review committee appointed by the Secretary.

(b) The procedure governing the review of farm acreage allotments and marketing quotas are contained in the regulations issued by the Secretary (Part 711 of this chapter) which are available at the office of the county committee.

§ 728.824 *Request to preserve acreage history for the 1958 crop of wheat.* (a) If the acreage planted to wheat on a farm in 1958 is less than the 1958 wheat acreage allotment, except where the allotment is underplanted and the quantity of wheat of a prior crop stored to avoid or postpone payment of the marketing quota penalty has been reduced because of such reduction in acreage, the entire farm acreage allotment established under § 728.817 shall be considered to have been planted for the purposes of establishing future State, county, and farm acreage allotments, provided the owner or operator of the farm files or has filed a request in writing on Form MQ–31 for such preservation of wheat history acreage on or before May 1, 1958.

(b) If the county committee determines that any producer is prevented from planting wheat for harvest as grain in his usual planting season because of unfavorable weather conditions, except where the allotment is underplanted and the quantity of wheat of a prior crop stored to avoid or postpone payment of the marketing quota penalty has been reduced because of such reduction in acreage, the entire farm acreage allotment established under § 728.817 shall be regarded as wheat acreage for the purpose of establishing future State, county, and farm acreage allotments, if the producer notifies the county committee, prior to December 1, 1957, where only winter wheat is grown, or June 1, 1958, where only spring wheat is grown (including areas where winter and spring wheat is grown), that he does not intend to seed his full wheat allotment because of unfavorable weather conditions.

§ 728.825 *Farm normal yields.* The normal yield for any farm for which normal yields are required under the wheat marketing quota regulations, shall be the average yield per acre of wheat for the farm during the ten years immediately preceding the year in which such yield is determined, adjusted for abnormal weather conditions and trends in yields. If for any such year records of the actual average yield are not available, or there was no actual yield, the normal yield per acre of wheat for the farm shall be appraised by the county committee, taking into consideration abnormal weather conditions during such 10-year period, the normal yield for the county, and the yields in years for which data were available. Where the county committee determines that conditions affecting the production of wheat are not uniform within the county and that the normal yield for the county is not representative of the normal yield for the farm, the county committee in appraising the normal yield for the farm shall also take into consideration the yields obtained on farms in the same locality which are similar with respect to types of soil, topography, and farming practices associated with the production of wheat.

§ 728.826 *Redelegation of authority.* Any authority delegated to the State committee by §§ 728.810 to 728.827 may be redelegated by the State committee.

§ 728.827 *Applicability of §§ 728.810 to 728.827.* (a) Sections 728.810 to 728.827 shall govern the establishment in the commercial wheat-producing area of farm acreage allotments for the 1958 crop of wheat for use in connection with farm price support programs, farm marketing quotas, if applicable to the 1958 crop of wheat, and the 1958 acreage reserve program under the Soil Bank Act.

(b) The regulations in this subpart are contingent upon the proclamation of a national acreage allotment of wheat for 1958 by the Secretary pursuant to section 333 of the Agricultural Adjustment Act of 1938, as amended.

NOTE: The reporting requirements contained herein have been approved by, and subsequent reporting requirements will be subject to the approval of, the Bureau of Budget in accordance with Federal Reports Act of 1942.

Done at Washington, D. C., this 4th day of April 1957. Witness my hand and the seal of the Department of Agriculture.

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

[F. R. Doc. 57–2744; Filed, Apr. 8, 1957; 8:52 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 947—MILK IN FALL RIVER, MASS., MARKETING AREA

ORDER TERMINATING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act", and of the order, as amended (7 CFR Part 947), regulating the handling of milk in the Fall River, Massachusetts, marketing area, hereinafter referred to as the "order", it is hereby found and determined that:

(a) The words "freight mileage" in § 947.51 no longer tend to effectuate the declared policy of the act.

The use of these words in § 947.51 are in connection with a price computation under the Boston, Massachusetts, Federal order. The provisions of the Boston order referred to are no longer computed on the basis of rail freight mileage but are computed on the basis of highway distances. In order that there be no question as to the prices which are intended to be used the words "freight mileage" as they appear in § 947.51 should be terminated.

(b) The notice of proposed rule making, public procedure thereon, and 30 days' notice of the effective date hereof are impracticable, unnecessary, and contrary to the public interest for reasons stated under (a) and in that:

(1) The information on which this action is based did not become available in time for such compliance; and

(2) This termination order does not require persons affected substantial or extensive preparation prior to its effective date.

Therefore, good cause exists for making this order effective immediately.

It is therefore, ordered, That the words "freight mileage" as they appear in § 947.51 be and they are hereby terminated.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 4th day of April 1957.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 57–2735; Filed, Apr. 8, 1957; 8:51 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

[Reg. Y]

PART 222—BANK HOLDING COMPANIES

FORM TO BE USED IN MAKING ANNUAL REPORT

Effective immediately, the Board of Governors of the Federal Reserve System has adopted Form F. R. Y–6,[1] to be used by bank holding companies in making their annual reports to the Board of Governors pursuant to section 5 (c) of the Bank Holding Company Act of 1956 and § 222.8 of this part.

(Sec. 5, 70 Stat. 137)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] MERRITT SHERMAN,
Assistant Secretary.

[F. R. Doc. 57–2707; Filed, Apr. 8, 1957; 8:46 a. m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington 25, D. C., or to any Federal Reserve Bank.

TITLE 20—EMPLOYEES' BENEFITS

Chapter V—Bureau of Employment Security, Department of Labor

PART 604—POLICIES OF THE UNITED STATES EMPLOYMENT SERVICE

SERVICE TO MINORITY GROUPS

Pursuant to the authority vested in me by section 12, 48 Stat. 117, as amended, 29 U. S. C. 49k, Reorganization Plan No. 2 of 1949 and by delegation from the Secretary of Labor (20 CFR 602.21), § 604.8 (c) of Title 20, Code of Federal Regulations, Part 604, is hereby amended to read as follows:

(c) To assist The President's Committee on Government Employment Policy in effectuating Executive Order 10590 by not accepting discriminatory job orders from Federal establishments.

(Sec. 12, 48 Stat. 117, as amended; 29 U. S. C. 49k)

Signed at Washington, D. C., this 29th day of March 1957.

ROBERT C. GOODWIN,
Director.

[F. R. Doc. 57-2721; Filed, Apr. 8, 1957; 8:48 a. m.]

TITLE 21—FOOD AND DRUGS

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

Subchapter C—Drugs

PART 146—GENERAL REGULATIONS FOR THE CERTIFICATION OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

DEFINITIONS AND INTERPRETATIONS

Effective as of the date of publication in the FEDERAL REGISTER, § 146.1 is revised to read as set forth below. This revision is made solely for editorial and codification purposes, and no change is made in the context of the regulations:

§ 146.1 *Definitions and interpretations applicable to Parts 146, 146a, 146b, 146c, 146d, and 146e.* In addition to the definitions and interpretations in this section, the definitions and interpretations contained in section 201 of the Federal Food, Drug, and Cosmetic Act shall be applicable to such terms when used in the regulations covering the certification of antibiotic and antibiotic-containing drugs.

(a) *Definitions of antibiotic substances.* (1) Each of the several antibiotic substances (e. g., penicillin F, penicillin G, penicillin X) produced by the growth of Penicillium notatum or Penicillium chrysogenum, and each of the same substances produced by any other means, is a kind of penicillin.

(2) Each of the several antibiotic substances produced by the growth of Streptomyces griseus, and each of the same substances produced by any other means, is a kind of streptomycin.

(3) Each of the antibiotic substances produced by hydrogenation of streptomycin, and each of the same substances produced by any other means, is a kind of dihydrostreptomycin.

(4) Each of the several antibiotic substances produced by the growth of Streptomyces aureofaciens, and each of the same substances produced by any other means, is a kind of chlortetracycline.

(5) Each of the several antibiotic substances produced by the hydrogenation of chlortetracycline, and each of the same substances produced by any other means, is a kind of tetracycline.

(6) Each of the several antibiotic substances produced by the growth of Streptomyces venezuelae, and each of the same substances produced by any other means, is a kind of chloramphenicol.

(7) Each of the several antibiotic substances produced by the growth of Bacillus subtilis var. Tracy, and each of the same substances produced by any other means, is a kind of bacitracin.

(b) *Definitions of master standards.* (1) The term "penicillin G master standard" means a specific lot of crystalline sodium penicillin G (sodium penicillin II) that is designated by the Commissioner as the standard of comparison in determining the potency of the penicillin G working standards. The term "penicillin O master standard" means a specific lot of crystalline potassium penicillin O standardized by the penicillin G master standard and which is designated by the Commissioner as the standard of comparison in determining the penicillin O content of the penicillin O working standard. The term "penicillin V master standard" means a specific lot of crystalline penicillin V that is designated by the Commissioner as the standard of comparison in determining the potency of the penicillin V working standard.

(2) The term "streptomycin master standard" means a specific lot of crystalline trihydrochloride calcium chloride salt of streptomycin that is designated by the Commissioner as the standard of comparison in determining the potency of the streptomycin working standard.

(3) The term "dihydrostreptomycin master standard" means a specific lot of crystalline dihydrostreptomycin sulfate that is designated by the Commissioner as the standard of comparison in determining the potency of the dihydrostreptomycin working standard.

(4) The term "chlortetracycline master standard" means a specific lot of crystalline chlortetcycline hydrochloride that is designated by the Commissioner as the standard of comparison in determining the potency of the chlortetracycline working standard.

(5) The term "tetracycline master standard" means a specific lot of crystalline tetracycline hydrochloride that is designated by the Commissioner as the standard of comparison in determining the potency of the tetracycline working standard.

(6) The term "chloramphenicol master standard" means a specific lot of crystalline chloramphenicol that is designated by the Commissioner as the standard of comparison in determining the potency of the chloramphenicol working standard.

(7) The term "bacitracin master standard" means a specific lot of bacitracin that is designated by the Commissioner as the standard of comparison in determining the potency of the bacitracin working standard.

(c) *Definitions of the terms "unit" and "microgram" as applied to antibiotic substances.* (1) (i) The term "unit" applied to penicillin means a penicillin activity contained in 0.6 microgram of the penicillin G master standard, except that the term "unit" applied to penicillin V means a penicillin activity contained in 0.59 microgram of the penicillin V master standard. The term "penicillin potency" means the number of such units in a specified quantity of a substance.

(ii) The term "unit" applied to bacitracin means a bacitracin activity contained in 23.8 micrograms of the bacitracin master standard after it is dried for 3 hours at 60° C. and a pressure of 5 millimeters or less; the term "bacitracin potency" means the number of such units in a specified quantity of a substance.

(2) (i) The term "microgram" applied to streptomycin means the streptomycin activity (potency) contained in 1.38 micrograms of the streptomycin master standard after it is dried for 4 hours at 56° C. and a pressure of 50 microns or less.

(ii) The term "microgram" applied to dihydrostreptomycin means the dihydrostreptomycin activity (potency) contained in 1.25 micrograms of the dihydrostreptomycin master standard after it is dried for 4 hours at 100° C. and a pressure of 50 microns or less.

