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TITLE 7—AGRICULTURE

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

Subchapter C—Regulations and Standards Under the Farm Products Inspection Act

PART 70—GRADING AND INSPECTION OF POULTRY AND EDIBLE PRODUCTS THEREOF; AND UNITED STATES CLASSES, STANDARDS, AND GRADES WITH RESPECT THERETO

INSPECTION PERFORMED ON A RESIDENT INSPECTION BASIS

The amendment to the regulations governing the grading and inspection of poultry and edible products thereof and United States classes, standards, and grades with respect thereto (7 CFR Part 70), hereinafter set forth, is hereby promulgated pursuant to authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.).

The amendment increases the charges to applicants for inspection service of dressed poultry at the time of evisceration and for inspection of canning and processing which is performed on a resident inspection basis. The increase is the result of a recent order of the Civil Service Commission which increases minimum salary rates for veterinarians to the top of GS-7 and promotes GS-9 veterinarians to the 6th step of GS-9, effective June 30, 1957. Revised classification standards, approved by the Civil Service Commission, will generally result in promotion of GS-5 inspectors in eviscerating plants to GS-6 and canning and processing inspectors from GS-6 and GS-7 to GS-7 and GS-9, respectively, effective on or about June 30, 1957. The charges are, therefore, increased about 8 percent which is necessary to cover the increased cost of performing the service.

It is hereby found that it is impracticable, unnecessary and contrary to public interest to engage in public rule making procedures for the reasons that: (1) Legislation provides that the fees charged shall be reasonable and shall as nearly as possible cover the cost of the service; the cost of the service is peculiarly within the knowledge of the Department and the fees set forth herein are necessary to cover such costs; (2) costs of performing the services have been increased by a recent order of the Civil Service Commission increasing the salaries of Federal veterinarians in Grades GS-7 and GS-9, effective June 30, 1957; therefore, it is necessary that the charges for the services be increased as of July 1, 1957, to coincide with the salary increases; and (3) additional time is not required in order for the industry to make preparation for compliance with this amendment.

The amendment is as follows:

1. Change paragraph (a) (3) and (5) of § 70.141 *Inspection performed on a resident inspection basis* to read as follows:

(3) A charge of (i) $142.00 per 40-hour work week for each inspector assigned to the designated plant by AMS for the inspection of dressed poultry at the time of evisceration; (ii) $124.00 per 40-hour work week for each inspector assigned to the designated plant by AMS for the inspection of canning or other processing of poultry food products: *Provided,* That with respect to each inspector who is employed by AMS on a "when actually employed" basis, such charges shall be computed on the appropriate hourly basis: *Provided, further,* That no charge shall be made for any inspector during any period of leave approved by AMS for such inspector.

* * * * *

(5) A night differential charge of $0.355 per hour for inspectors performing inspection of dressed poultry at the time of evisceration and $0.31 for inspectors performing inspection of canning or other processing of poultry food products for each hour of any regularly scheduled work between the hours of 6:00 p. m. and 6:00 a. m.

(60 Stat. 1090; 7 U. S. C. 1624)

Issued at Washington, D. C., this 28th day of May 1957, to become effective July 1, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F. R. Doc. 57-4459; Filed, May 31, 1957; 8:50 a. m.]

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

[Valencia Orange Reg. 104]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 922.404 *Valencia Orange Regulation 104*—(a) *Findings.* (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further fcund that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 29, 1957.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., June 2, 1957, and ending at 12:01 a. m., P. s. t., June 9, 1957, are hereby fixed as follows:

(i) District 1: 369,600 cartons;
(ii) District 2: 693,000 cartons;
(iii) District 3: Unlimited movement.

(2) All Valencia oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "handler," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said marketing agreement and order, as amended.

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

Dated: May 29, 1957.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-4497; Filed, May 31, 1957; 9:18 a. m.]

[Lemon Reg. 689]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF HANDLING

§ 953.796 *Lemon Regulation 689*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based become available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on May 28, 1957.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., June 2, 1957, and ending at 12:01 a. m., P. s. t., June 9, 1957, are hereby fixed as follows:

(i) District 1: Unlimited movement;
(ii) District 2: 372,000 cartons;
(iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: May 29, 1957.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-4496; Filed, May 31, 1957; 9:18 a. m.]

PART 1022—SWEET CHERRIES GROWN IN DESIGNATED COUNTIES IN WASHINGTON

ORDER REGULATING HANDLING

It is hereby ordered, That on and after the effective date hereof the handling of sweet cherries grown in the counties of Okanogan, Chelan, Douglas, Grant, Yakima, and Benton is Washington shall be in conformity to, and in compliance with, the terms and conditions of the "Order Regulating the Handling of Sweet Cherries Grown in Designated Counties in Washington" which was annexed to and made a part of the decision of the Secretary of Agriculture, issued April 11, 1957 (F. R. Doc. 57-3036; 22 F. R. 2629), with respect to a proposed marketing agreement and order regulating the handling of such cherries. All of the findings, determinations, terms, and conditions of the aforesaid order shall be, and the same hereby are, the findings, determinations, terms, and conditions of this order.

AUTHORITY: §§ 1022.0 to 1022.71 issued under 48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047.

§ 1022.0 *Findings and determinations*—(a) *Findings upon the basis of the hearing record.* Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and the applicable rules of practice and procedure, as amended, effective thereunder (7 CFR Part 900), a public hearing was held at Yakima, Washington, January 14–16, 1957, upon a proposed marketing agreement and a proposed marketing order regulating the handling of sweet cherries (hereinafter referred to as "cherries") grown in designated counties in Washington. Upon the basis of the evidence introduced at such hearing, and the record thereof, it is found that:

(1) This part, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) This part regulates the handling of cherries grown in the production area in same manner as, and is applicable only to persons in the respective classes of commercial and industrial activity specified in, a proposed marketing agreement upon which a hearing has been held;

(3) This part is limited in its application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act;

(4) This part prescribes, so far as practicable, such different terms applicable to different parts of the production area as are necessary to give due recognition to the differences in the production and marketing of cherries grown in the production area; and

(5) All handling of cherries grown in the production area as defined in the order is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) *Additional findings.* It is hereby found on the basis hereinafter indicated that good cause exists for making the provisions of this part effective not later than the date of publication in the FEDERAL REGISTER; and that it would be contrary to the public interest to postpone such effective date until 30 days after publication (60 Stat. 237; 5 U. S. C. 1001 et seq.). As soon as practical after such effective time it will be necessary to establish the Washington Cherry Marketing Committee, the agency charged with administration of the program. Subsequently, and prior to imposition of regulations, it will be necessary for the committee and the Secretary to initiate, and complete, various actions of both organizational and regulatory natures, including the formulation and promulgation of rules and regulations to govern operations under the program. The shipment of cherries begins about the middle of June, and for all practical purposes the entire crop is shipped by the end of July. Hence, for the program to be of maximum benefit during the 1957–58 shipping season the order should be made effective as far in advance of the shipping season as practicable so as to permit timely organization of the committee, establishment of rules and regulations, and to facilitate other necessary preparations for regulatory activity under the program during the ensuing season. The timely completion of such actions is necessary in order that handlers may be advised of operating procedures, and thus enabled reasonably and adequately to prepare for operations in accordance therewith. The provisions of the order are well known to handlers of cherries since the public hearing in connection with the order was completed January 16, 1957, and the recommended decision and the final decision were published in the FEDERAL REGISTER on March 20, 1957 (22 F. R. 1854), and April 16, 1957 (22 F. R. 2629), respectively. Copies of the regulatory provisions of this part were made available to all known interested parties; such provisions do not place any restrictions on handlers until regulations are issued thereunder and shipment of cherries takes place; and, therefore, compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective date of regulation pursuant hereto.

(c) *Determinations.* It is hereby determined that:

(1) A marketing agreement regulating the handling of sweet cherries grown in designated Counties in Washington, upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative association of producers who were not engaged in processing, distributing, or shipping the cherries covered by this part) who, during the period beginning April 1, 1955, and ending March 31, 1956, both dates inclusive, handled not less than 50 percent of the volume of cherries covered by this part; and

(2) The issuance of this part is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (April 1, 1955, through March 31, 1956), were engaged, within the production area specified in this part, in the production of cherries for market; such producers having also produced for market at least two-thirds of the volume of cherries represented in such referendum.

It is, therefore, ordered, That, on and after the effective date of this part, the handling of cherries grown in the said production area shall be in conformity to, and in compliance with, the terms and conditions of this part; and such terms and conditions are as follows:

DEFINITIONS

§ 1022.1 *Secretary.* "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 1022.2 *Act.* "Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat.

31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047).

§ 1022.3 *Person.* "Person" means an individual, partnership, corporation, association, or any other business unit.

§ 1022.4 *Production area.* "Production area" means all of the territory included within the Counties of Okanogan, Chelan, Douglas, Grant, Yakima, and Benton within the State of Washington.

§ 1022.5 *Cherries.* "Cherries" means all varieties of sweet cherries grown in the production area, classified botanically as Prunus avium.

§ 1022.6 *Varieties.* "Varieties" means and includes all classifications or subdivisions of Prunus avium.

§ 1022.7 *Fiscal period.* "Fiscal period" is synonymous with fiscal year and means the 12-month period ending on March 31 of each year or such other period that may be approved by the Secretary pursuant to recommendations by the committee.

§ 1022.8 *Committee.* "Committee" means the Washington Cherry Marketing Committee established pursuant to § 1022.20.

§ 1022.9 *Grade.* "Grade" means any one of the officially established grades of cherries as defined and set forth in:

(a) United States Standards for Sweet Cherries (§§ 51.2646 to 51.2657 of this title; 21 F. R. 2371) or amendments thereto, or modifications thereof, or variations based thereon;

(b) Standards for sweet cherries issued by the State of Washington or amendments thereto, or modifications thereof, or variations based thereon.

§ 1022.10 *Size.* "Size" means the greatest diameter, measured through the center of the cherry, at right angles to a line running from the stem to the blossom end, or such other specification as may be established by the committee with the approval of the Secretary.

§ 1022.11 *Grower.* "Grower" is synonymous with producer and means any person who produces cherries for market and who has a proprietary interest therein.

§ 1022.12 *Handler.* "Handler" is synonymous with shipper and means any person (except a common or contract carrier transporting cherries owned by another person) who handles cherries.

§ 1022.13 *Handle.* "Handle" and "ship" are synonymous and mean to sell, consign, deliver, or transport cherries or cause the sale, consignment, delivery, or transportation of cherries or in any other way to place cherries, or cause cherries to be placed, in the current of the commerce from any point within the production area to any point outside thereof: *Provided,* That the term "handle" shall not include the transportation within the production area of cherries from the orchard where grown to a packing facility located within such area for preparation for market, or the delivery of such cherries to such packing facility for such preparation.

§ 1022.14 *District.* "District" means the applicable one of the following described subdivisions of the production area, or such other subdivisions as may be prescribed pursuant to § 1022.31 (m):

(a) "District 1" shall include the Counties of Chelan, Okanogan, Douglas, and Grant.

(b) "District 2" shall include the Counties of Yakima and Benton.

§ 1022.15 *Export.* "Export" means to ship cherries beyond the continental boundaries of the United States.

§ 1022.16 *Pack.* "Pack" means the specific arrangement, size, weight, count, or grade of a quantity of cherries in a particular type and size of container, or any combination thereof.

§ 1022.17 *Container.* "Container" means a box, bag, crate, lug, basket, carton, package, or any other type of receptacle used in the packaging or handling of cherries.

ADMINISTRATIVE BODY

§ 1022.20 *Establishment and membership.* There is hereby established a Washington Cherry Marketing Committee consisting of fifteen members, each of whom shall have an alternate who shall have the same qualifications as the member for whom he is an alternate. Ten of the members and their respective alternates shall be growers or officers or employees of corporate growers. Five of the members and their respective alternates shall be handlers, or officers or employees of handlers. The ten members of the committee who are growers or employees or officers of corporate growers are hereinafter referred to as "grower members" of the committee; and the five members of the committee who shall be handlers, or officers or employees of handlers, are hereinafter referred to as "handler members" of the committee. Four of the grower members and their respective alternates shall be producers of cherries in District 1, and six of the grower members and their respective alternates shall be producers of cherries in District 2. Two of the handler members and their respective alternates shall be handlers of cherries in District 1, and three of the handler members and their respective alternates shall be handlers of cherries in District 2.

§ 1022.21 *Term of office.* The term of office of each member and alternate member of the committee shall be for two years beginning April 1 and ending March 31: *Provided,* That the term of office of one-half the initial grower members and alternates from each district and one initial handler member from each district shall end March 31, 1958. Members and alternate members shall serve in such capacities for the portion of the term of office for which they are selected and have qualified and until their respective successors are selected and have qualified.

§ 1022.22 *Nomination*—(a) *Initial members.* Nominations for each of the ten initial grower members and five initial handler members of the committee, together with nominations for the initial alternate members for each position, may be submitted to the Secretary by individual growers and handlers. Such nominations may be made by means of group meetings of the growers and handlers concerned in each district. Such nominations, if made, shall be filed with the Secretary no later than the effective date of this part. In the event nominations for initial members and alternate members of the committee are not filed pursuant to, and within the time specified, in this section, the Secretary may select such initial members and alternate members without regard to nominations, but selections shall be on the basis of the representation provided for in § 1022.20.

(b) *Successor members.* (1) The committee shall hold or cause to be held, not later than March 1 of each year, a meeting or meetings of growers and handlers in each district for the purpose of designating nominees for successor members and alternate members of the committee. At each such meeting a chairman and a secretary shall be selected by the growers and handlers eligible to participate therein. The chairman shall announce at the meeting the number of votes cast for each person nominated for member or alternate member and shall submit promptly to the committee a complete report concerning such meeting. The committee shall, in turn, promptly submit a copy of each such report to the Secretary.

(2) Only growers, including duly authorized officers or employees of corporate growers, who are present at such nomination meetings may participate in the nomination and election of nominees for grower members and their alternates. Each grower shall be entitled to cast only one vote for each nominee to be elected in the district in which he produces cherries. No grower shall participate in the election of nominees in more than one district in any one fiscal year. If a person is both a grower and a handler of cherries, such person may vote either as a grower or as a handler but not as both.

(3) Only handlers, including duly authorized officers or employees of handlers, who are present at such nomination meetings, may participate in the nomination and election of nominees for handler members and their alternates. Each handler shall be entitled to cast only one vote for each nominee to be elected in the district in which he handles cherries. No handler shall participate in the election of nominees in more than one district in any one fiscal year. If a person is both a grower and a handler of cherries, such person may vote either as a grower or as a handler but not as both.

§ 1022.23 *Selection.* From the nominations made pursuant to § 1022.22, or from other qualified persons, the Secretary shall select the ten grower members of the committee, the five handler members of the committee, and an alternate for each such member.

§ 1022.24 *Failure to nominate.* If nominations are not made within the time and in the manner prescribed in § 1022.22, the Secretary may, without regard to nominations, select the members and alternate members of the committee on the basis of the representation provided for in § 1022.20.

§ 1022.25 *Acceptance.* Any person selected by the Secretary as a member or as an alternate member of the committee shall qualify by filing a written acceptance with the Secretary promptly after being notified of such selection.

§ 1022.26 *Vacancies.* To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the death, removal, resignation, or disqualification of any member or alternate member of the committee, a successor for the unexpired term of such member or alternate member of the committee shall be nominated and selected in the manner specified in §§ 1022.22 and 1022.23. If the names of nominees to fill any such vacancy are not made available to the Secretary within a reasonable time after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations, which selection shall be made on the basis of representation provided for in § 1022.20.

§ 1022.27 *Alternate members.* An alternate member of the committee, during the absence or at the request of the member for whom he is an alternate, shall act in the place and stead of such member and perform such other duties as assigned. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor for such member is selected and has qualified. In the event both a member of the committee and his alternate are unable to attend a committee meeting, the member or the committee may designate any other alternate member from the same district and group (handler or grower) to serve in such member's place and stead.

§ 1022.30 *Powers.* The committee shall have the following powers:

(a) To administer the provisions of this part in accordance with its terms;

(b) To receive, investigate, and report to the Secretary complaints of violations of the provisions of this part;

(c) To make and adopt rules and regulations to effectuate the terms and provisions of this part; and

(d) To recommend to the Secretary amendments to this part.

§ 1022.31 *Duties.* The committee shall have, among others, the following duties:

(a) To select a chairman and such other officers as may be necessary, and to define the duties of such officers;

(b) To appoint such employees, agents, and representatives as it may deem necessary, and to determine the compensation and to define the duties of each;

(c) To submit to the Secretary as soon as practicable after the beginning of each fiscal period a budget for such fiscal period, including a report in explanation of the items appearing therein and a recommendation as to the rate of assessment for such period;

(d) To keep minutes, books, and records which will reflect all of the acts and transactions of the committee and which shall be subject to examination by the Secretary;

(e) To prepare periodic statements of the financial operations of the committee and to make copies of each such statement available to growers and handlers for examination at the office of the committee;

(f) To cause its books to be audited by a competent accountant at least once each fiscal year and at such time as the Secretary may request;

(g) To act as intermediary between the Secretary and any grower or handler;

(h) To investigate and assemble data on the growing, handling, and marketing conditions with respect to cherries;

(i) To submit to the Secretary such available information as he may request;

(j) To notify producers and handlers of all meetings of the committee to consider recommendations for regulations;

(k) To give the Secretary the same notice of meetings of the committee as is given to its members;

(l) To investigate compliance with the provisions of this part;

(m) With the approval of the Secretary, to redefine the districts into which the production area is divided, and to reapportion the representation of any district on the committee: *Provided,* That any such changes shall reflect, insofar as practicable, shifts in cherry production within the districts and the production area.

§ 1022.32 *Procedure.* (a) Twelve members of the committee, including alternates acting for members, shall constitute a quorum; and any action of the committee shall require the concurring vote of at least nine members.

(b) The committee may provide for simultaneous meetings of groups of its members assembled at two or more designated places: *Provided,* That such meetings shall be subject to the establishment of communication between all such groups and the availability of loud speaker receivers for each group so that each member may participate in the discussions and other actions the same as if the committee were assembled in one place. Any such meeting shall be considered as an assembled meeting.

(c) The committee may vote by telegraph, telephone, or other means of communication, and any votes so cast shall be confirmed promptly in writing: *Provided,* That if an assembled meeting is held, all votes shall be cast in person.

§ 1022.33 *Expenses and compensation.* The members of the committee, and alternates when acting as members, shall be reimbursed for expenses necessarily incurred by them in the performance of their duties under this part and may also receive compensation, as determined by the committee, which shall not exceed $10 per day or portion thereof spent in performing such duties: *Provided,* That at its discretion the committee may request the attendance of one or more alternates at any or all meetings, notwithstanding the expected or actual presence of the respective members, and may pay expenses and compensation, as aforesaid.

§ 1022.34 *Annual report.* The committee shall, prior to the last day of each fiscal period, prepare and mail an annual report to the Secretary and make a copy available to each handler and grower who requests a copy of the report. This annual report shall contain at least: (a) A complete review of the regulatory operations during the fiscal period; (b) an appraisal of the effect of such regulatory operations upon the cherry industry; and (c) any recommendations for changes in the program.

EXPENSES AND ASSESSMENTS

§ 1022.40 *Expenses.* The committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by the committee to enable it to exercise its powers and perform its duties in accordance with the provisions of this part during each fiscal period. The funds to cover such expenses shall be acquired by the levying of assessments as prescribed in § 1022.41.

