

FEDERAL REGISTER

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Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL AND PROFESSIONAL POSITIONS

Microbiologist, Physiologist (Human), and Pharmacologist (Research Positions)

Sections 24.63 and 24.94 are revoked and §§ 24.141, 24.142 and 24.143 are added as set out below.

§ 24.141 Microbiologist, GS-403-0 (positions involving highly technical research, relating to human diseases and health, all grades).

(a) *Educational requirement.* Applicants for all grades of Microbiologist positions must have completed all requirements for a bachelor's degree in an accredited college or university and, if necessary, such additional course-work as will provide a total of at least 42 semester hours in the biological and physical sciences as described and distributed under subparagraphs (1) and (2) of this paragraph:

(1) (i) At least 30 semester hours in the biological sciences, including 18 in microbiology. Twelve of the 18 semester hours in microbiology must include course-work in general or pathogenic bacteriology; mycology or immunology; virology and microbial physiology.

(ii) The remaining 6 hours may be satisfied by ancillary course work in any or a combination of the following: Pathology, animal or plant; histology; cytology; epidemiology, protozoology; agricultural, dairy or industrial, or food bacteriology; public health or veterinary bacteriology; cryptogamic botany; and algology. Ten of the 30 semester hours must have been credited for laboratory work.

(iii) Equivalent experience may be substituted for the six semester hours of ancillary course-work.

(2) At least 12 semester hours in a combination of all or any two of the following: Chemistry, physics and mathematics.

(b) *Duties.* Microbiologists engaged in research relating to diseases and disorders of man, and human health and welfare direct, and conduct research in a number of fields of microbiology which includes the study of viruses, bacteria and fungi. Incumbents are concerned with scientific exploration of these organisms, their relationships and interactions, and their effects on human health. This includes analysis of their metabolic and enzymatic capabilities; the immunological phenomena representing ways in which the body of man as host responds to microbial attack; the identification of pathogens, the following of the pathogenesis of disease, study of the physiological and biochemical mechanisms of resistance, etc. The kinds of research performed may vary considerably, but the work is most typically carried on in connection with research into cancer, heart disease, mental diseases, arthritis and metabolic diseases, dental research and related fields of research.

(c) *Knowledge and training requisite for performance of duties.* Because microbiology involves study of viruses, bacteria and fungi, and because these organisms are often in association, and interact on each other in many complex ways, basic courses in each area are a necessity for the performance of work in microbiology as performed in human health research. Chemical composition and relationships are of utmost importance in analyzing and understanding microbiological products and interactions. Since most scientific problems and their solutions are expressed at least partly in quantitative terms, mathematics must have a place in the qualifying work. A thorough grounding in laboratory techniques in essential for the refined laboratory work required in microbiology. The above combination of knowledge can only be achieved by organized and disciplined study in a college or university where the necessary laboratory facilities and organized and

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(As of January 1, 1959)

The following supplements are now available:

Title 26, Parts 1-79 (\$0.20)

Titles 35-37 (\$1.25)

Previously announced: Title 3, 1958 Supp. (\$0.35); Title 8 (\$0.35); Title 9, Rev. Jan. 1, 1959 (\$4.75); Titles 22-23 (\$0.35); Title 24, Rev. Jan. 1, 1959 (\$4.25); Title 25 (\$0.35); Title 38 (\$0.55); Titles 40-42 (\$0.35); Title 46, Parts 146-149, 1958 Supp. 2 (\$1.50); Part 150 to end (\$0.50); Title 47, Part 30 to end (\$0.30); Title 49, Parts 71-90 (\$0.70); Parts 91-164 (\$0.40)

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systematic presentation of these subjects are available.

§ 24.142 Physiologist, GS-413-0 (positions involving highly technical research relating to human diseases and health, all grades).

(a) *Educational requirement.* Applicants for all grades of physiologist positions must have completed all requirements for a bachelor's degree, and, if necessary, additional course-work in an accredited college or university which will provide a total of at least 42 semester hours in the biological and physical sciences, including 6 semester hours in physiology, and including course-work in botany, zoology, chemistry, physics, and college algebra. At least 10 semester hours must have been in the laboratory.

(b) *Duties.* Physiologists in human diseases and health plan, direct, and conduct research in physiology where the work is related to the study of the diseases and disorders of man and to human health and welfare. The kinds of research work performed may vary considerably, but work is generally concerned with some phase of studies such as studies carried on in connection with cancer research, heart diseases, mental diseases, arthritis and metabolic diseases, dental research, or related fields of research. The work is highly specialized and involves the adaptation and application of the most recent findings in science and the use of intricate and highly specialized laboratory equipment.

(c) *Knowledge and training requisite for performance of duties.* Physiology is the study of the functions of living plant and animal organisms. Botany, the basic science in plant life, and zoology the basic science of animal life are essential groundwork courses. Advanced study of physiology, as such, is also essential to performance of work as a physiologist. In addition, modern physiology requires an understanding of physics and chemistry, as the physical and chemical processes which take place in living matter, and the various reactions which affect these functions are an integral part of physiology. Since scientific problems and their solutions are at least partly expressed in mathematical terms, mathematics must have a place in qualifying study. The laboratory nature of physiological work necessitates training in laboratory techniques. The above combination of necessary knowledges and skills can only be obtained through systematic and disciplined study in a college or university where the necessary laboratory facilities, and organized and systematic presentation of these subjects are available.

§ 24.143 Pharmacologist, GS-405-0 (all grades).

(a) *Educational requirements.* Applicants must have successfully completed the requirements of subparagraph (1) or (2) of this paragraph:

(1) A full 4-year course of study in an accredited college or university leading to a bachelor's or higher degree with major study in one of the fields of science directly related to pharmacology. This course of study must have included a

total of 30 semester hours of course-work in botany, zoology, chemistry, physics, and/or mathematics. At least 3 semester hours of this required course-work must have been in physiology, 3 in organic chemistry, and 6 in physics. At least 10 semester hours must have been credited for laboratory work.

(2) A total of at least 30 semester hours of course-work, acceptable for credit toward a bachelor's degree in an accredited college or university, in botany, zoology, chemistry, physics, and/or mathematics, including at least 3 semester hours of course-work in physiology, 3 in organic chemistry, and 6 in physics, plus sufficient additional experience or course-work of an appropriate nature to total 4 years of experience and education, and to provide the applicant with technical knowledge comparable and equivalent to that normally acquired through the successful completion of the full 4-year course of study described in subparagraph (1) of this paragraph. At least 10 semester hours of the required course-work must have been credited for laboratory work.

Applicants for positions which involve highly technical research, design, or development, or similar complex scientific functions, must have successfully completed the full 4-year course of study described in subparagraph (1) of this paragraph.

(b) *Duties.* Pharmacologists engage in the investigation of the potency, efficacy, physical and chemical properties and physiological action and effect of drugs and toxic substances on living organisms. This work may include bioassay techniques, studies in acute and chronic toxicity, therapeutic action, site and mode of action, storage, excretion, and metabolism, and biochemical, physiological, and anatomical effects of drugs or chemical agents. The work performed may be concerned with (1) basic pharmacology, (2) substances suspected of being adulterants, or toxicants in foods, drugs, cosmetics, or suspected of causing hazards in industrial use, or (3) clinical pharmacology and experimental therapeutics of heart disease, mental disease, cancer, and other disorders of man; and may include the use of experimental animals in studies of the genesis and treatment of such diseases.

(c) *Knowledge and training requisite for performance of duties.* Pharmacology is a study of drugs, including their fate upon ingestion in a living system, and involves a combination of physiology with chemistry and physics. Thus, some study of each of these subjects is essential. Botany, the basic science of plant life, and zoology, the basic science of animal life, are essentials to an understanding of physiology. Since most scientific problems and their solutions are partly expressed in quantitative terms, mathematics must have a place in the qualifying work. Pharmacology involves application of a variety of laboratory techniques, necessitating a requirement for laboratory training. The above combination of knowledge can only be achieved by training in a college or university where the necessary laboratory facilities and organized and systematic

presentation of these subjects are available.

(Sec. 11, 58 Stat. 390; 5 U.S.C. 860)

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

[F.R. Doc. 59-2654; Filed, Mar. 30, 1959; 8:45 a.m.]

Title 6—AGRICULTURAL CREDIT

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

[1958 C.C.C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 8, Rye]

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

PART 421—GRAINS AND RELATED COMMODITIES

Subpart—1958-Crop Rye Loan and Purchase Agreement Program

MONTANA; RATES OF PAYMENT

The regulations issued by the Commodity Credit Corporation and the Commodity Stabilization Service published in 23 F.R. 3500, 5319, 6279, 6771, 7875, 8853 and 24 F.R. 386, containing specific requirements for the 1958-crop rye price support program are hereby amended as follows:

Section 421.3386(h) is amended by adding the following counties and rates of payments per bushel:

County	MONTANA	Amount per bushel (cents) ¹
Beaverhead	-----	\$0.14
Garfield	-----	.01
McCone	-----	.02
Sheridan	-----	.01
Valley	-----	.01

¹ No payment will be made where purchases of rye under loan have been made by producers with Soil Bank Certificates.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U.S.C. 714c, 7 U.S.C. 1447, 1421)

Issued this 25th day of March 1959.

[SEAL] WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 59-2691; Filed, Mar. 30, 1959; 8:50 a.m.]

Title 7—AGRICULTURE

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

PART 728—WHEAT

Subpart—Regulations Pertaining to Farm Acreage Allotments for 1960 and Subsequent Crops of Wheat

Sec.
728.1010 Basis and purpose.
728.1011 Definitions.

Sec.	
728.1012	Extent of calculations and rule of fractions.
728.1013	Forms and instructions.
728.1014	Supervision, review and approval by State committees.
728.1015	Method of apportioning county allotments.
728.1016	Data for old wheat farms.
728.1017	Determination of base acreages for old farms for the 1960 crop of wheat.
728.1018	Determination of acreage allotments for old farms.
728.1019	Determination of tentative acreages for new farms.
728.1020	Determination of acreage allotments for new farms.
728.1021	Farms removed from agricultural production because of acquisition by Federal, State, or other agency having right of eminent domain.
728.1022	Allotment for farms divided or combined.
728.1023	Mailing of farm allotment notices.
728.1024	Right of appeal of farm allotment to review committee.
728.1025	Applicability of regulations.