(iii) The term "microgram" applied to chlortetracycline means the chlortetracycline activity (potency) contained in 1.0 microgram of the chlortetracycline master standard.

(iv) The term "microgram" applied to tetracycline means the tetracycline activity (potency) contained in 1.0 microgram of the tetracycline master standard.

(v) The term "microgram" applied to chloramphenicol means the chloramphenicol activity (potency) contained in 1.0 microgram of the chloramphenicol master standard.

(d) *Definitions of working standards.* (1) The term "penicillin G working standard" means a specific lot of a homogeneous preparation of one or more salts of penicillin.

(2) The term "penicillin O working standard" maens a specific lot of a homogeneous preparation of potassium penicillin O.

(3) The term "penicillin V working standard" means a specific lot of a homogeneous preparation of penicillin.

(4) The term "streptomycin working standard" means a specific lot of a homogeneous preparation of one or more streptomycin salts.

(5) The term "dihydrostreptomycin working standard" means a specific lot of a homogeneous preparation of one or more dihydrostreptomycin salts.

(6) The term "chlortetracycline working standard" means a specific lot of a homogeneous preparation of one or more chlortetracycline salts.

(7) The term "tetracycline working standard" means a specific lot of a homogeneous preparation of one or more tetracycline salts.

(8) The term "chloramphenicol working standard" means a specific lot of a homogeneous preparation of one or more chloramphenicols.

(9) The term "bacitracin working standard" means a specific lot of a homogeneous preparation of one or more bacitracins.

The potency or purity of each preparation has been determined by comparison with its master standard, and each has been designated by the Commissioner as working standards for use in determining the potency or purity of drugs subject to the regulations in this part.

(e) *Miscellaneous definitions.* (1) The term "batch" means a specific homogeneous quantity of a drug.

(2) The term "batch mark" means an identifying mark or other identifying device assigned to a batch by the manufacturer or packer thereof.

(3) The term "Commissioner" means the Commissioner of Food and Drugs and any other officer of the Food and Drug Administration whom he may designate to act in his behalf for the purpose of the regulations for the certification of antibiotic and antibiotic-containing drugs.

(4) The term "U. S. P." means the official Pharmacopeia of the United States, including supplements thereto. The term "N. F." means the official National Formulary, including supplements thereto.

(5) The term "manufacture" does not include the use of a drug as an ingredient in compounding any prescription issued by a practitioner licensed by law to administer such drug.

(f) All statements, samples, and other information and materials submitted in connection with a request for certification shall be considered to be part of such request.

(g) Except as specifically provided by §§ 146.8 to 146.23, inclusive, no provision of any section in this part shall be construed as exempting any drug from any applicable provision of the act or other regulation thereunder.

(h) The regulations in Parts 141a, 141b, 141c, 141d, and 141e of this chapter prescribing tests and methods of assay shall not be construed as preventing the Commissioner from using any other test or method of assay in his investigations to determine whether or not:

(1) A request for certification contains any untrue statement of a material fact; or

(2) A certification has been obtained through fraud, or through misrepresentation or concealment of a material fact.

(i) Wherever the potency of an antibiotic drug included in the regulations in this chapter is expressed in terms of weight, such potency shall be equivalent to that contained in the same weight of the master standard of the drug.

(j) At the option of the person having control of records required to be kept by any section in this part, photostatic or other permanent reproductions may be substituted for such records after the first 2 years of the holding period.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, since the revision of the section involved is for codification purposes only, and no significant changes are made in existing regulations.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, as amended; 21 U. S. C. 357)

Dated: April 3, 1957.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 57-2716; Filed, Apr. 8, 1957; 8:48 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter G—Personnel

PART 875—APPOINTMENT TO THE UNITED STATES AIR FORCE ACADEMY

Sec.
875.1 General.
875.2 Allocation of appointment vacancies.
875.3 Basic eligibility requirements.
875.4 Application procedures.
875.5 Where applicant will report.
875.6 Change of station assignment.

AUTHORITY: §§ 875.1 to 875.6 issued under R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply secs. 8075, 9331, 70A Stat. 486, 561; 10 U. S. C. 8075, 9331.

SOURCE: AFR 53-10, August 29, 1956.

§ 875.1 *General*—(a) *Purpose.* Sections 875.1 to 875.6 tell how to apply for appointment to the United States Air Force Academy and how applications will be processed.

(b) *Policy.* All persons who are eligible to apply for nomination will be encouraged to apply in as many competitions as they are eligible.

(c) *Definitions.* The following terms are defined:

(1) *Nomination.* Action taken by appropriate authority to authorize an individual to compete in a competition.

(2) *Competition.* A specific category in which an individual is nominated by appropriate authority to compete for selection and subsequent appointment.

(3) *Military applicant.* Any person on extended active duty with the Armed Forces of the United States who applies or has applied for nomination.

(4) *Civilian applicant.* Any person other than a military applicant who applies or has applied for nomination.

(5) *Military nominee.* Any person who has received a nomination to compete for appointment to the United States Air Force Academy and who is on extended active duty with the Armed Forces of the United States.

(6) *Civilian nominee.* Any person not on extended active duty who has received a nomination to compete for appointment to the United States Air Force Academy. This includes individuals who are competing for appointment in the Reserve competition if the individual is not on extended active duty.

(7) *Selectee.* Any nominee who has been selected for appointment to the Air Force Academy by the Academy selection board.

(8) *Organization commander.* The commander responsible for the operation and administration of the organization to which the applicant or nominee is assigned.

(9) *Air Force military test control officer.* An officer designated to administer USAF tests.

(d) *The Air Force Academy Catalogue.* The Air Force Academy Catalogue which contains added information on sources of admission, scholastic, and physical requirements as well as various items of interest will be supplied upon request. Requests should be addressed to the Director of Admissions, United States Air Force Academy, Denver 8, Colorado.

§ 875.2 *Allocation of appointment vacancies.* Appointment vacancies are allocated on an annal basis to each of 58 competitive groups (called "competitions"). Allocations are based upon the proportionate share as authorized by law of the total number of vacancies available. Once the individual obtains a nomination, he will compete for selection for an appointment vacancy only against others who have been nominated in the same competition. Applicants may and should attempt to compete in all competitions in which they are eligible for nomination. Sources of nomination are:

(a) *From the States, Territories, Canal Zone, Puerto Rico and the District of Columbia.* There are 53 individual competitions, i. e., 48 States, two Territories (Alaska and Hawaii), Puerto Rico, Canal Zone, and the District of Columbia. Those applicants who are nominated will compete only against other Congressional nominees likewise nominated from their State of residence; the majority of the vacancies are allocated to these competitions. Interested individuals may request nomination in one of these competitions by contacting their Congressmen or other appropriate authority as early as possible, preferably not later than November preceding the year in which they desire to compete. The letter of application should include name, address (both permanent and temporary); date of birth; parent's name and address; and scholastic achievements, including grades attained and class standing.

(b) *From regular competition*—(1) *Any member of a regular component of the Air Force or Army.* Those who will have completed 1 full year of active enlisted service before July 1 of the year for which they seek admission may apply for nomination. This service requirement does not have to be continuous nor does it have to be completed before making application; however, a selectee must be in an active enlisted service status when appointed to the Academy. The Director of Admissions, United States Air Force Academy, Denver 8, Colorado, must receive completed applications for nomination before January 31 preceding the July the individuals desire to enter the Academy. Applicants must meet the

basic eligibility requirements as shown in § 875.3.

(2) *Commissioned officers, warrant officers, and aviation cadets who were formerly enlisted men of Regular components of Air Force or Army.* An officer (other than a Regular officer) who is otherwise qualified may be nominated and appointed as an Air Force cadet. Former enlisted men of the Regular components of the Air Force or Army who are serving on active duty as commissioned or warrant officers or as aviation cadets may apply for vacancies allotted to Air Force or Army personnel. (Time served in aviation cadet status is considered enlisted service.) If selected for appointment to the Air Force Academy, commissioned and warrant officers will be subject to the following condition: Their commissioned or warrant officer status will be terminated and they will be reenlisted in their respective component before being appointed as an Air Force cadet. Any such cadet separated without prejudice and under honorable conditions from the Air Force Academy may apply for reappointment as a commissioned officer or warrant officer.

(c) *From Reserve competition*—(1) *Any member of a Reserve component of the Air Force or Army (including National Guard).* Those who will have satisfactorily completed 1 year of active enlisted service with an active Reserve program element by July 1 of the year in which they seek admission may apply for nomination. This service requirement does not have to be continuous nor does it have to be completed before making application. However, a selectee must be serving on active duty, or must be satisfactorily participating in a mobilization position, or in an organized unit of his Reserve component when appointed as an Air Force cadet. Completed applications for nomination under the Reserve competition must be received by the Director of Admissions, United States Air Force Academy, Denver 8, Colorado, by January 31 preceding the July they desire to enter the Academy. Applicants must meet the basic eligibility requirements shown in § 875.3.

(2) *Commissioned officers, warrant officers, and aviation cadets who were formerly enlisted men of Reserve components of Air Force or Army.* An officer (other than a Regular officer) who is otherwise qualified may be nominated and appointed as an Air Force cadet. Former enlisted men of the Reserve components of the Air Force or Army who are serving on active duty as commissioned or warrant officers or as aviation cadets may apply for vacancies allotted to Air Force or Army personnel. If selected for appointment to the Air Force Academy, commissioned and warrant officers will be subject to the following condition: Their commissioned or warrant officer status will be terminated and they will be reenlisted in their respective component before being appointed as an Air Force cadet. Any such cadet separated without prejudice and under honorable conditions from the Air Force Academy may apply for reappointment as a commissioned officer or warrant officer.

(d) *From Presidential competition.* Any individual who is the son of a member of a Regular component of the Armed Forces of the United States is eligible for nomination. (Adopted sons are eligible if adopted before their 15th birthday.) Applicants must meet the basic eligibility requirements prescribed in § 875.3.

(e) *From Vice Presidential competition.* Any individual who meets the basic eligibility requirements prescribed in § 875.3 may apply to the Vice President for nomination. Applications should be made not later than November preceding the July in which the person desires appointment and should contain name; address (both permanent and temporary); date of birth; parent's name and address; and scholastic achievements, including grades attained and class standing.

(f) *From sons of deceased veterans competition.* Any individual who meets the basic eligibility requirements shown in § 875.3 and who is the son of a deceased member of the land or naval forces of the United States may be eligible for nomination in the sons of deceased veterans competition. The deceased parent (male or female) must have been killed in action, or have died from wounds or injuries received, disease contracted, or pre-existing injury, or disease aggravated by active service during World War I, World War II, or between June 27, 1950 and February 1, 1955.

(g) *From sons of Congressional Medal of Honor winners.* Individuals who are sons of Congressional Medal of Honor winners and who desire to enter Academy should write to the Director of Admissions, United States Air Force Academy, Denver 8, Colorado, as outlined in § 875.4.

§ 875.3 *Basic eligibility requirements.* In addition to meeting the individual competition requirements, all applicants must meet the following basic requirements without exception:

(a) *Age.* Applicants must be at least 17 years of age and must not have reached their 22d birthday by July 1 of the year in which they enter the Air Force Academy. Nominees will be required to substantiate their date of birth by a birth certificate or an authenticated copy of it, or any documentary evidence which is considered legally sufficient to establish an individual's date of birth.