§ 1022.41 *Assessments.* (a) Each person who first handles cherries shall, with respect to the cherries so handled by him, pay to the committee upon demand such person's pro rata share of the expenses which the Secretary finds will be incurred by the committee during each fiscal period. Each such person's share of such expenses shall be equal to the ratio between the total quantity of cherries handled by him as the first handler thereof during the applicable fiscal period and the total quantity of cherries so handled by all persons during the same fiscal period. The payment of assessments for the maintenance and functioning of the committee may be required under this part throughout the period it is in effect irrespective of whether particular provisions thereof are suspended or become inoperative.

(b) The Secretary shall fix the rate of assessment to be paid by each such person. At any time during or after the fiscal period, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses which may be incurred. Such increase shall be applied to all cherries handled during the applicable fiscal period. In order to provide funds for the administration of the provisions of this part during the first part of a fiscal period before sufficient operating income is available from assessments on the current year's shipments, the committee may accept the payment of assessments in advance, and may also borrow money for such purpose.

§ 1022.42 *Accounting.* (a) If, at the end of a fiscal period, the assessments collected are in excess of expenses incurred, such excess shall be accounted for as follows:

(1) Except as provided in subparagraph (2) of this paragraph, each person entitled to a proportionate refund of any excess assessment shall be credited with such refund against the operation of the following fiscal period unless such person demands repayment thereof, in which

event it shall be paid to him: *Provided*, That any sum paid by a person in excess of his pro rata share of the expenses during any fiscal period may be applied by the committee at the end of such fiscal period to any outstanding obligations due the committee from such person.

(2) The Secretary, upon recommendation of the committee, may determine that it is appropriate for the maintenance and functioning of the committee that the funds remaining at the end of a fiscal period which are in excess of the expenses necessary for committee operations during such period may be carried over into following periods as a reserve. Such reserve may be established at an amount not to exceed approximately one fiscal period's operational expenses; and such reserve may be used to cover the necessary expenses of liquidation, in the event of termination of this part, and to cover the expenses incurred for the maintenance and functioning of the committee during any fiscal period when there is a crop failure, or during any period of suspension of any or all of the provisions of this part. Such reserve may also be used by the committee to finance its operations, during any fiscal period, prior to the time that assessment income is sufficient to cover such expenses; but any of the reserve funds so used shall be returned to the reserve as soon as assessment income is available for this purpose. Upon termination of this part, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate: *Provided*, That to the extent practical, such funds shall be returned pro rata to the persons from whom such funds were collected.

(b) All funds received by the committee pursuant to the provisions of this part shall be used solely for the purposes specified in this part and shall be accounted for in the manner provided in this part. The Secretary may at any time require the committee and its members to account for all receipts and disbursements.

(c) Upon the removal or expiration of the term of office of any member of the committee, such member shall account for all receipts and disbursements and deliver all property and funds in his possession to his successor in office, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor full title to all of the property, funds, and claims vested in such member pursuant to this part.

RESEARCH

§ 1022.45 *Marketing research and development.* The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of cherries. The expense of such projects shall be paid from funds collected pursuant to § 1022.41.

REGULATIONS

§ 1022.50 *Marketing policy.* (a) Each season prior to making any recommendations pursuant to § 1022.51, the committee shall submit to the Secretary a report setting forth its marketing policy for the ensuing season. Such marketing policy report shall contain information relative to:

(1) The estimated total production of cherries within the production area;

(2) The expected general quality and size of cherries in the production area and in other areas;

(3) The expected demand conditions for cherries in different market outlets;

(4) The expected shipments of cherries produced in the production area and in areas outside the production area;

(5) Supplies of competing commodities;

(6) Trend and level of consumer income;

(7) Other factors having a bearing on the marketing of cherries; and

(8) The type of regulations expected to be recommended during the season.

(b) In the event it becomes advisable, because of changes in the supply and demand situation for cherries, to modify substantially such marketing policy, the committee shall submit to the Secretary a revised marketing policy report setting forth the information prescribed in this section. The committee shall publicly announce the contents of each marketing policy report, including each revised marketing policy report, and copies thereof shall be maintained in the office of the committee where they shall be available for examination by growers and handlers.

§ 1022.51 *Recommendations for regulation.* (a) Whenever the committee deems it advisable to regulate the handling of any variety or varieties of cherries in the manner provided in § 1022.52, it shall so recommend to the Secretary.

(b) In arriving at its recommendations for regulation pursuant to paragraph (a) of this section, the committee shall give consideration to current information with respect to the factors affecting the supply and demand for cherries during the period or periods when it is proposed that such regulation should be made effective. With each such recommendation for regulation, the committee shall submit to the Secretary the data and information on which such recommendation is predicated and such other available information as the Secretary may request.

§ 1022.52 *Issuance of regulations.* (a) The Secretary shall regulate, in the manner specified in this section, the handling of cherries whenever he finds, from the recommendations and information submitted by the committee, or from other available information, that such regulations will tend to effectuate the declared policy of the act. Such regulations may:

(1) Limit, during any period or periods, the shipment of any particular grade, size, quality, maturity, or pack, or any combination thereof, of any variety or varieties of cherries grown in any district or districts of the production area;

(2) Limit the shipment of cherries by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity during any period when season average prices are expected to exceed the parity level;

(3) Fix the size, capacity, weight, dimensions, or pack of the container, or containers, which may be used in the packaging or handling of cherries.

(b) The committee shall be informed immediately of any such regulation issued by the Secretary, and the committee shall promptly give notice thereof to growers and handlers.

§ 1022.53 *Modification, suspension, or termination of regulations.* (a) In the event the committee at any time finds that, by reason of changed conditions, any regulations issued pursuant to § 1022.52 should be modified, suspended, or terminated, it shall so recommend to the Secretary.

(b) Whenever the Secretary finds, from the recommendations and information submitted by the committee or from other available information, that a regulation should be modified, suspended, or terminated with respect to any or all shipments of cherries in order to effectuate the declared policy of the act, he shall modify, suspend, or terminate such regulation. On the same basis and in like manner the Secretary may terminate any such modification or suspension. If the Secretary finds that a regulation obstructs or does not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulation. On the same basis and in like manner the Secretary may terminate any such suspension.

§ 1022.54 *Special purpose shipments.* (a) Except as otherwise provided in this section, any person may, without regard to the provisions of §§ 1022.41, 1022.52, 1022.53, and 1022.55, and the regulations issued thereunder, handle cherries (1) for consumption by charitable institutions; (2) for distribution by relief agencies; or (3) for commercial processing into products.

(b) Upon the basis of recommendations and information submitted by the committee, or from other available information, the Secretary may relieve from any or all requirements, under or established pursuant to § 1022.41, § 1022.52, § 1022.53, or § 1022.55, the handling of cherries in such minimum quantities, or types of shipments, or for such specified purposes (including shipments to facilitate the conduct of marketing research and development projects established pursuant to § 1022.45), as the committee, with approval of the Secretary, may prescribe.

(c) The committee shall, with the approval of the Secretary, prescribe such rules, regulations, and safeguards as it may deem necessary to prevent cherries handled under the provisions of this section from entering the channels of trade for other than the specific purposes authorized by this section. Such rules, regulations, and safeguards may include the requirements that handlers shall file applications and receive approval from the committee for authorization to handle cherries pursuant to this section, and that such applications be accompanied by a certification by the intended purchaser or receiver that the cherries will not be used for any purpose not authorized by this section.

§ 1022.55 *Inspection and certification.* Whenever the handling of any variety of cherries is regulated pursuant to § 1022.52 or § 1022.53, each handler who handles cherries shall, prior thereto, cause such cherries to be inspected by the Federal-State Inspection Service, and certified by it as meeting the applicable requirements of such regulation: *Provided,* That inspection and certification shall be required for cherries which previously have been so inspected and certified only if such cherries have been regraded, resorted, repackaged, or in any other way further prepared for market. Promptly after inspection and certification, each such handler shall submit, or cause to be submitted, to the committee a copy of the certificate of inspection issued with respect to such cherries.

REPORTS

§ 1022.60 *Reports.* (a) Upon request of the committee, made with the approval of the Secretary, each handler shall furnish to the committee, in such manner and at such time as it may prescribe, such reports and other information as may be necessary for the committee to perform its duties under this part. Such reports may include, but are not necessarily limited to, the following: (1) The quantities of each variety of cherries received by a handler; (2) the quantities disposed of by him, segregated as to the respective quantities subject to regulation and not subject to regulation; (3) the date of each such disposition and the identification of the carrier transporting such cherries, and (4) the destination of each shipment of such cherries.

(b) All such reports shall be held under appropriate protective classification and custody by the committee, or duly appointed employees thereof, so that the information contained therein which may adversely affect the competitive position of any handler in relation to other handlers will not be disclosed. Compilations of general reports from data submitted by handlers are authorized, subject to the prohibition of disclosure of individual handler's identities or operations.

(c) Each handler shall maintain for at least two succeeding years such records of the cherries received, and of cherries disposed of, by such handler as may be necessary to verify reports pursuant to this section.

MISCELLANEOUS PROVISIONS

§ 1022.61 *Compliance.* Except as provided in this part, no person shall handle cherries, the shipment of which has been prohibited by the Secretary in accordance with the provisions of this part; and no person shall handle cherries except in conformity with the provisions of this part.

§ 1022.62 *Right of the Secretary.* The members of the committee (including successors and alternates), and any agents, employees, or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the committee shall be deemed null and void, except as to acts done in reliance thereon or in accordance therewith prior to such disapproval by the Secretary.

§ 1022.63 *Effective time.* The provisions of this part, and of any amendment thereto, shall become effective at such time as the Secretary may declare above his signature to this part, and shall continue in force until terminated in one of the ways specified in § 1022.64.

§ 1022.64 *Termination.* (a) The Secretary may at any time terminate the provisions of this part by giving at least one day's notice by means of a press release or in any other manner in which he may determine.

(b) The Secretary shall terminate or suspend the operation of any and all of the provisions of this part whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this part at the end of any fiscal period whenever he finds that continuance is not favored by the majority of producers who, during a representative period, determined by the Secretary, were engaged in the production area in the production of cherries for market: *Provided,* That such majority has produced for market during such period more than 50 percent of the volume of cherries produced for market in the production area; but such termination shall be effective only if announced on or before March 31 of the then current fiscal period.

(d) The provisions of this part shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 1022.65 *Proceedings after termination.* (a) Upon the termination of the provisions of this part, the committee shall, for the purpose of liquidating the affairs of the committee, continue as trustees of all the funds and property then in its possession, or under its control, including claims for any funds unpaid or property not delivered at the time of such termination.

(b) The said trustees shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such person as the Secretary may direct; and (3) upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person, full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant hereto.

(c) Any person to whom funds, property, or claims have been transferred or delivered pursuant to this section shall be subject to the same obligation imposed upon the committee and upon the trustees.

§ 1022.66 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant to this subpart, or the issuance of any amendment to either thereof, shall not (a) effect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued under this subpart, or (b) release or extinguish any violation of this subpart or of any regulation issued under this subpart, or (c) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violation.

§ 1022.67 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon the termination of this subpart, except with respect to acts done under and during the existence of this subpart.

§ 1022.68 *Agents.* The Secretary may, by designation in writing, name any officer or employee of the United States, or name any agency or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this part.

§ 1022.69 *Derogation.* Nothing contained in the provisions of this part is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 1022.70 *Personal liability.* No member or alternate member of the committee and no employee or agent of the committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mistakes, or other act, either of commission, or omission, as such member, alternate, employee, or agent, except for acts of dishonesty, willful misconduct, or gross negligence.

§ 1022.71 *Separability.* If any provision of this part is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this part or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

Issued at Washington, D. C., this 29th day of May 1957, to become effective upon publication in the FEDERAL REGISTER.

[SEAL] E. L. PETERSON,
Assistant Secretary.

[F. R. Doc. 57-4499; Filed, May 31, 1957; 9:18 a. m.]

TITLE 21—FOOD AND DRUGS

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

Subchapter A—General

PART 9—COLOR CERTIFICATION

Subchapter B—Food and Food Products

PART 85—SEAFOOD INSPECTION

PART 164—CERTIFICATION OF BATCHES OF DRUGS COMPOSED WHOLLY OR PARTLY OF INSULIN

FEES

Under the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 506 (b), 55 Stat. 851; secs. 702A, 706, 52 Stat. 1057 as amended, 52 Stat. 1058; 21 U. S. C. 356, 372a, 376) and delegated to the Commissioner of Food and Drugs (22 F. R. 1045), the amendments set out below are ordered, effective as of the date of publication in the FEDERAL REGISTER.

1. In § 9.15 *Fees* paragraph (c) is amended by changing "Treasurer of the United States" to read "Food and Drug Administration".

2. In § 85.13 *Inspection fees* paragraph (e) is amended by changing "Treasurer, United States" to read "Food and Drug Administration".

3. In § 85.28 *Inspection fees* paragraph (e) is amended by changing "Treasurer, United States" to read "Food and Drug Administration".

4. In § 164.10 *Fees* paragraph (e) is amended by changing "Treasurer of the United States" to read "Food and Drug Administration".

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it involves amendments dealing solely with agency management and procedure.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interpret or apply sec. 10A, 48 Stat. 1204, as amended, sec. 706, 52 Stat. 1058, sec. 506, 55 Stat. 851; 21 U. S. C. 372a, 376, 356)

Dated: May 24, 1957.

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

[F. R. Doc. 57-4435; Filed, May 31, 1957; 8:45 a. m.]

PART 125—LABEL STATEMENTS CONCERNING DIETARY PROPERTIES OF FOODS PURPORTING TO BE OR REPRESENTED FOR SPECIAL DIETARY USES

LABEL STATEMENT REGULATIONS CONCERNING NIACIN AND RIBOFLAVIN

In the matter of amending the regulations prescribing label statements concerning dietary properties of food purporting to be or represented for special dietary uses:

A notice was published in the FEDERAL REGISTER of February 16, 1957 (22 F. R. 985), setting forth proposals to amend the regulations with respect to dietary foods by changing the minimum daily requirements for niacin and adding minimum daily requirements for riboflavin.

Consideration having been given to all views and comments received in response to this notice, together with other relevant and pertinent information, the Commissioner of Food and Drugs, under authority of the Federal Food, Drug, and Cosmetic Act (secs. 403 (j), 701, 52 Stat. 1048, 1055 as amended 70 Stat. 919; 21 U. S. C. 343 (j), 371), delegated to him by the Secretary of Health, Education, and Welfare (22 F. R. 1045): *It is ordered*, That the regulations concerning label statements concerning dietary properties of foods purporting to be or represented for special dietary uses (21 CFR Part 125) be amended as set forth below.

Section 125.3 *Label statements relating to vitamins* is amended as follows:

1. In paragraph (a) (1), delete from the list of vitamins the word "or" after the item "Vitamin D"; delete "(vitamin B_2, vitamin G)" after the item "Riboflavin"; insert after "Riboflavin" a comma and the word "or", and add a new item "Niacin or niacinamide,". As amended, the list will read as follows:

Vitamin A or its precursors,
Vitamin B_1 (thiamine),
Vitamin C (ascorbic acid),
Vitamin D,
Riboflavin, or
Niacin or niacinamide,

2. Paragraph (b) (5) is changed to read:

(5) For riboflavin, 0.6 milligram for an infant, 0.9 milligram for a child, 1.2 milligrams for an adult.

3. Paragraph (b) is further amended by adding a new subparagraph (6), reading as follows:

(6) For niacin or niacinamide 5.0 milligrams for a child less than 6 years old, 7.5 milligrams for a child 6 or more years old, 10 milligrams for an adult.

Any person who will be adversely affected by the foregoing order may, within 30 days from the date of its publication in the FEDERAL REGISTER, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., written objections thereto, showing wherein he will be adversely affected by the order, specifying with particularity the provisions of the order deemed objectionable and stating reasonable grounds therefor, and requesting a public hearing on the provisions of the order to which objections are filed. A memorandum or brief supporting the objections filed may be submitted. All documents shall be filed in quintuplicate.

Effective date. This order shall become effective on July 1, 1958, unless it is stayed in whole or in part by the filing of objections and the requesting of a public hearing as set forth above. Notice of the filing of objections, or lack thereof, will be announced by publication in the FEDERAL REGISTER. The effective date will not be construed to impede the orderly change of labeling, and to facilitate such change no action will be taken against foods for special dietary uses which, prior to the effective date, bear labeling in compliance with the requirements of this order.

(Sec. 701, 52 Stat. 1055, as amended, 70 Stat. 919; 21 U. S. C. 371. Interprets or applies sec. 403, 52 Stat. 1048; 21 U. S. C. 343)

Dated: May 24, 1957.

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

[F. R. Doc. 57-4434; Filed, May 31, 1957; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter A—Civil Air Regulations

[Supp. 43]

PART 42—IRREGULAR AIR CARRIER AND OFF-ROUTE RULES

MISCELLANEOUS AMENDMENTS

The purpose of this supplement is to make editorial corrections; revise material regarding first-aid and emergency equipment; and add new policies regarding international air taxi operations.

The titles for district offices formerly entitled Aviation Safety District Offices and for personnel assigned to such offices have been revised in accordance with Department of Commerce Notice, Amendment 13, published in 22 F. R. 989, February 16, 1957. Other minor editorial corrections have been made to section titles in accordance with recent Civil Air Regulations amendments.

Material regarding first-aid and emergency equipment has been revised and rearranged to conform to Civil Air Regulations Amendment 42-6 (14 CFR Part 42). Except for certain minor changes the contents of the first-aid and survival kits, this material is basically the same as that presently contained in Civil Aeronautics Manual 42. Requirements pertaining to life vests, portable emergency radio signaling devices, and certain other items have been deleted from the manual because they are now contained in the Civil Air Regulations.

Section 42.5-8 is added to advise air taxi operators that prior authorization from the government of a foreign country may be required to conduct commercial operations into, or over, that country. Lacking this information, an air taxi operator can be mislead by the standard preface pages, into believing he need only to comply with the air traffic rules of the foreign country in order to conduct commercial operations. Such is not the case, because many countries require the air taxi operator to hold a permit issued by the government of their country.

These revisions do not impose any additional burden upon interested persons, and no useful purpose would be served by compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act. Therefore, compliance is unnecesssary and is not required.

The following amendments are hereby adopted:

1. Section 42.0-1 (c) is amended by changing "Aviation Safety District Office" in the first sentence to "district

office[1]" and "Aviation Safety Agent" in the last sentence to "inspector[2]".

2. Section 42.0-1 (f) (2), published in 21 F. R. 1697, March 17, 1956, is amended by changing "agent" to "inspector" in the first sentence.

3. Section 42.0-2 is amended by revising the title to read: "§ 42.0-2 *Provisions of this part which are applicable to air taxi operators (CAA interpretations which apply to § 42.0 and SR-395A)*.".

4. Section 42.0-2 (a) is amended by substituting "SR-395A" for "SR-395" in the introductory paragraph and making the following corrections to the list of section titles:

a. "Section 42.1 *Definitions*. (a) (2), (4), (5), (6), (7), (12a), (13), (14), (15), (20), (21), (22), (23), (24), (27), (28), (29), (30), (32), (33)." is changed to read "§ 42.1 *Definitions*.".

b. "Section 42.24 *First-aid and emergency equipment*." is changed to read "§ 42.24 *Emergency and safety equipment*." and "§ 42.24a *First-aid kits and emergency equipment*.", "§ 42.24b *Equipment for overwater operations*.", and "§ 42.24c *Emergency evacuation equipment*." are added immediately following.