AUTHORITY: §§ 728.1010 to 728.1025 issued under sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interpret or apply secs. 301, 334, 377, 378; 52 Stat. 38, 53; 70 Stat. 206, as amended, 72 Stat. 995; 7 U.S.C. 1301, 1334, 1377, 1378.

§ 728.1010 Basis and purpose.

The regulations contained in §§ 728.1010 to 728.1025 are issued pursuant to and in accordance with the Agricultural Adjustment Act of 1938, as amended, and govern the establishment of farm acreage allotments for 1960 and subsequent crops of wheat. The purpose of the regulations in §§ 728.1010 to 728.1025 is to provide the procedure for establishing farm acreage allotments for 1960 and subsequent crops of wheat. The base acreage provided for herein shall be in effect only for the 1960 crop of wheat, and provisions for determining base acreages for 1961 and subsequent crops of wheat will be contained in amendments to the regulations in this subpart. Prior to preparing this subpart, public notice (23 F.R. 583) was given in accordance with the Administrative Procedure Act (5 U.S.C. 1003). Such notice stated that in connection with this subpart it was proposed to eliminate the wheat-mixture exemption provision which has been applicable during the past several years. The regulations in this subpart do not refer to wheat-mixture specifically, but do incorporate by reference the definition of "wheat acreage" contained in wheat marketing quota regulations for 1958 and subsequent years. It is expected that that definition will be changed prior to time of seeding the 1960 crop of wheat so as to eliminate therefrom the wheat-mixture exemption. The data, views, and recommendations pertaining to the regulations in §§ 728.1010 to 728.1025 which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

§ 728.1011 Definitions.

As used in the regulations in this subpart and in all instructions, forms and

documents in connection therewith, the words and phrases defined in this section shall have the meanings assigned to them herein, unless the context or subject matter otherwise requires. The following words or phrases are defined in Part 719 of this chapter, or are incorporated therein by reference to Part 718 of this chapter, and shall have the meanings assigned to them by such regulations: County committee, county office manager, community committee, current year, cropland, farm, operator, person, preceding year, producer, State administrative officer, and State committee. The following words or phrases are defined in § 728.851: Act, Director, crop year, marketing year, wheat acreage and wheat cover crop.

(a) "Acreage indicated by cropland" means the number of acres computed by multiplying the cropland acreage for a farm by the ratio of historical wheat acreage determined pursuant to § 728.1017 for all farms in the community (i.e., the local administrative area determined pursuant to section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended), to the cropland acreage for all farms in the community: *Provided*, That if the county committee finds that the historical wheat acreage as determined for the community is abnormally low or high due to widespread abnormal weather, then the ratio for the community may be the ratio determined by the county committee subject to approval of, or on behalf of, the State committee on the basis of the average of the historical wheat acreages for such of the preceding four years used to determine the historical average acreage as the county committee determines to be normal.

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

(c) "New farm" means any farm other than one defined under paragraph (e) of this section and for which an allotment is requested for the production of wheat in the current year.

(d) "Odd and even crop rotation" with respect to wheat means the practice carried out by wheat producers of alternating the number of acres devoted to the production of wheat for harvest as grain from year to year in a set pattern of acreages of wheat; e.g., 1958—60 acres; 1959—40 acres; 1960—60 acres; 1961—40 acres, etc.

(e) "Old farm" means any farm on which there was wheat acreage including any acreage considered as wheat acreage under the provisions of section 106(a) or 112(2) of the Soil Bank Act or section 377 of the act, in any one or more of the three years immediately preceding the current year. The acreage of wheat in 1958 or any subsequent year on a farm for which no allotment was established shall not be considered as "wheat acreage" for purposes of this definition, unless the State where the farm is located

was not in the commercial wheat-producing area for such year.

(f) "Wheat history acreage" for the farm means the wheat acreage on the farm for any year in which farm wheat acreage allotments were not in effect in the State, and for any year in which farm wheat acreage allotments were in effect in the State, wheat history acreage means:

(1) For 1955, the wheat acreage plus the acreage diverted from wheat production as determined for the farm as provided in §§ 728.811(n) and 728.816.

(2) For 1956, the wheat acreage plus any wheat acreage placed under the 1956 acreage reserve or conservation reserve program plus the acreage diverted from wheat production as determined for the farm as provided in §§ 728.811(n) and 728.816.

(3) For 1957, for any farm knowingly overplanted, the wheat acreage for the farm, and for any farm which is not knowingly overplanted, the 1957 wheat base acreage for the farm determined as provided in § 728.917: *Provided*, That if the 1957 farm wheat acreage allotment on any farm was underplanted in 1957 for the purpose of reducing stored excess wheat, wheat history acreage for 1957 shall be the acreage obtained by multiplying the wheat acreage, including the wheat acreage placed under the acreage reserve and conservation reserve programs for 1957 by the 1957 county wheat diversion credit factor, determined as provided in § 728.917(b).

(4) For 1958, for any farm for which a 1958 wheat acreage allotment was determined, the 1958 base acreage of wheat determined for the farm under § 728.816 or § 728.818, except for any farm having a 1958 feed wheat application under § 728.893, in effect, in which case the 1958 wheat history acreage shall be the 1958 wheat acreage allotment determined for the farm under § 728.817 or § 728.819. For farms in the Tularelake Area of California to which the provisions of Public Law 85-390 were applicable, the wheat history acreage for 1958 will be the sum of (i) the 1958 base acreage of wheat determined for the farm under § 728.816(b), and (ii) the acreage planted to Durum wheat (Class II) under the provisions of Public Law 85-390.

(5) For 1959 and subsequent years, the wheat history acreage shall be determined as provided in amendments to be issued to the regulations in this subpart.

§ 728.1012 Extent of calculations and rule of fractions.

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

§ 728.1013 Forms and instructions.

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

§ 728.1014 Supervision, review and approval by State committees.

State committees shall have over-all responsibility for the administration of the regulations herein in their respective States. All acreage allotments shall be reviewed by the State committee or on behalf of the State committee by the State administrative officer, program specialist, or farmer fieldman and the State committee may revise or require revision of any determination made under regulations in this subpart. All acreage allotments for wheat shall be approved by the State committee or on behalf of the State committee by the State administrative officer, program specialist, or farmer fieldman and no official notice thereof shall be mailed until such allotment has been approved by or on behalf of the State committee.

§ 728.1015 Method of apportioning county allotments.

The county acreage allotment less reserves shall be apportioned to old farms in the county pro rata according to the farm base acreages which shall be established on the basis of past acreage of wheat, tillable acres, crop-rotation practices, type of soil and topography in accordance with regulations in this subpart.

§ 728.1016 Data for old wheat farms.

(a) *Reports by producers.* If requested by the county office manager, the owner, operator, or any other interested person shall furnish the following information, if available, regarding the farm in which he has an interest to the ASC county office of the county in which the farm is regarded as located if the farm is an old wheat farm:

- (1) The names and addresses of the owner and operator.
- (2) The total acreage of all land.
- (3) The acreage of cropland.
- (4) The wheat acreage seeded or considered seeded for the five years immediately preceding the current year.
- (5) The acreage of wheat utilized for wheat cover crop for the five years immediately preceding the current year.
- (6) Other pertinent information relative to the operations of the farm.

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

§ 728.1017 Determination of base acreages for old farms for the 1960 crop of wheat.

(a) The county committee shall, in accordance with the regulations in this subpart, determine a 1960 base acreage for each old farm which will reflect the factors of past acreage of wheat, tillable acres, crop-rotation practices, type of soil and topography. In arriving at the base acreage, consideration shall be given to the wheat history acreage on the farm during the years 1955 through 1958, tillable acres, type of soil, topography and the producer's crop-rotation system for the farm, including the equipment and other facilities available for carrying out such system of crop rotation. Such base acreages shall be established as follows:

(b) *Historical average acreage:* The county committee shall establish for each farm a historical average acreage which shall be the average of the wheat history acreages on the farm for 1955, 1956, 1957 and 1958.

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

(i) Abnormally low due to excessive wet weather or flood (limited to the crop years 1955 and 1956, except that it may be used for any year 1955 through 1958 for farms in a State which was not designated as a 1958 commercial wheat-producing State).

(ii) Abnormally low due to drought (limited to the crop years 1955 and 1956, except that it may be used for any year 1955 through 1958 for farms in a State which was not designated as a 1958 commercial wheat-producing State).

(iii) Abnormally high because in previous years wheat or other crops failed or could not be planted (limited to the crop years 1955, 1956 and 1957, except that it may be used for any year 1955 through 1958 for farms in a State which was not designated as a 1958 commercial wheat-producing State).

(iv) Not applicable for 1960 because of an established or to be established odd and even crop-rotation system for the farm.

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

(d) *Tentative 1960 base acreage:* The county committee may further adjust the historical average or the adjusted average acreage, as the case may be, determined under paragraphs (b) and (c) of this section so as to make such acreage fair and reasonable in relation to those acreages for other farms which are similar with respect to the amount of cropland, type of soil and topography, and on which the crop-rotation practices as reflected by types of crops grown and other related factors have been similar during the period 1955-1958, inclusive.

Adjustments in the historical average or adjusted average shall be made within the following limitations:

(i) If such acreage is substantially below such acreages for similar farms, it may be adjusted upward not to exceed twenty-five percent of such acreage. If the adjusted average acreage is zero because one or more of the years in the applicable period was eliminated under paragraph (c) (1) (i), (ii), or (iii) of this section and no base acreage was established for 1958, the twenty-five percent limitation will not apply and the adjusted average acreage may be adjusted upward, but in no event to exceed the average acreage of the tentative bases determined for three similar farms. If all the years in the applicable period are eliminated under paragraph (c) (1) (iv) of this section, the adjusted average acreage may be adjusted upward, but not above the acreage of cropland for the farm. In no event may the tentative base acreage recommended exceed the cropland for the farm. For farms beginning or changing to an odd and even crop-rotation system for 1960, the tentative base recommended must reflect the low year of the rotation for 1960.

(ii) If the acreage is substantially above that for similar farms, it may be adjusted downward not to exceed twenty-five percent of such acreage.