(b) *Citizenship.* Applicants must be male citizens of the United States. If an applicant is a citizen of the United States by naturalization, the following certificate is required, authenticated by a notary public or other person authorized by law to administer oaths:

I certify that I have seen this date the original certificate of citizenship number _____ stating that _____ was granted United States citizenship by the _____, on _____. The following
(Name of court) (Date)
person was named in the certificate as a minor child _____, age _____.
(Name of child)

Facsimilies or copies, photographs or otherwise, will not be made of naturalization certificates under any circumstances. Act June 25, 1948 (62 Stat. 767; 18 U. S. C. 1426 (h)) provides that:

Whoever, without lawful authority, prints photographs, makes or executes any print or impression in the likeness of a certificate of arrival, declaration of intention to become a citizen, or certificate of naturalization or citizenship, or any part thereof, shall be fined not more than $5000 or imprisoned not more than five (5) years, or both.

(c) *Moral character.* Applicants must be of good moral character. Commanders will furnish information to the Director of Admissions, United States Air Force Academy, on any applicant or nominee whose official records show:

(1) He is or has been a conscientious objector.

(2) Any facts which give reason to believe that a person's appointment may not be clearly consistent with the interests of national security.

(3) Conviction by court-martial for other than minor violations of the Articles of the Uniform Code of Military Justice or that he has been convicted of a felony in a military or civilian court.

(4) That he is afflicted with or has a history of a venereal infection.

(5) Habitual intemperance.

(6) Any behavior, activity, or associations which tend to show that the person is of questionable character or reputation.

(7) Proof that a person is married or that he has ever been married.

(d) *Marital status.* Applicants must be unmarried and must never have been married. Cadets are not permitted to marry until after graduation.

(e) *Elimination from flying training.* Applicants must not have been eliminated from a flying or officer training course conducted by an Armed Force of the United States, unless the eliminating authority recommends further aircrew training.

(f) *Medical examination.* Applicants must be able to pass a medical examination for flying training, class I (pilot).

§ 875.4 *Application procedures*—(a) *Nomination in State, Territory, District of Columbia, Puerto Rico, or Panama Canal Zone competition.* (1) Any individual who desires to be nominated may contact the Senators of his State of residence and/or the Representative of his district of residence and request nomination. Residents of the Territories should contact their Delegate to Congress to request nomination. Residents of the District of Columbia should contact the Commissioners of the District of Columbia to request nomination. Residents of Puerto Rico should apply to the Resident Commissioner of Puerto Rico. Individuals who are sons of civilians residing in the Canal Zone, or sons of civilian personnel employees of the United States Government and the Panama Canal Company residing in the Republic of Panama, should communicate with the Governor of the Panama Canal Zone for nomination. The following information should be furnished:

(i) Name and address (both permanent and temporary). If in the military service, give grade, service number, organization, and station.

(ii) Date of birth.

(iii) Name and address of parents.

(iv) Scholastic achievements, including grades attained and class standing.

(v) Physical qualifications, i. e., height, weight, visual acuity, and any other pertinent medical history. (Physical evaluation by a physician is desirable.)

(2) The Member of Congress or other appropriate official indicated will advise the applicant of further action to be taken on his request for nomination. If the applicant is nominated, the nomination form will be forwarded, through the Air Force Academy Appointment Branch, Personnel Procurement Division, Director of Personnel Procurement and Training, Headquarters USAF, Washington 25, D. C., to the Director of Admissions, United States Air Force Academy, Denver 8, Colorado, who will then schedule the nominee for testing. After nomination, the nominee should address any letters, forms, etc., only to the Director of Admissions.

(b) *Regular military competition application.* Individuals who are eligible for nomination in the Regular military competition should complete DD Form 786, "Application for Appointment to the United States Air Force Academy Under Quota Allotted to Enlisted Men of the Air Force and the Army," in triplicate, and submit it to their organization commander. The organization commander will:

(1) Determine whether the applicant meets eligibility requirements for this competition. If he is ineligible, the application will be returned to the applicant who will be advised of the reason for disqualification provided that security violations are not involved.

(2) Arrange for the preliminary mental and physical examinations and notify the applicant of the date scheduled for his appearance.

(i) The preliminary medical examination will be conducted, and may be administered at any Air Force or Army installation. This preliminary examination will reveal obvious defects and eliminate those candidates who do not meet the physical standards necessary for appointment to the Air Force Academy. If found to be disqualified for further testing, the applicant will be advised on the reasons for disqualification.

(ii) The written examination will be arranged for through the Air Force military test control officer at the nearest Air Force facility. The written examination is titled "USAF Cadet Screening Test," and consists of a series of questions requiring approximately 2 hours to complete. Only Air Force military test control officers located at Air Force installations can administer the examination and it will not be readministered to an applicant until 1 year has elapsed from the date he previously took the test. The test is designed to measure certain aptitudes of applicants and only those possessing the highest qualifications will be nominated to undergo the final series of qualifying examinations.

(c) *Reserve competition application.* Individuals who are eligible for nomination in the Reserve competition should complete DD Form 786 in triplicate and submit it to their organization commander. Reserve applicants will not be placed on active duty to be processed for nomination or appointment to the Air Force Academy.

(d) *Presidential competition application.* Individuals who are eligible to apply for nomination in this competition, should write to the Director of Admissions, United States Air Force Academy, and request nomination. The request must include:

(1) Name, address, and date of birth. If in the service, give grade, service number, organization, and station.

(2) The full name, grade, service number, and branch of service of the parent whose Regular component status entitles the applicant to a nomination in this category.

(e) *Vice presidential nomination.* Individuals who meet the basic eligibility requirements and who desire to obtain a Vice Presidential nomination should write to the Vice President's office and request nomination. The following information must be furnished in the request:

(1) Name, address, and date of birth. If in the service, give grade, service number, organization, and station.

(2) Scholastic achievements, including grades attained and class standing.

(3) Reasons for requesting Vice Presidential nomination.

(f) *Sons of deceased veterans nomination.* Individuals who are eligible for nomination in sons of deceased veterans competition should write a request for nomination to the Director of Admissions, United States Air Force Academy, containing the following information:

(1) Full name, address, and date of birth. If in the service, give the grade, service number, organization, and station.

(2) The full name, service number, grade, and branch of service of the parent whose service-connected death entitles the applicant to a nomination in this category.

(3) Brief description of the time, place, and cause of parent's death.

(4) Veterans Administration claim number.

(g) *Sons of Congressional Medal of Honor winners.* Individuals who, as sons of Congressional Medal of Honor winners, are qualified for appointment should write to the Director of Admissions, United States Air Force Academy, and request to be scheduled for the final qualifying examinations. This letter must include:

(1) Full name, address, and date of birth. If in the military service, give grade, service number, organization, and station.

(2) Full name, grade, and service number of the parent who won the award.

§ 875.5 *Where applicant will report.* If the applicant is nominated in one or more of the competitions, the Director of Admissions will notify him to report to an Air Force Academy and Aircrew Examining Center for final qualification testing. No nominee will be considered for appointment until scores on all tests are received. These tests will be listed in the letter of instruction to nominees. Scores for tests taken for any other program, or a previous year's competition for appointment, are not transferable to the current competition.

§ 875.6 *Change of station assignment.* Each applicant or nominee will be personally responsible for notifying the Director of Admissions of every change of station assignment. He should address his notification direct to the Director of Admissions, United States Air Force Academy, Denver 8, Colorado, and include complete name, grade, service number, and organization or unit to which currently assigned. Reassignment of military personnel to any duty station will not be delayed pending action by the Director of Admissions.

[SEAL] J. L. TARR,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 57-2702; Filed, Apr. 8, 1957; 8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 1403]

[68367]

UTAH

REVOKING THE EXECUTIVE ORDER OF JULY 2, 1910 WHICH CREATED PETROLEUM RESERVE NO. 7

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U. S. C. 141) and pursuant to Executive Order No. 10355 of May 26, 1952 it is ordered as follows:

The Executive Order of July 2, 1910 withdrawing the following-described lands for classification and in aid of legislation affecting the use and disposal of petroleum lands belonging to the United States, is hereby revoked:

SALT LAKE MERIDIAN, UTAH

T. 31 S., R. 7 E., all of township.
T. 32 S., R. 7E., all of township.
T. 31 S., R. 8 E., all of township.
T. 32 S., R. 8 E., all of township.
T. 40 S., R. 18 E., all of township.
T. 40 S., R. 19 E., all of township.
T. 41 S., R. 17 E., all of township.
T. 41 S., R. 18 E., all of township.
T. 41 S., R. 19 E., all of township.
T. 42 S., R. 18 E., all of township.
T. 42 S., R. 19 E., all of township.
T. 41 S., R. 9 W.,
Secs. 25 to 36, inclusive.
T. 42 S., R. 9 W.,
Secs. 1 to 18, inclusive.
T. 40 S., R. 10 W.,
Sec. 35, all.
T. 41 S., R. 10 W.,
Sec. 2, all;
Sec. 3, all;
Secs. 9 to 11, 14 to 16, inclusive;
Sec. 17, S½;
Secs. 19 to 23, 25 to 36, inclusive.
T. 42 S., R. 10 W.,
Secs. 1 to 21, 28 to 33, inclusive.
T. 40 S., R. 11 W.,
Secs. 19 to 21, 28 to 33, inclusive.
T. 41 S., R. 11 W.,
Secs. 4 to 9, 16 to 36, inclusive.
T. 42 S., R. 11 W.,
Secs. 1 to 18, inclusive.

T. 38 S., R. 12 W.,
Sec. 21, all;
Sec. 22, all;
Sec. 27, all;
Sec. 28, all;
Secs. 32 to 34, inclusive.
T. 39 S., R. 12 W.,
Secs 3 to 5, 8 to 10, 15 to 17, 19 to 22, 25 to 36, inclusive.
T. 40 S., R. 12 W., all of township.
T. 41 S., R. 12 W.,
Secs. 1 to 18, inclusive;
Sec. 20, N½;
Secs. 21 to 28, inclusive;
Sec. 29, S½;
Secs. 31 to 36, inclusive.
T. 39 S., R. 13 W.,
Secs. 3 to 10, 15 to 22, 27 to 34, inclusive.
T. 40 S., R. 13 W.,
Secs. 3 to 10, 15 to 22, 27 to 33, inclusive.
T. 41 S., R. 13 W.,
Secs. 4 to 9, 16 to 21, 29 to 31, inclusive.
T. 41 S., R. 14 W.,
Sec. 1, all;
Secs. 11 to 15, 21 to 29, 31 to 36, inclusive.
T. 42 S., R. 14 W.,
Secs. 1 to 12, 14 to 22, 28 to 33, inclusive.
T. 42 S., R. 15 W.,
Sec. 12, all;
Sec. 13, all;
Secs. 23 to 36, inclusive.
T. 43 S., R. 15 W., all of township.
T. 42 S., R. 16 W.,
Sec. 7, all;
Secs. 17 to 22, 25 to 36, inclusive.
T. 43 S., R. 16 W., all of township.
T. 41 S., R. 17 W.,
Secs. 19 to 21, 27 to 35, inclusive.
T. 42 S., R. 17 W.,
Secs. 1 to 17, 20 to 28, 33 to 36, inclusive.
T. 43 S., R. 17 W.,
Secs. 1 to 3, 10 to 15, 23 to 25, inclusive.