5. Section 42.0-2 (b) is amended by making the following corrections to the list of section titles:

a. The title of § 42.1-1 is changed to read "*Flight time (CAA interpretations which apply to § 42.1)*.".

b. The title of § 42.1-2 is changed to read "*Twilight (CAA interpretations which apply to § 42.1)*.".

c. "Section 42.24-1 *First-aid and emergency equipment (CAA policies which apply to § 42.24)*.", "§ 42.24-2 *First-aid kits (CAA policies which apply to § 42.24 (a))*.", and "§ 42.24-4 *Emergency equipment (CAA rules which apply to § 42.24 (b))*." are deleted and the following are inserted in lieu thereof "§ 42.24-1 *First-aid and safety equipment (CAA policies which apply to § 42.24)*.", "42.24a-1 *First-aid kits and emergency equipment (CAA policies which apply to § 42.24a*.", and "42.24b-1 *Survival kits for overwater operations (CAA policies which apply to § 42.24b)*.".

6. Section 42.0-3 is amended by revising the title to read "§ 42.0-3 *Operations for which an air taxi operator certificate is not required (CAA interpretations which apply to § 42.0 and SR-395A)*.".

7. Section 42.1-1 is amended by revising the title to read "§ 42.1-1 *Flight time (CAA interpretations which apply to § 42.1)*.".

8. Section 42.1-2 is amended by revising the title to read "§ 42.1-2 *Twilight (CAA interpretations which apply to § 42.1)*.".

9. Section 42.5-2 (a) is amended by changing "Aviation Safety Agent" to "inspector" in the second and third sentences.

[1] "District office", unless otherwise specified means "Flight Operations and Airworthiness District Office".

[2] "Inspector", unless otherwise specified means "Flight Operations and Airworthiness Inspector".

10. Section 42.5-3 is amended by changing "Aviation Safety District Office" to read "district office" in the first sentence; and "Aviation Safety Agent" to "inspector" in the last sentence.

11. Section 42.5-4 is amended by changing "Aviation Safety Agent" to "inspector" in the first sentence of the introductory paragraph.

12. Section 42.5-4 (c) is amended by changing "Aviation Safety Agent" to "inspector."

13. Section 42.5-4 (d) is amended by changing "Office of Aviation Information" to "Printing Services Branch" in the footnote.

14. Section 42.5-5 is amended by revising the title to read "§ 42.5-5 *Application for an air taxi operator certificate (CAA rules which apply to § 42.5 and SR-395A)*."; and "Aviation Safety Agent" is changed to "inspector" in the second and third sentences.

15. Section 42.5-6 (b) is amended by changing "agent" to "inspector".

16. Section 42.5-6 (c) is amended by changing "agent" to "inspector" in the first sentence.

17. Section 42.5-7, published in 21 F. R. 2589, April 20, 1956, is amended by changing "agent" to "inspector" in the first and second sentences.

18. Section 42.5-8 is added to read as follows:

§ 42.5-8 *International air taxi operations (CAA policies which apply to § 42.5 and SR-395A)*. (a) Air taxi operators who wish to conduct commercial operations into, or over, foreign countries should obtain prior authorization to conduct such operations from all of the foreign countries involved.

NOTE: For commercial operations into Canada, or Mexico, requests for authorization should be made as follows:

Canada: Department of Transport, Air Transport Board, Ottawa, Canada.

Mexico: Director, General Civil Aviation, Mexico, D. F.

19. Sections 42.24-1, 42.24-2, 42.24-3, and 42.24-4 are deleted and the following new sections are added:

§ 42.24-1 *First-aid and safety equipment (CAA policies which apply to § 42.24)*. In order to retain CAA approval of first-aid kits, flotation equipment, and other emergency gear, after receiving initial approval by the Administrator, such equipment should be regularly inspected to insure that the condition and quantity continues to meet the standards of the original approval.

§ 42.24a-1 *First-aid kits and emergency equipment (CAA policies which apply to § 42.24a)*. First-aid kits and emergency equipment which contain the materials and meet the standards prescribed below will be approved by the Administrator. To obtain approval to use first-aid kits not containing such materials or meeting such standards, application must be made through the local CAA inspector having certificate responsibility.

(a) *First-aid kits*. Each first-aid kit should be dust and moisture proof, should contain only materials which meet Federal Specifications GGK 391, as revised, and should include at least the following items or their equivalent:

(1) *No. 1 kit for aircraft of 1 to 5 persons capacity.*

Adhesive bandage compresses, 1 inch (16 per unit)	1
Antiseptic swabs, 10 mm. (10 per unit)	1
Ammonia inhalants, 6 mm. (10 per unit)	1
Ammonia, aromatic spirits, 2 cc. with drinking cups (4 each per unit)	1
2-inch bandage compresses (4 per unit)	1
4-inch bandage compress (1 per unit)	1
Triangular bandage compress, 40-inch (1 per unit)	1
Burn compound, one-eighth oz. (6 per unit)	1
Tourniquet, forceps, and scissors (1 each per double unit container)	1

(2) *No. 2 kit for aircraft of 6 to 25 persons capacity.*[3]

Adhesive bandage compresses, 1-inch (16 per unit)	2
Antiseptic swabs, 10 mm. (10 per unit)	2
Ammonia inhalants, 6 mm. (10 per unit)	1
Ammonia, aromatic spirits, 2 cc. with drinking cups (4 each per unit)	2
2-inch bandage compresses (4 per unit)	2
4-inch bandage compress (1 per unit)	2
Triangular bandage compress, 40-inches (1 per unit)	1
Burn compound, one-eighth oz. (6 per unit)	1
Tourniquet, forceps, and scissors (1 each per double unit container)	1
Eye dressing packet (3 each per unit) (ophthalmic ointment, one-eighth oz.; eye pads; eye strips)	1

(3) *No. 3 kit for aircraft of more than 25 persons capacity.*

Adhesive bandage compresses, 1-inch (16 per unit)	4
Antiseptic swabs, 10 mm. (10 per unit)	2
Ammonia inhalants, 6 mm. (10 per unit)	2
Ammonia, aromatic spirits, 2 cc. with drinking cups (4 each per unit)	2
2-inch bandage compresses (4 per unit)	3
4-inch bandage compress (1 per unit)	3
Triangular bandage compress, 40-inches (1 per unit)	3
Burn compound, one-eighth oz. (6 per unit)	2
Tourniquet, forceps, scissors (1 each per double unit container)	1
Eye dressing packet (3 each per unit) (ophthalmic ointment, one-eighth oz.; eye pads; eye strips)	1

(b) *Emergency equipment for long-distance flights over uninhabited terrain.* When the type of operation requires more than one class of equipment, it will not be necessary to carry more than one supply of items duplicated in another list.

(1) *Tropical land areas.*

1 machete.
1 axe.
1 mosquito headnet for each person.
1 bottle insect repellent for each person.
1 pint drinking water for each person.

[3] Kit No. 2 in canvas may also be used on life rafts.

1 bottle chlorine tablets for water purification.
1 waterproof box of matches.
1 magnetic compass.
1 bottle quinine tablets.
1 signaling mirror.
1 pyrotechnic pistol and 6 cartridges.
1 small bore rifle and cartridges.
1 hunting knife.
1 fishing kit.
1 snake-bite kit.
1 book on jungle survival.

(2) *Frigid land areas.*

1 machete.
1 axe.
1 blanket for each person.
2 pairs snowshoes.
1 pair sunglasses for each person.
1 book on Arctic survival.
1 waterproof box of matches.
1 magnetic compass.
1 bottle of chlorine tablets for water.
1 signaling mirror.
1 pyrotechnic pistol and 6 cartridges.
1 small bore rifle and cartridges.
1 hunting knife.
2-day supply emergency food ration for each person.
1 mosquito headnet for each person.
1 bottle insect repellent for each person.
1 fishing kit.

§ 42.24b-1 *Survival kit for overwater operations (CAA policies which apply to § 42.24b).* Survival kits containing the materials listed below will be approved by the Administrator. To obtain approval to use survival kits which do not contain such materials, application must be made through the local CAA inspector having certificate responsibility.

(a) *General.* When the type of operation requires more than one class of equipment, it will not be necessary to carry more than one supply of items duplicated in another list.

1 canopy (for sail, sunshade, or for rain catcher).
1 liferaft repair kit.
1 bailing bucket.
1 signaling mirror.
1 police whistle.
1 raft knife.
1 CO_2 bottle for emergency inflation.
1 inflation pump.
2 oars.
1 75-foot retaining line.
1 magnetic compass.
1 pyrotechnic pistol and 6 cartridges.
2-day supply of emergency food ration for each person.
1 sea water desalting kit for each 2 persons the raft is authorized to carry, or 2 pints of water per person.
1 fishing kit.
1 book on survival appropriate for area.

20. Section 42.32-5 (a) (3) is amended by changing "Aviation Safety Agent—Aircraft Maintenance" to "inspector" in the last sentence.

21. Section 42.32-5 (b) is amended by changing "Aviation Safety Agent—Aircraft Maintenance" to "inspector" in the third sentence.

22. Section 42.32-5 (b) (1) is amended by changing "Aviation Safety Agent—Aircraft Maintenance" to "inspector".

23. Section 42.32-5 (c) (1) (v) is amended by changing "agent" to "inspector" in the third sentence.

24. Section 42.32-5 (c) (3) (i) is amended by changing "agent" to "inspector" in the first sentence.

25. Section 42.44-5 (a), published in 21 F. R. 450, January 21, 1956, is amended by changing "Aviation Safety Agent" to "Flight Operations and Airworthiness Inspector".

26. Section 42.55-3 (a) is amended by changing "Aviation Safety Agent" to "inspector" in the third sentence.

27. Section 42.57-1 (c) is amended by changing "Aviation Information Office" to "Printing Services Branch" in the third sentence.

28. Section 42.60-1 is amended by changing "Aviation Safety Agent (Operations)" to "inspector" in the last sentence.

29. Section 42.60-3 is deleted.

30. Section 42.70-1 is amended by changing "Aviation Safety District Office" to "district office".

31. Section 42.93-1 is amended by changing "Aviation Safety Agent" to "inspector".

32. Section 42.94-1 is amended by changing "Aviation Safety Agent" to "inspector".

33. Section 42.96-1 (b) (1) is amended by changing "Aviation Safety District Office" to "district office".

34. Section 42.96-1 (b) (2) is amended by changing "Aviation Safety Office" to "district office" in the first sentence; and "CAA office" to "district office" in the last sentence.

35. Section 42.96-1 (c) is amended by changing "Aviation Safety Agent-Aircraft Maintenance" to "inspector" in the last sentence.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 52 Stat. 1007, 1010, as amended; 49 U. S. C. 551, 554)

This supplement shall become effective June 15, 1957.

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

MAY 24, 1957.

[F. R. Doc. 57-4433; Filed, May 31, 1957; 8:45 a. m.]

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 198]

PART 608—RESTRICTED AREAS

ALTERATIONS

The restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure and effective date, provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. Section 608.14, the Saline Valley, California, area (R-485) amended February 26, 1955 in 20 F. R. 1208, is further amended by changing the "Designated Altitudes" column to read: "20,000 feet NSL to Unlimited".

This amendment shall be effective upon publication in the FEDERAL REGISTER.

2. Section 608.18, the Valparaiso, Florida, area (R-383 formerly D-383) amended May 4, 1955 in 20 F. R. 2974, is further amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at latitude 30°33′40″, longitude 86°55′00″; thence North to latitude 30°38′45″, longitude 86°55′00″; thence Northeasterly along the L & N Railroad to latitude 30°42′45″, longitude 86°45′45″; thence East to latitude 30°42′50″, longitude 86°38′02″; thence South to latitude 30°29′01″, longitude 86°38′02″; thence West to latitude 30°29′01″, longitude 86°42′55″; thence Southwest to latitude 30°26′40″, longitude 86°45′38″; thence South to latitude 30°20′30″, longitude 86°45′38″; thence Westerly and three nautical miles from the shoreline to latitude 30°20′15″, longitude 86°48′00″; thence North to latitude 30°25′00″, longitude 86°48′00″; thence Westerly along U. S. Highway 98 to latitude 30°24′15″, longitude 86°52′00″; thence along the Navarre-Milton Highway to latitude 30°33′40″, longitude 86°55′00″, the point of beginning".

This amendment shall be effective 0001 July 4, 1957.

3. Section 608.25, the Camp Breckenridge, Kentucky, area (R-51) amended October 31, 1951 in 16 F. R. 11066, is further amended by changing the "Designated Altitudes" column to read: "From surface to 30,000 feet MSL".

This amendment shall be effective upon publication in the FEDERAL REGISTER.

4. Section 608.58, the Guernsey, Wyoming, temporary restricted area amended May 24, 1955 in 20 F. R. 3583 is redesignated as follows:

Name and location (chart)	Description by geographical coordinates	Designated altitudes	Time of designation	Controlling agency
Camp Guernsey, Wyoming temporary restricted area (R-413) (Casper—sectional chart)	"Beginning at latitude 42°30′00″, longitude 104°54′30″; thence to latitude 42°30′00″, longitude 104°44′00″; thence to latitude 42°18′00″, longitude 104°44′00″; thence to latitude 42°18′00″, longitude 104°50′00″; thence to latitude 42°22′00″, longitude 104°53′30″, thence to point of beginning."	Surface to 30,000 feet mean sea level	Daily, 0700-2200 hours (MST)	Adjutant General, Wyoming National Guard, Cheyenne, Wyo.

This amendment shall be effective June 9 through June 22, 1957, and August 17 through August 31, 1957.

(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.

MAY 24, 1957.

[F. R. Doc. 57-4432; Filed, May 31, 1957; 8:45 a. m.]

[Amdt. 251]

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			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
Hadley Int	BAF-LFR (Final)	Direct	2000	T-d*	700-1	700-1	700-1
				T-n*	700-2	700-2	700-2
				C-d	800-1	800-2	800-2
				C-n	800-2	800-2	800-2
				S-d-20	800-1	800-1½	800-1½
				S-n-20	800-2	800-2	800-2
				A-dn	1500-2	1500-2	1500-2

*800-1 day, 800-2 night required for take-off to E on Runway 9 and SE on Runway 15.
Procedure turn W side N crs, 023 Outbnd, 203 Inbnd, 3000′ within 10 mi.
Minimum altitude over facility on final approach crs, 2000′.
Crs and distance, facility to airport, 203—4.8.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 mi, make a climbing right turn, continue to climb returning to the Westfield LFR, hold N 203 Inbnd, 023 Outbnd, right hand pattern at 3000′.
AIR CARRIER NOTE: No reduction for ceiling and visibility is authorized for take-offs or landings.

City, Westfield; State, Mass; Airport Name, Barnes; Elev, 270′; Fac Class, SBMRLZ; Ident, BAF; Procedure No. 1, Amdt 5; Eff Date, 29 Jun 57; Sup Amdt No. 4; Dated, 22 Dec 56

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			
					2-engine or less		More than 2-engine, more than 65 knots
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	
Amarillo VOR	TDW-MHW	Direct	5000	T-dn	300-1	NA	NA
Amarillo LFR	TDW-MHW	Direct	5000	C-dn	700-1	NA	NA
Bivins Int	TDW-MHW	Direct	5300	A-dn	NA	NA	NA
Panhandle Int	TDW-MHW	Direct	4900				
Conway Int	TDW-MHW	Direct	4900				
Claude Int	TDW-MHW	Direct	4900				
Palo Duro Int	TDW-MHW	Direct	4900				
Tower Int	TDW-MHW	Direct	5000				
Sam Int	TDW-MHW	Direct	5300				

Teardrop procedure turn, 095 outbnd, 257 inbnd, 4900′ within 10 mi. NA beyond 10 mi.
Minimum altitude over facility on final approach course, 4400′.
Crs and distance, facility to airport, 254—3.1.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.3 mi after passing TDW, climb to 5000′ on crs of 257° within 20 mi.
NOTE: Air carrier use Not Authorized.

City, Amarillo; State, Tex; Airport Name, Tradewind; Elev, 3636′; Fac Class, MHW; Ident, TDW; Procedure No. 1, Orig; Eff Date, 29 Jun 57;

Int NE crs Greensboro LFR & 327° Brng to DAN BMH.	DAN-BMH	Direct	1600	T-dn	300-1	300-1	200-½
South Boston Int	DAN-BMH	Direct	1600	C-dn	500-1	500-1	500-1½
Int NE crs Greensboro LFR & 012 Brng to DAN BMH.	DAN-BMH	Direct	1600	A-dn	800-2	800-2	800-2
South Boston VOR	DAN-BMH	Direct	1600				

Procedure turn N side of crs, 061 Outbnd, 241 Inbnd, 1600′ within 10 miles.
Minimum altitude over facility on final approach crs, 1100′.
Facility at airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 miles, make a left turn, climbing to 2000′ on a heading of 120; and return to Danville BMH.

City, Danville; State, Va; Airport Name, Danville; Elev, 582′; Fac Class, BMH; Ident, DAN; Procedure No. 1, Amdt 4; Eff Date, 29 Jun 57; Sup Amdt No. 3; Dated, 8 Aug 56

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			
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	
Windsor LFR	Windsor VOR	Direct	2700	T-dn@	500-1	500-1	500-1
				C-dn#	700-1	700-1	700-1½
				A-dn#	800-2	800-2	800-2

@300-1 take-off authorized Rny-33 only.
Procedure turn East side of course, 170 Outbnd, 350 Inbnd, 2700′ within 10 miles.
Minimum altitude over QG VOR on final approach, 2700′.
#Maintain 2700′ until passing Int*, after which descend to authorized minimums.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.0 miles after passing Int*, climb to 2300′ on NW crs Windsor LFR to Warren Int.
*Int. R-350 QG and R-081 YIP or brng 255 to RML LFR.
NOTE: Dual VOR or VOR and ADF receivers required for this procedure.
AIR CARRIER NOTE: Sliding scale not authorized.

City, Detroit; State, Mich; Airport Name, Detroit City; Elev, 626′; Fac Class, BVOR; Ident, QG; Procedure No. 1, Orig; Eff Date, 29 Jun 57

				T-dn	300-1	300-1	
				C-dn	500-1	500-1	
				S-dn-24	500-1	500-1	
				A-dn	800-2	800-2	

Procedure turn N side of crs, 045 Outbnd, 225 Inbnd, 3500′ within 10 miles.
Minimum altitude over HKY VOR on final approach crs, 2500′. Minimum altitude over Taylorsville FM on final approach crs, 1900′*.
Crs and distance, VOR to airport, 225—10.7. Crs and distance Taylorsville FM to airport, 225—5.7*.
*If Taylorsville FM not received, descent below 1900′ not authorized.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 10.7 miles after passing VOR, turn right, climb to 3500′, returning to HKY VOR on R-225.

City, Hickory; State, N C; Airport Name, Municipal; Elev, 1167′; Fac Class, BVOR; Ident, HKY; Procedure No. 1, Amdt 1; Eff Date, 29 May 57; Sup Amdt No. Orig; Dated, 30 Mar 57

PUB LFR	PUB-VOR	Direct	6600	T-dn*	300-1	300-1	200-½
COB LOM	PUB-VOR	Direct	7000	C-d	600-1	600-1	600-1½
ELL MHW	PUB-VOR	Direct	7500	C-n	600-1	600-2	600-2
				S-dn-26	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

*300-1 required for runways 26 and 35.
Procedure turn N side of crs, 076 Outbnd, 256 Inbnd, 6000′ within 10 miles.
Minimum altitude over facility on final approach crs, 5400′.
Crs and distance, facility to airport, 256—4.2.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles, make left climbing turn to 135 mag. hdg., intercept R-161 PUB VOR climbing to 7000′ Outbnd on R-161 within 20 miles.
NOTE: Alternate missed approach when directed by ATC, make left climbing turn, return to PUB VOR, continue climb to 6500′ on R-348 PUB within 15 miles.