(iii) For any farm for which a new farm allotment was established for any year subsequent to 1955, the tentative 1960 base acreage shall be determined as provided in paragraph (a), (b) or (c) of this section, but without regard to the years prior to the year for which the allotment was first established. For any farm growing wheat for the first time in 1959 in a State outside the 1959 commercial wheat-producing area, the 1960 indicated base acreage which may be recommended cannot exceed the average of the tentative bases recommended for three similar farms. On any farm for which an allotment was first established in 1959, the tentative base shall be the product obtained by multiplying the final 1959 wheat acreage allotment for the farm by the reciprocal of a decimal fraction which is 100 percentum of the county proration factor used in adjusting old farm base acreages in 1959 to the 1959 county acreage allotment under § 728.918.

(e) *1960 base acreages:* The 1960 base acreage shall be that acreage determined under paragraphs (a) through (d) of this section. A base acreage of greater than zero must be established for each old wheat farm, unless it is determined that under the definitely established crop-rotation system, or due to the fact that the farm will be removed from agricultural production because of acquisition by persons or agencies not having the right of eminent domain, there will be no acreage seeded to wheat for harvest in 1960. If the sum of the indicated 1960 base acreages for all old farms in the county exceeds the 1960 final county base acreage used in apportioning the State acreage allotments to counties contained in § 728.1007, such indicated base acreages shall be reduced by that per-

centage by which the sum of the indicated 1960 base acreages for all old farms in the county exceeds such 1960 county base acreage. As so reduced, the 1960 tentative base acreages shall become the 1960 base acreages.

§ 728.1018 Determination of acreage allotments for old farms.

The current year's county acreage allotment, less reserve for appeals, correction of errors and missed farms shall be apportioned by the county committee pro rata among all farms within the county on the basis of the base acreages determined under § 728.1017.

§ 728.1019 Determination of tentative acreages for new farms.

(a) The county committee shall determine a tentative acreage for use in establishing a wheat acreage allotment for each eligible new farm for which an acreage allotment is requested in writing prior to July 1 of the year immediately preceding the current year in the winter wheat area, and prior to March 1 of the current year in the spring wheat area. The spring wheat area shall include any area where spring wheat is normally grown, even though winter wheat is also grown in such area. Each request for such allotment shall be made by the owner or operator, and shall contain statements as to the location and identification of the farm, the names and addresses of the owner and operator, if known, the total acreage of land, the identification and location of any other farms in which the operator will have an interest in the current year, the location of the farm or farms and the wheat acreage in which the operator had an interest during the four years immediately preceding the current year, the acreage of wheat planned for the current year under the crop-rotation system for the farm, the reason for requesting a wheat allotment, the reason there was no wheat history acreage on the farm for any of the three years immediately preceding the current year, and a statement that the operator expects to derive fifty percent or more of his livelihood from farming operations on the farm.

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

(1) The application must be filed on or before the closing date; and

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

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

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

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

(c) In determining the tentative acreage for each new farm, the county committee shall take into consideration the tillable acres, crop-rotation practices, type of soil, topography and the farming system to be followed by the operator, including the equipment and other facilities available for the production of wheat under such system: *Provided*, That the tentative acreage so established shall not exceed the wheat acreage for the farm for the current year under the planned crop-rotation system. Without prior approval of the State committee, the acreage recommended by the county committee shall not exceed one hundred percent of the acreage indicated by cropland where the operator of the farm has been planting wheat on the farm in regular rotation; eighty percent of the acreage indicated by cropland where the operator has had actual wheat production in previous years; sixty-five percent of the acreage indicated by cropland where the operator has had no opportunity to establish wheat history for himself; and twenty-five percent of the acreage indicated by cropland where the applicant could have established wheat history but has not done so, and in all other cases. The State committee when requested may grant approval in excess of the limits established above if such limitation would result in an inequitable tentative acreage due to the fact that the type of farming operations carried out generally in the community or county is not representative of the type of farming operations to be carried out on the new farm.

§ 728.1020 Determination of acreage allotments for new farms.

The county committee shall, after approval by the State committee of the tentative acreages established for new wheat farms, determine a wheat acreage allotment for the current year for each new farm by multiplying the tentative acreage so established by a pro rata adjustment factor which shall be the smaller of the factor determined under § 728.1018 or a factor obtained by dividing the State reserve for new farms by the sum of the tentative acreages determined for new farms under § 728.1019. If the wheat acreage for the current year is less than the allotment established under this section, the wheat allotment for the farm shall be reduced to the acreage classified as wheat acreage on the farm, and the acreage resulting from such reductions in each county shall be transferred to the reserve available to the county committee for appeals, correction of errors and missed farms. The sum of all new farm acreage allotments in the State shall not exceed the State reserve set aside for new farms. In determining future allotments for such new farms, the farm will not be considered to have any acreage diverted from the production of wheat for the year in which the allotment was established.

§ 728.1021 Farms removed from agricultural production because of acquisition by Federal, State, or other agency having right of eminent domain.

The wheat acreage allotment determined for a farm shall, if the farm was acquired in 1954 or thereafter for any purpose other than for the continued production of allotted crops, by any Federal, State, or other agency having the right of eminent domain, become available for use in providing allotments for other farms owned by the owner so displaced, and such apportionment shall be made in accordance with Part 719 of this chapter.

§ 728.1022 Allotment for farms divided or combined.

The wheat acreage allotment determined for a farm shall, if there is a division or combination, be apportioned in accordance with Part 719 of this chapter.

§ 728.1023 Mailing of farm allotment notices.

Notice of the farm acreage allotment shall be mailed by the county committee to the operator of the farm, and if so determined by the State committee to each other producer indicated by the records of the county committee as having an interest in the wheat crop on the farm in the current year. Such notice shall bear the actual or facsimile signature of a member of the county committee. The facsimile signature may be affixed by the county committeeman or by an employee of the county office. Insofar as practicable all allotment notices in the county shall be mailed on the same date and in time to be received prior to the date on which the referendum to determine whether farmers favor or oppose farm marketing quotas will be held. A copy of each such notice approved shall be kept freely available in the county office for a period of not less than 30 calendar days. At the end of such period, the copies of the notices shall remain readily available for further public inspection.

§ 728.1024 Right of appeal of farm allotment to review committee.

(a) In the event marketing quotas are applicable to the current year, any producer who is dissatisfied with the farm wheat acreage allotment and marketing quota established for his farm may, within 15 days after mailing of the official notice of the farm wheat acreage allotment and marketing quota, file an application to have such allotment reviewed by a review committee appointed by the Secretary. The procedures governing the review of farm acreage allotments and marketing quotas are contained in the marketing quota review regulations (Part 711 of this chapter, 21 F.R. 9365), and any amendments thereto, which are available at the office of the county committee.

(b) In the event marketing quotas are not applicable in the current year, any producer who is dissatisfied with his farm wheat acreage allotment may file an appeal for reconsideration of such

allotment by the county committee. The appeal and the facts constituting the basis therefor must be submitted in writing and postmarked or delivered to the office of the county committee within 15 days after the date of mailing of the notice of allotment. If the applicant is dissatisfied with the decision of the county committee with respect to his appeal, he may appeal to the State committee within 15 days after the date of mailing the notice of the decision of the county committee. If the appellant is dissatisfied with the decision of the State committee, he may, within 15 days after the date of mailing of the notice of the decision of the State committee request a review of his case by the Director of the Grain Division, Commodity Stabilization Service, whose decision shall be final.

§ 728.1025 Applicability of regulations.

(a) Sections 728.1010 to 728.1025 shall govern the establishment of farm wheat acreage allotments in connection with the marketing quota and price support programs for the current year.

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

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

Issued at Washington, D.C., this 26th day of March 1959.

[SEAL]

TRUE D. MORSE,
Acting Secretary.

[F.R. Doc. 59-2680; Filed, Mar. 30, 1959;
8:48 a.m.]

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

[Lemon Reg. 784, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

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 amendment 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 amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient, and this amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b) (1) (i) and (ii) of § 953.891 (Lemon Regulation 784, 24 F.R. 2224) are hereby amended to read as follows:

- (i) District 1: 15,810 cartons;
- (ii) District 2: 239,940 cartons.

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

Dated: March 26, 1959.

[SEAL]

S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 59-2686; Filed, Mar. 30, 1959;
8:49 a.m.]

PART 1012—MILK IN BLUEFIELD MARKETING AREA

Order Amending Order

§ 1012.0 Findings and determinations.

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

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

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

(2) The parity prices of milk, as determined pursuant to section 2 of the

Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

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

(4) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 5 cents per hundredweight or such amount not to exceed 5 cents per hundredweight as the Secretary may prescribe, with respect to butterfat and skim milk pursuant to § 1012.95.

(b) **Additional findings.** It is necessary in the public interest to make this order amending the order effective not later than April 1, 1959.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued February 26, 1959, and the decision of the Assistant Secretary containing all amendment provisions of this order was issued March 23, 1959. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective April 1, 1959, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (See section 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.)

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

(1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Bluefield marketing area shall be

in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Delete the portion of § 1012.30 preceding paragraph (a) and insert the following:

§ 1012.30 Reports of receipts and utilization.

On or before the 6th day after the end of each month, each handler, except a producer-handler, shall report to the market administrator for such month, and for each accounting period in such month, in the detail and on forms prescribed by the market administrator for each of his approved plants for such month as follows:

§ 1012.30 [Amendment]

2. In § 1012.30, delete the word "and" at the end of paragraph (d); delete the period at the end of paragraph (e) and insert a semicolon and the word "and"; and add a new paragraph (f) as follows:

(f) Each handler who submits reports on the basis of accounting periods of less than a month, as described in § 1012.46(d), shall submit a summary report of the same information for the entire month.

2a. Insert a new § 1012.34 as follows:

§ 1012.34 Accounting periods.

A handler may account for receipts of milk, utilization and classification of milk at his plants for periods within a month in the same manner as for a month, if he provides to the market administrator in writing not later than 24 hours prior to the end of an accounting period notification of his intention to use such accounting period.