The lands were made subject to appropriation, location, selection, entry or purchase, if otherwise available under the nonmineral land laws, with a reservation of the minerals to the United States, by the act of July 17, 1914 (38 Stat. 509; 30 U. S. C. 121). They have been open to applications and offers under the mineral-leasing laws and to locations for metalliferous minerals. They will be open to location for nonmetalliferous minerals under the United States mining laws, subject to valid existing rights and the provisions of existing withdrawals, at 10:00 a. m. on May 8, 1957.

The withdrawal was modified by Public Land Order No. 1160 of June 6, 1955 to the extent necessary to permit withdrawn surveyed school sections and sections thereafter surveyed to pass to the State upon survey.

HATFIELD CHILSON,
Acting Secretary of the Interior.

APRIL 2, 1957.

[F. R. Doc. 57-2720; Filed, Apr. 8, 1957; 8:48 a. m]

[Public Land Order 1404]

[1878190]

[Anchorage 031764]

ALASKA

TRANSFERRING A PORTION OF THE LANDS RESERVED BY EXECUTIVE ORDER NO. 8877 OF AUGUST 29, 1941, FROM THE DEPARTMENT OF THE ARMY TO THE DEPARTMENT OF THE NAVY; PARTIALLY REVOKING AND AMENDING EXECUTIVE ORDER NO. 8877

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following-described lands in Alaska, which are a portion of the lands reserved by Executive Order No. 8877 of August 29, 1941, as amended by Executive Order No. 9526 of February 28, 1945, for use of the War Department for military purposes, are hereby transferred from the Department of the Army to the Department of the Navy:

Beginning at a point on line of mean high tide on the east shore of Kodiak Island in latitude 57°34'08" N., longitude 152°11'54" W., thence north 8,000 feet; west 7,000 feet approximately to longitude 153°13' W.; north 7,800 feet approximately on longitude 153°13' W. to a point on line of mean high tide on Kalsin Bay; easterly and southerly along line of mean high tide around Cape Chiniak and Cape Greville to point of beginning.

The area described contains 3,723 acres.

2. The remaining lands in the following-described area (exclusive of those described in paragraph 1 of this order), withdrawn by Executive Order No. 8877 of August 29, 1941, are hereby released from the withdrawal made thereby, which order is hereby revoked to the extent of such lands:

CAPE GREVILLE—CAPE CHINIAK AREA

Beginning at a point on line of mean high tide on the west shore of the Gulf of Alaska, 57°34'08" north latitude and 152°11'54" west longitude, as shown on United States Coast and Geodetic Survey Chart No. 8535, December 1935:

From the point of beginning, by metes and bounds: north 8,000 feet, to a point; west 35,000 feet, to a point; north 8,470 feet, to a point on line of mean high tide on south shore of Kalsin Bay; southeasterly, with meanders of Kalsin Bay, Isthmus Bay, Chiniak Bay and Pacific Ocean; around Cape Chiniak to the point of beginning.

The tract described contains approximately 10,380 acres.

3. The lands released from withdrawal by this order shall not be subject to application, location, settlement, entry, or other forms of appropriation under the public-land laws until further order of an authorized officer of the Bureau of Land Management. The Territory of Alaska shall be entitled, however, in any order opening the lands to disposition under the public-land laws, to a preferred right of selection of the lands in connection with its mental health program, except as against prior existing valid rights or as against equitable claims subject to allowance and confirmation, in accordance with section 202 (b) of the act of July 28, 1956 (70 Stat. 809; 711).

4. Executive Order No. 8877 is hereby amended by deleting therefrom the following paragraph which was added thereto by Executive Order No. 9526 of February 28, 1945:

The jurisdiction granted by this order shall cease at the expiration of the six months period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

5. The minerals in the lands transferred to the Department of the Navy by paragraph 1 of this order shall remain under the jurisdiction of the Department of the Interior, and no disposition shall be made of such minerals except under the applicable United States mining and mineral-leasing laws, and then only after such modification of the provisions of this order as may be necessary to permit such disposition.

HATFIELD CHILSON,
Acting Secretary of the Interior.

APRIL 3, 1957.

[F. R. Doc. 57-2703; Filed, Apr. 8, 1957; 8:45 a. m.]

TITLE 50—WILDLIFE

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

Subchapter F—Alaska Commercial Fisheries

PART 102—GENERAL PROVISIONS

LICENSE REQUIRED OF SALMON NET FISHERMEN

There was published in the FEDERAL REGISTER, March 6, 1957 (22 F. R. 1388) notice of intention to revise 50 CFR Part 102 by adopting a new section dealing with licenses for Alaska salmon net fishermen. All interested persons were invited to participate in this proposed rule making by presenting their views and arguments in writing to the Acting Director of the Bureau of Commercial Fisheries, United States Fish and Wildlife Service, Washington 25, D. C., within 20 days after the date of such publication. The views and arguments received have been considered and the regulations as published are adopted with the following changes:

Subparagraph (1) of paragraph (a) is amended to read as follows:

(1) Upon completion of an application on a form furnished for that purpose.

Subparagraph (3) of paragraph (a) is amended by deletion of the words "without fee."

Paragraph (b) is amended to read as follows:

(b) No person shall obtain, or attempt to obtain, more than one license during any given calendar year.

The regulations as so changed are set forth below.

HATFIELD CHILSON,
Acting Secretary of the Interior.

APRIL 4, 1957.

1. A new section designated § 102.8a is added to read as follows:

§ 102.8a *License required of salmon net fishermen.* (a) No person shall fish for, assist in fishing for, or be a member of a crew fishing for salmon, for commercial purposes, with any form of net in any of the waters of Alaska without

first having obtained a license from a local representative of the United States Fish and Wildlife Service, or any person designated by the Administrator of Alaska Commercial Fisheries to perform specific functions of that Service. Such license shall be valid:

(1) Upon completion of an application on a form furnished for that purpose.

(2) For the calendar year of issuance.

(3) Within any single registration area (as set forth in § 102.8) of his choice, the code letter of which shall appear on the face of the license, and for no other:

Provided, That upon request, the Administrator of Alaska Commercial Fisheries may permit the license to be transferred to another registration area for good cause shown, but only after a determination by him, in each case, that such transfer will not jeopardize proper conservation of the salmon runs in the second area. Such transfer, when granted, shall automatically invalidate the license in the previously designated area.

(b) No person shall obtain, or attempt to obtain, more than one license during any given calendar year.

(c) Licenses shall be kept immediately available at all times during fishing operations and shall be shown upon request to any authorized representative of the United States Fish and Wildlife Service or of the United States Coast Guard.

NOTE: The above prescribed license is not in lieu of, but is required in addition to, any license required by the Territory of Alaska.

(Sec. 1, 43 Stat. 464, as amended; 21 U. S. C. 221)

[F. R. Doc. 57-2752; Filed, Apr. 5, 1957; 5:00 p. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 949]

[Docket No. AO-232-A6]

MILK IN SAN ANTONIO, TEXAS, MARKETING AREA

NOTICE OF CANCELLATION OF HEARING ON PROPOSED EMERGENCY AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND ORDER, AS AMENDED

Notice is hereby given that the hearing on proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the San Antonio, Texas, marketing area, scheduled to begin at 9:30 a. m., c. s. t., on April 8, 1957 (22 F. R. 2246), in Room 371, U. S. Post Office and Court House, San Antonio, Texas, is hereby cancelled.

Done at Washington, D. C., this 4th day of April 1957.

[SEAL] ROY W. LENNARTSON, *Deputy Administrator.*

[F. R. Doc. 57-2736; Filed, Apr. 8, 1957; 8:51 a. m.]

[7 CFR Part 966]

[Docket No. AO-257-A3]

MILK IN SHREVEPORT, LA., MARKETING AREA

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

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was conducted at Shreveport, Louisiana, February 4-5, 1957 (22 F. R. 568), upon a proposed tentative marketing agreement and order, as amended, regulating the handling of milk in the Shreveport, Louisiana, marketing area.

Upon the basis of the evidence introduced at the hearing, and the record thereof, the Deputy Administrator, Agricultural Marketing Service, on March 28, 1957, filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision. Said decision, containing notice of opportunity to file written exceptions thereto, was published in the FEDERAL REGISTER on March 30, 1957 (22 F. R. 2133).

Within the period reserved therefor, interested persons filed exceptions to certain of the findings, conclusions and actions recommended by the Deputy Administrator. In arriving at the findings, conclusions, and regulatory provisions of this decision, each of such exceptions was carefully and fully considered in conjunction with the record evidence pertaining thereto.

To the extent that suggested 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.

Preliminary statement. A public hearing, on the record of which the proposed marketing agreement and the proposed order amending the order, as amended, were formulated, was held at Shreveport, Louisiana, on February 4-5, 1957, pursuant to notice thereof issued January 24, 1957 (22 F. R. 568). The material issues of record related to:

1. Distributing plant definition—Item 1.
2. Supply plant definition—Item 2.
3. A new definition providing for "associated producer"—Items 3-6, Items 8-12.
4. Class I price—Item 7.
5. Class II price—Item 7.
6. A new provision establishing a "shrink milk price"—Item 7.
7. Computation of daily average base for each producer—Item 13.
8. A new provision for the use of equivalent prices—Item 14.

Findings and conclusions. The following findings and conclusions on Issue No. 3 are based upon evidence received at the hearing and the record thereof. Expedited action is recommended in order to effectuate, at the earliest date, the recommendations contained herein.

Proposals concerning the remaining issues also need to be studied and analyzed in order that the Department may recommend action thereon at a later date.

Therefore, the entire record of this hearing is reserved and shall remain open for future study and analysis in order to take action described above.

3. The order should be amended to provide for the sharing of returns for milk among producers and associated producers. The Northwest Louisiana Pure Milk Producers' Association proposed that the proceeds from each handler's sales of milk should be apportioned equitably among all dairy farmers who supplied milk to Shreveport handlers during the preceding months of September through December. The Association represents a large portion of the dairy farmers who supply milk to handlers regulated by Order No. 66.

One handler testified in opposition to the effect that the proposal, if adopted, could interfere with his quality control program.

The months of September through December are the usual months of lowest production relative to Class I sales in the Shreveport market. Under the proposal, dairy farmers who supplied milk to a handler during the specified period, but whose milk was rejected by such handler during part or all of some later month, would qualify as an "associated producer" for the rejected milk.

Ordinarily, such milk is disposed of by the Association to manufacturing plants at prices nearly equal to the Class II price, less hauling. The producers' association proposed that rejected milk be included in the handler's pool when the market administrator computes the handler's uniform price. The handler would then be required to pay to the market administrator an amount equal to the difference between his adjusted uniform price(s) and the Class II price on the volume of milk designated as "associated producer milk". The market administrator would deposit such payments into a separate fund, and distribute it among associated producers.

The effect of this proposal would be that the handlers' total obligation for milk at class prices would remain unchanged. However, the uniform price payable to those producers whose milk was received at the handler's plant would be reduced.