City, Pueblo; State, Colo; Airport Name, Pueblo Memorial; Elev, 4725′; Fac Class, BVOR; Ident, PUB; Procedure No. 1, Amdt 2; Eff Date, 29 Jun 57; Sup Amdt No. 1; Dated, 24 Mar 56

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			
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	
HUA VOR	HSV VOR	Direct	2500	T-dn	300-1	300-1	300-1
HSV VOR	Ballard Int%	Direct	2200	S-d-17	500-1	500-1	500-1
Ballard Int%	Rocket FM@ or abeam HUA RBn	Direct	2000	S-n-17	600-2	600-2	600-2
Rocket FM@ or abeam HUA RBn	HUA VOR	Direct	1200	C-d	900-1	900-1	900-1½
				C-n	900-2	900-2	900-2
				A-dn	1000-2	1000-2	1000-2

%Ballard Int: Int R-351 HUA & R-238 HSV.
@Rocket FM: Continuous dots on 400 cycles—located at Redstone (HUA) RBn site.
Procedure turn W side of crs, 351 Outbnd, 171 Inbnd, 2500′ within 10 miles N of Rocket FM@ or abeam HUA RBn.
Minimum altitude over facility on final approach crs, VOR 1200′#. Distance, Rocket FM@ or abeam HUA-RBn to Rny, 3.2.
#Maintain 2000′ MSL until after passing abeam HUA RBn or Rocket M@ inbound on final.
Crs and distance, breakoff point to app end Rny 17, 167—0.8.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over HUA VOR, turn right and climb to 2500′ on R-351.
NOTE: Military authority required. Airport not available to the general public.

City, Huntsville; State, Ala; Airport Name, Redstone (Army); Elev, 679′; Fac Class, VOR; Ident, HUA; Procedure No. TerVOR-17, Amdt 1; Eff Date, 29 Jun 57; Sup Amdt No. Orig; Dated, 22 Dec 56

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition: From—	Transition: To—	Transition: Course and distance	Transition: Minimum altitude (feet)	Ceiling and visibility minimums: 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
HSV VOR	HUA VOR	Direct	2500	T-dn	300-1	300-1	300-1
				S-d-35#	500-1	500-1	500-1
				S-n#	600-2	600-2	600-2
				C-d#	900-1	900-1	900-1½
				C-n#	900-2	900-2	900-2
				A-dn#	1000-2	1000-2	1000-2

#If Whitesburg FM not received, descent below 1800′ MSL not authorized. Whitesburg FM transmits continuous dots on 3000 cycles and is located at 34-35-05 N, 86-40-05 W.
Procedure turn East side of crs, 166 Outbnd, 346 Inbnd, 2500′ within 10 mi S of Whitesburg FM.
Minimum altitude over Whitesburg FM on final approach, 1800′#.
Minimum altitude over HUA VOR on final, 1200′. Distance, Whitesburg FM to HUA VOR, 5.2.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over HUA VOR, climb to 2500′ on R-351 HUA.
NOTE: Military authority required. Airport not available to general public.

City, Huntsville; State, Ala; Airport Name, Redstone (Army); Elev, 679′; Fac Class, VOR; Ident, HUA; Procedure No. TerVOR-35, Orig; Eff Date, 29 Jun 57

Transition: From—	Transition: To—	Transition: Course and distance	Transition: Minimum altitude (feet)	Ceiling and visibility minimums: 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
OAK-LFR	SJC-VOR	Direct	3000	*T-dn	300-1	300-1	300-1
SFO-LFR	SJC-VOR	Direct	2000	C-dn	600-1	600-1	600-1½
SFO-LOM	SJC-VOR	Direct	2000	S-dn	600-1	600-1	600-1
Moffett LFR	SJC-VOR	Direct	1700	A-dn	800-2	800-2	800-2
Evergreen FMHW	SJC-VOR	Direct	1700				
Saratoga Int	SJC-VOR	Direct	4500				
Mission Int	SJC-VOR	Direct	3000				
Campbell Int	SJC-VOR	Direct	1700				
Hillview Int	SJC-VOR	Direct	3500				
Int R-104 SFO, NE crs NUQ-LFR & R-311 SJC.	SJC-VOR (Final)	Direct	700				

MANDATORY NOTE: Transitions to SJC-VOR above 2500′ must descend to 2500′ in one-minute, left turn holding pattern on R-131 before executing procedure turn.
*500-1 required when taking off on Rny 12.
Procedure turn West side of crs, 311° Outbnd, 131° Inbnd, 1600′ within 7 miles. NA beyond 7 miles, due to conflict with SFO LOM holding pattern.
Minimum altitude over facility on final approach, 700′.
Crs and distance, break-off point to Rny 12, 122—0.43.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 miles, climb to 2500′ in a one-minute left turn holding pattern SE of San Jose VOR on R-131**.
**CAUTION: 3000′ terrain 12 mi S of SJC-VOR (one mile S of missed approach holding pattern).

City, San Jose; State, Calif; Airport Name, San Jose Mun; Elev, 62′; Fac Class, VOR; Ident, SJC; Procedure No. TerVOR-12, Orig; Eff Date, 29 Jun 57

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: From—	Transition: To—	Transition: Course and distance	Transition: Minimum altitude (feet)	Ceiling and visibility minimums: 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
Jackson VOR via R-211	OM	Direct	1500	T-dn	300-1	300-1	200-½
Jackson LFR via crs 256	OM	Direct	1500	C-dn	500-1	500-1	500-1½
Int W crs Jackson LFR & NW crs ILS	OM	Direct	1500	S-dn*-11	200-½	200-½	200-½
Int S crs Jackson LFR & SE crs ILS	OM	Direct	2100	A-dn	600-2	600-2	600-2

*400-¾ required when glide slope not utilized.
Procedure turn S side NW crs, 288 Outbnd, 108 Inbnd, 1500′ within 10 miles.
Minimum altitude at G. S. int inbnd, 1500′.
Altitude of G. S. and distance to appr end of rny at OM 1490—3.8, at MM 533—0.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn left, climb to 1800′ on E crs JAN LFR or R-088 JAN within 20 miles, or when directed by ATC, turn right, climb to 2100′ on S crs JAN LFR or R-156 JAN within 20 mi.
NOTE: Tower 1051 MSL located 3.5 mi SW of airport.

City, Jackson; State, Miss; Airport Name, Hawkins; Elev, 343′; Fac Class, ILS; Ident, I-JAN; Procedure No. 1, Amdt 13; Eff Date, 29 Jun 57; Sup Amdt No. 12; Dated, 14 Jun 54

Transition: From—	Transition: To—	Transition: Course and distance	Transition: Minimum altitude (feet)	Ceiling and visibility minimums: 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
Lake Charles LFR	LOM	Direct	1500	T-dn	300-1	300-1	200-½
Lake Charles VOR	LOM	Direct	1500	C-dn	500-1	500-1	500-1½
				S-dn-15:			
				ILS#	300-¾	300-¾	300-¾
				ADF*	500-1	500-1	500-1½
				A-dn:			
				ILS	600-2	600-2	600-2
				ADF	800-2	800-2*	800-2

*ADF descent below 600′ MSL not authorized until past LMM.
#When ILS glide slope not used 500-¾ required, and descent below 600′ MSL not authorized until past LMM.
Procedure turn W side NW crs, 326 Outbnd, 146 Inbnd, 1500′ within 10 mi. NA beyond 10 mi.
Minimum altitude at G. S. Int. inbnd, 1500′ ILS. Minimum altitude over LOM on final, 1000′ ADF.
Altitude of G. S. and distance to approach end of Rny 15 at OM, 1515—5.4; at MM 205—0.5.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 mi after passing LOM (ADF), climb to 1300′ on SE crs ILS (146) within 20 mi.
AIR CARRIER NOTE: No approach lights. 200-½ ILS straight-in landing minima authorized when the runway length available exceeds by 3000′ the runway length required by the applicable aircraft performance requirements of the CAR's and the high intensity runway lights are operating on the entire length of the runway.

City, Lake Charles; State, La; Airport Name, Lake Charles AFB/Mun; Elev, 19′; Fac Class, ILS LOM; Ident, I-LCH LC; Procedure No. 1, Orig, Comb ILS-ADF; Eff Date 29 Jun 57; Sup Amdt No. "Special," Orig; Dated, 18 Nov 54

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
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
Medford LFR	LOM	Direct	6000	T-dn	300-1	300-1	300-1
Medford VOR	LOM	Direct	6000	C-dn	1000-2	1000-2	1000-2
Tiller FM via crs 165	ILS N crs (Final)	Direct	6000	S-dn-14	300-¾	300-¾	300-¾
				A-dn	1000-2	1000-2	1000-2

Procedure turn E side N crs 319 Outbnd, 139 Inbnd, 6000′ within 10 mi of Evans Creek FM (nonstandard due to terrain).
Minimum altitude at glide slope int inbnd; 6000′.
Altitude of glide slope and distance to approach end of runway at OM—2852—4.7; at MM—1541—0.6.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished turn right, climb to 6000′ on N crs ILS within 5 mi of LMM.

City, Medford; State, Oreg; Airport Name, Medford; Elev, 1330′; Fac Class, ILS; Ident, I-MFR; Procedure No. 1, Amdt 2; Eff Date, 29 Jun 57; Sup Amdt No. 1; Dated, 1 Jan 55

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 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.

Radar terminal area maneuvering sectors and altitudes														Ceiling and visibility minimums			
From	To	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	Dist.	Alt.	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
															Surveillance Approach		
0	60	5	3500	10	4000	15	5000	20	5000	25	5000	30	7000	T-dn 3-21	300-1	300-1	200-½
60	90	5	3500	10	4000	15	5000	20	5800	25	6500	30	6500	C-d 3-21	500-1	500-1	500-1½
90	157	5	4000	10	4000	15	4000	20	4000	25	4500	30	5000	C-n 3-21	600-1	600-1	600-1½
157	177	5	4000	10	4000	15	4000	20	4000	25	4000	30	4000	A-dn 3-21	800-2	800-2	800-2
177	193	5	4000	10	4000	15	4000	20	4000	25	4500	30	5000				
193	213	5	4000	10	4000	15	4000	20	4500	25	5000	30	5500				
213	270	5	4000	10	4000	15	4000	20	4000	25	4000	30	4000				
270	300	5	3500	10	4000	15	4000	20	4000	25	5000	30	5000				
300	360	5	3500	10	4000	15	5000	20	5000	25	5060	30	5500				

All bearings are from the radar site with sector azimuths progressing clockwise.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 4500′ on North crs Spokane LFR within 20 miles or when directed by ATC, proceed to LOM climbing to 4000′; hold on 205 crs from LOM within 20 miles; or climb to 4500′ on R-360 GEG within 20 miles; all turns West side, of crs.

City, Spokane; State, Wash; Airport Name, Geiger Field; Elev, 2372′; Fac Class, Fairchild AFB; Ident, RAPCON; Procedure No. 1, Orig; Eff Date, 29 Jun 57

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.

MAY 24, 1957.

[F. R. Doc. 57-4431; Filed, May 31, 1957; 8:45 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM COMPETITIVE SERVICE

HOUSING AND HOME FINANCE AGENCY

Effective upon publication in the FEDERAL REGISTER, subparagraphs (3), (4) and (5) of paragraph (c) of § 6.142 are revoked, and subparagraph (13) is added to paragraph (b) of § 6.342 as set out below.

§ 6.342 *Housing and Home Finance Agency.* * * *

(b) *Federal Housing Administration.* * * *

(13) Assistant Commissioner for Title I.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 57-4458; Filed, May 31, 1957; 8:50 a. m.]

PART 6—EXCEPTIONS FROM COMPETITIVE SERVICE

FEDERAL MEDIATION AND CONCILIATION SERVICE

Effective upon publication in the FEDERAL REGISTER, paragraph (f) is added to § 6.346 as set out below.

§ 6.346 *Federal Mediation and Conciliation Service.* * * *

(f) One Private Secretary to the Special Assistant to the Director.

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

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 57-4443; Filed, May 31, 1957; 8:47 a. m.]

PART 25—FEDERAL EMPLOYEES' PAY REGULATIONS

ADDITIONAL COMPENSATION

Effective as of the first day of the first pay period which begins after June 30, 1957, § 25.254 (a) (1) is amended as set out below.

§ 25.254 *Rates of additional compensation payable under section 25.251.* (a) * * *

(1) Positions with tours of duty of the 24 hours on duty, 24 hours off duty type and with a schedule of: 60 hours a week—5 percent, unless 25 or more hours of actual work is customarily required, in which event—10 percent; 72 hours a week—15 percent, unless 24 or more hours of actual work is customarily required, in which event—20 percent; 84 hours or more a week—25 percent.

(Sec. 605, 59 Stat. 304, 5 U. S. C. 945. Interprets or applies sec. 208, 68 Stat. 1111; 5 U. S. C. 926)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 57-4442; Filed, May 31, 1957; 8:47 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

Subchapter A—Meat Inspection Regulations

PART 16—MARKING, BRANDING, AND IDENTIFYING PRODUCTS

PART 17—LABELING

PART 18—REINSPECTION AND PREPARATION OF PRODUCTS

MISCELLANEOUS AMENDMENTS

On August 18, 1956, and February 2, 1957, there were published in the FEDERAL REGISTER (21 F. R. 6243, 22 F. R. 707) notices of proposed amendments of the Federal Meat Inspection regulations. After due consideration of all relevant matters submitted in connection with the notices and pursuant to the authority conferred by the Meat Inspection Act, as amended (21 U. S. C. 71-91) and section 306 of the Tariff Act of 1930 (19 U. S. C. 1306), §§ 16.13, 17.2, 17.8, 17.9 and 18.7 of the regulations (9 CFR 16.13, 17.2, 17.8, 17.9 and 18.7) are hereby further amended as follows:

1. Section 16.13 (e) is amended to read:

(e) When approved antioxidants are added to unsmoked dried sausage in casings the product shall be legibly and conspicuously marked in an approved manner to show their presence and the purpose for which they are added, for example, with the statement "oxygen interceptor added to improve stability".

2. Section 17.2 (b) (2) is amended by deleting the reference to "dried skim milk" and substituting therefor a reference to "nonfat dry milk".

3. Section 17.8 (c) (55) is amended by deleting therefrom the phrases "Chopped Ham" and "Chopped Ham With Natural Juices".

4. The heading and the first sentence in § 17.9 are amended to read, respectively:

§ 17.9 *Labeling product prepared with artificial coloring, artificial flavoring, antioxidants or preservatives.* Product which bears or contains any artificial coloring, artificial flavoring, antioxidants, or preservatives as permitted under parts 1 through 29 of this subchapter shall bear labeling stating that fact.

5. Section 17.9 (d) is amended to read:

(d) When an antioxidant is added to product as permitted under parts 1 through 29 of this subchapter there shall appear on the label in prominent letters and contiguous to the name of product, a statement showing that fact and the purpose for which it is added, such as, "oxygen interceptor added to improve stability", except as otherwise provided in Part 28 of this subchapter.

6. The heading of § 18.7 is amended to read: *"Use in preparation of meat food products of chemicals, antioxidants, coloring matter, flavoring, water, ice, cereal, vegetable starch, nonfat dry milk, etc."*

7. Section 18.7 (d) is amended by changing the word "preservatives" to "antioxidants" and the phrase "a preservative" to "an antioxidant" wherever they appear therein.

8. Section 18.7 (m) is amended by adding a new proviso following the first proviso: *"And provided further,* That when coloring matter or dyes are added to meat fat shortening containing artificial flavoring, the product shall be packed in conventional, round, shortening containers having a capacity no greater than 3 lbs."

The foregoing amendments change the nomenclature from "preservatives" to "antioxidants" for the class of ingredients used to retard the development of rancidity in fats and provide for more informative labeling for products containing such ingredients. The amendments further coordinate the regulations with recent legislation (Pub. Law 646, 84th Congress) prescribing new nomenclature for the product heretofore referred to in the regulations as dried skim milk. The amendments delete from one regulation an unnecessary reference to chopped ham which is subject to other provisions of the regulations. The amendments also require a specified type of package when meat fat shortening contains certain ingredients. The amendments were preceded by two notices of rule-making and views of interested parties have been fuly developed. Differences in the amendments from the proposals stated in the notices are due to modifications suggested by affected parties and the modifications are deemed to be in the public interest. The amendments should be made effective as soon as possible to be of maximum benefit to persons affected and the public generally. Accordingly, under section 4 of the Administrative Procedures Act (5 U. S. C. 1003), it is found upon good cause that further notice of rule-making and public procedure on the amendments is impracticable and unnecessary and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

The amendments shall become effective June 1, 1957.

(Ch. 2907, 34 Stat. 1264, sec. 306, 46 Stat. 689; 19 U. S. C. 1306, 21 U. S. C. 89)

Done at Washington, D. C., this 27th day of May 1957.

[SEAL] M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[F. R. Doc. 57-4445; Filed, May 31, 1957; 8:47 a. m.]

PART 29—INSPECTION AND HANDLING OF HORSE MEAT AND PRODUCTS THEREOF

ELIGIBILITY OF FOREIGN COUNTRIES FOR IMPORTATION OF HORSE MEAT AND HORSE MEAT PRODUCTS INTO THE UNITED STATES

Pursuant to the authority conferred by paragraphs 306 (b) and (c) of the Tariff Act of 1930 (19 U. S. C. 1306 (b) and (c)), the Horse Meat Act (21 U. S. C. 96), and the Meat Inspection Act (21 U. S. C. 71 et seq.), § 29.10 of the Meat Inspection Regulations (9 CFR 29.10) is hereby amended to read as follows:

§ 29.10 *Eligibility of foreign countries for importation of horse meat and horse meat food products into the United States.* (a) Whenever it shall be determined that the system of horse meat inspection maintained by any foreign country is the substantial equivalent of, or is as efficient as, the system established and maintained by the United States, and that reliance can be placed upon certificates required under this part from authorities of such foreign country, notice of that fact will be given by including the name of such foreign country in paragraph (b) of this section, and thereafter horse meat and horse meat food products as to which the foreign inspection and certification is determined to be sufficient shall be eligible for importation into the United States from such foreign country, as provided in paragraph (b) of this section. Horse meat and horse meat food products from foreign countries not listed in paragraph (b) of this section are not eligible for importation into the United States. The listing of any foreign country under this section may be withdrawn whenever it shall be determined (1) that the system of horse meat inspection maintained by such foreign country is not the substantial equivalent of, or is not as efficient as, the system established and maintained by the United States, or that reliance cannot be placed upon certificates required under this part from authorities of such foreign country; or (2) that, for lack of current information concerning the system of horse meat inspection being maintained by such foreign country or for any other reason, such foreign country should reestablish its eligibility for listing.

(b) It has been determined that horse meat and horse meat food products from the following foreign countries covered by foreign horse meat inspection certificates of the country of origin as required by § 29.11 are eligible for importation into the United States after inspection and marking as required by the applicable provisions of Parts 1 through 29 of this subchapter and upon compliance with any requirements of the Animal Inspection and Quarantine

Division of the Agricultural Research Service.

Mexico.

The foregoing amendment will relieve restrictions by permitting the importation, heretofore barred, of horse meat and horse meat food products from Mexico which has now been found to have an adequate horse meat inspection system. In order to be of maximum benefit to affected persons, the amendment should be made effective as soon as possible. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest. Since the amendment relieves restrictions, it may be made effective under said section 4 less than 30 days after its publication in the FEDERAL REGISTER.