§ 1012.44 [Amendment]

3. In § 1012.44(c), delete the language preceding subparagraph (1) and substitute the following:

(c) As Class I milk if diverted or transferred in bulk form as milk or skim milk to a nonfluid milk plant located in the marketing area or not more than 300 miles by the shortest highway distance as determined by the market administrator from the City Hall in Bluefield, West Virginia, unless:

§ 1012.46 [Amendment]

4. In § 1012.46, delete paragraph (a) and substitute the following:

(a) Skim milk shall be allocated in the following manner:

(1) Subtract from the total pounds of skim milk in Class I milk disposed of as milk, skim milk, cream (except frozen cream), and any mixture in fluid form of milk, skim milk and cream (except sterilized products in hermetically sealed containers, ice cream mix and eggnog), all in consumer-packaged form on routes, the pounds of such skim milk received during the month in the same product and same packages from a plant fully regulated pursuant to Order No. 23 (Part 923 of this chapter) regulating the handling of milk in the Appalachian marketing area;

(2) Subtract from the total pounds of skim milk in Class II milk the pounds of skim milk assigned to producer milk pursuant to § 1012.42(d);

(3) Subtract from the remaining pounds of skim milk in Class II milk the pounds of skim milk in other source milk (that derived from milk priced under another Federal order, not including that subtracted pursuant to subparagraph (1) of this paragraph, to be subtracted last): *Provided*, That if the receipts of skim milk in other source milk are greater than the remaining pounds of skim milk in Class II milk, the amount equal to the difference shall be subtracted from the pounds of skim milk in Class I milk;

(4) Subtract from the remaining pounds of skim milk in Class II milk the pounds of skim milk contained in inventory of products designated as Class I milk pursuant to § 1012.41(a)(1) on hand at the beginning of the month: *Provided*, That if the pounds of skim milk in such inventory are greater than the remaining pounds of skim milk in Class II milk, an amount equal to the difference shall be subtracted from the pounds of skim milk in Class I milk;

(5) Subtract from the remaining pounds of skim milk in each class the skim milk received from the fluid milk plants of other handlers in the form of products designated as Class I milk in § 1012.41(a)(1), according to its classification as determined pursuant to § 1012.44(a);

(6) Add to the remaining pounds of skim milk in Class II milk the pounds of skim milk subtracted pursuant to subparagraph (2) of this paragraph; and

(7) If the remaining pounds of skim milk in both classes exceed the pounds of skim milk contained in producer milk, subtract such excess from the remaining pounds of skim milk in series beginning with Class II milk. Any amount so subtracted shall be known as "overage".

§ 1012.53 [Amendment]

5. In § 1012.53, delete the proviso and substitute the following: "*Provided*, That for the purpose of calculating such location differential, products so designated as Class I milk which are transferred between fluid milk plants shall be assigned to any remainder of Class II milk in the transferee-plant after making the calculations prescribed in § 1012.46(a)(1), (2) and (3), and the comparable steps in § 1012.46(b) for such plant, and after deducting from such remainder an amount equal to 0.05 times the skim milk and butterfat contained in the producer milk received at the transferee-plant, such assignment to transferor plants to be made in sequence according to the location differential applicable at each plant, beginning with the plant having the largest differential."

§ 1012.70 [Amendment]

6. In § 1012.70, delete paragraph (e) and substitute the following:

(e) Add the amount obtained in multiplying the difference between the Class II price for the preceding month and the Class I price for the current month by the hundredweight of producer milk classified in Class II during the preced-

ing month, or the hundredweight of milk subtracted from Class I pursuant to § 1012.46 (a)(4) and (b), whichever is less.

7. Delete § 1012.80, and substitute the following:

§ 1012.80 Determination of daily base.

The daily base of each producer shall be calculated by the market administrator as follows: To the pounds of milk received from the producer during the months beginning with September of the previous year and through February of the current year at all fluid milk plants add the milk produced by the same person on the same farm(s) on 55 days or less during such months and received at plants which are defined as fluid milk plants pursuant to the order regulating the handling of milk in the Appalachian marketing area (Part 923 of this chapter), and divide by the number of days from the first day milk is so received to the last day of February, inclusive, but not less than 120 days: *Provided*, That if milk so received at a fluid milk plant pursuant to Part 923 of this chapter is more than 55 days' production, the production on only the first 55 of these days shall be used for this computation.

8. In § 1012.95, delete the period at the end of paragraph (c) and insert a comma and the word "and" and add a new paragraph (d) as follows:

(d) with respect to payments pursuant to paragraphs (a), (b) and (c) of this section, if a handler uses more than one accounting period in a month, the rate of payment per hundredweight for such handler shall be the rate for monthly accounting periods multiplied by the number of accounting periods in the month or such lesser rate as the Secretary may determine is demonstrated as appropriate in terms of the particular costs of administering the additional accounting periods.

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

Issued at Washington, D.C., this 26th day of March 1959, to be effective on and after the 1st day of April 1959.

[SEAL]

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 59-2689; Filed, Mar. 30, 1959; 8:50 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 78—BRUCELLOSIS IN DOMESTIC ANIMALS

Subpart D—Designation of Modified Certified Brucellosis-Free Areas, Public Stockyards, and Slaughter- ing Establishments

Pursuant to § 78.16 of the regulations in Part 78, as amended, Title 9, Code of

Federal Regulations, containing restrictions on the interstate movement of animals because of brucellosis, under sections 4, 5, and 13 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and section 3 of the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 114a-1, 120, 121, 125), § 78.13 is hereby amended as follows:

1. Paragraph (t), relating to California, is amended by adding Trinity county in proper alphabetical order.

2. Paragraph (w), relating to Georgia, is amended by adding Brooks, Gilmer, Greene, Lanier, Miller, Richmond, Ware, and Whitfield Counties in proper alphabetical order.

3. Paragraph (y), relating to Illinois, is amended by adding Monroe County in proper alphabetical order.

4. Paragraph (z), relating to Indiana, is amended by removing Lake County, and by adding Cass and Lagrange Counties in proper alphabetical order.

5. Paragraph (bb), relating to Kentucky, is amended by adding Hopkins, Metcalfe, Rockcastle, Simpson, and Todd Counties in proper alphabetical order.

6. Paragraph (cc), relating to Louisiana, is amended by adding Saint Landry in proper alphabetical order.

7. Paragraph (dd), relating to Maryland, is amended by adding Charles County in proper alphabetical order.

8. Paragraph (ff), relating to Mississippi, is amended by adding Jefferson Davis and Neshoba Counties in proper alphabetical order.

9. Paragraph (gg), relating to Missouri, is amended by adding Dent, Putnam and Reynolds Counties in proper alphabetical order.

10. Paragraph (hh), relating to Montana, is amended by removing Broadwater County, and by adding Glacier County in proper alphabetical order.

11. Paragraph (kk), relating to New York, is amended by adding Cortland, Delaware, Greene, Lewis, Niagara, and Tioga Counties in proper alphabetical order.

12. Paragraph (mm), relating to Ohio, is amended by adding Athens, Henry, Hocking, Jackson, and Seneca Counties in proper alphabetical order.

13. Paragraph (oo), relating to South Carolina, is amended by adding Lancaster County in proper alphabetical order.

14. Paragraph (qq), relating to Tennessee, is amended by adding Bledsoe, Bradley, Hardin, Lauderdale, and Rutherford Counties in proper alphabetical order.

15. Paragraph (tt), relating to Virginia, is amended by adding Chesterfield and Culpeper Counties in proper alphabetical order.

16. Paragraph (uu), relating to West Virginia, is amended by adding Fayette and Wetzel Counties in proper alphabetical order.

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

The amendment deletes Lake County in Indiana and Broadwater County in Montana from the list of areas designated as modified certified brucellosis-

free areas, because it has been determined that such counties no longer come within the definition of § 78.1(i), and adds certain additional areas which have been determined to come within such definition.

The amendment imposes certain restrictions necessary to prevent the spread of brucellosis in cattle and relieves certain restrictions presently imposed. It should be made effective promptly in order to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. 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, and good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

(Secs. 4, 5, 23 Stat. 32, as amended, sec. 1, 2, 32 Stat. 791-792, as amended, sec. 3, 33 Stat. 1265, as amended, sec. 13, 65 Stat. 693; 21 U.S.C. 111-113, 114a-1, 120, 125; 9 CFR 78.16)

Done at Washington, D.C., this 26th day of March 1959.

[SEAL] R. J. ANDERSON
Director, Animal Disease Eradication Division, Agricultural Research Service.

[F.R. Doc. 59-2690; Filed, Mar. 30, 1959; 8:50 a.m.]

Title 14—CIVIL AVIATION

Chapter II—Federal Aviation Agency

[Amdt. 43]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

Miscellaneous Alterations

The minimum en route IFR altitudes appearing hereinafter have been coordinated with interested members of the industry in the regions concerned insofar as practicable. The altitudes are adopted without delay in order to provide for safety in air commerce. 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 610 is amended as follows:

Section 610.15 *Green civil airway 4* is amended to read in part:

From Terre Haute, Ind., LF/RBN; to Indianapolis, Ind., LFR; MEA 2,200.

Section 610.106 *Amber civil airway 6* is amended to read in part:

From Cincinnati, Ohio, LFR; to South Solon INT, Ohio; MEA 2,200.

South Solon INT, Ohio; to West Jefferson INT, Ohio; 2,400.

Section 610.107 *Amber civil airway 7* is amended to read in part:

From Savannah, Ga., LFR; to Charleston, S.C., LFR; MEA 1,500.

From Charleston, S.C., LFR; to Florence, S.C., LFR; MEA 1,300.

From Richmond, Va., LFR; to Washington, D.C., LFR; MEA 1,500.

Section 610.115 *Amber civil airway 15* is amended to read:

From U.S.-Canadian Boundary; to Annette Island, Alaska, LFR; MEA 7,500.

Section 610.208 *Red civil airway 8* is amended by adding:

From Wheeling, W. Va., LF/RBN; to Clinton, Pa., LF/RBN; MEA 2,700.

From Clinton, Pa., LF/RBN; to Butler, Pa., LF/RBN; MEA 2,500.

Section 610.213 *Red civil airway 13* is amended to delete:

From Wheeling, W. Va., LF/RBN; to Clinton, Pa., LF/RBN; MEA 2,700.

From Clinton, Pa., LF/RBN; to Butler, Pa., LF/RBN; MEA 2,500.