The reduction in value would be paid to associated producers. If associated producers obtained the order Class II price for rejected milk, the additional payment received from the market administrator would yield a return equal to the handler's uniform price.

During the spring and summer of 1955, about forty producers, all of whom were members of a cooperative association, were cut off the market. After the rejection of such milk, total producer deliveries were about 102 percent of Class I sales at individual plants. The cooperative association was required to remove from the market all milk in excess of that percentage.

During the same period in 1956, while no cooperative members were actually "cut off" the market, the Association had an agreement with handlers whereby it would, after prior notice, market its members' milk off the market. An Association witness testified that handlers do not always give sufficient prior notice to locate best available outlets for excess milk. Because the amount of excess production is small and variable, the Association has not been able to negotiate long-range contracts to dispose of such milk. Consequently, most excess milk must be disposed of on a "spot" shipment basis. At the same time, other source milk for Class II utilization has been brought on the market. Whenever the Association has had to move milk off the Shreveport market, the blend price that the Association pays its members is lower that the uniform prices paid by handlers to nonmembers. Prior to the order, all producers received the same blend prices.

The cooperative association, which represents a large portion of the producers supplying milk to the market, is adversely affected by these practices. Under the order, handlers generally have refused to accept responsibility for pooling any milk not actually used in their own plant. As a result, the cooperative association has become responsible for nearly all the milk disposed of for manufacturing outside the market, since it is obligated to market its members' milk. At the same time, nonmembers, whose milk is accepted by handlers, receive a higher blend price.

These practices are disruptive to orderly marketing of milk. The rejection of milk sometimes has been arbitrary.

The Class I price provisions of the order were established on the basis that producers could rely on a steady market for their fluid milk. This would enable them to amortize the costs incurred in producing Grade A milk for the market. The Class I price would have to be quite high in a few months of the year in order to justify the investment producers made for Grade A production, if marketing practices permit them to share in the Class I utilization of the market for only a short time each year.

It is concluded that the order should be amended to provide for the equalization of Class I sales among regular producers and associated producers supplying each handler regulated by the order.

Only handlers are permitted to divert milk. This may be done during the months April through June. However, the diverting privilege for handlers should apply in all months of the year. This will enable the associated producer provisions to operate fully. It is recognized that if handlers avail themselves of the diverting privilege, there would be no need to utilize the less direct reporting and payment procedures of the associated producer provisions. No proposal was submitted to amend the handler definition to include a cooperative association with respect to diverted milk. Likewise, the producer definition should not be amended to provide for this.

The months September through December are the months of lowest production, relative to Class I sales. During these months, producer receipts have not been sufficient to supply Class I outlets completely. Producer deliveries to handlers during a major portion of these months would be appropriate for determining which producers regularly supply a particular handler.

Producer milk during these months, if later rejected by the handler and sold to a nonfluid milk plant that manufactured Class II products, would qualify as "associated producer milk", and the dairy farmer delivering the milk would qualify as an "associated producer". Milk could be rejected without much prior notice; consequently, such rejected milk should qualify as associated producer milk for the month during which it is first rejected. Thereafter, the shipper should mail to the market administrator an offer to deliver milk to the handler to whom he regularly delivered milk during the qualifying period. The market administrator should send each handler a list of the dairy farmers who submitted offers to deliver milk. The list should be sent to the handler not later than the 5th day of the month for which it applies.

The requirement that the rejected milk be sold to a nonfluid milk plant manufacturing Class II products serves two purposes. It removes the incentive for a producer to deny milk to a handler and to sell it elsewhere for Class I utilization. It also facilitates the movement of milk among regulated handlers, thereby assuring that milk will not unnecessarily be designated as associated producer milk.

The associated producer would have to maintain health department approval. Milk rejected by any duly constituted health authority for sanitary reasons would not qualify as associated producer milk.

The producers' proposal designated the marketing area health authority as the agency responsible for health department approval. The order does not now limit health department Grade A approval to the agency having jurisdiction for the marketing area, and the record contains no evidence supporting a change of this kind. The reference to health department, therefore, should not be changed.

The volume of rejected milk qualifying as associated producer milk should be determined after the end of the month. The first step in this process is that the associated producer notify the market administrator by the 5th day of the month the quantity of milk sold to a nonfluid milk plant during the preceding month, which during such month manufactured Class II products. By the 12th of the month, he should furnish the market administrator with his daily weight slips, pay statements, or other evidence of the quantity sold and the average butterfat test. These quantities will be used by the market administrator, along with the handler's report of receipts and utilization, to compute the handler's uniform price. On or before the 10th day after the end of the month the market administrator should send each handler a notice specifying the amount payable to the market administrator for associated producer milk.

The associated producer milk is included in the handler's blend price computation at the Class II price, since this is the order value attributable to it according to its actual use. The producer location adjustments and producer butterfat differential would be applied to the associated producer milk in exactly the same fashion as if it had been accounted for as producer milk by the handler. The handler's obligation on the associated producer milk would be the difference between its value at the handler's adjusted uniform price(s) and its value at the Class II price. It will be noted that since the associated producer milk is included in the handler's utilization value at the Class II price, and subtracted out of his payments to associated producers at the same Class II price, the handler's total obligation for milk is not changed; only the distribution of the total amount among producers and associated producers is altered.

The handler should be obligated to remit the value of the associated producer milk to the market administrator by the 12th day of the month. These funds will be deposited by the market administrator in a separate account and paid to producers on or before the 15th day of the month. By such date the market administrator will have received from producers actual payment statements or other acceptable evidence of the quantity and butterfat test, and the price received for the milk sold by the producer to a plant which, during the month, manufactured Class II products.

The market administrator will incur as much, if not more, expense in accounting for the associated producer milk as he will in connection with the producer milk. The same rate of assessment should, therefore, be charged on the associated producer milk and it should be paid by the handler to whom the milk is assigned.

It was proposed in the hearing notice that the marketing service charge be levied by the market administrator on this milk to provide for check-testing, information, and similar services, and that the corresponding authorized deductions be allowed on associated producer milk produced by members of cooperative associations. Proponents did not support the proposal at the hearing. Since the milk is actually sold to manufacturing plants not connected with the market, the market administrator has no authorization to enter such plants to perform the specified services. It is concluded, therefore, that the marketing service charge should not be

deducted from the payments made for associated producer milk.

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

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

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

(d) It is hereby found that the necessary expenses of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 5 cents per hundredweight or such amount not exceeding 5 cents per hundredweight as the Secretary may prescribe, with respect to (a) all receipts of milk from producers within the month, including milk of such handler's own production, (b) associated producer milk, (c) any other source milk allocated to Class I, and (d) Class I milk distributed on routes in the marketing area from nonfluid milk plants.

Determination of representative period. The month of January 1957, is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order, amending the order, regulating the handling of milk in the Shreveport, Louisiana, marketing area is approved or favored by producers, as defined under the terms of the order, as amended, and as hereby proposed to be further amended; and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Marketing agreement and order, as amended. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing agreement regulating the handling of milk in the Shreveport, Louisiana, marketing area," and "Order amending the order, as amended, regulating the handling of milk in the Shreveport, Louisiana, marketing area," which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions. These documents shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and order have been met.

It is hereby ordered that all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order, as amended, and proposed to be hereby further amended.

This decision filed at Washington, D. C., this 4th day of April, 1957.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

Order[1] Amending Order, as Amended, Regulating Handling of Milk in Shreveport, Louisiana, Marketing Area

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

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

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

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

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

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

1. Add new §§ 966.13a and 966.13b as follows:

§ 966.13a *Associated producer.* "Associated producer" means a person who, with respect to any milk not accepted at a fluid milk plant or diverted from it by a handler in any month, meets all of the following qualifications:

(a) Produces milk in conformity with the sanitation requirements of any duly constituted health authority relating to milk for fluid consumption;

(b) Delivered milk for not less than 60 days during the preceding months of September through December, which milk was received at or diverted from a fluid milk plant; and

(c) Certifies in writing to the market administrator, on or before the first day of any month following the first month in which any of his milk is not accepted at or diverted from a fluid milk plant, that he is ready and willing to deliver his milk to such fluid milk plant, and does so perform in response to appropriate request from the handler through the market administrator.

§ 966.13b *Associated producer milk.* "Associated producer milk" means all skim milk and butterfat sold during the month by associated producers to a nonfluid milk plant(s) which, during such month, utilized skim milk and butterfat in products designated pursuant to § 966.41 (b) (1): *Provided,* That the sale of such milk by associated producers is reported to and verified by the market administrator pursuant to § 966.32 (c).

2. Amend §§ 966.19 and 966.20 to read as follows:

§ 966.19 *Base milk.* "Base milk" means producer milk received by a handler and associated producer milk assigned to such handler during the base-operating period, which milk is not in excess of bases computed pursuant to § 966.80.

§ 966.20 *Excess milk.* "Excess milk" means producer milk received by a handler and associated producer milk assigned to such handler during the base-operating period, which milk is in excess of the base milk received during the month, and shall include all milk received from producers for whom no daily average base can be computed pursuant to § 966.80.

3. Delete § 966.27 (k) and insert the following:

(k) Mail to each handler at his last known address a statement showing for such handler;

(1) On or before the 5th day of the month the names and addresses of associated producers assigned to such handler:

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

(2) On or before the 12th day after the end of the the month (i) the amount and value of producer milk in each class and the total thereof; (ii) for the months of the base-operating period, the amounts and value of his base and excess milk, respectively; and

(3) On or before the 10th day of the month the quantity and butterfat test of associated producer milk assigned to such handler and the amount in payment thereof to be remitted to the market administrator for payment to associated producers pursuant to § 966.90 (f): *Provided*, That during the base-operating period such notification shall include the quantity and butterfat test of associated producer milk designated as base and excess milk and the amount thereon to be remitted.

4. Add a new § 966.32 (c) as follows:

(c) Each associated producer shall submit to the market administrator (1) on or before the 3d day of the month, a statement of the quantity and butterfat test of his milk sold during the preceding month to a nonfluid milk plant which during such month utilized skim milk and butterfat in products designated pursuant to § 966.41 (b) (1), and (2) on or before the 12th day of the month, payment statements, weight slips, or other acceptable evidence to verify the quantity and butterfat test of milk sold pursuant to subparagraph (1) of this paragraph.

5. In § 966.71, amend paragraph (a) and add a new paragraph designated (a–1), as follows:

(a) Add to the amount computed pursuant to § 966.70 an amount equal to the volume of associated producer milk assigned to such handler pursuant to § 966.27 (k) (3) multiplied by the Class II price;

(a–1) Add or subtract for each one-tenth of one percent that the average butterfat content of producer milk received by such handler and associated producer milk assigned to such handler is less or more, respectively, than 4.0 percent, an amount computed by multiplying such difference by the butterfat differential to producers determined pursuant to § 966.91 and multiplying the result by the total hundredweight of producer milk and associated producer milk.

6. Delete the first sentence in § 966.72 and substitute the following: "For each month which is not in the base-operating period, the market administrator shall compute the uniform price for producer milk received by each handler by dividing the aggregate value computed pursuant to § 966.71 by the total hundredweight of producer milk received by, and associated producer milk assigned to, such handler."