(34 Stat. 1264, 41 Stat. 241, sec. 306, 46 Stat. 689; 19 U. S. C. 1306, 21 U. S. C. 89, 96)

The amendment shall become effective on June 1, 1957. Done at Washington, D. C., this 28th day of May 1957.

[SEAL] M. R. CLARKSON,
Acting Administrator, Agricultural Research Service.

[F. R. Doc. 57-4444; Filed, May 31, 1957; 8:47 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

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

Subchapter D—Multifamily and Group Housing Insurance

PART 232—MULTIFAMILY HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING MULTIFAMILY HOUSING

PART 241—COOPERATIVE HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS FOR PROJECT MORTGAGE

INFORMATION FOR PRELIMINARY EXAMINATION; APPLICATION AND COMMITMENT FEES

1. In § 232.1 paragraph (b) (1) is amended to read as follows:

§ 232.1 *Information for preliminary examination.* * * *

(b) (1) A further sum, referred to as commitment fee, which when added to the application fee will aggregate $3.00 per thousand of the face amount of the mortgage loan set forth in the commitment shall be paid within 30 days subsequent to the date of the commitment, or within such additional period of time as may be agreed to in writing by the Commissioner.

(Sec. 211, 52 Stat. 23; 12 U. S. C. 1715b. Interprets or applies sec. 207, 52 Stat. 16, as amended; 12 U. S. C. 1713)

2. In § 241.3 paragraph (b) (1) is amended to read as follows:

§ 241.3 *Application and commitment fees.* * * *

(b) (1) A further sum, referred to as commitment fee, which when added to the application fee will aggregate $3.00 per thousand of the face amount of the mortgage loan set forth in the commitment shall be paid within 30 days subsequent to the date of the commitment, or within such additional period of time as may be agreed to in writing by the Commissioner.

(Sec. 211, 52 Stat. 23; 12 U. S. C. 1715b. Interpret or apply sec. 213, 64 Stat. 54, as amended; 12 U. S. C. 1715e)

Issued at Washington, D. C., May 28, 1957.

NORMAN P. MASON,
Federal Housing Commissioner.

[F. R. Doc. 57-4455; Filed, May 31, 1957; 8:49 a. m.]

TITLE 26—INTERNAL REVENUE, 1954

Chapter I—Internal Revenue Service, Department of the Treasury

[T. D. 6235]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

DEDUCTION FOR SOIL AND WATER CONSERVATION EXPENDITURES

On June 29, 1956, notice of proposed rule making regarding the regulations for taxable years beginning after December 31, 1953, and ending after August 16, 1954, under section 175 of the Internal Revenue Code of 1954 was published in the FEDERAL REGISTER (21 F. R. 4814). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the following regulations are hereby adopted. Such regulations supersede paragraph 6 of Treasury Decision 6118, approved December 30, 1954 (19 F. R. 9896; 26 CFR (1954), Parts 1 to 220 (1955 Rev.), par. 6, p. 25):

AUTHORITY: §§ 1.175 to 1.175-6 issued under sec. 7805, 68A Stat. 917; 26 U. S. C. 7805.

§ 1.175 *Statutory provisions; soil and water conservation expenditures.*

SEC. 175. *Soil and water conservation expenditures*—(a) *In general.* A taxpayer engaged in the business of farming may treat expenditures which are paid or incurred by him during the taxable year for the purpose of soil or water conservation in respect of land used in farming, or for the prevention of erosion of land used in farming, as expenses which are not chargeable to capital account. The expenditures so treated shall be allowed as a deduction.

(b) *Limitation.* The amount deductible under subsection (a) for any taxable year shall not exceed 25 percent of the gross income derived from farming during the taxable year. If for any taxable year the total of the expenditures treated as expenses which are not chargeable to capital account exceeds 25 percent of the gross income derived from farming during the taxable year, such excess shall be deductible for succeeding taxable years in order of time; but the amount deductible under this section for any one such succeeding taxable year (including the expenditures actually paid or incurred during the taxable year) shall not exceed 25 percent of the gross income derived from farming during the taxable year.

(c) *Definitions.* For purposes of subsection (a)—

(1) The term "expenditures which are paid or incurred by him during the taxable year for the purpose of soil or water conservation in respect of land used in farming, or for the prevention of erosion of land used in farming" means expenditures paid or incurred for the treatment or moving of earth, including (but not limited to) leveling, grading and terracing, contour furrowing, the construction, control, and protection of diversion channels, drainage ditches, earthen dams, watercourses, outlets, and ponds, the eradication of brush, and the planting of windbreaks. Such term does not include—

(A) The purchase, construction, installation, or improvement of structures, appliances, or facilities which are of a character which is subject to the allowance for depreciation provided in section 167, or

(B) Any amount paid or incurred which is allowable as a deduction without regard to this section.

Notwithstanding the preceding sentences, such term also includes any amount, not otherwise allowable as a deduction, paid or incurred to satisfy any part of an assessment levied by a soil or water conservation or drainage district to defray expenditures made by such district which, if paid or incurred by the taxpayer, would without regard to this sentence constitute expenditures deductible under this section.

(2) The term "land used in farming" means land used (before or simultaneously with the expenditures described in paragraph (1)) by the taxpayer or his tenant for the production of crops, fruits, or other agricultural products or for the sustenance of livestock.

(d) *When method may be adopted*—(1) *Without consent.* A taxpayer may, without the consent of the Secretary or his delegate, adopt the method provided in this section for his first taxable year—

(A) Which begins after December 31, 1953, and ends after the date on which this title is enacted, and

(B) For which expenditures described in subsection (a) are paid or incurred.

(2) *With consent.* A taxpayer may, with the consent of the Secretary or his delegate, adopt at any time the method provided in this section.

(e) *Scope.* The method adopted under this section shall apply to all expenditures described in subsection (a). The method adopted shall be adhered to in computing taxable income for the taxable year and for all subsequent taxable years unless, with the approval of the Secretary or his delegate, a change to a different method is authorized with respect to part or all of such expenditures.

§ 1.175-1 *Soil and water conservation expenditures; in general.* Under section 175, a farmer may deduct his soil or water conservation expenditures which do not give rise to a deduction for depreciation and which are not otherwise deductible. The amount of the deduction is limited annually to 25 percent of the taxpayer's gross income from farming. Any excess may be carried over and deducted in succeeding taxable years. As a general rule, once a farmer has adopted this method of treating soil and water conservation expenditures, he must deduct all such expenditures (subject to the 25-percent limitation) for the current and subsequent taxable years. If a farmer does not adopt this method, such expenditures increase the basis of the property to which they relate.

§ 1.175-2 *Definition of soil and water conservation expenditures* — (a) *Expenditures treated as a deduction.* (1) The method described in section 175 applies to expenditures paid or incurred for the purpose of soil or water conservation in respect of land used in farming, or for the prevention of erosion of land used in farming, but only if such expenditures are made in the furtherance of the business of farming. More specifically, a farmer may deduct expenditures made for these purposes which are for (i) the treatment or moving of earth, (ii) the construction, control, and protection of diversion channels, drainage ditches, irrigation ditches, earthen dams, watercourses, outlets, and ponds, (iii) the eradication of brush, and (iv) the planting of windbreaks. Expenditures for the treatment or moving of earth include but are not limited to expenditures for leveling, conditioning, grading, terracing, contour furrowing, and restoration of soil fertility.

(2) The following are examples of soil and water conservation: (i) Constructing terraces, or the like, to detain or control the flow of water, to check soil erosion on sloping land, to intercept run-off, and to divert excess water to protected outlets; (ii) constructing water detention or sediment retention dams to prevent or fill gullies, to retard or reduce run-off of water, or to collect stock water; and (iii) constructing earthen floodways, levies, or dikes, to prevent flood damage to farmland.

(b) *Expenditures not subject to section 175 treatment.* (1) The method described in section 175 applies only to expenditures for nondepreciable items. Accordingly, a taxpayer may not deduct expenditures for the purchase, construction, installation, or improvement of structures, appliances, or facilities subject to the allowance for depreciation. Thus, the method does not apply to depreciable nonearthen items such as those made of masonry or concrete (see section 167). For example, expenditures in respect of depreciable property include those for materials, supplies, wages, fuel, hauling, and dirt moving for making structures such as tanks, reservoirs, pipes, conduits, canals, dams, wells, or pumps composed of masonry, concrete, tile, metal, or wood. Similarly, the method is not applicable to expenditures for fertilizer effective substantially longer than one year, since such expenditures are also depreciable. However, the method applies to expenditures for earthen items which are not subject to a depreciation allowance. For example, expenditures for earthen terraces and dams which are nondepreciable are deductible under section 175.

(2) The method does not apply to expenses deductible apart from section 175. Adoption of the method is not necessary in order to deduct such expenses in full without limitation. Thus, the method does not apply to interest (deductible under section 163), nor to taxes (deductible under section 164). It does not apply to expenses for the repair of completed soil or water conservation structures, such as costs of annual removal of sediment from a drainage ditch. It does not apply to expenditures paid or incurred primarily to produce an agricultural crop even though they incidentally conserve soil. Thus, the cost of fertilizer (the effectiveness of which does not last beyond one year) used to produce hay is deductible without adoption of the method described in section 175. However, the method would apply to expenses incurred to produce vegetation primarily to conserve soil or water or to prevent erosion. Thus, for example, the method would apply to such expenditures as the cost of dirt moving, lime, fertilizer, seed and planting stock used in gully stabilization, or in stabilizing severely eroded areas, in order to obtain a soil binding stand of vegetation on raw or infertile land.

(c) *Assessments.* The method applies also to that part of assessments levied by a soil or water conservation or drainage district to reimburse it for its expenditures which, if actually paid or incurred during the taxable year by the taxpayer directly, would be deductible under section 175. Depending upon the farmer's method of accounting, the time when the farmer pays or incurs the assessment, and not the time when the expenditures are paid or incurred by the district, controls the time the deduction must be taken. The provisions of this paragraph may be illustrated by the following example:

Example. In 1955 a soil and water conservation district levies an assessment of $700 upon a farmer on the cash method of accounting. The assessment is to reimburse the district for its expenditures in 1954. The farmer's share of such expenditures is as follows: $400 for digging drainage ditches for soil conservation and $300 for assets subject to the allowance for depreciation. If the farmer pays the assessment in 1955 and has adopted the method of treating expenditures for soil or water conservation as current expenses under section 175, he may deduct in 1955 the $400 attributable to the digging of drainage ditches as a soil conservation expenditure subject to the 25-percent limitation.

§ 1.175-3 *Definition of "the business of farming".* The method described in section 175 is available only to a taxpayer engaged in "the business of farming". A taxpayer is engaged in the business of farming if he cultivates, operates, or manages a farm for gain or profit, either as owner or tenant. For the purpose of section 175, a taxpayer who receives a rental (either in cash or in kind) which is based upon farm production is engaged in the business of farming. However, a taxpayer who receives a fixed rental (without reference to production) is engaged in the business of farming only if he participates to a material extent in the operation or management of the farm. A taxpayer engaged in forestry or the growing of timber is not thereby engaged in the business of farming. A person cultivating or operating a farm for recreation or pleasure rather than a profit is not engaged in the business of farming. For the purpose of this section, the term "farm" is used in its ordinary, accepted sense and includes stock, dairy, poultry, fruit, and truck farms, and also plantations, ranches, ranges, and orchards. A taxpayer is engaged in "the business of farming" if he is a member of a partnership engaged in the business of farming. See § 1.702-1 (a) (8) (i) and (c) (1) (iv).

§ 1.175-4 *Definition of "land used in farming".* (a) For the purpose of section 175, the term "land used in farming" means land which is used in the business of farming and which meets both of the following requirements:

(1) The land must be used for the production of crops, fruits, or other agricultural products or for the sustenance of livestock. The term "livestock" includes cattle, hogs, horses, mules, donkeys, sheep, goats, captive fur-bearing animals, chickens, turkeys, pigeons, and other poultry. It does not include fish, frogs, reptiles, and the like. Land used for the sustenance of livestock includes land used for grazing such livestock.

(2) The land must be or have been so used either by the taxpayer or his tenant at some time before, or at the same time as, the taxpayer makes the expenditures for soil or water conservation or for the prevention of the erosion of land. The taxpayer will be considered to have used the land in farming before making such expenditures if he or his tenant has employed the land in a farming use in the past. If the expenditures are made by the taxpayer in respect of land newly acquired from one who immediately prior to the acquisition was using it in farming, the taxpayer will be considered to be using the land in farming at the time that such expenditures are made, if the use which is made by the taxpayer of the land from the time of its acquisition by him is substantially a continuation of the use which was made of the land immediately prior to its acquisition. On the other hand, if the land is being initially prepared by the taxpayer in order to make it suitable for a particular farming use other than the one to which the land was devoted prior to its acquisition by the taxpayer, such land is not considered to be "land used in farming" at the time of its preparation.

(b) The provisions of paragraph (a) of this section may be illustrated by the following examples:

Example (1). A purchases an operating farm from B in the autumn after B has harvested his crops. At the time of such purchase the land is suitable for A's particular farming use without the necessity of making initial preparatory expenditures. Prior to spring plowing and planting when the land is idle because of the season, A makes certain soil and water conservation expenditures on this farm. At the time such expenditures are made the land is considered to be used by A in farming, and A may deduct such expenditures under section 175, subject to the other requisite conditions of such section.

Example (2). C acquires uncultivated land which he intends to develop for farming. Prior to putting this land into production it is necessary for C to clear brush, construct earthen terraces and ponds, and make other soil and water conservation expenditures. The land is not used in farming at the same time that such expenditures are made. Therefore, C may not deduct such expenditures under section 175.

Example (3). D acquires several tracts of land from persons who had used such land for grazing cattle. D intends to use the land for a citrus grove. In order to make the land suitable for this use, D constructs earthen terraces, builds drainage ditches and irrigation ditches, extensively treats the soil, and makes other soil and water conservation expenditures. The land is not used in farming by D at the time he makes such expenditures, but is being initially prepared for use as a citrus grove. Therefore, D may not deduct such expenditures under section 175.

§ 1.175-5 *Percentage limitation and carryover*—(a) *The limitation*—(1) *General rule*. The amount of soil and water conservation expenditures which the taxpayer may deduct under section 175 in any one taxable year is limited to 25 percent of his "gross income from farming".

(2) *Definition of "gross income from farming"*. For the purpose of section 175, the term "gross income from farming" means the gross income of the taxpayer, derived in "the business of farming" as defined in § 1.75-3, from the production of crops, fruits, or other agricultural products or from livestock (including livestock held for draft, breeding, or dairy purposes). It includes such income from land used in farming other than that upon which expenditures are made for soil or water conservation or for the prevention of erosion of land. It does not include gains from sales of assets such as farm machinery or gains from the disposition of land. A taxpayer shall compute his "gross income from farming" in accordance with his accounting method used in determining gross income. (See the regulations under section 61 relating to accounting methods used by farmers in determinig gross income.) The provisions of this subparagraph may be illustrated by the following example:

Example. A, who uses the cash receipts and disbursements method of accounting, includes in his "gross income from farming" for purposes of determining the 25-percent limitation the following items:

Proceeds from sale of his 1955 yield of corn	$10,000
Gain from disposition of old breeding cows replaced by younger cows	500
Total gross income from farming	10,500

A must exclude from "gross income from farming" the following items which are included in his gross income:

Gain from sale of tractor	$100
Gain from sale of 40 acres of taxpayer's farm	8,000
Interest on loan to neighboring farmer	100

(3) *Deduction qualifies for net operating loss deduction*. Any amount allowed as a deduction under section 175, either for the year in which the expenditure is paid or incurred or for the year to which it is carried, is taken into account in computing a net operating loss for such taxable year. If a deduction for soil or water conservation expenditures has been taken into account in computing a net operating loss carryback or carryover, it shall not be considered a soil or water conservation expenditure for the year to which the loss is carried, and therefore, is not subject to the 25-percent limitation for that year. The provisions of this subparagraph may be illustrated by the following example:

Example. Assume that in 1956 A has gross income from farming of $4,000, soil and water conservation expenditures of $1,600, and deductible farm expenses of $3,500. Of the soil and water conservation expenditures, $1,000 is deductible in 1956. The $600 in excess of 25 percent of A's gross income from farming is carried over into 1957. Assuming that A has no other income, his deductions of $4,500 ($1,000 plus $3,500) exceed his gross income of $4,000 by $500. This $500 will constitute a net operating loss which he must carry back two years and carry forward five years, until it has offset $500 of taxable income. No part of this $500 net operating loss carryback or carryover will be taken into account in determining the amount of soil and water conservation expenditures in the years to which it is carried.

(b) *Carryover of expenditures in excess of deduction*. The deduction for soil and water conservation expenditures in any one taxable year is limited to 25 percent of the taxpayer's gross income from farming. The taxpayer may carry over the excess of such expenditures over 25 percent of his gross income from farming into his next taxable year, and, if not deductible in that year, into the next year, and so on without limit as to time. In determining the deductible amount of such expenditures for any taxable year, the actual expenditures of that year shall be added to any such expenditures carried over from prior years, before applying the 25-percent limitation. Any such expenditures in excess of the deductible amount may be carried over during the taxpayer's entire existence. For this purpose in a farm partnership, since the 25-percent limitation is applied to each partner, not the partnership, the carryover may be carried forward during the life of the partner. The provisions of this paragraph may be illustrated by the following example:

Example. Assume the expenditures and income shown in the following table:

Year	Deductible soil and water conservation expenditures: Paid or incurred during taxable year	Deductible soil and water conservation expenditures: Carried forward from prior year	Total	25 percent of gross income from farming	Excess to be carried forward
1954	$900	None	$900	$800	$100
1955	1,000	$100	1,100	900	200
1956	None	200	200	1,000	None

The deduction for 1954 is limited to $800. The remainder, $100 ($900 minus $800), not being deductible for 1954, is a carryover to 1955. For 1955, accordingly, the total of the expenditures to be taken into account is $1,100 (the $100 carryover and the $1,000 actually paid in that year). The deduction for 1955 is limited to $900, and the remainder of the $1,100 total, or $200, is a carryover to 1956. The deduction for 1956 consists solely of this carryover of $200. Since the total expenditures, actual and carried-over, for 1956 are less than 25 percent of gross income from farming, there is no carryover into 1957.

§ 1.175-6 *Adoption or change of method*—(a) *Adoption without consent*. A taxpayer may, without consent, adopt the method of treating expenditures for soil or water conservation as expenses for the first taxable year:

(1) Which begins after December 31, 1953, and ends after August 16, 1954, and

(2) For which soil or water conservation expenditures described in section 175 (a) are paid or incurred.

Such adoption shall be made by claiming the deduction on his income tax return. For a taxable year ending prior to the adoption of regulations under this section, the adoption of the method described in section 175 shall be made by claiming the deduction on such return for that year, or by claiming the deduction on an amended return filed for that year within 90 days after the date of publication (following adoption) of such regulations in the FEDERAL REGISTER.

(b) *Adoption with consent*. A taxpayer may adopt the method of treating soil and water conservation expenditures as provided by section 175 for any taxable year to which the section is applicable if consent is obtained from the district director for the district in which the taxpayer's return is required to be filed.

(c) *Change of method*. A taxpayer who has adopted the method of treating expenditures for soil or water conservation, as provided by section 175, may change from this method and capitalize such expenditures made after the effective date of the change, if he obtains the consent of the district director for the district in which his return is required to be filed.