Section 610.219 *Red civil airway 19* is amended to read in part:

From Int. S crs Quantico LFR and NW crs Tappahannock, LFR; to Tappahannock, Va., LFR; MEA 1,500.

Section 610.245 *Red civil airway 45* is amended to read in part:

From Manakin, Va., LF/RBN; to Quantico, Va., LFR; MEA 1,700.

Section 610.261 *Red civil airway 61* is deleted:

Section 610.284 *Red civil airway 84* is amended to read in part:

From Meridian, Miss., LFR; to Maxwell AFB, Ala., LFR; MEA 2,000.

Section 610.636 *Blue civil airway 36* is deleted.

Section 610.656 *Blue civil airway 56* is amended to delete:

From Weeksville, N.C., LFR; to Norfolk, Va., VAR; MEA 1,500.

Section 610.1001 *Direct routes, U.S.* is amended by adding:

From College Station, Tex., VOR; to Tracy INT, Tex.; MEA *1,700. *1,600—MOCA.

From Heflin INT, Ala.; to Int. 102 M rad Anniston VOR and 340 M La Grange VOR; 2,800.

Section 610.6001 *VOR civil airway 1* is amended by adding:

From Jacksonville, Fla., VOR; to Charleston, S.C., VOR; MEA 17,000.

Section 610.6001 *VOR civil airway 1* is amended to read in part:

From *Jamestown INT, S.C.; to **Andrews INT, S.C.; MEA 1,300. *2,500—MRA. **2,000—MRA.

From Andrews INT, S.C.; to *Planter INT, S.C.; MEA 1,300. *2,000—MRA.

Section 610.6002 *VOR civil airway 2* is amended to read in part:

From Muskegon, Mich., VORTAC; to *Comstock INT, Mich.; MEA 2,000. *2,600—MCA Comstock INT, eastbound.

From Comstock INT, Mich.; to *Lowell INT, Mich.; MEA 2,800. *4,000—MRA.

From Spokane, Wash., VOR via N alter.; to Hayden Lake INT, Idaho, via N alter.; MEA 7,000.

From Hayden Lake INT, Idaho, via N alter.; to Mullan Pass, Idaho, VOR via N alter.; MEA 9,000.

From Milwaukee, Wis., VOR via S alter.; to *Sun Fish INT, Wis., via S alter.; MEA 2,700. *2,700—MRA.

From Sun Fish INT, Wis., via S alter.; to Muskegon, Mich., VORTAC via S alter.; MEA 2,000.

Section 610.6002 *VOR civil airway 2* is amended to delete:

From Ephrata, Wash., VOR via S alter.; to Pine City, Wash., LF/RBN via S alter.; MEA 8,000. *4,600—MOCA.

From Pine City, Wash., LF/RBN via S alter.; to Mullan Pass, Mont., VOR via S alter.; MEA 9,000.

Section 610.6002 *VOR civil airway 2* is amended by adding:

From Ephrata, Wash., VOR via N alter.; to Spokane, Wash., VOR via N alter.; MEA 5,000.
From Spokane, Wash., VOR via S alter.; to Tekoa INT, Wash., via S alter.; MEA 6,000.
From Tekoa INT, Wash., via S alter.; to Mullan Pass, Idaho VOR via S alter.; MEA 9,000.

Section 610.6003 *VOR civil airway 3* is amended to delete:

From Savannah, Ga., VOR; to *Burton INT, S.C.; MEA 1,400. *1,700—MRA.
From Burton INT, S.C.; to Charleston, S.C., VOR; MEA 1,400.

From Charleston, S.C., VOR; to *Lake Moultrie INT, S.C.; MEA 1,300. *2,000—MRA.
From Lake Moultrie INT, S.C.; to Florence S.C., VOR; MEA 1,300.

From Savannah, Ga., VOR via W alter.; to Charleston, S.C., VOR via W alter.; MEA 1,400.
From Charleston, S.C., VOR via E alter.; to Florence, S.C., VOR via E alter.; MEA 1,300.

Section 610.6003 *VOR civil airway 3* is amended by adding:

From Savannah, Ga., VOR; to Ridgeland INT, S.C.; MEA 1,500. *1,200—MOCA.
From Ridgeland INT, S.C.; to St. George INT, S.C.; MEA 4,500. *1,500—MOCA.
From St. George INT, S.C.; to Florence, S.C., VOR; MEA 7,000. *1,900—MOCA.

Section 610.6003 *VOR civil airway 3* is amended to read in part:

From Stuart INT, Fla., via E alter.; to *Viking INT, Fla., via E alter.; MEA **1,500. *3,800—MRA. *1,200—MOCA.

From Viking INT, Fla., via E alter.; to Vero Beach, Fla., VOR via E alter.; MEA *1,500. *1,200—MOCA.

From Brooke, Va., VOR; to Springfield INT, Va.; MEA 1,500.

From Springfield INT, Va.; to Washington, D.C., TVOR; MEA 1,800.

Section 610.6005 *VOR civil airway 5* is amended to read in part:

From Macon, Ga., VOR; to *Jenkinsburg INT, Ga., MEA 2,000. *2,500—MRA.

From Jenkinsburg INT, Ga.; to McDonough, Ga., VORTAC; MEA 2,000.

From Tarboro INT, Ga., via E alter.; to Dixie INT, Ga., via E alter.; MEA *3,000. *1,200—MOCA.

From Dixie INT, Ga., via E alter.; to *Baxley INT, Ga., via E alter.; MEA *6,000. *6,000—MRA. *1,400—MOCA.

Section 610.6007 *VOR civil airway 7* is amended to read in part:

From Montgomery, Ala., VOR; to *Jones INT, Ala.; MEA **2,000. *3,000—MRA. *1,700—MOCA.

From Dade City INT, Fla.; to Katy INT, Fla.; MEA 1,500.

From Katy INT, Fla.; to Lakeland, Fla., VOR; MEA *1,500. *1,300—MOCA.

From Evansville, Ind., VOR; to Lewis, Ind., VOR; MEA 2,000.

From Chicago Hgts, Ill., VOR via E alter.; to White Fish INT, Ill., via E alter.; MEA 2,500.

From White Fish INT, Ill., via E alter.; to Taylor INT, Ill., via E alter.; MEA *3,000. *2,000—MOCA.

From *New Berlin INT, Wis., via E alter.; to Milwaukee, Wis., VOR via E alter.; MEA **3,000. *3,500—MRA. **2,100—MOCA.

Section 610.6008 *VOR civil airway 8* is amended to delete:

From Kingfish INT, Calif.; to Long Beach, Calif., VOR; MEA 3,500.

Section 610.6008 *VOR civil airway 8* is amended by adding:

From Dolphin INT, Calif.; to Long Beach, Calif., VOR; MEA 3,500.

Section 610.6009 *VOR civil airway 9* is amended to read in part:

From McComb, Miss., VOR via E alter.; to Johns INT, Miss., via E alter.; MEA *2,000. *1,800—MOCA.

From Naperville, Ill., VOR; to *Elgin INT, Ill.; MEA 2,200. *2,500—MRA.

From Elgin INT, Ill.; to Marengo INT, Ill.; MEA 2,200.

From Marengo INT, Ill.; to Milwaukee, Wis., VOR; MEA 2,500.

Section 610.6009 *VOR civil airway 9* is amended to delete:

From Naperville, Ill., VOR via W alter.; to *Genoa INT, Ill., via W alter.; MEA 2,200. *2,600—MRA.

From Genoa INT, Ill., via W alter.; to Milwaukee, Wis., VOR via W alter.; MEA 2,600.

Section 610.6012 *VOR civil airway 12* is amended by adding:

From Readsville, Mo., VOR via S alter.; to New Haven INT, Mo., via S alter.; MEA 2,100.
From New Haven INT, Mo., via S alter.; to *Osage INT, Mo., via S alter.; MEA 2,000. *3,500—MRA.

From Osage INT, Mo., via S alter.; to Maryland Heights, Mo., VOR via S alter.; MEA 2,000.

Section 610.6013 *VOR civil airway 13* is amended to read in part:

From Shreveport, La., VOR; to *Ida INT, La.; MEA 1,700. *2,500—MRA.

From Ida INT, La.; to Texarkana, Ark., VOR; MEA 1,700.

From Des Moines, Iowa, VOR via W alter.; to Fort Dodge, Iowa, VOR via W alter.; MEA 4,000.

Section 610.6014 *VOR civil airway 14* is amended to read in part:

From *Washita INT, Okla.; to Minco INT, Okla.; MEA 3,100. *3,500—MRA.

From Minco INT, Okla.; to Oklahoma City, Okla., VOR; MEA 2,400.

From Oklahoma City, Okla., VOR; to Fallis INT, Okla.; MEA 3,700.

From *Chickasha INT, Okla., via S alter.; to **Tuttle INT, Okla., via S alter.; MEA ***2,800. *4,300—MRA. **2,500—MRA. ***2,500—MOCA.

From Tuttle INT, Okla., via S alter.; to Oklahoma City, Okla., VOR via S alter.; MEA 2,400.

Section 610.6015 *VOR civil airway 15* is amended to read in part:

From Waco, Tex., VOR; to Waxahachie INT, Tex.; MEA 2,000.

From Waxahachie INT, Tex.; to Fair Park INT, Tex.; MEA 2,600.

From Fair Park INT, Tex.; to Dallas, Tex., VOR; MEA 2,000.

From Waco, Tex., VOR via E alter.; to Ennis INT, Tex., via E alter.; MEA *2,400. *2,000—MOCA.

From Ennis INT, Tex., via E alter.; to Red Oak INT, Tex., via E alter.; MEA *2,400. *1,600—MOCA.

From Red Oak INT, Tex., via E alter.; to Dallas, Tex., VOR via E alter.; MEA 1,900.

From Dallas, Tex., VOR; to Prosper INT, Tex.; MEA 2,100.

From Prosper INT, Tex.; to Tioga INT, Tex.; MEA 1,900.

From Tioga INT, Tex.; to Ardmore, Okla., VOR; MEA 2,200.

From Dallas, Tex., VOR via W alter.; to Gainesville INT, Tex., via W alter.; MEA 2,100.

From Gainesville INT, Tex., via W alter.; to Ardmore, Okla., VOR via W alter.; MEA 2,200.