7. Add a new § 966.90 (f) as follows:

(f) On or before the 12th day after the end of the month, each handler having associated producer milk shall remit to the market administrator for payment to associated producers an amount computed by multiplying the quantity of associated producer milk assigned to such handler pursuant to § 966.27 (k) (3) by the difference between such handler's uniform price(s) as determined pursuant to §§ 966.72 or 966.73, as applicable, and the Class II price determined pursuant to § 966.51 (b). Such amounts shall be maintained by the market administrator in a separate fund out of which he shall, on or before the 15th day after the end of the month, make appropriate payment to each associated producer, such payments to be verified pursuant to § 966.32 (c) (2).

8. In § 966.92 after the word "producers" insert "and associated producers", and after the word "received" add a comma and insert "or assigned as associated producer milk".

9. At the end of § 966.94 (b) delete the word "and"; at the end of § 966.94 (c) change the period to a comma and add the following: "and (d) associated producer milk."

10. In § 966.12 (b) delete "months of April through June" and insert "month".

[F. R. Doc. 57–2737; Filed, Apr. 8, 1957; 8:51 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 7, 8]

[Docket No. 11374; FCC 57M–305]

STATIONS ON LAND AND ON SHIPBOARD IN MARITIME SERVICES

ORDER SCHEDULING HEARING

In the matter of amendment of Parts 7 and 8 of the Commission's rules and to delete the frequencies 6240 kc and 6455 kc and to make the frequency 4372.4 kc available on a full-time basis for ship and coast stations using radiotelephony on the Mississippi River and connecting inland waterways (except the Great Lakes);

It is ordered, This 1st day of April 1957, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on May 21, 1957, in Washington, D. C.

Released: April 3, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57–2734; Filed, Apr. 8, 1957; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

ORDER DESIGNATING THE GOLDEN SPIKE NATIONAL HISTORIC SITE, UTAH

Whereas, the Congress of the United States has declared it to be a national policy to preserve for the public use historic sites, buildings and objects of national significance for the inspiration and benefit of the people of the United States; and

Whereas, the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments has declared that Promontory Summit, Utah, the place where the Golden Spike was driven, May 10, 1869, to signify completion of the First Transcontinental Railway, is of national significance and warrants establishment as a national historic site in non-Federal ownership; and

Whereas, a cooperative agreement has been entered into by the Golden Spike Association of Box Elder County, Utah, the State of Utah, the Southern Pacific Company, the Central Pacific Railway Company and the United States of America, providing for the designation, preservation and use of the historically significant Golden Spike site as a national historical site;

Now, therefore, I, Fred A. Seaton, Secretary of the Interior, by virtue of and pursuant to the authority contained in section 2 of the act of August 21, 1935 (49 Stat. 666; 16 U. S. C., 1952 ed., sec. 462), do hereby designate the following described lands together with all historic structures thereon and appurtenances connected therewith, to be a national historic site, having the name "Golden Spike National Historic Site";

A tract of land comprising the 400-foot wide right of way for the abandoned Central Pacific Railway Company's trackage (land now leased to Southern Pacific Company) connecting Ogden, Utah, and Reno, Nevada, lying between Station 221+50.00 and Station 229+15.00, the latter point being located approximately one hundred and seventy-five (175) feet northeasterly along the center line of said right of way from Mile Post 772.9, said mile post having been established at Station 227+39.24 near Promontory Summit, Utah. The said tract, containing 7 acres more or less, has at its approximate center the site at which the original Golden Spike Ceremony took place on May 10, 1869.

The administration, protection, and development of this national historic site shall be exercised in accordance with the provisions of the above-mentioned cooperative agreement and the act of August 21, 1935 supra.

Warning is expressly given to all unauthorized persons not to appropriate, injure, destroy, deface or remove any feature of this historic site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be

affixed at the city of Washington, D. C., this 2d day of April 1957.

[SEAL] FRED A. SEATON,
Secretary of the Interior.

[F. R. Doc. 57-2704; Filed, Apr. 8, 1957; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 8640]

AMERICAN AIRLINES, INC., AND BRANIFF AIRWAYS, INC.; CHICAGO-MEXICO CITY ROUTE CASE

NOTICE OF PREHEARING CONFERENCE

In the matter of an investigation to determine whether the certificates of public convenience and necessity of American Airlines, Inc. or Braniff Airways, Inc., should be amended to authorize service over a Chicago-Mexico City route, and whether the existing certificates of either of said carriers for their international routes between the United States and Mexico should be suspended.

Notice is hereby given that a prehearing conference in the above-entitled investigation is assigned to be held on April 11, 1957, at 10:00 a. m., e. s. t., in Room 5859, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before an Examiner of the Board.

Dated at Washington, D. C., April 4, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-2745; Filed, Apr. 8, 1957; 8:53 a. m.]

[Docket No. 8640]

AMERICAN AIRLINES, INC., AND BRANIFF AIRWAYS, INC.; CHICAGO-MEXICO CITY ROUTE CASE

NOTICE OF CHANGE OF DATE OF PREHEARING CONFERENCE

In the matter of an investigation to determine whether the certificates of public convenience and necessity of American Airlines, Inc. or Braniff Airways, Inc., should be amended to authorize service over a Chicago-Mexico City route, and whether the existing certificates of either of said carriers for their international routes between the United States and Mexico should be suspended.

Notice is hereby given that the prehearing conference in the above-entitled investigation now assigned for April 11 is reassigned for April 9, 1957, 10:00 a. m., e. s. t., in Room 5855, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before an Examiner of the Board.

Dated at Washington, D. C., April 5, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-2812; Filed, Apr. 8, 1957; 8:54 a. m.]

[Docket No. 4251 et al.]

GREAT LAKES LOCAL SERVICE INVESTIGATION

NOTICE OF POSTPONEMENT OF HEARING

Notice is hereby given that hearings in the above-entitled proceeding heretofore assigned to be held at Lansing, Mich., beginning April 23; Columbus, Ohio, beginning April 29; and later at Washington, D. C., beginning May 21, have been postponed indefinitely in view of the many requests for postponement of further procedural steps until after the Board has rendered its decision in the North Central-Lake Central Acquisition Case, Docket No. 5770 et al.

Dated at Washington, D. C., April 3, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-2746; Filed, Apr. 8, 1957; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 8716; FCC 57M-302]

GREENWICH BROADCASTING CORP.

ORDER SCHEDULING PREHEARING CONFERENCE

In re application of Greenwich Broadcasting Corporation, Greenwich, Connecticut, Docket No. 8716, File No. BP-6315; for construction permit.

The Hearing Examiner having under consideration a Motion to Set Date for Further Hearing filed March 25, 1957, on behalf of the Chief, Broadcast Bureau; and

It appearing that the further hearing in this proceeding was continued upon request of Bureau without date by Hearing Examiner's order made on the record at the August 22, 1952, partial hearing, that by various orders entered thereafter the Commission has effected changes in the issues, procedures, and parties in this proceeding; and

It further appearing that applicant's attorney has informally expressed an intention soon to submit an amendment to the application which should be considered before commencing the hearing, and that the availabilities and conveniences of counsel for applicant and Bureau favor the manner and time of proceeding hereinafter ordered; and

It further appearing that the circumstantial changes which have occurred since the partial hearing warrant a further prehearing conference before determining upon the hearing date requested in the motion, that counsel for Bureau and the applicant have expressed informal concurrence in this opinion, that other parties to this proceeding have not filed opposition or other comments on the motion, and that the granting of the motion as hereinafter ordered will conduce to the orderly dispatch of the Commission's business; now therefore,

It is ordered, This 2d day of April 1957, that the above motion is granted, that pursuant to § 1.813 of the Commission's rules the parties or their attorneys are directed to appear at the offices of the Commission in Washington, D. C. for a further prehearing conference at 10:00 a. m. on Thursday, May 23, 1957, at which time the matters stated in § 1.813 will be considered and the date for further hearing will be established.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57-2724; Filed, Apr. 8, 1957; 8:49 a. m.]

[Docket Nos. 9369, 11298; FCC 57M-308]

AMERICAN CABLE AND RADIO CORP. ET AL.

ORDER SCHEDULING HEARING

In the matter of American Cable and Radio Corporation and its subsidiaries, All America Cables and Radio, Inc., The Commercial Cable Company and Mackay Radio and Telegraph Company v. The Western Union Telegraph Company, Docket No. 9369; and RCA Communications, Inc. v. The Western Union Telegraph Company, Docket No. 11298; lawfulness of certain practices of Western Union under the International Formula.

It is ordered, This 1st day of April 1957, that Hugh B. Hutchison will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on May 6, 1957, in Washington, D. C.

Released: April 3, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57-2725; Filed, Apr. 8, 1957; 8:49 a. m.]

[Docket Nos. 10984, 11873; FCC 57M-309]

RCA COMMUNICATIONS, INC., ET AL.

ORDER SCHEDULING HEARING

In the matter of RCA Communications, Inc., v. The Western Union Telegraph Company, Docket No. 10984; lawfulness of certain actions of defendant with respect to handling of certain traffic originating in Canada and destined to points in Asia and Oceania. RCA Communications, Inc., v. The Western Union Telegraph Company, Docket No. 11873; complaint for money damages.

It is ordered, This 1st day of April 1957, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on May 27, 1957, in Washington, D. C.

Released: April 3, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57-2726; Filed, Apr. 8, 1957; 8:49 a. m.]

[Docket No. 11904; FCC 57M-300]

WNAB, INC. (WNAB)

ORDER CONTINUING HEARING CONFERENCE

In re application of WNAB, Incorporated (WNAB), Bridgeport, Connecticut, Docket No. 11904, File No. BP-10659; for construction permit.

The Examiner having under consideration a motion of Dutchess County Broadcasting Corporation to continue the prehearing conference in the above-entitled matter presently scheduled for April 2, 1957, in Washington, D. C.; and

It appearing that all the parties hereto agree to the requested continuance and waive the requirements of § 1.745 of the Commission's rules;

It is ordered, This 1st day of April 1957, that the prehearing conference scheduled to be held April 2, 1957, is hereby continued to April 22, 1957, at 2:00 o'clock p. m. in the Offices of the Commission, Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57-2728; Filed, Apr. 8, 1957; 8:50 a. m.]

[Docket Nos. 11946, 11947; FCC 57M-296]

VIDEO INDEPENDENT THEATRES, INC., AND KSOO TV, INC.

ORDER CONTINUING HEARING AND SCHEDULING CONFERENCE

In re application of Video Independent Theatres, Inc., Sioux Falls, South Dakota, Docket No. 11946, File No. BPCT-2188; KSOO TV, Inc., Sioux Falls, South Dakota, Docket No. 11947, File No. BPCT-2195; for construction permits for new television stations.

It is ordered, This 1st day of April 1957, that further prehearing conference in the above-entitled matter will be held on April 16, 1957, and that the formal hearing now scheduled for April 16, 1957, is postponed to May 1, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57-2729; Filed, Apr. 8, 1957; 8:50 a. m.]

[Docket Nos. 11961, 11962; FCC 57M-306]

NEIGHBORLY BROADCASTING CO. AND YORK BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of Jack C. Salera, Lorraine M. Salera and Peter B. Gemma d/b as Neighborly Broadcasting Company, Sanford, Maine, Docket No. 11961, File No. BP-10700; York Broadcasting Company, Sanford, Maine, Docket No. 11962, File No. BP-10754; for construction permits.