(d) *Request for consent to adopt or change method*. Where the consent of the district director is required under paragraph (b) or (c) of this section, the request for his consent shall be in writing, signed by the taxpayer or his authorized representative, and shall be filed not later than the date prescribed by law for filing the income tax return for the first taxable year to which the adoption of, or change of, method is to apply, or not later than 90 days after the date of publication in the FEDERAL REGISTER of the regulations under section 175 following their adoption, whichever is later. The request shall:

(1) Set forth the name and address of the taxpayer;

(2) Designate the first taxable year to which the method or change of method is to apply;

(3) State whether the method or change of method is intended to apply to all expenditures within the permissible scope of section 175, or only to a particular project or farm and, if the latter, include such information as will identify the project or farm as to which the method or change of method is to apply;

(4) Set forth the amount of all soil and water conservation expenditures paid or incurred during the first taxable year for which the method or change of method is to apply; and

(5) State that the taxpayer will make an accounting segregation in his books and records of the expenditures to which the election relates.

(e) *Scope of method.* Except with the consent of the district director as provided in paragraph (b) or (c) of this section, the taxpayer's method of treating soil and water conservation expenditures described in section 175 shall apply to all such expenditures for the taxable year of adoption and all subsequent taxable years. Although a taxpayer may have elected to deduct soil and water conservation expenditures, he may request an authorization to capitalize his soil and water conservation expenditures attributable to a special project or single farm. Similarly, a taxpayer who has not elected to deduct such expenditures may request an authorization to deduct his soil and water conservation expenditures attributable to a special project or single farm. The authorization with respect to the special project or single farm will not affect the method adopted with respect to the taxpayer's regularly incurred soil and water conservation expenditures. No adoption of, or change of, the method under section 175 will be permitted as to expenditures actually paid or incurred before the taxable year to which the method or change of method is to apply. Thus, if a taxpayer adopts such method for 1956, he cannot deduct any part of such expenditures which he capitalized, or should have capitalized, in 1955. Likewise, if a taxpayer who has adopted such method has an unused carryover of such expenditures in excess of the 25-percent limitation, and is granted consent to capitalize soil and water conservation expenditures beginning in 1956, he cannot capitalize any part of the unused carryover. The excess expenditures carried over continue to be deductible to the extent of 25 percent of the taxpayer's gross income from farming. No adjustment to the basis of land shall be made under section 1016 for expenditures to which the method under section 175 applies. For example, A has an unused carryover of soil and water conservation expenditures amounting to $5,000 as of December 31, 1956. On January 1, 1957, A sells his farm and goes out of the business of farming. The unused carryover of $5,000 cannot be added to the basis of the farm for purposes of determining gain or loss on its sale. In 1959, A purchases another farm and resumes the business of farming. In such year, A may deduct the amount of the unused carryover to the extent of 25 percent of his gross income from farming and may carry over any excess to subsequent years.

[SEAL] RUSSELL C. HARRINGTON,
Commissioner of Internal Revenue.

Approved: May 28, 1957.

DAN THROOP SMITH,
Deputy to the Secretary.

[F. R. Doc. 57-4454; Filed, May 31, 1957; 8:49 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 676—METAL, PLASTICS, MACHINERY, INSTRUMENT, TRANSPORTATION EQUIPMENT, AND ALLIED INDUSTRIES IN PUERTO RICO, MINIMUM WAGE ORDER

PART 690—MINIMUM WAGE RATES IN THE SMALL LEATHER GOODS AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

PART 691—MINIMUM WAGE RATES IN THE PEARL BUTTON INDUSTRY IN PUERTO RICO

PART 707—JEWEL-CUTTING AND POLISHING INDUSTRY IN PUERTO RICO

PART 709—BUTTON, JEWELRY, AND LAPIDARY WORK INDUSTRY IN PUERTO RICO, MINIMUM WAGE ORDER

PART 714—METAL HAIR ACCESSORIES INDUSTRY IN PUERTO RICO

REVOCATIONS AND WAGE ORDER GIVING EFFECT TO RECOMMENDATIONS

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), the Secretary of Labor by Administrative Order No. 476 (22 F. R. 1449) appointed, convened, and gave notice of the hearing of Industry Committee No. 29-A to recommend the minimum wage rate or rates to be paid under section 6 (c) of the act to employees in the button, jewelry, and lapidary work industry in Puerto Rico, who are engaged in commerce or in the production of goods for commerce.

Subsequent to an investigation and a hearing conducted pursuant to the notice as amended by Administrative Order No. 476, amended (22 F. R. 1966), and Administrative Order No. 481 (22 F. R. 2371), the committee filed with the Administrator a report containing its findings with respect to the matters referred to it. Accordingly, as authorized and required by section 8 of the act, Reorganization Plan No. 6 of 1950 (64 Stat. 1263; 3 CFR, 1950 Supp., p. 165), and General Order No. 45-A (15 F. R. 3290), the recommendations of this committee are to be published in the following amendments to Title 29 of the Code of Federal Regulations, to become effective June 17, 1957:

1. Parts 676, 690, 691, 707, and 714 are revoked.

2. Part 709 is amended to read as follows:

Sec.
709.1 Definition.
709.2 Wage rates.
709.3 Notices.

AUTHORITY: Secs. 709.1 to 709.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U. S. C. 208. Interpret or apply sec. 5, 52 Stat. 1062, as amended; 29 U. S. C. 205.

§ 709.1 *Definition.* The button, jewelry, and lapidary work industry in Puerto Rico, to which this part shall apply is defined as the manufacture from any material of buttons, buckles, jewelry (including rosaries), jewelry findings (including beads), and hair ornaments and accessories; and the processing of natural or synthetic stones for jewelry or industrial use.

§ 709.2 *Wage rates.* (a) Wages at a rate of not less than 63 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico who is engaged in commerce or in the production of goods for commerce and who is engaged in the button, buckle, and bead classification which is defined as the manufacture from any material of buttons and buckles except pearlizing and the manufacture of metal, glass, plastic, and wooden beads, but not including the pearlizing or further processing and assembling of beads into necklaces, bracelets, and similar jewelry items.

(b) Wages at a rate of not less than 43 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the rosary and native jewelry classification, which is defined as the assembling of rosaries and the manufacture of novelty jewelry from materials wholly or in major part of local origin such as seeds, shells (including tortoise shells), natural fibers, and similar materials.

(c) Wages at a rate of not less than 80 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the precious jewelry and metal expansion watch band classification, which is defined as the manufacture of jewelry and other personal ornaments from precious metals with or without precious stones and the fabrication or partial fabrication of metal expansion watch bands or expansion bracelets for watches or other uses.

(d) Wages at a rate of not less than 50 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the plastic costume jewelry classification, which is defined as the manufacture or assembly of all types of jewelry findings and costume jewelry wholly or in major part from plastic materials, except the manufacture of plastic beads, and including the pearlizing of buttons, beads, and costume jewelry and the stringing of pearlized beads.

(e) Wages at a rate of not less than 67 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the hair ornaments classification, which is defined as the manufacture of hair ornaments such as decorated or ornamental combs, clips, and barrettes, and of component parts of such ornaments when the manufacture of such parts is performed in an establishment producing such hair ornaments from any material, except precious metals or materials of local origin such as seeds, shells (including tortoise shells), natural fibers, and similar materials.

(f) Wages at a rate of not less than 58 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the hair accessories classification, which is defined as the manufacture of bobby pins, hair clips, hair curlers, and hair wavers from any material, but shall not include the manufacture of hair ornaments.

(g) Wages at a rate of not less than 60 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the metal jewelry findings and costume jewelry general classification, which is defined as the manufacture, assembly, or partial manufacture of jewelry findings, and of jewelry (except rosaries, native novelty jewelry, hair ornaments, hair accessories, precious jewelry, plastic costume jewelry, metal expansion watch bands and bracelets) from any material except precious metals, materials of local origin such as seeds, shells (including tortoise shells), natural fibers, and similar materials, or wholly or chiefly from plastics.

(h) Wages at a rate of not less than $1.00 an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the gem stone classification, which is defined as the sawing, cutting, grinding, polishing, and other processing of gem diamonds, other precious and semi-precious stones, and synthetic stones used for decorative purposes.

(i) Wages at a rate of not less than 75 cents an hour shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees in the button, jewelry, and lapidary work industry in Puerto Rico, who is engaged in commerce or in the production of goods for commerce and who is engaged in the industrial jewel classification, which is defined as the sawing, cutting, grinding, polishing, and other processing of natural or synthetic jewels for industrial use, including, but without limitation, jewel bearings, industrial diamonds, and the processing of precious and synthetic stones as components of phonograph needles and the attachment of such jewels to metal phonograph needle components, but not including the production of such metal components.

§ 709.3 *Notices.* Every employer subject to the provisions of § 709.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 709.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor, and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D. C., this 28th day of May 1957.

NEWELL BROWN,
Administrator.

[F. R. Doc. 57-4456; Filed, May 31, 1957; 8:50 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Part 295]

WITHDRAWALS AND RESERVATIONS OF FEDERAL LANDS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by Executive Order No. 10355 (17 F. R. 4831) and Revised Statutes 2478 (43 U. S. C. 1201), it is proposed to issue a revision of the regulations governing the application for and approval of withdrawals and reservations of Federal lands.

The proposed regulations are set forth below.

Interested persons may submit in triplicate written comments, suggestions, or objections in respect to the proposed regulations to the Bureau of Land Management, Washington 25, D. C., within 30 days from the date of publication of this notice in the FEDERAL REGISTER.

HATFIELD CHILSON,
Under Secretary of the Interior.

MAY 27, 1957.

The center heading before §§ 295.9 to 295.11 and 295.9 to 295.11 are revised to read as shown below and new §§ 295.12 to 295.15 are added as follows:

APPLICATIONS FOR WITHDRAWAL OR RESERVATION OF FEDERAL LANDS

Sec.
295.9 Who may apply
295.10 Filing of applications
295.11 Segregative effect of applications
295.12 Publicity; hearings, investigations; and negotiations
295.13 Findings; reviews; publication
295.14 Withdrawals or reservations for the use or benefit of non-Federal agencies
295.15 Payment for improvements

AUTHORITY: §§ 295.9 to 295.15 issued under Executive Order No. 10355 (17 F. R. 4831); and R. S. 2478, 43 U. S. C. 1201.

§ 295.9 *Who may apply.* The following are qualified to make application for the withdrawal or reservation, under the authority of Executive Order 10355, May 26, 1952 (17 F. R. 4831, 3 CFR, 1952 Supp.), or under the statutory authority of the Secretary of the Interior, of lands owned or controlled by the United States for the use or benefit of the governmental unit they represent; the heads of Federal agencies and instrumentalities and of States and the Territory of Alaska and their political subdivisions or any subordinate officer designated by them.

§ 295.10 *Filing of applications.* (a) Except where the application is classified by the applicant for national security reasons, all applications for withdrawal or reservation must be filed, in duplicate, in the proper Land Office for the area where the lands are located, or for lands in areas in which there are no Land Offices, with the Bureau of Land Management, Washington 25, D. C., except that applications for lands in North and South Dakota must be filed in the Land Office at Billings, Montana, for lands in Kansas or Nebraska in the Land Office at Cheyenne, Wyoming, and for lands in Oklahoma in the Land Office at Santa Fe, New Mexico. Where the application is classified by the applicant agency for national security reasons, it must be submitted to the Office of the Secretary, Department of the Interior, Washington 25, D. C.

(b) No specific form of application is prescribed but it must contain the following information:

(1) Name and address of the applicant agency.

(2) Description and acreage of the lands desired, describing the lands in terms of the public land survey or if unsurveyed, by metes and bounds, with the approximate area. A metes and bounds description should be connected by course and distance with some corner of the public land surveys, if practicable, or with reference to rivers, creeks, mountains, towns, or other prominent topographical points or natural objects or monuments.

(3) The purpose for which the withdrawal or reservation is requested unless the purpose is classified for national security reasons in which case a statement to that effect will be sufficient.

(4) A justifcation for the proposed withdrawal including a statement showing the need for all the land requested.

(5) A statement showing the concurrent uses which will be permissible if the lands are withdrawn or reserved, such as grazing, timber management and disposal, mineral leasing, and mining locations.

(6) Citation of the statutory authority for the type of withdrawal or reservation requested.

§ 295.11 *Segregative effect of applications.* (a) The noting of the receipt of the application in the tract books or on the official plats maintaind by the Land Office in which the application was properly filed or in the tract books maintained by the Washington Office of the Bureau of Land Management if there is no Land Office for the State in which the lands are located shall temporarily segregate such lands from settlement, location, sale, selection, entry, lease, and other forms of disposal under the public land laws, including the mining and the mineral leasing laws, to the extent that the withdrawal or reservation applied for, if effected, would prevent such forms of disposal. To that extent, action on all prior applications the allowance of which is discretionary, and on all subsequent applications, respecting such lands will be suspended until final action on the application for withdrawal or reservation has been taken. Such temporary segregation shall not affect the administrative jurisdiction over the segregated lands.

(b) An application may be amended at any time by the applicant agency so as to eliminate therefrom lands no longer desired for withdrawal or reservation. The noting upon the proper public records of information regarding such amendment shall relieve the lands so eliminated of the segregative effect of the agency's application; and any suspended applications from other persons for the eliminated lands may be processed without regard to the agency's application.

(c) An amendment of an agency's application so as to include additional lands shall have as to such lands the segregative effect provided for in paragraph (a) of this section from the date of the entry of information regarding the receipt of such request on the records mentioned in paragraph (a) of this section. Such an amendment will be processed either as a part of that application or separately, as the facts may warrant.

§ 295.12 *Publicity; hearing; investigations; and negotiations.* (a) The authorized officer of the Bureau of Land Management will have published in the FEDERAL REGISTER a notice on Form 4–1193 of the filing of the application and of the opportunity of the public to object to, or comment on, the proposed withdrawal or reservation. In cooperation with the applicant agency, he will also provide for publicity sufficient to inform the interested public of the proposed withdrawal or reservation.

(b) If, as a result of such notice and publicity, sufficient protest is filed against the proposal, or if, in his discretion, it is otherwise desirable in the public interest, the authorized officer of the Bureau of Land Management will, subject to the approval of the Secretary of the Interior if the applicant agency objects, hold a public hearing at a time and in a place convenient to the interested public and to the agencies involved. Costs of such hearings incurred by the Bureau of Land Management, except for the salaries of its personnel, will be borne by the applicant agency.

(c) The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

§ 295.13 *Findings; reviews; publication.* (a) The authorized officer of the Bureau of Land Management will report his findings and conclusions in respect to the application to the applicant agency. If the applicant agency does not concur with such findings and conclusions, it may request the Director, Bureau of Land Management, to review the case, and if it feels aggrieved by the decision of the Director, may request the Secretary for further review. When the proposed withdrawal or reservation involves authority delegated to the Secretary by Executive Order 10355, May 26, 1952 (17 F. R. 4831) and if the applicant is a Federal agency or instrumentality outside of the Department of the Interior and it does not concur in the findings of the Secretary, the applicant may request the Secretary to refer the case to the Bureau of the Budget.

(b) The Secretary of the Interior, or his authorized agent, will approve or deny the application in whole or in part.

(c) When an application is finally denied in whole or in part by the authorized officer, he will have published in the FEDERAL REGISTER a Notice of Determination on Form 4–1194. Upon the noting of the determination in the tract books or on the official plats of the appropriate office, the affected lands will no longer be subject to the segregative effect of the agency's application.

(d) When an application is finally approved in whole or in part by the authorized officer, he will have published in the FEDERAL REGISTER an appropriate order of withdrawal or reservation.

§ 295.14 *Withdrawals or reservations for the use or benefit of non-Federal agencies.* Lands withdrawn or reserved under this part for the use or benefit of a non-Federal agency will remain or will be placed under the jurisdiction of the appropriate Federal agency.

§ 295.15 *Payment for improvements.* The allowance of an application for withdrawal under the regulations of this part will be conditional upon the payment by the applicant agency or upon agreement of the applicant agency to pay to the owner or owners of range or other improvements placed upon the lands pursuant to an agreement with the United States such amount and at such times as the authorized official of the Bureau of Land Management deems fair and reasonable under the circumstances and the terms of such agreement to compensate for the loss of the improvements, providing that the applicant agency is authorized by law to make such compensation. In addition, a holder of a grazing license or permit for lands within a grazing district will be compensated for the loss resulting from the use of the lands embraced in the license or permit for war or national defense purposes in an amount to be determined fair and reasonably by, and to be paid by, the head of the Department or Agency of the Federal Government making such use.

[F. R. Doc. 57–4436; Filed, May 31, 1957; 8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 940]

PEACHES GROWN IN COUNTY OF MESA IN COLORADO

NOTICE OF PROPOSED RULE-MAKING

Notice is hereby given that the Department is considering the approval of proposed amendments, hereinafter set forth, to the rules and regulations (7 CFR 940.100 et seq.) that are currently in effect pursuant to the applicable provisions of the marketing agreement, as amended, and Order No. 40, as amended (7 CFR Part 940; 21 F. R. 5673), regulating the handling of peaches grown in the County of Mesa in the State of Colorado. This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047). The amendments to the said rules and regulations were proposed by the Administrative Committee, established under said amended marketing agreement and order as the agency to administer the terms and provisions thereof.

The proposed amendments are as follows: Amend § 940.153 *Exemption certificates* to read as follows:

§ 940.153 *Exemption certificates.* (a) Each application for an exemption certificate to ship a particular variety of peaches pursuant to § 940.53 shall be submitted on the then current Form A "Application for Exemption" to be obtained from the Administrative Committee. Each such application shall be submitted in accordance with the requirements of this section, shall be dated, shall contain a certification to the United States Department of Agriculture and to the Administrative Committee as to the truthfulness of the information shown therein, shall be signed by the applicant, and shall contain the following information:

(1) Name and address of applicant;

(2) Location of each orchard in which peaches of the particular variety are grown and such of these orchards from which peaches will be shipped under the requested exemption;

(3) With respect to each orchard from which the peaches are to be shipped, a description of the cultural practices followed, including, but not necessarily limited to, the extent of irrigation, fer-

tilization, pruning, thinning, and spraying, and type of cultivation (for example: clean, cover crop, weedy);

(4) Description of the specific conditions (referred to in § 940.53) beyond the control of a prudent grower and his reasonable expectations which constitute the basis for the application;

(5) Estimated, or when available actual, production and disposition data, with respect to such particular variety grown in each orchard owned or controlled by the applicant, showing, on an individual orchard basis:

(i) Production in bushels;

(ii) Total quantity shipped, by grades and sizes, from beginning of season to date of application;

(iii) Total quantity otherwise disposed of from beginning of season to date of application, including sales to processors, dumped, fed to livestock, etc.;

(iv) Quantity remaining to be harvested and (*a*) estimated percentage thereof meeting the then current grade and size regulation, and (*b*) estimated percentage thereof failing to meet such grade and size regulation because of the specific conditions set forth in paragraph (a) (4) of this section;

(v) Estimated percentage which the total quantity shipped from all of the applicant's orchards from beginning of season to date of application (including all quantities shipped and to be shipped under exemption certificates) plus the estimated total quantity remaining to be shipped and meeting such grade and size regulation is of the aggregate production of such variety; and

(vi) Estimated percentage of the aggregate production of such variety which fails to meet such grade and size regulation because of the specific conditions set forth in paragraph (a) (4) of this section; and

(6) Such other information the applicant desires to furnish for consideration in connection with his application.

(b) The applicant shall at his own expense obtain and furnish with his application the following whenever applicable:

(1) When the application for exemption is for the shipment of peaches which do not meet grade requirements then in effect, a certification by a Federal-State inspector on the then current Form B regarding the injury or other defect serving as the basis for the application for exemption. Such certification shall contain a statement by the inspector that he (i) examined the orchard or orchards identified in the application and (ii) determined, from samples he has taken of the particular variety, that the percentage of this variety of peaches in such orchard or orchards which will meet such grade requirements is the percentage set forth in his certification.