Section 610.6016 *VOR civil airway 16* is amended to read in part:

From *Haynes INT, Ark., via N alter.; to **Round Pond INT, Ark., via N alter.; MEA ***5,000. *4,000—MRA. **5,000—MRA. ***1,700—MOCA.

From Mineral Wells, Tex., VOR; to Lake Worth INT, Tex.; MEA 2,500.

From Lake Worth INT, Tex.; to Dallas, Tex., VOR; MEA *2,500. *2,200—MOCA.

From Dallas, Tex., VOR; to Majors INT, Tex.; MEA 1,600.

From Majors INT, Tex., to Sulphur Springs, Tex., VOR; MEA 1,800.

From Mineral Wells, Tex., VOR via N alter.; to Keller INT, Tex., via N alter.; MEA 2,500.

From Keller INT, Tex., via N alter.; to *Garza INT, Tex., via N alter.; MEA **3,900. *3,900—MRA. **1,900—MOCA.

From Garza INT, Tex., via N alter.; to Prosper INT, Tex., via N alter.; MEA *5,700. *2,100—MOCA.

From Prosper INT, Tex., via N alter.; to Tidwell INT, Tex., via N alter.; MEA 1,900.

From Tidwell INT, Tex., via N alter.; to Sulphur Springs, Tex., VOR via N alter.; MEA 1,800.

From Mineral Wells, Tex., VOR via S alter.; to Lucas INT, Tex., via S alter.; MEA 2,700.

From Lucas INT, Tex., via S alter.; to Dallas, Tex., VOR via S alter.; MEA 1,900.

Section 610.6017 *VOR civil airway 17* is amended to read in part:

From *Georgetown INT, Tex.; to **Walburg INT, Tex.; MEA 2,000. *3,200—MRA. **3,000—MRA.

Section 610.6018 *VOR civil airway 18* is amended by adding:

From Allendale, S.C., VOR via S alter.; to Charleston, S.C., VOR via S alter.; MEA 1,500.

Section 610.6018 *VOR civil airway 18* is amended to read in part:

From Allendale, S.C., VOR; to *Walterboro INT, S.C., MEA 1,600. *3,000—MRA.

From Walterboro INT, S.C.; to Charleston, S.C., VOR; MEA 1,600.

From Dallas, Tex., VOR; to Quitman, Tex., VOR; MEA 1,600.

Section 610.6019 *VOR civil airway 19* is amended to read in part:

From Kiowa, Colo., VOR; to Strasburg INT, Colo.; MEA 8,000.

From Strasburg INT, Colo.; to Denver, Colo., VOR; MEA 7,000.

From Denver, Colo., VOR; to *Platte INT, Colo.; MEA 7,500. *10,500—MRA.

From Platte INT, Colo.; to *Nunn INT, Colo.; MEA 7,500. *12,500—MRA.

From Nunn INT, Colo.; to Cheyenne, Wyo., VOR; MEA 7,500.

Section 610.6020 *VOR civil airway 20* is amended by adding:

From Mobile, Ala., VOR via S alter.; to Evergreen, Ala., VOR via S alter.; MEA 1,500.

Section 610.6021 *VOR civil airway 21* is amended to delete:

From Kingfish INT, Calif.; to Long Beach, Calif., VOR; MEA 3,500.

Section 610.6021 *VOR civil airway 21* is amended by adding:

From Carp INT, Calif.; to Long Beach, Calif., VOR; MEA 3,500.

Section 610.6022 *VOR civil airway 22* is amended to read in part:

From *Daphne INT, Ala.; to Robertsdale INT, Ala.; MEA **2,000. *2,600—MRA. **1,700—MOCA.

From Robertsdale INT, Ala.; to Pensacola (NAS) Fla., VOR; MEA *2,000. *1,700—MOCA.

Section 610.6023 *VOR civil airway 23* is amended by adding:

From Medford, Oreg., VOR via W alter.; to *Roseburg INT, Oreg., via W alter.; MEA 12,000. *10,000—MCA Roseburg INT, south-eastbound.

From Roseburg INT, Oreg., via W alter.; to Drain INT, Oreg., via W alter.; MEA 7,000.

From Drain INT, Oreg., via W alter.; to Eugene, Oreg., VOR via W alter.; northbound, MEA 4,000; southbound, MEA 7,000.

Section 610.6024 *VOR civil airway 24* is amended to read in part:

From Redwood Falls, Minn., VOR; to *Waterville INT, Minn.; MEA **3,500. *4,600—MRA. **2,500—MOCA.

From Waterville INT, Minn.; to Owatonna INT, Minn.; MEA *3,500. *2,500—MOCA.

From Owatonna INT, Minn.; to Rochester, Minn., VOR; MEA 2,800.

Section 610.6030 *VOR civil airway 30* is amended to read in part:

From *White Cap INT, N.Y.; to Newport INT, R.I.; MEA 7,000. *11,000—MRA.

From Wilwaukee, Wis., VOR; to *Sun Fish INT, Wis.; MEA 2,700. *2,700—MRA.

From Sun Fish INT, Wis.; to Salmon INT, Mich.; MEA *2,700. *2,000—MOCA.

From Salmon INT, Mich.; to Pullman, Mich., VOR; MEA 2,000.

From Milwaukee, Wis., VOR via S alter.; to Pike INT, Wis., via S alter.; MEA 2,300.

From Pike INT, Wis., via S alter.; to Rainbow INT, Mich., via S alter.; MEA *3,000. *2,000—MOCA.

From Rainbow INT, Mich., via S alter.; to Pullman, Mich., VOR via S alter.; MEA 2,000.

Section 610.6035 *VOR civil airway 35* is amended to read in part:

From Fort Myers, Fla., VOR; to *Murdoch INT, Fla.; MEA 1,500. *1,700—MRA.

From Murdoch INT, Fla.; to St. Petersburg, Fla., VOR; MEA 1,500.

From Hansen INT, Fla.; via E alter.; to Homo INT, Fla., via E alter.; MEA 1,500.

Section 610.6037 *VOR civil airway 37* is amended to read in part:

From Columbia, S.C., VOR; to Charlotte, N.C., VOR; MEA 2,000.

Section 610.6042 *VOR civil airway 42* is amended to read in part:

From Imperial, Pa., VOR; to Tarentum INT, Pa.; MEA 3,500.

From Tarentum INT, Pa.; to Johnstown, Pa., VOR; MEA 4,500.

Section 610.6044 *VOR civil airway 44* is amended to read in part:

From Centralia, Ill., VOR; to Samsville, Ill., VOR; MEA 2,100.

From Samsville, Ill., VOR; to Decker INT, Ind.; MEA 2,300.

From Decker INT, Ind.; to *Baden INT, Ind.; MEA **2,500. *2,500—MRA. **2,300—MOCA.

From Baden INT, Ind.; to Livonia INT, Ind.; MEA *2,500. *2,300—MOCA.

Section 610.6045 *VOR civil airway 45* is amended to read in part:

From Greensboro, N.C., VOR; to Pulaski, Va., VOR; MEA 5,060.

Section 610.6046 *VOR civil airway 46* is amended to read in part:

From Riverhead, N.Y., VOR; to Mastic INT, N.Y.; MEA 3,000.

From Mastic INT, N.Y.; to Hampton, N.Y., VOR; MEA 1,500.

Section 610.6051 *VOR civil airway 51* is amended to read in part:

From Macon, Ga., VOR; to *Jenkinsburg INT, Ga.; MEA 2,000. *2,500—MRA.

From Jenkinsburg, INT, Ga.; to McDonough, Ga., VORTAC; MEA 2,000.

From Tarboro INT, Ga., via E alter.; to Dixie INT, Ga., via E alter.; MEA *3,000. *1,200—MOCA.

From Dixie INT, Ga., via E alter.; to *Baxley INT, Ga., via E alter.; MEA **6,000. *6,000—MRA. *1,400—MOCA.

Section 610.6051 *VOR civil airway 51* is amended by adding:

From City INT, Ill.; to Morton INT, Ill.; MEA 2,500.

Section 610.6052 *VOR civil airway 52* is amended to read in part:

From Boulder INT, Ill.; to *Iuka INT, Ill.; MEA **4,500. *4,500—MRA. **2,000—MOCA.

Section 610.6053 *VOR civil airway 53* is amended to read in part:

From Charleston, S.C., VOR; to St. George INT, S.C.; MEA *1,300. *1,200—MOCA.

From St. George INT, S.C.; to Columbia, S.C., VOR; MEA *1,700. *1,600—MOCA.

Section 610.6056 *VOR civil airway 56* is amended to read in part:

From Augusta, Ga., VOR via N alter.; to Monetta INT, S.C., via N alter.; MEA 1,800.

From Monetta INT, S.C., via N alter.; to Columbia, S.C., VOR via N alter.; MEA 1,600.

Section 610.6058 *VOR civil airway 58* is amended to delete:

From Ellwood City, Pa., VOR; to Echo INT, Pa.; MEA 3,000.

From Echo INT, Pa.; to Philipsburg, Pa., VOR; MEA 4,000.

Section 610.6058 *VOR civil airway 58* is amended by adding:

From Imperial, Pa., VOR; to Creekside INT, Pa.; MEA 3,500.

From Creekside INT, Pa., to Tyrone, Pa., VOR; MEA 4,000.

From Tyrone, Pa., VOR; to Philipsburg, Pa., VOR; MEA 4,500.

Section 610.6066 *VOR civil airway 66* is amended to read in part:

From Bridgeport, Tex., VOR; to Denton INT, Tex.; MEA 2,100.

From Denton INT, Tex.; to Prosper INT, Tex.; MEA 1,800.

From Prosper INT, Tex., to Tidwell INT, Tex.; MEA 1,900.

From Tidwell INT, Tex.; to Sulphur Springs, Tex., VOR; MEA 1,800.

Section 610.6068 *VOR civil airway 68* is amended to read in part:

From Kingsville INT, Tex.; to *Armstrong INT, Tex.; MEA **4,700. *10,000—MRA. **1,300—MOCA.

From Armstrong INT, Tex.; to Brownsville, Tex., VOR; MEA *4,700. *1,300—MOCA.

Section 610.6070 *VOR civil airway 70* is amended to read in part:

From Citronelle INT, Ala.; to Evergreen, Ala.; VOR; MEA 1,500.