It is ordered, This 1st day of April 1957, that Thomas H. Donohue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on June 10, 1957, in Washington, D. C.

Released: April 3, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57-2730; Filed, Apr. 8, 1957; 8:50 a. m.]

[Docket No. 11776; FCC 57M-303]

LEO JOSEPH THERIOT (KLFT)

ORDER SCHEDULING HEARING

In re application of Leo Joseph Theriot (KLFT), Golden Meadow, Louisiana, Docket No. 11776, File No. BP-10482; for construction permit.

As a result of a prehearing conference held in the above-entitled matter on April 2, 1957, and on the basis of agreements made therein: *it is ordered*, This second day of April 1957, that an informal conference be held between the representatives of the applicant and the Commission's Broadcast Bureau to compare engineering and other data relating to issues 1 and 2 of the Commission's hearing order (Mimeo. 33346) released July 16, 1956; that such informal conference be held in the absence of the Hearing Examiner at the convenience of the parties prior to April 23, 1957; that differences, if any, in the data be resolved if possible and that exhibits of the parties and proposed stipulations be prepared to be presented at the opening of the hearing; and that the hearing is scheduled to commence at 10:00 a. m., Tuesday, April 23, 1957, in the Commission's Offices in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57-2727; Filed, Apr. 8, 1957; 8:49 a.m.]

[Docket No. 11963; FCC 57M-304]

HOCKING VALLEY BROADCASTING CORP. (WHOK)

ORDER SCHEDULING HEARING

In re application of Hocking Valley Broadcasting Corporation (WHOK) Lancaster, Ohio, Docket No. 11963, File No. BP-10730; for construction permit.

It is ordered, This 1st day of April 1957, that Annie Neal Huntting will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on June 3, 1957, in Washington, D. C.

Released: April 3, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57-2731; Filed, Apr. 8, 1957; 8:50 a. m.]

[Docket No. 11971; FCC 57M-307]

MOON ELECTRIC CO.

ORDER SCHEDULING HEARING

In the matter of the application of George Moon, Jr., d/b as Moon Electric Company, Docket No. 11971, File Nos. 477-C2-P-57 and 1800-C2-L-57; for authorizations to establish a new station for two-way communications in the Domestic Public Land Mobile Radio Service at Clearwater, Florida (KIJ357).

It is ordered, This 1st day of April 1957, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on May 6, 1957, in Washington, D. C.

Released: April 3, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57-2732; Filed, Apr. 8, 1957; 8:50 a. m.]

[Docket No. 11972; FCC 57M-310]

AMERICAN TELEPHONE AND TELEGRAPH CO., ET AL.

ORDER SCHEDULING HEARING

In the matter of American Telephone and Telegraph Company, et al., Docket No. 11972; lease and maintenance of equipment and facilities for private communication systems.

It is ordered, This 1st day of April 1957, that J. D. Bond will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on May 1, 1957, in Washington, D. C.

Released: April 3, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F. R. Doc. 57-2733; Filed, Apr. 8, 1957; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-10551 etc.]

ARGO OIL CORP. ET AL.

NOTICE OF SEVERANCE AND CANCELLATION OF HEARINGS

APRIL 3, 1957.

In the matters of Argo Oil Corporation et al., Docket Nos. G-10551 et al.; Elliott, Inc., Docket No. G-10635; The Atlantic Refining Company, Docket Nos. G-10660, G-10809; The Sharpless Oil Corporation, Docket No. G-10718; Shell Oil Company, Docket No. G-10817; J. M. Huber Corporation, Docket No. G-11142; W. E. Bakke, Operator, et al., Docket No. G-11144.

It appearing that the sales involved in the applications filed in the above-entitled docket numbers may be "percentage sales" as described in § 154.91 (e) of the Commission's regulations under the Natural Gas Act, as amended by Order No. 190 on September 27, 1956:

Notice is hereby given that the applications of Elliott, Inc., in Docket No. G-10635, of The Atlantic Refining Company in Docket Nos. G-10660 and G-10809, of The Sharpless Oil Corporation in Docket No. G-10718, of Shell Oil Company in Docket No. G-10817, of J. M. Huber Corporation in Docket No. G-11142 and of W. E. Bakke, Operator, et al., in Docket No. G-11144, are hereby severed from the consolidated proceeding in the Matters of Argo Oil Corporation et al., Docket Nos. G-10551 et al., scheduled for hearing on April 9, 1957, and the hearings in Docket Nos. G-10635, G-10660, G-10718, G-10809, G-10817, G-11142 and G-11144 are hereby canceled pending decision on the ultimate disposition of the respective applications pursuant to Order No. 190.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 57-2706; Filed, Apr. 8, 1957; 8:46 a. m.]

[Docket No. G-11572]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION AND DATE OF HEARING

APRIL 3, 1957.

Take notice that United Gas Pipe Line Company (United), a Delaware corporation with principal place of business at 1525 Fairfield Avenue, Shreveport, Louisiana, filed in Docket No. G-11572 on December 7, 1956, an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas facilities, 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.

United proposes to construct a positive sales meter and regulator station and appurtenant facilities near Mile Post 99 at an existing tap on the 24-inch pipe line that extends from Carthage Field to the Sterlington Compressor Station Site. All facilities to be located in Section 5, Township 16 North, Range 3 West, Jackson Parish, Louisiana.

The application recites that the purpose of the proposed facilities is to render direct natural gas service to T. L. James & Company, Inc., Jackson Parish, Louisiana, for use in its local road construction project near Ruston, Louisiana; and which will require approximately 37,500 Mcf.

Temporary authorization was issued to United for the service requested on December 18, 1956.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice 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 April 25, 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 such 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 otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

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 April 20, 1957. 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.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 57-2722; Filed, Apr. 8, 1957; 8:49 a. m.]

[Docket No. G-11722]

SOUTHERN NATURAL GAS CO.

NOTICE OF APPLICATION AND DATE OF HEARING

APRIL 3, 1957.

Take notice that Southern Natural Gas Company (Applicant), a Delaware corporation with its principal place of business in Birmingham, Alabama, filed on January 10, 1957 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing Applicant to operate a measurement station and point of delivery on Applicant's Gwinville-Pickens line at Mile Post 4.559 subject to the jurisdiction of the Commission, for the purpose of selling natural gas to The Carter Oil Company (Carter) for use in Carter's distillate field located in Madison County, Mississippi, near the point of delivery, all as more fully represented in the application which is on file with the Commission, and open to public inspection.

The application recites: (1) That Applicant and Carter on September 10, 1954, the date of the contract covering the sale for which facilities hereinabove described were constructed only contemplating the sale and delivery of gas produced in Mississippi; but that subsequent thereto it became necessary to use commingled Mississippi and Louisiana produced gas; (2) the gas is necessary to the operation of Carter's wells; and (3) deliveries through December 31, 1956 have totaled 82,318 Mcf.

The measurement station was constructed at a cost of $2,959, which was defrayed from funds on hand.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to the end:

Take further notice 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 May 15, 1957, at 9:30 a. m., e. d. 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 such 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 otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

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 April 29, 1957. 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 thereof is made.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 57-2723; Filed, Apr. 8, 1957; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3679]

KROY OILS LTD.

ORDER SUMMARILY SUSPENDING TRADING

APRIL 3, 1957.

In the matter of trading on the American Stock Exchange in the 20-cent par value Capital Stock of Kroy Oils Limited; File No. 1-3679.

I. The 20-cent par value Capital Stock of Kroy Oils Limited, an Alberta corporation (hereinafter called "registrant"), is listed and registered on the American Stock Exchange, a national securities exchange (hereinafter called "the exchange").

II. The Commission on November 2, 1956, issued its order and notice of hearing under section 19 (a) (2) of the Securities Exchange Act of 1934 (hereinafter called "the act") to determine at a hearing to be held on November 20, 1956, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the Capital Stock of registrant on the exchange for failure to comply with section 13 of the act and the rules and regulations adopted thereunder, in that the Commission has reason to believe that a current report for the month of May, 1956, on Form 8-K, filed by registrant with the Commission was false and misleading in certain respects set forth in said order. On March 22, 1957, the Commission issued its order summarily suspending trading of said securities on the exchange pursuant to section 19 (a) (4) of the act for the reasons set forth in said order to prevent fraudulent, deceptive or manipulative acts or practices

for a period of ten days from March 25, 1957, to April 3, 1957, inclusive.

III. On November 7, 1956, counsel representing registrant requested a postponement of the hearing under section 19 (a) (2) of the act in order to enable him to prepare for the hearing. Pursuant to this request, the Commission on November 7, 1956, issued its order postponing the date of said hearing to November 26, 1956. Said hearing has commenced but has not yet been concluded by Commission order or decision.

IV. The Commission has reason to believe that the false report filed by registrant as alleged in the order and notice of hearing referred to in paragraph II and the relationship between registrant and Great Sweet Grass Oils Limited, also subject to an order issued concurrently herewith under section 19 (a) (4) of the act, and also subject to an order and notice of hearing under section 19 (a) (2) of the act, which hearing has been consolidated with the hearing referred to in paragraph III, are such as to cause widespread confusion and uncertainty in the market for registrant's shares. Under the circumstances recited in this order, the Commission is of the opinion that it would be impossible for the investing public to reach an informed judgment at this time as to the value of registrant's securities or for trading in such securities to be conducted in an orderly and equitable manner.

V. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the act and the Commission's Rule X-15C2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19 (a) (4) of the act that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices for a period of ten days from April 4, 1957, to April 13, 1957, inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-2714; Filed, April 8, 1957; 8:47 a. m.]

[File No. 1-3827]

GREAT SWEET GRASS OILS LTD.

ORDER SUMMARILY SUSPENDING TRADING

APRIL 3, 1957.

In the matter of trading on the American Stock Exchange in the $1.00 par value Capital Stock of Great Sweet Grass Oils Limited; File No. 1-3827.

I. The $1.00 par value Capital Stock of Great Sweet Grass Oils Limited (hereinafter called "registrant") is listed and registered on the American Stock Exchange, a national securities exchange (hereinafter called "the exchange").

II. The Commission on October 19, 1956, issued its order and notice of hearing under section 19 (a) (2) of the Securities Exchange Act of 1934 (hereinafter called "the act"), and on October 24, 1956, issued its amended order and notice of hearing under the act to determine at a hearing to be held November 13, 1956, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the capital stock of registrant on the exchange for failure to comply with section 13 of the act and the rules and regulations thereunder, in that the Commission had reason to believe that the reports filed by registrant on Form 8-K and Form 10-K were false and misleading in certain respects set forth in said orders. On October 31, 1956, the Commission issued its second amended order and notice of hearing under section 19 (a) (2) of the act restating the allegations in the original and amended orders and including allegations that the Commission had reason to believe that the registrant's current report on Form 8-K for the month of December 1955, and amendments thereto, and that registrant's annual report on Form 10-K for its fiscal year ended December 31, 1955, and amendments thereto, were false and misleading in additional respects set forth in said order. On November 16, 1956, the Commission issued its third amended order and notice of hearing under section 19 (a) (2) of the act restating the allegations in the original and amended orders and including allegations that the Commission had reason to believe that the registrant's current report on Form 8-K for the month of August, 1955, was false and misleading in certain respects set forth in said order, and that the Form 8-K report for the month of December 1955, and the Form 10-K report for the fiscal year ended December 31, 1955 were false and misleading in additional respects set forth in said order. On March 22, 1957, the Commission issued its order summarily suspending trading pursuant to section 19 (a) (4) of the act in said securities on the exchange for the reasons set forth in said order to prevent fraudulent, deceptive and manipulative acts or practices from March 25, 1957, to April 3, 1957, inclusive.