(2) When the application for exemption is for the shipment of peaches which do not meet size requirements then in effect, a certification by an Orchard Examiner employed by the committee on the then current Form C. Such certification shall contain (i) a statement by the examiner that he examined the orchard or orchards identified in the application and verified the pertinent facts relating to the cultural practices followed by the applicant and as described in his application, and a summary of such facts shall be included in such statement; and (ii) a statement by the examiner that he has determined, from samples he has taken of the particular variety for which exemption is requested, the percentage of this variety of peaches in such orchard or orchards which will meet such size requirements and such statement shall include the percentage thus determined.

(c) The Administrative Committee may, whenever and for such time as it deems it necessary, employ as Orchard Examiners for the purpose set forth in paragraph (b) (2) of this section one or more persons familiar with peach culture in the area, and define their duties and fix their salaries as provided in § 940.32 (h).

(d) The Administrative Committee may charge applicants for orchard examinations made by Orchard Examiners pursuant to a request for exemption, but such charge shall not exceed the rates charged by the Federal-State Inspection Service for orchard inspections under similiar conditions.

(e) The Administrative Committee shall consider each application for exemption and investigate all relevant facts in connection therewith, including such facts as may not have been expressly disclosed in an applicable certification pursuant to paragraph (b) of this section.

(1) Whenever the committee determines that an applicant is entitled to the exemption applied for, it shall issue, or cause to be issued, an exemption certificate to the applicant. Each such certificate shall set forth the total quantity of peaches of the applicable variety, which do not meet the said size requirements or do not meet the said grade requirements because of specified defects, that may be shipped under the exemption certificate in the manner therein prescribed. Unless otherwise prescribed in such certificate, the peaches shall be shipped segregated from all other peaches. The exemption certificate may, however, prescribe that such peaches may be shipped in packages or lots containing specified tolerances for undersized peaches or specified tolerances for below grade peaches due to particular defects. Such certificate may also specify minimum grade, quality, size, or maturity requirements or any combination thereof, which shall be met by peaches shipped thereunder.

(2) If the committee determines that the applicant is not entitled to an exemption certificate, it shall so advise the applicant promptly in writing and state the reasons therefor. An applicant who is denied an exemption may appeal to the Secretary as provided in § 940.53 (e). Such appeal shall include the information contained in the original application for the exemption and may include any additional information which the applicant feels should be considered by the Secretary in his review of the denial.

(f) The Administrative Committee shall establish such internal control of shipments pursuant to exemption certificates as it deems necessary to prevent producers to whom exemption certificates are issued from shipping or having shipped quantities of peaches of a particular variety greater than authorized, or in a manner other than as prescribed by this part.

(g) Each producer who ships peaches, or causes peaches to be shipped, pursuant to an exemption certificate, shall submit promptly to the Administrative Committee an accurate report with respect to the disposition of each such variety of peaches so shipped together with the date and quantity thereof.

All persons who desire to submit written data, views, or arguments for consideration in connection with said proposed amendments should do so by forwarding same to the Director, Fruit and Vegetable Division, Agricultural Marketing Service, Room 2077, South Building, Washington 25, D. C., not later than the tenth day after publication of this notice in the FEDERAL REGISTER.

Dated: May 28, 1957.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-4457; Filed, May 31, 1957; 8:50 a. m.]

Commodity Stabilization Service

[7 CFR Part 861]

[Hearing Clerk Docket No. SH-154]

1957 CROP SUGAR BEET WAGES AND DESIGNATION OF PRESIDING OFFICERS

NOTICE OF REOPENING OF HEARING

Pursuant to the authority contained in subsections (c) (1) of Section 301 of the Sugar Act of 1948, as amended (61 Stat. 929; 7 U. S. C. Sup. 1131), and in accordance with the rules of practice and procedure applicable to wage and price proceedings (7 CFR 802.1 et seq.), notice is hereby given that a public hearing will be held as follows: At El Centro, California, June 7, 1957, Farm Bureau Building, 1000 Broadway, at 10:00 a. m.

The California Beet Growers Association, Stockton, California, has requested that the Department consider the establishment, as a separate wage district, of the area commonly known as the Imperial Valley, California, since the labor conditions in that area are distinctly different from the remaining sugar beet producing area in California. The purpose of reopening the record and hearing, herein identified as Docket No. SH—154, is to afford an opportunity for the presentation of additional facts to be taken into consideration in reappraising the conditions in that area to determine whether the applicable wage rates are fair and reasonable. The scope of such hearing will therefore be limited to the presentation of evidence relative and pertinent to fair and reasonable wage rates in the Imperial Valley and the contiguous sugar beet area of southwestern Arizona.

The hearing, after being called to order at the time and place mentioned herein, may be continued from day to day within the discretion of the presiding officers and may be adjourned to a later day or to a different place without notice other than the announcement thereof at the hearing by the presiding officers.

In the interest of obtaining the best possible information, all interested persons are requested to appear at the hearing to express their views and present appropriate data in regard to the foregoing matter. Since it is necessary that a determination of the issues involved in this proceeding be made at the earliest possible date in order that producers of sugar beets in the Imperial Valley of California and the contiguous sugar beet area of southwestern Arizona may begin 1957 crop operations in accordance therewith, it is determined pursuant to the applicable rules of practice and procedure that an emergency exists making it necessary that this notice of reopened hearing provide less than 10 days' notice after publication in the FEDERAL REGISTER.

Thomas H. Allen and A. A. Greenwood are hereby designated as presiding officers to conduct either jointly or severally the foregoing hearing.

Issued this 29th day of May 1957.

[SEAL] LAWRENCE MYERS,
Director, Sugar Division, CSS.

[F. R. Doc. 57-4482; Filed, May 31, 1957; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Foreign Assets Control

IMPORTATION OF TUSSAH SILK PIECE GOODS

AVAILABLE CERTIFICATION BY GOVERNMENT OF SWITZERLAND

Notice is hereby given that certificates of origin issued by the Division of Commerce of the Federal Department of Public Economics of the Government of Switzerland under procedures agreed upon between that government and the Foreign Assets Control are now available with respect to the importation of tussah silk piece goods into the United States directly, or on a through bill of lading, from Switzerland.

[SEAL] ELTING ARNOLD,
Acting Director,
Foreign Assets Control.

[F. R. Doc. 57-4353; Filed, May 31, 1957; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

ZIM ISRAEL NAVIGATION CO., LTD., ET AL.

NOTICE OF AGREEMENT FILED FOR APPROVAL

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

Agreement No. 8227, between Zim Israel Navigation Co., Ltd., Israel America Line Ltd., M. Dizengoff & Co. (Shipping) 1949, Ltd., and M. Dizengoff & Co. (Navigation) 1951 Ltd., provides for the establishment and maintenance of a joint cargo service under the trade name "Zim, Israel America Lines" in the trade between United States Great Lakes on the one hand, and ports on the Mediterranean and Portuguese and Spanish ports and all ports in Israel, on the other hand.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: May 28, 1957.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 57-4449; Filed, May 31, 1957; 8:48 a. m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-37]

GENERAL DYNAMICS CORP.

NOTICE OF PROPOSED ISSUANCE OF CONSTRUCTION PERMIT

Please take notice that the Atomic Energy Commission proposes to issue a construction permit to General Dynamics Corporation substantially in the form set forth as Appendix "A" unless within fifteen (15) days after publication of this notice in the FEDERAL REGISTER a request for a formal hearing is filed with the Commission as provided by section 2.102 (b) of the Commission's rules of practice (10 CFR 2). There is annexed as Appendix "B" a memorandum submitted by the Division of Civilian Application which summarizes the principal features of the proposed critical experiments facility and the principal factors considered in reviewing the application for a license. For further details see the application for license at the Commission's Public Document Room, 1717 H Street NW., Washington, D. C.

Dated at Washington, D. C., this 29th day of May 1957.

For the Atomic Energy Commission.

H. L. PRICE,
Director,
Division of Civilian Application.

APPENDIX A—CONSTRUCTION PERMIT

General Dynamics Corporation (hereinafter referred to as "General Dyamics"), on October 26, 1956, filed an application for a Class 104 license, defined in Section 50.21 of Part 50, "Licensing of Production and Utilization Facilities," Title 10, Chapter 1, C. F. R., to construct and operate a critical experiments facility and an initial series of experiments involving uranium foils (all hereinafter referred to as "the facility"). On December 10, 1956, December 12, 1956, January 28, 1957, February 18, 1957, and March 28, 1957, General Dynamics filed amendments to its license application. The original application together with said amendments is hereinafter referred to as "the application."

The Atomic Energy Commission (hereinafter referred to as "the Commission") has found that:

A. The facility will be a utilization facility as defined in the Commission's regulations contained in Title 10, Chapter 1, C. F. R., Part 50, "Licensing of Production and Utilization Facilities."

B. General Dynamics proposes to utilize the facility in the conduct of research and development activities of the types specified in section 31 of the Atomic Energy Act of 1954.

C. General Dynamics is financially qualified to construct and operate the facility in accordance with the regulations contained in Title 10, Chapter 1, C. F. R.

D. General Dynamics is technically qualified to design and construct the facility.

E. General Dynamics has submitted sufficient information to provide reasonable assurance that a facility of the type proposed can be constructed and operated at the proposed location without undue risk to the health and safety of the public and that additional information required to complete its application will be supplied.

F. The issuance of a construction permit to General Dynamics will not be inimical to the common defense and security and to the health and safety of the public.

Pursuant to the Atomic Energy Act of 1954 (hereinafter "the act") and Title 10, C. F. R., Chapter 1, Part 50, "Licensing of Production and Utilization Facilities," the Commission hereby issues a construction permit to General Dynamics to construct the facility as a utilization facility. This permit shall be deemed to contain and be subject to the conditions specified in §§ 50.54 and 50.55 of said regulations; in subject to all applicable provisions of the act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to any additional conditions specified or incorporated below:

A. The earliest completion date of the facility is June 20, 1957. The latest date for completion of the facility is January 15, 1958. The term "completion date" as used herein means the date on which construction of the facility is completed except for the introduction of the fuel material for the initial critical experiment.

B. The site proposed for the location of the facility is the location at Torrey Pines Mesa, San Diego, California, specified in the application.

C. The type of facility authorized for construction is a critical experiments facility designed primarily for testing reactor cores at near zero power levels together with an initial series of experiments involving the use of uranium foils.

D. At such time as this construction permit is converted into a license to operate the facility, such license will incorporate—as one of its conditions—a requirement that no critical experiment other than the uranium foil experiments described in the application may be conducted in the facility until a description of the experiment and a Hazards Summary Report shall have been submitted to the Commission and the Commission shall have specifically authorized the experimental activity.

This permit is subject to submittal by General Dynamics to the Commission (by proposed amendment of the application) of additional information required to complete its Hazards Summary Report and a finding by the Commission that the final design provides reasonable assurance that the health and safety of the public will not be endangered by operation of the facility in accordance with the specified procedures.

Upon completion (as defined in Paragraph "A" above) of the construction of the facility in accordance with the terms and conditions of this permit, upon the filing of any additional information needed to bring the original application up to date, and upon finding that the facility authorized has been constructed in conformity with the application as amended and in conformity with the provisions of the act and of the rules and regulations of the Commission, and in the absence of any good cause being shown to the Commission why the granting of a license would not be in accordance with the provisions of the act, the Commission will issue a Class 104 license to General Dynamics pursuant to section 104c of the act, which license shall expire five (5) years after the date of the construction permit.

For the Atomic Energy Commission.

Director,
Division of Civilian Application.

Date of issuance:

APPENDIX B—MEMORANDUM

PART I—DESCRIPTION OF THE FACILITY

Site—The critical experiments facility proposed to be constructed by the General Atomic Division of General Dynamics Corporation (General Atomic) is to be located at Torrey Pines Mesa near the intersection of Miramar Road and U. S. Highway 101, in San Diego, California. The nearest boundary of the 290-acre site is 700 feet from the facility, across a steep canyon.

Population around the site is at present sparse, being concentrated to the south, but it is estimated that by 1970 approximately 4000 persons will be living within a two-mile radius. Prevalent winds are from west to east, into a direction of presently very sparse population. Earthquakes are less prevalent than in most of California, but the buildings associated with the facility will be constructed in accordance with the California Building Code, which includes protection against earthquakes of credible magnitudes.

Building.—The facility will be built primarily for a limited series of experiments and will not be intended as a permanent critical facility. It will consist of an experimental building and a control building. These buildings will be located in a depression 15 feet below the level of the adjacent mesa and will be separated from each other by a 15-foot earth embankment. Three sides of each building will be shielded by earth walls and the fourth side will face out over the canyon. The experimental building will consist of a single room housing the critical assembly. It will be unoccupied during facility operation and the single door into the building will be interlocked in the startup circuit to prevent startup or operation while the door is open. The control building will house counting equipment, utilities, and a small shop, in addition to the control room. A closed-loop television system will link the assembly room with the control room during operation.

Reactor—The critical assembly will consist of fuel elements surrounded by a solid reflector in a tank of water about three feet in diameter by three feet high. The tank may be moved for convenience in assembling the core. The fuel elements to be used in initial experiments will be aluminum cans, one inch square in cross section and having a 20 mil wall thickness. These will be mounted vertically in the core tank. Inside the cans, moderator strips approximately one inch by one-tenth inch by ten inches will be alternated with uranium foils (fully enriched and unenriched in various proportions) ten inches by 0.930 inches by 0.001 inches thick. The cans will be sealed by end plugs brazed in place. Water spacing between the elements will be maintained by a lower grid plate and by spacers fastened to the tops of the elements. The water gap will be varied between 0.020 inches and 0.140 inches in initial experiments. Five poison-bearing control rods will be used, three of which will be primarily safety rods. They will be driven from above, in guides. A massive steel framework supports the control and safety rods and their drives, the neutron source, water filling tubes, and counting equipment.

In the operation of the facility reactivity will be added at a rate of seven cents per second by water addition in filling the tank, and the succeeding removal of each control rod will be at a maximum rate of approximately five cents per second. The total reactivity of the two control rods will be not more than three percent and each of the three safety rods will have a reactivity value of about three percent. An auxiliary scram mechanism is provided by a solenoid actuated water dump valve controlling the water reflector which is expected to be worth approximately fifteen percent in reactivity.

PART II—HAZARDS ANALYSIS

Although the applicant has not yet identified and defined the maximum credible accident, he has submitted detailed calculations of the consequences of a hypothetical incident, resulting in the total release of the fission products that would be built up during an excursion which was initiated by an instantaneous one percent increase in reactivity and terminated by vaporization of the uranium foils and pressure expansion of the core. These calculations, with which we are in agreement, indicate that upon the basis of a total release of all fission products the beryllium concentration and radiation levels at the nearest site boundary, would not be physically detrimental to an individual subject to a short time exposure, although, under certain extremely adverse weather conditions, temporary evacuation might be required at points near the site boundary in order to preclude prolonged dosage.

Taking into account such factors as negative temperature coefficient, low power operation, various safety and scram systems, and the small chance for the total release of all fission products, we are of the firm conviction that when the maximum credible accident has been identified—as it must be before the facility will be licensed to operate—its consequences will prove to be less severe than those postulated above, even when such factors as poor heat transfer from foil to moderator strip and water and minimal containment are considered.

Accordingly, we believe that a facility of the type proposed can be operated at the proposed location for the general purpose of carrying out critical experiments on foil type cores with reasonable assurance that the health and safety of the public will not be endangered.

It must be emphasized however, that such evaluation as has been made at this time pertains only to experiments on a foil type core. In the event that experiments dealing with other types of cores or with other arrangements than that outlined in the application are contemplated, a complete hazard review of such experiments must be made before operating approval could be given.

PART III—TECHNICAL QUALIFICATIONS

The technical staff of General Atomic, including more than 20 persons with advanced degrees in the various fields of science and engineering, is well qualified for activities in nuclear science and technology. In addition to the broad technical background of the staff, several of its members have had long experience in various phases of the nuclear activity of the AEC and its contractors.

PART IV—FINANCIAL QUALIFICATIONS

At the end of 1955, General Dynamics Corporation had current assets amounting to almost $250,000,000 compared with $124,000,000 of current liabilities—a current ratio of more than 2 to 1. The Company has $295,000,000 in total assets of which $119,000,000, or approximately 40 percent, is represented by stockholders' equity. The great majority of its long term debt does not mature until 1975.

General Dynamics has more than doubled its net income after taxes in the period from 1951 to 1955, the income in the latter year having been $21,300,000. About one half of the annual earnings are retained for use in the Company.

During 1955, General Dynamics appropriated an initial amount of up to $10,000,000 for research laboratory facilities. The estimated cost and operating expenses of the proposed critical facility are a comparatively small percentage of this appropriation.

PART V—CONCLUSIONS

Based on the above considerations, it is concluded that:

a. There is reasonable assurance that a facility of the general type proposed can be constructed and operated at the proposed site for the general purpose of carrying out critical experiments on foil type cores without undue risk to the health and safety of the public.

b. The applicant is technically and financially qualified to engage in the proposed activities.

For the Division of Civilian Application.

H. L. PRICE,
Director.

[F. R. Doc. 57-4495; Filed, May 31, 1957; 12:30 p. m.]

FEDERAL POWER COMMISSION

[Docket No. 11234 etc.]

SOUTHERN NATURAL GAS CO. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

MAY 27, 1957.

In the matters of Southern Natural Gas Company, Docket Nos. G-11234, G-12142; Tidewater Oil Company, Docket No. G-11891; Gulf Oil Corporation, Docket No. G-12154; Kerr-McGee Oil Industries, Inc., Operator, Docket Nos. G-12234,[1] G-12235;[2] Phillips Petroleum Company, Docket Nos. G-12333, G-12335;

[1] Union Oil Company of California has 50 percent interest and is a signatory party to the contract.

[2] Kerr-McGee Oil Industries, Inc., is operator in Breton Sound area, Plaquemines and St. Barnard Parishes, Louisiana. Phillips Petroleum Company has 50 percent interest. Phillips has filed on its own behalf in Docket No. G-12335.

Magnolia Petroleum Company, Docket No. G–12362.

Take notice that on March 4, 1957, as supplemented on March 7, 1957, and amended on April 30, 1957, Southern Natural Gas Company (Southern) filed an application in Docket No. G–12142 for a certificate of public convenience and necessity subject to the jurisdiction of the Commission for authority to construct and operate certain facilities by which additional natural gas reserves will be made available to it from ten gas fields located in, and in the waters adjoining, Plaquemines and St. Bernard Parishes and in Jefferson Parish, Louisiana, where Southern has contracted to purchase natural gas produced by the independent producers whose applications are hereinafter listed.

Southern states that it will build supply lines into each of the listed fields with the exception of the Breton Sound area. Gas from the Breton Sound area will be delivered by the sellers to Southern, at a meter station located on Breton Island from where it will be transported through existing facilities to Southern's South Louisiana supply system.

On April 30, 1957, Southern filed a petition to amend the order issued on March 7, 1957, in Docket No. G–11234. That order authorized, among other things, 5.25 miles of 8⅝-inch pipeline from Fort Jackson to Olga Station junction, 0.75 miles of 8⅝-inch pipeline crossing the Mississippi River, and a 1350-horsepower compressor unit in its Gwinville station. By the amendment Southern requests the substitution of approximately 3.84 miles of 12¾-inch pipeline, 0.89 miles of 8⅝-inch pipeline, 0.9 miles of 12¾-inch river crossing and elimination of the Gwinville compressor unit.