Section 610.6076 *VOR civil airway 76* is amended to read in part:

From Lometa, Tex., VOR via N alter.; to *Liberty Hill INT, Tex., via N alter.; MEA 2,500. *3,000—MRA.

From Liberty Hill INT, Tex., via N alter.; to Austin, Tex.; VOR via N alter.; MEA 2,500.

Section 610.6077 *VOR civil airway 77* is amended to read in part:

From *Chickasha INT, Okla.; to **Tuttle INT, Okla.; MEA ***2,800. *4,300—MRA. **2,500—MRA. ***2,500—MOCA.

From Tuttle INT, Okla.; to Oklahoma City, Okla., VOR; MEA 2,400.

Section 610.6084 *VOR civil airway 84* is amended to delete:

From *Shabbona INT, Ill.; to Dundee INT, Ill.; MEA **3,500. *3,500—MRA. **2,200—MOCA.

From Dundee INT, Ill.; to Northbrook, Ill., VOR; MEA 2,200.

Section 610.6084 *VOR civil airway 84* is amended by adding:

From Hinkley INT, Ill.; to Northbrook, Ill., VOR; MEA *2,500. *2,000—MOCA.

Section 610.6089 *VOR civil airway 89* is amended to read in part:

From Denver, Colo., VOR; to *Platte INT, Colo.; MEA 7,500. *10,500—MRA.

From Platte INT, Colo.; to *Nunn INT, Colo.; MEA 7,500. *12,500—MRA.

Section 610.6094 *VOR civil airway 94* is amended to read in part:

From Cupples INT, La.; to *Jamestown INT, La.; MEA **5,300. *2,500—MRA. **1,500—MOCA.

From Jamestown INT, La.; to Bryceland INT, La.; MEA *5,300. *1,500—MOCA.

Section 610.6097 *VOR civil airway 97* is amended to delete:

From Hebron INT, Ill.; to Janesville, Wis., VOR; MEA 2,500.

Section 610.6100 *VOR civil airway 100* is amended to read in part:

From Sioux City, Iowa, VOR; to Fort Dodge, Iowa, VOR; MEA 5,000.

From Northbrook, Ill., VOR; to Keeler, Mich., VOR; MEA 2,000.

Section 610.6114 *VOR civil airway 114* is amended to read in part:

From *Montrose INT, La., via N alter.; to **Boyce INT, La., via N alter.; MEA ***3,400. *6,000—MRA. **6,000—MRA. ***1,700—MOCA.

From Alexandria, La., VOR; to *Bunkle INT, La.; MEA 1,300. *2,800—MRA.

From Alvord INT, Tex.; to Denton INT, Tex.; MEA 2,600.

From Denton INT, Tex.; to Dallas, Tex., VOR; MEA 2,100.

From Dallas, Tex., VOR; to Fruitvale INT, Tex.; MEA *2,000. *1,900—MOCA.

From Fruitvale INT, Tex.; to Gregg Co., Tex., VOR; MEA *3,000. *1,700—MOCA.

From Dallas, Tex., VOR via N alter.; to Quitman, Tex., VOR via N alter.; MEA 1,600.

Section 610.6114 *VOR civil airway 114* is amended by adding:

From Dallas, Tex., VOR via S alter.; to Mount Sylvan INT, Tex., via S alter.; MEA *2,500. *1,800—MOCA.

From Mount Sylvan INT, Tex., via S alter.; to Gregg Co., Tex., VOR via S alter.; MEA 1,800.

Section 610.6121 *VOR civil airway 121* is amended by adding:

From Medford, Oreg., VOR; to *Roseburg INT, Oreg.; MEA 12,000. *10,000—MCA Roseburg INT, Southeastbound.

From Roseburg INT, Oreg.; to North Bend, Oreg., VOR westbound, MEA 6,500; eastbound, MEA 7,000.

Section 610.6132 *VOR civil airway 132* is amended to read in part:

From Cheyenne, Wyo., VOR; to Akron, Colo., VOR; MEA 7,300.

Section 610.6137 *VOR civil airway 137* is amended to delete:

From Bodega INT, Calif.; to Ukiah, Calif., VOR; MEA 6,000.

Section 610.6138 *VOR civil airway 138* is amended to read in part:

From Neola, Iowa, VOR; to Fort Dodge, Iowa, VOR; MEA 5,000.

From Cheyenne, Wyo., VOR via S alter.; to Sidney, Nebr., VOR via S alter.; MEA 7,300.

Section 610.6141 *VOR civil airway 141* is amended to read in part:

From Nantucket, Mass., VOR; to *Haley INT, Mass.; MEA 1,500. *3,000—MRA.

From Haley INT, Mass.; to Rockland INT, Mass.; MEA *3,000. *1,500—MOCA.

From Rockland INT, Mass.; to Boston, Mass., VOR; MEA *2,000. *1,500—MOCA.

Section 610.6150 *VOR civil airway 150* is amended to read:

From San Francisco, Calif., TVOR; to Sausalito, Calif., VOR; MEA 3,000.

From Sausalito, Calif., VOR; to Elmira INT, Calif.; MEA 3,000.

From Elmira INT, Calif.; to Sacramento, Calif., VOR; northeastbound, MEA 2,000; southwestbound, MEA 3,000.

Section 610.6154 *VOR civil airway 154* is amended to read in part:

From *York INT, Ala.; to **Jefferson INT, Ala., MEA 2,000. *2,500—MRA. **2,400—MRA.

From Jefferson INT, Ala.; to *Safford INT, Ala.; MEA 2,000. *2,500—MRA.

Section 610.6155 *VOR civil airway 155* is amended to read in part:

From Augusta, Ga., VOR; to Monetta INT, S.C.; MEA 1,800.

From Monetta INT, S.C.; to *White Rock INT, S.C.; MEA **2,500. *2,500—MRA. **1,800—MOCA.

From White Rock INT, S.C.; to Blythewood INT, S.C.; MEA *2,500. *1,600—MOCA.

From Blythewood INT, S.C.; to Chesterfield, S.C., VOR; MEA 1,700.

Section 610.6157 *VOR civil airway 157* is amended to read in part:

From Allendale, S.C., VOR; to St. George INT, S.C.; MEA *1,300. *1,200—MOCA.

From St. George INT, S.C.; to Florence, S.C., VOR; MEA *7,000. *1,900—MOCA.

From Alma, Ga., VOR; to *Baxley INT, Ga.; MEA **2,500. *6,000—MRA. **1,500—MOCA.

From Lawrenceville, Va., VOR; to Richmond, Va., VOR; MEA 1,500.

From Richmond, Va., VOR; to Washington, D.C., TVOR; MEA 1,500.

Section 610.6159 *VOR civil airway 159* is amended to read in part:

From *Monet INT, Fla., via W alter.; to **Dixie Ranch INT, Fla., via W alter.; MEA 1,200. *2,000—MRA. **1,500—MRA.

Section 610.6163 *VOR civil airway 163* is amended to read in part:

From Alvord INT, Tex.; to Ardmore, Okla., VOR; MEA 2,600.

From Brownsville, Tex., VOR; to *Armstrong INT, Tex.; MEA **4,700. *10,000—MRA. **1,300—MOCA.

From Armstrong INT, Tex.; to Kingsville INT, Tex.; *4,700. *1,300—MOCA.

Section 610.6169 *VOR civil airway 169* is amended by adding:

From Akron, Colo., VOR; to Sidney, Nebr., VOR; MEA 7,000.

Section 610.6170 *VOR civil airway 170* is amended to read in part:

From Milwaukee, Wis., VOR; to *Sun Fish INT, Wis.; MEA 2,700. *2,700—MRA.

From Sun Fish INT, Wis.; to Salmon INT, Mich.; MEA *2,700. *2,000—MOCA.

From Salmon INT, Mich.; to Pullman, Mich., VOR; MEA 2,000.

Section 610.6171 *VOR civil airway 171* is amended to read in part:

From Livonia INT, Ind.; to *Mitchell INT, Ind.; MEA 2,200. *4,000—MRA.

Section 610.6172 *VOR civil airway 172* is amended to read in part:

From Wolbach, Nebr., VOR; to *Fremont INT, Nebr.; MEA **3,500. *3,000—MRA. **3,000—MOCA.

From Fremont INT, Nebr.; to Neola, Iowa, VOR; MEA *3,500. *3,000—MOCA.

From Avoca INT, Iowa; to *Menlo INT, Iowa; MEA 2,600. *8,000—MRA.

From Menlo INT, Iowa; to Dallas Center INT, Iowa; MEA 2,600.

Section 610.6172 *VOR civil airway 172* is amended by adding:

From Chicago (O'Hare), Ill., TVOR; to Morton INT, Ill.; MEA 2,000.

From Morton INT, Ill.; to Musky INT, Mich.; MEA *2,500. *2,000—MOCA.

From Musky INT, Mich.; to South Bend, Ind., VOR; MEA 2,100.

Section 610.6174 *VOR civil airway 174* is amended to read in part:

From *Mitchell INT, Ind.; to Livonia INT, Ind.; MEA 2,200. *4,000—MRA.

Section 610.6179 *VOR civil airway 179* is amended to read in part:

From Centralia, Ill., VOR; to *Iuka INT, Ill.; MEA 2,000. *4,500—MRA.

From Iuka INT, Ill.; to Bible Grove, Ill., VOR; MEA 2,000.

Section 610.6180 *VOR civil airway 180* is amended to read in part:

From Eagle Lake, Tex., VOR; to *Conoco INT, Tex.; MEA 1,600. *2,800—MRA.

From Conoco INT, Tex.; to Galveston, Tex., VOR; MEA 1,600.

Section 610.6191 *VOR civil airway 491* is amended to read in part:

From *New Berlin INT, Wis.; to Milwaukee, Wis., VOR; MEA **3,000. *3,500—MRA. **2,100—MOCA.

Section 610.6194 *VOR civil airway 194* is amended to read in part:

From Norwood INT, N.C.; to Highfalls INT, N.C.; MEA *4,000. *1,800—MOCA.

Section 610.6195 *VOR civil airway 195* is amended to delete:

From Oakland, Calif., VOR via W alter.; to Rio INT, Calif., via W alter.; MEA 4,000.