III. On November 7, 1956, counsel representing registrant requested a postponement of the hearing under section 19 (a) (2) of the act in order to enable him to prepare for the hearing. Pursuant to this request, the Commission on November 7, 1956, issued its order postponing the date of said hearing to November 26, 1956. Said hearing has commenced but has not yet been concluded by Commission order or decision.

IV. The Commission has reason to believe that the false reports filed by registrant as alleged in the orders and notices of hearing referred to in paragraph II and the relationship between registrant and Kroy Oils Limited, also subject to an order issued concurrently herewith under section 19 (a) (4) of the act, and also subject to an order and notice of hearing under section 19 (a) (2) of the act, which hearing has been consolidated with the hearing referred to in paragraph III, are such as to cause widespread confusion and uncertainty in the market for registrant's shares. Under the circumstances recited in this order, the Commission is of the opinion that it would be impossible for the investing public to reach an informed judgment at this time as to the value of registrant's securities or for trading in such securities to be conducted in an orderly and equitable manner.

V. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the act and the Commission's Rule X-15C2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange.

It is ordered, pursuant to section 19 (a) (4) of the act that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices for a period of ten days from April 4, 1957, to April 13, 1957, inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-2713; Filed, Apr. 8, 1957; 8:47 a. m.]

[File No. 24NY-3498]

NILSSON GAGE CO., INC.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

APRIL 3, 1957.

I. Nilsson Gage Co., Inc., a New York Corporation, 253 Mansion Street, Poughkeepsie, N. Y., filed with the Commission on September 30, 1953, a Notification on Form 1-A and an offering circular, relating to a proposed offering of 1,000 Five Year Notes, bearing 7 percent interest, at $250.00 per note, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A, promulgated thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that the issuer has failed to file reports of sales on Form 2-A as required by Rule 224 of Regulation A.

III. *It is ordered,* Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-2712; Filed, Apr. 8, 1957; 8:47 a. m.]

[File No. 70-3572]

MISSISSIPPI POWER CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

APRIL 3, 1957.

Mississippi Power Company ("Mississippi"), a public utility subsidiary company of The Southern Company, a registered holding company, has filed a declaration and an amendment thereto with this Commission pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 ("act"), and Rule U-50 promulgated thereunder, regarding the following proposed transactions:

Mississippi proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50 promulgated under the act, $6,000,000 principal amount of its First Mortgage Bonds, -- percent, Series due in 1987. The interest rate (which shall be a multiple of ⅛ of 1 percent), and the price, exclusive of accrued interest, to be paid to Mississippi for the bonds (which shall be not less than 100 percent nor more than 102¾ percent of the principal amount) will be determined by competitive bidding. The bonds will be issued under and secured by the company's outstanding Indenture, dated September 1, 1941, as heretofore supplemented, and as to be further supplemented by a Supplemental Indenture to be dated April 1, 1957.

The proceeds from the sale of the bonds are to be applied toward the construction or acquisition of permanent improvements, extensions and additions to Mississippi's utility plant which are estimated to aggregate $10,800,000 during 1957.

The declaration states that the issuance and sale of the bonds are not subject to the jurisdiction of any State Commission or of any Federal commission, other than this Commission.

The fees and expenses incurred or to be incurred by Mississippi in connection with the proposed transactions are estimated as follows:

Federal original issue tax	$6,600
Filing fee—Securities and Exchange Commission	618
Charges of trustee (including counsel)	3,450
Cost of definitive bonds	2,356
Printing and preparation of registration statement, financial statements, prospectus, competitive bidding papers, supplemental indenture, etc	11,000
Recording supplemental indenture	800
Services of Southern Services, Inc	5,000
Fees of counsel. (Winthrop, Stimson, Putnam & Roberts, New York City)	6,000
Fees of accountants. (Arthur Andersen & Co.)	3,500
Miscellaneous, including telephone and telegraph charges and traveling expenses	2,000
Total	41,324

The legal fee of Reid & Priest, who have been selected as counsel for the underwriters, is estimated at $4,000 and is to be paid by the underwriters.

Due notice of the filing of the declaration having been given in the manner prescribed by Rule U-23 (Holding Company Act Release No. 13420) and no hearing having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the Act and of the rules promulgated thereunder are satisfied, that the fees and expenses set forth above are not unreasonable, and that the declaration as amended should be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the declaration as amended be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and Rule U-50.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-2711; Filed, Apr. 8, 1957; 8:47 a. m.]

SUBVERSIVE ACTIVITIES CONTROL BOARD

[Docket No. 123-57]

CALIFORNIA EMERGENCY DEFENSE COMMITTEE

NOTICE OF HEARING

Herbert Brownell, Jr., Attorney General of the United States, petitioner v. California Emergency Defense Committee, respondent.

Notice is hereby given that, pursuant to the Subversive Activities Control Act of 1950 (Title I of the Internal Security Act of 1950, Pub. Law 831, 81st Cong., 50 U. S. C. 781 et seq.), particularly section 13 of said act (50 U. S. C. 792), a hearing in the above-entitled proceeding on the petition of the Attorney General for an order of the Board requiring the respondent to register as a Communist-front organization pursuant to section 7 of said act (50 U. S. C. 786), will be held commencing Wednesday, April 24, 1957, at 10:00 a. m., P. s. t., in Court Room 9, Federal Building, Los Angeles, California.

Dated at Washington, D. C., April 3, 1957.

DOROTHY MCCULLOUGH LEE, *Chairman.*

[F. R. Doc. 57-2715; Filed, Apr. 8, 1957; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 4, 1957.

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. 33517: *T. O. F. C. service—between Galesburg and Joliet, Ill., and Southwest.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on various commodities moving on class and commodity rates loaded in trailers and transported on railroad flat cars between Galesburg and Joliet, Ill., on one hand, and points in Arkansas, Louisiana, Oklahoma, and Texas, on the other.

Grounds for relief: Circuitous routes.

Tariff: Supplement 42 to Agent Kratzmeir's tariff I. C. C. 4181.

FSA No. 33518: *Soda ash—Corpus Christi and Houston, Tex., to St. Louis, Mo., and group.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on soda ash (other than modified soda ash) in bulk in cars, carloads from Corpus Christi, and Houston, Tex., to Alton, East St. Louis, Wood River, Ill., and St. Louis, Mo.

Grounds for relief: Circuitous routes.

Tariff: Supplement 316 to Agent Kratzmeir's tariff I. C. C. 4139.

FSA No. 33519: *Silica gel catalyst, West Lake Charles, La., to Baytown, Tex.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on silica gel catalyst, carloads from West Lake Charles, La., to Baytown, Tex.

Grounds for relief: Circuitous routes.

Tariff: Supplement 93 to Agent Kratzmeir's tariff I. C. C. 4161.

FSA No. 33520: *T. O. F. C. service—class rates between Midland Pa., and southwestern points.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on various commodities moving on class rates, loaded in trailers and transported on railroad flat cars between Midland, Pa., on one hand, and points in Arkansas, Louisiana, Oklahoma, and Texas, on the other.

Grounds for relief: Motor truck competition.

Tariff: Supplement 3 to Agent Kratzmeir's tariff I. C. C. 4242.

FSA No. 33521: *Wool and mohair—southwestern territory to eastern ports.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on wool and mohair, wool and mohair tags, carloads from specified points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas to Baltimore, Md., Boston, Mass., Newport News and Norfolk, Va., New York, N. Y., and Philadelphia, Pa.

Grounds for relief: Truck competition and circuitous routes.

Tariff: Supplement 38 to Agent Kratzmeir's tariff I. C. C. 3874.

FSA No. 33523: *Wrapping paper—St. Mary's, Ga., to St. Louis, Mo.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on wrapping paper, in jumbo rolls, carloads from St. Mary's, Ga., to St. Louis, Mo.

Grounds for relief: Circuitous routes in part west of the Mississippi River.

FSA No. 33524: *Fluoride—East Tampa and Mulberry, Fla., to Chalmette, La.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on sodium silico fluoride, in bulk, carloads from East Tampa and Mulberry, Fla., to Chalmette, La.

Grounds for relief: Circuitous routes.

Tariff: Supplement 200 to Agent Spaninger's tariff I. C. C. 1295.

FSA No. 33525: *T. O. F. C. service—Erie and C. & E. I. Railroads.* Filed by Erie Railroad Company, Agent, for itself and on behalf of the Chicago and Eastern Illinois Railroad Company. Rates on chemicals, electrical appliances, magnesium metal or alloy and tallow, carloads, loaded in trailers and transported on railroad flat cars from Chicago, Ill., and group to Cleveland, Ohio, and in reverse direction on magnesium metals or alloys.

Grounds for relief: Motor truck competition.

Tariff: Supplement 29 to Erie Railroad Company tariff I. C. C. 21047.

AGGREGATE OF INTERMEDIATES

FSA No. 33522: *Soda ash—Corpus Christi and Houston, Tex., to St. Louis, Mo., and group.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on soda ash (other than modified soda ash), in bulk, in cars, carloads from Corpus Christi and Houston, Tex., to Alton, East St. Louis, Wood River, Ill., and St. Louis, Mo.

Grounds for relief: Maintenance of depressed rates over circuitous routes from and to above points, without use as factors in constructing combination rates from or to points beyond named points.

Tariff: Supplement 316 to Agent Kratzmeir's tariff I. C. C. 4139.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 57-2708; Filed, Apr. 8, 1957; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

JULIUS BRETZ

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Julius Bretz, Bezirk Voitsberg, Styria, Austria; Claim No. 66471, Voluntary Turnover, $400.00 in the Treasury of the United States.

Executed at Washington, D. C., on March 29, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 57-2688; Filed, Apr. 5, 1957; 8:46 a. m.]

MARIA IANNUZZI VIGGIANI

REVOCATION OF NOTICE OF INTENTION TO RETURN VESTED PROPERTY

The claimant described below, although having an identical name, not being the legatee named in the will of Enrico Viggiani, deceased, the Notice of Intention to Return Vested Property (21 F. R. 6853), is hereby revoked.

Claimant, Claim No., Property

Maria Iannuzzi Viggiani, Paternopoli Province, Avellino, Italy; Claim No. 57676. $859.68 in the Treasury of the United States. All right, title, interest, and claim of any kind of Maria Iannuzzi Viggiani in and to the trust created under the will of Enrico Viggiani, deceased, and vested by Vesting Order No. 1456.

Executed at Washington, D. C., on March 29, 1957.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General, Director, Office of Alien Property.

[F. R. Doc. 57-2689; Filed, Apr. 5, 1957; 8:46 a. m.]