Southern alleges that the changes in length of pipelines is due to actual survey. Change in size of lines is occasioned by desire to have excess capacity available to care for increased volumes of gas produced in the area, as they become available (under Docket No. G–12142). In this connection, the 12¾-inch pipeline will have a capacity of 80,000 Mcf per day as compared with the 24,400 Mcf per day capacity of the 8⅝-inch. The elimination of the 1350-horsepower compressor unit is due to the proposed installation of the Franklinton station in the Docket No. G–12142 application and the changes in the Docket No. G–11234 application result in an increase in pipeline cost of $148,480 and a decrease in compressor cost of $270,700 or a net decrease of $122,220. The total cost is thus decreased from $1,538,000 to $1,415,780.

In its application, Docket No. G–12142, as amended, Southern is now requesting authority to construct and operate facilities which are summarized, together with their estimated costs, in the following table:

Area	Length (miles)	Size (O. D.)	Estimated cost
		Inches	
Chandeleur Sound	31.8	6⅝	$1,972,080
Chandeleur Sound	2 meter stations		12,000
Breton Sound	Contribution to Kerr-McGee & Phillips		395,000
Breton Sound	1 measuring station		17,000
Main Pass	6.5	8⅝	437,210
Main Pass	4.5	10¾	383,290
Main Pass	4 measuring stations		35,000
Bastian Bay	9.0	8⅝	578,860
Bastian Bay	0.9 (river crossing)	12¾	180,820
	2 measuring stations		27,000
Manila Village	7.2	8⅝	516,420
Manila Village	1 meter station		17,000
A total of 7,260 additional horsepower Franklinton Station.			3,100,800
Total			7,672,480

Southern also states that the cost of the above described facilities will be defrayed from funds on hand and expected to become available from current operations. In the event such funds are not sufficient, Southern will obtain the balance from short term bank loans.

Southern estimates it will be able to place the above facilities in operation within five months from the date of certification.

Southern further states the new gas supply is essential to meet future peak day requirements of present customers and to prevent diminution of its reserve life index below the present level.

Southern also alleges that no new markets are proposed to be served by it based solely upon the subject new gas supply and the purpose of the applications is solely to augment present supply and to enable the company to maintain its presently authorized deliveries.

The gas supply for the proposed facilities is to be made available from the following sources pursuant to applications filed in the respective dockets listed below:

Docket No. G–	Date of filing	Location of field	Proposed rate, cents per Mcf
11891	2- 4-57	Manila Village Field, Jefferson Parish, Louisiana	19.0
12154	3- 5-57	Manila Village Field, Jefferson Parish, Louisiana	19.0
12234	3-11-57	Main Pass, Block 47, Plaquemines Parish, Louisiana	21.25
12235	3-15-57	Breton Sound, Blocks 20-21-32, Plaquemines and St. Bernard Parishes, Louisiana.	21.25
12333	4- 3-57	Bastian Bay Field, Plaquemines Parish, Louisiana	21.25
12334	4- 3-57	Eloi Bay, Point Comfort, Main Pass, Block 48, Plaquemines and St. Bernard Parishes, Louisiana.	21.25
12335	4- 3-57	Breton Sound, Blocks 20-21-32, Plaquemines and St. Bernard Parishes, Louisiana.	21.25
12362	4- 8-57	Main Pass, Block 46, Plaquemines Parish, Louisiana	21.25

These related matters should be heard on a consolidated record and 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 June 20, 1957, at 10:00 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 applications.

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 June 17, 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. 57-4437; Filed, May 31, 1957; 8:46 a. m.]

OFFICE OF DEFENSE MOBILIZATION

EDWIN H. LAND

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

Additions since last submission of ODM–163:

Abbott Laboratories.
American Can Co.
American & Foreign Power.
American Viscose Corp.
Argus Corp., Ltd.
Baystate Corp.
Boston Insurance Co.
Bristol-Myers Co.
Burmah Oil Co., Ltd.
J. I. Case Co.
Chase Manhattan Bank.
Chemical Corn Exchange.
Cleveland Elec. Ill. Co.
Commercial Credit Corp.
Continental Ins. Co.
Deere & Co.
Eastern Shopping Centers.
Electric Bond & Share.
Equitable Gas Corp.
Equity Corp.
Fidelity Phenix Fire Ins.
Fire Assoc. of Phila.
Fireman's Fund Ins. Co.
Fulton Bag & Cotton Mills.
General Telephone Corp.
W. R. Grace & Co.
Grand Union Co.
Great Western Financial.
Guaranty Trust Co. of New York.
M. A. Hanna Co.
Hartford Fire Ins. Co.
Illinois Power Co.
Jefferson Lake Sulphur Co.
Marshall Wells Co.
Matson Navigation Co.
Oklahoma Natural Gas.
Pacific Coast Company.

Pacific Finance Corp.
Pacific Gas & Electric.
Phillips Gloeilampen.
Phillips Petroleum Co.
Royal Dutch Petroleum.
Royal McBee Corp.
Sargent & Co.
Shawmut Association.
Sinclair Oil Corp.
Southern Natural Gas.
Speer Carbon Co.
Standard Factors Corp.
Straus-DuParquet Corp.
Texas Eastern Trans. Corp.
Transamerica Corp.
Tung Sol Electric.
U. S. Plywood Corp.
United Gas Corp.
Wardell Corp.

This amends statement previously published in the FEDERAL REGISTER, November 17, 1956 (21 F. R. 8983).

Dated: April 11, 1957.

EDWIN H. LAND.

[F. R. Doc. 57-4450; Filed, May 31, 1957; 8:48 a. m.]

HENRY W. CLARK

APPOINTEE'S STATEMENT OF CHANGES IN BUSINESS INTERESTS

The following statement lists the names of concerns required by subsection 710 (b) (6) of the Defense Production Act of 1950, as amended.

No change since last submission.

This amends statement previously published in the FEDERAL REGISTER November 17, 1956 (21 F. R. 8983).

Dated: MAY 13, 1957.

HENRY W. CLARK.

[F. R. Doc. 57-4451; Filed, May 31, 1957; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 24SF-1972]

UNIVERSAL PETROLEUM EXPLORATION AND DRILLING CO.

ORDER WITHDRAWING REQUEST FOR HEARING AND CANCELLING HEARING

MAY 27, 1957.

The Commission by order dated May 21, 1957 having ordered that a hearing in the above-entitled matter pursuant to section 3 (b) of the Securities Act of 1933, as amended, and Rule 223 thereunder, commence on June 6, 1957, at 10:00 a. m., Pacific daylight time, at the office of the Securities and Exchange Commission, 821 Market Street, San Francisco 3, California, and

The company having requested a withdrawal of its request for a hearing and the Division of Corporation Finance not objecting thereto,

It is ordered, That the request for hearing be and it hereby is deemed withdrawn without prejudice.

It is further ordered, That the order dated May 21, 1957, scheduling a hearing for June 6, 1957, be and it hereby is rescinded.

By the Commission.

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

[F. R. Doc. 57-4452; Filed, May 31, 1957; 8:49 a. m.]

[File No. 1-2431]

ALLGEMEINE ELEKTRICITATS-GESELLSCHAFT

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

MAY 27, 1957.

In the matter of Allgemeine Elektricitats-Gesellschaft (General Electric Company, Germany) 6½% Debentures due December 1, 1940, 7% Debentures due January 15, 1945, 6% Debentures due May 1, 1948 (validated and non-validated) File No. 1-2431.

New York Stock Exchange has made application, pursuant to Section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, to strike the above named security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

Dealings on the applicant Exchange in these Debentures were suspended upon the entrance of the United States into World War II, and were restored on March 15, 1954, for those Debentures validated per agreement dated February 27, 1953, between the United States and Germany. August 31, 1956, was stated to be the final date for registering Debentures for validation although holders may still register if failure was not due to gross negligence. Debt Adjustment Bonds were offered in exchange for validated Debentures, and while said Debt Adjustment Bonds have been retired as of January 1, 1957, the redemption notice indicated that validated Debentures and coupons may be surrendered until June 30, 1960, for specified cash payments. Of the maximum validatable Debentures about $240,000 are said not to have been validated, and of the validated Debentures about $205,500 are said to remain outstanding, in the aggregate for the 3 Debentures issues. Dealings on the Exchange in the validated Debentures were suspended before the opening of the trading session on April 15, 1957, by reason of the small amounts outstanding.

Upon receipt of a request, on or before June 11, 1957, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

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

[F. R. Doc. 57-4453; Filed, May 31, 1957; 8:49 a. m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 138]

WASHINGTON

DECLARATION OF DISASTER AREA

Whereas, it has been reported that beginning on or about May 5, 1957, because of the disastrous effects of flash flood, damage resulted to residences and business property located in certain areas in the State of Washington;

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

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 207 (b) (1) of the Small Business Act of 1953, as amended, may be received and considered by the Office below indicated from persons or firms whose property situated in the following counties (including any areas adjacent to said counties) suffered damage or other destruction as a result of the catastrophe above referred to:

Counties: Chelan and Douglas.
Office: Small Business Administration Regional Office, Burke Building, 905 Second Avenue, Seattle, Washington.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1957.

Dated: May 13, 1957.

WENDELL B. BARNES, *Administrator.*

[F. R. Doc. 57-4441; Filed, May 31, 1957; 8:47 a. m.]

[Declaration of Disaster Area 139]

TEXAS

DECLARATION OF DISASTER AREA

Whereas, it has been reported that beginning on or about May 15, 1957, because of the disastrous effects of tornado, damage resulted to residences and business property located in certain areas in the State of Texas;

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

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 207 (b) (1) of the Small Business Act of 1953, as amended, may be received and considered by the Office below indicated from persons or firms whose property situated in Briscoe County (including any areas adjacent to Briscoe County) suffered damage or other destruction as a result of the catastrophe above referred to:

Small Business Administration Regional Office, 1114 Commerce Street, Dallas 2, Texas.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1957.

Dated: May 16, 1957.

WENDELL B. BARNES,
Administrator.

[F. R. Doc. 57-4440; Filed, May 31, 1957; 8:46 a. m.]

[Declaration of Disaster Area 140]

TERRITORY OF HAWAII

DECLARATION OF DISASTER AREA

Whereas, it has been reported that in March 1955, because of the disastrous effects of volcano eruptions, damage resulted to residences and business property located in certain areas in the Territory of Hawaii;

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

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 207 (b) (1) of the Small Business Act of 1953, as amended, may be received and considered by the Offices below indicated from persons or firms whose property situated in Puna District (including any areas adjacent to Puna District) suffered damage or other destruction as a result of the catastrophe above referred to:

Small Business Administration Regional Office, 870 Market Street, Flood Building, Room 952, San Francisco 2, California.

Small Business Administration Branch Office, 440 South Hotel Street, Rooms 1 and 2, Honolulu, Hawaii.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1957.

Dated: May 17, 1957.

WENDELL B. BARNES,
Administrator.

[F. R. Doc. 57-4438; Filed, May 31, 1957; 8:46 a. m.]

[Declaration of Disaster Area 141]

OKLAHOMA

DECLARATION OF DISASTER AREA

Whereas, it has been reported that beginning on or about May 19, 1957, because of the disastrous effects of tornado and floods, damage resulted to residences and business property located in certain areas in the State of Oklahoma;

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

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such areas constitute a catastrophe within the purview of the Small Business Act of 1953, as amended;

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 207 (b) (1) of the Small Business Act of 1953, as amended, may be received and considered by the Offices below indicated from persons or firms whose property situated in the following counties (including any areas adjacent to said counties) suffered damage or other destruction as a result of the catastrophe above referred to:

Counties: Tulsa (tornado and flood); Garvin, Payne and Logan (flood).

Offices: Small Business Administration Regional Office, 1114 Commerce Street, Dallas 2, Texas; Small Business Administration Branch Office, Bankers Service Life Building, Room 616, 114 North Broadway, Oklahoma City, Oklahoma; Disaster Office, Room 624 Petroleum Building, Tulsa, Oklahoma.

2. No special field offices will be established at this time.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to November 30, 1957.

Dated: May 21, 1957.

WENDELL B. BARNES,
Administrator.

[F. R. Doc. 57-4439; Filed, May 31, 1957; 8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

MAY 28, 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. 33773: *Foodstuffs from the southwest to the South*. Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on canned or preserved foodstuffs and related articles, carloads, also carnivorous animal feed, carloads from points in southwestern territory to points in southern territory.

Grounds for relief: Short-line distance formula, and circuitous routes.

Tariff: Supplement 36 to Agent Kratzmeir's tariff I. C. C. 4224.

FSA No. 33774: *Sulphuric acid—Louisiana and Texas to Magnolia, Ark.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on sulphuric acid, tank-car loads from Baton Rouge and Shreveport, La., and Fort Worth, Tex., to Magnolia, Ark.

Grounds for relief: Circuitous routes.

Tariffs: Supplement 224 to Agent Kratzmeir's tariff I. C. C. 4087. Supplement 335 to Agent Kratzmeir's tariff I. C. C. 4139.

FSA No. 33775: *Scrap iron—Cincinnati, Ohio to Pennsylvania and West Virginia points*. Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on scrap iron or steel (not copper clad), carloads from Cincinnati, Ohio to Weirton, W. Va., Steubenville, Ohio, Pittsburgh, Pa., and other specified points in Pennsylvania.

Grounds for relief: Circuitous routes.

Tariff: Supplement 49 to Agent H. R. Hinsch's tariff I. C. C. 4251.

FSA No. 33776: *Cottonseed products—Darlington, S. C., to North Carolina and Virginia points*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on cottonseed oil cake or meal, and related articles, carloads from Darlington, S. C. to Albemarle, N. C., Danville and Roanoke, Va.

Grounds for relief: Circuitous routes.

Tariff: Supplement 26 to Agent Spaninger's tariff I. C. C. 1551.

FSA No. 33777: *Lime from and to points on the Mississippi & Skuna Valley Railroad*. Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on lime and related articles, carloads from and to stations on the Mississippi & Skuna Valley Railroad in Mississippi, to and from points in southern territory.

Grounds for relief: Short-line distance formula.

FSA No. 33778: *Cement—Bay Bridge, Ohio to Muncie, Ind.* Filed by H. R. Hinsch, Agent, for interested rail carriers. Rates on cement, common, hydraulic, natural or portland, carloads, and masonry cement, mortar cement, carloads from Bay Bridge, Ohio to Muncie, Ind.

Grounds for relief: Circuitous route.

Tariff: Supplement 25 to New York Central Railroad Company's tariff I. C. C. 1632.

FSA No. 33779: *Paper articles—Granite Falls and Saw Mills, N. C., to southern territory.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on paper cushions, liners or pads, packing or loading, carloads, also paper bags, lined, carloads, from Granite Falls and Saw Mills, N. C., to points in southern territory.

Grounds for relief: Short-line distance formula, motor truck competition, relief line arbitraries and circuitous routes.

Tariff: Supplement 359 to Agent C. A. Spanninger's I. C. C. 715.

FSA No. 33780: *Pumice—Illinois and Wisconsin points to official territory.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on pumice (other than pumice aggregate) in packages or in bulk, in closed cars from Chicago, Ill., Chicago Junction points, Peoria, Ill., east bank Mississippi River crossings, Kewaunee, Manitowoc and Milwaukee, Wis., from beyond to points in official territory.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 4 to Agent H. R. Hinsch's tariff I. C. C. 4772.

FSA No. 33781: *Perlite mix—Florence, Colo., to western trunk line territory.* Filed by W. J. Preuter, Agent, for interested rail carriers. Rates on perlite mix, carloads from Florence, Colo., to specified points in Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan (upper peninsula), Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Wyoming.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Agent Prueter's tariff I. C. C. A-4197.

FSA No. 33782: *All commodities—Michigan and Ohio points to Memphis, Tenn., and New Orleans, La.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on merchandise, in mixed carloads from Detroit and Jackson, Mich., and Cleveland, Ohio, to Memphis, Tenn., and New Orleans, La.

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

FSA No. 33783: *Logs—Greenwood, S. C., to Apex, N. C.* Filed by O. W. South, Jr., Agent for interested rail carriers. Rates on logs, native wood, Canadian wood or Mexican pine, carloads from Greenwood, S. C., to Apex, N. C.

Grounds for relief: Circuitous routes.

Tariff: Supplement 157 to Agent Spaninger's tariff I. C. C. 1297.

FSA No. 33784: *Cement—Twin and Iron Range cities to Iowa, Minnesota, and South Dakota.* Filed by Great Northern Railway Company, for itself and on behalf of the Duluth, Missabe and Iron Range Railway Company. Rates on cement, carloads from Minneapolis, Minnesota Transfer, St. Paul, Duluth, Steelton (Duluth), Minn., and Superior, Wis., to specified points on the Great Northern Railway in Iowa, Minnesota, and South Dakota.

Grounds for relief: Short-line distance formula, motor truck competition and circuitous routes.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F. R. Doc. 57-4447; Filed, May 31, 1957; 8:48 a. m.]

[No. 32136]

LOUISIANA INTRASTATE PASSENGER FARES

INSTITUTION OF INVESTIGATION AND ASSIGNMENT OF HEARING

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 17th day of May A. D. 1957.

It appearing, that in Ex Parte No. 207, Increased Fares in Western Territory, 1956, decided December 31, 1956, this Commission authorized a general increase of 5 percent in interstate rail passenger fares in Western Territory (which includes that part of Louisiana lying West of the Mississippi River) and an increase in round-trip fares from 166⅔ percent of one-way fares to 180 percent of one-way fares, effective January 1, 1957;

It further appearing, that by petition filed March 18, 1957, the Chicago, Rock Island and Pacific Railroad Company and other common carriers by railroad engaged in the transportation of persons and property in the State of Louisiana, allege that the Louisiana Public Service Commission, after hearing on January 15, 1957, by order No. 7137 of February 22, 1957, denied respondents increases in their intrastate passenger fares corresponding to those authorized by this Commission in the proceeding cited above, which refusal causes and results in undue and unreasonable advantage, preference and prejudice as between persons and localities in intrastate commerce, on the one hand, and interstate commerce, on the other hand, and in undue, unreasonable and unjust discrimination against interstate and foreign commerce, in violation of section 13 (4) of the Interstate Commerce Act;

It further appearing, that the said petition brings in issue fares made or imposed by authority of the State of Louisiana;

And it further appearing, that the Louisiana Public Service Commission on May 20, 1957, filed a reply to said petition, and in view thereof the investigation hereinafter instituted responsive to the requirements of section 13 of the Act is without prejudice to subsequent appropriate consideration on their merits of the arguments made in said reply:

It is ordered, That, in response to said petition, an investigation be, and it is hereby, instituted, for the purpose of giving all interested persons an opportunity to present evidence to determine whether the said intrastate passenger fares of these petitioners cause or will cause undue or unreasonable advantage, preference, or prejudice as between persons or localities in intrastate commerce, on the one hand, and interstate commerce, on the other hand, or any undue, unreasonable or unjust discrimination against interstate commerce, and to determine what passenger fares, if any, or what maximum or minimum, or maximum and minimum, fares should be prescribed to remove the unlawful advantage, preference, prejudice, or discrimination, if any, as may be found to exist;

It is further ordered, That all common carriers by railroad operating within the State of Louisiana, subject to the jurisdiction of this Commission, be, and they are hereby, made respondents to this proceeding; that a copy of this order be served upon said respondents; and that the State of Louisiana be notified of this proceeding by sending copies of this order and of said petition by registered mail to the Governor of said State and to the Louisiana Public Service Commission at Baton Rouge, La.;

It is further ordered, That notice of this proceeding be given to the general public by depositing a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register, Washington, D. C.;

And it is further ordered, That this proceeding be assigned for hearing at such time and place as the Commission may hereafter direct.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F. R. Doc. 57-4448; Filed, May 31, 1957; 8:48 a. m.]