From Rio INT, Calif., via W alter.; to Williams, Calif., VOR via W alter.; MEA 5,000.

From Bay Point, Calif., FM via W alter.; to Rio INT, Calif., Northeast only via W alter.; MEA 2,000.

Section 610.6198 *VOR civil airway 198* is amended to read in part:

From Eagle Lake, Tex., VOR; to *Sinclair INT, Tex.; MEA 2,100. *3,000—MRA.

From Sinclair INT, Tex.; to Houston, Tex., VOR; MEA 2,100.

From Rocksprings, Tex., VOR; to Hunt INT, Tex.; MEA *5,000. *3,400—MOCA.

From Hunt INT, Tex.; to Comfort INT, Tex.; MEA *5,700. *3,400—MOCA.

Section 610.6200 *VOR civil airway 200* is amended to read in part:

From *Yuba INT, Calif.; to **Reno, Nev., VOR; MEA 12,000. *6,000—MCA Yuba INT, eastbound. **10,000—MCA Reno VOR, westbound.

Section 610.6201 *VOR civil airway 201* is amended to read in part:

From Soledad INT, Calif.; to Palmdale, Calif., VOR; northeastbound, MEA 7,000; southwestbound, MEA 9,000.

Section 610.6209 *VOR civil airway 209* is amended to read in part:

From Mobile, Ala., VOR; to Cltronelle INT, Ala.; MEA 1,500.

Section 610.6210 *VOR civil airway 210* is amended by adding:

From Dolphin INT, Calif.; to Los Angeles, Calif.; MEA 3,500.

Section 610.6216 *VOR civil airway 216* is amended to read in part:

From Janesville, Wis., VOR; to *Wind Lake INT, Wis.; MEA **3,000. *3,000—MRA. **2,400—MOCA.

From Wind Lake INT, Wis.; to *Sun Fish INT, Wis.; MEA **6,500. *2,700—MRA. *6,500—MCA Sun Fish INT, westbound. **2,000—MOCA.

From Sun Fish INT, Wis.; to Muskegon, Mich., VOR; MEA 2,000.

Section 610.6222 *VOR civil airway 222* is amended to read in part:

From Daisetta INT, Tex., via N alter.; to *Silsbee INT, Tex., via N alter.; MEA **7,500. *2,000—MRA. **1,800—MOCA.

From Silsbee INT, Tex., via N alter.; to Orange INT, Tex., via N alter.; MEA *2,000. *1,800—MOCA.

Section 610.6225 *VOR civil airway 225* is amended to read in part:

From *Brighton INT, Fla.; to **Dixie Ranch INT, Fla.; MEA **1,500. *5,000—MRA. **1,500—MRA. **1,200—MOCA.

From Dixie Ranch INT, Fla.; to Vero Beach, Fla., VOR; MEA *1,500. *1,200—MOCA.

Section 610.6227 *VOR civil airway 227* is amended to read in part:

From Livonia INT, Ind.; to *Mitchell INT, Ind.; MEA 2,200. *4,000—MRA.

From Mitchell INT, Ind.; to Sanders INT, Ind.; MEA *4,000. *2,200—MOCA.

From Sanders INT, Ind.; to Paragon INT, Ind.; MEA 2,800.

Section 610.6228 *VOR civil airway 228* is amended to read:

From Northbrook, Ill., VOR; to *Bull Head INT, Ill.; MEA 2,000. *2,500—MRA.

From Bull Head INT, Ill.; to South Bend, Ind., VOR; MEA 2,300.

Section 610.6232 *VOR civil airway 232* is amended to read in part:

From Fitzgerald, Pa., VOR; to Keating, Pa., VOR; MEA 4,000.

From Keating, Pa., VOR; to Milton, Pa., VOR; MEA 4,000.

Section 610.6243 *VOR civil airway 243* is amended to read in part:

From Bowling Green, Ky., VOR; to *Beaden INT, Ind.; MEA **3,000, *2,500—MRA. **2,500—MOCA.

Section 610.6251 *VOR civil airway 251* is amended by adding:

From Front Royal, Va., VOR; to Martinsburg, W. Va., VOR; MEA 3,000.

Section 610.6258 *VOR civil airway 258* is amended to read in part:

From Rock Camp INT, W. Va.; to Hollins, Va., VOR; MEA 6,000.

Section 610.6260 *VOR civil airway 260* is amended to read in part:

From Rainelle, W. Va., VOR; to Hollins, Va., VOR; MEA 6,000.

From Hollins, Va., VOR; to Lynchburg, Va., VOR; MEA 5,000.

Section 610.6272 *VOR civil airway 272* is amended to read in part:

From Sayre, Okla., VOR; to *Union INT, Okla.; MEA 3,200. *4,000—MRA.

From Union INT, Okla., to Oklahoma City, Okla., VOR; MEA 2,500.

Section 610.6276 *VOR civil airway 276* is amended to read in part:

From Ellwood City, Pa., VOR; to Northpoint INT, Pa.; MEA 3,000.

From Northpoint INT, Pa.; to Tyrone, Pa., VOR; MEA 4,000.

Section 610.6278 *VOR civil airway 278* is amended by adding:

From Bridgeport, Tex., VOR; to *Garza INT, Tex.; MEA 2,100. *3,900—MRA.

From Garza INT, Tex.; to Dallas, Tex., VOR; MEA 1,600.

Section 610.6278 *VOR civil airway 278* is amended to read in part:

From Dallas, Tex., VOR; to Tidwell INT, Tex.; MEA *1,800. *1,700—MOCA.

From Tidwell INT, Tex.; to Avery INT, Tex.; MEA *5,500. *1,700—MOCA.

From Avery INT, Tex.; to Texarkana, Ark., VOR; MEA 1,700.

Section 610.6281 *VOR civil airway 281* is amended by adding:

From Pendleton, Oreg., VOR via E Alter.; to *Pine City, INT, Wash.; via E alter.; MEA 6,000. *6,500—MRA.

From Pine City INT, Wash., via E alter.; to Spokane, Wash., VOR via E alter.; MEA 6,000.

Section 610.6295 *VOR civil airway 295* is amended to read in part:

From Stuart INT, Fla.; to *Viking INT, Fla.; MEA **1,500. *3,800—MRA. **1,200—MOCA.

From Viking INT, Fla.; to Vero Beach, Fla., VOR; MEA *1,500. *1,200—MOCA.

Section 610.6429 *VOR civil airway 429* is amended by adding:

From Joliet, Ill., VOR; to Spring Lake INT, Ill.; MEA 2,000.

From Spring Lake INT, Ill.; to Harvard INT, Ill.; MEA 2,500.

From Harvard INT, Ill.; to Janesville, Wis., VOR; MEA 2,300.

Section 610.6437 *VOR civil airway 437* is added to read:

From Charleston, S.C., VOR via W alter.; to Florence, S.C., VOR via W alter.; MEA 1,300.

Section 610.6441 *VOR civil airway 441* is amended by adding:

From Hansen INT, Fla.; to Homo INT, Fla.; MEA 1,500.

Section 610.6444 *VOR civil airway 444* is added to read:

From Spokane, Wash., VOR; to Tekoa INT, Wash.; MEA 6,000.

From Tekoa INT, Wash.; to Fernwood INT, Idaho; MEA 8,000.

From Fernwood INT, Idaho; Mullan Pass, Idaho, VOR; MEA 9,000.

Section 610.6446 *VOR civil airway 446* is added to read:

From Troy, Ill., VOR; to Boulder INT, Ill.; MEA 2,000.

From Boulder INT, Ill.; to *Iuka INT, Ill.; MEA **4,500. *4,500—MRA. **2,000—MOCA.

From Iuka INT, Ill.; to Samsville, Ill., VOR; MEA 2,000.

Section 610.6448 *VOR civil airway 448* is added to read:

From Ephrata, Wash., VOR; to Sprague INT, Wash.; MEA 5,000.

From Sprague INT, Wash.; to *Pine City INT, Wash.; MEA **6,500. 6,500—MRA. **5,000—MOCA.

From Pine City INT, Wash.; to Tekoa INT, Wash.; MEA *9,000. *6,000—MOCA.

From Tekoa INT, Wash.; to Mullan Pass, Idaho, VOR; MEA 9,000.

Section 610.6602 *VOR civil airway 1502* is amended to read in part:

From Redwood Falls, Minn., VOR; to *Waterville INT, Minn.; MEA **3,500. *4,600—MRA. **2,500—MOCA.

From Waterville INT, Minn.; to Owatonna INT, Minn.; MEA *3,500. *2,500—MOCA.

From Owatonna INT, Minn.; to Rochester, Minn., VOR; MEA 2,800.

From Muskegon, Mich., VORTAC; to *Comstock INT, Mich.; MEA 2,000. *2,600—MCA.

Comstock INT, eastbound.

From Comstock INT; to *Lowell INT, Mich.; MEA 2,800. *4,000—MRA.

Section 610.6604 *VOR civil airway 1504* is amended to read in part:

From Milwaukee, Wis., VOR; to *Sun Fish INT, Wis.; MEA 2,700. *2,700—MRA.

From Sun Fish INT, Wis.; to Salmon INT, Mich.; MEA *2,700. *2,000—MOCA.

From Salmon INT, Mich.; to Pullman, Mich., VOR; MEA 2,000.

Section 610.6606 *VOR civil airway 1506* is amended to read in part:

From Sioux City, Iowa, VOR; to Fort Dodge, Iowa, VOR; MEA 5,000.

From Northbrook, Ill., VOR; to Keeler, Mich., VOR; MEA 2,000.

Section 610.6608 *VOR civil airway 1508* is amended to read in part:

From Sioux City, Iowa, VOR; to Fort Dodge, Iowa, VOR; MEA 5,000.

From Northbrook, Ill., VOR; to Keeler, Mich., VOR; MEA 2,000.

Section 610.6618 *VOR civil airway 1518* is amended to read in part:

From Gordonsville, Va., VOR; to Locust Grove INT, Va.; MEA 3,000. *2,000—MRA.

From Locust Grove INT, Va.; to Springfield INT, Va.; MEA 1,500.

From Springfield INT, Va.; to Washington, D.C., TVOR; MEA 1,800.

Section 610.6620 *VOR civil airway 1520* is amended to read in part:

From *Prescott, Ariz., VOR; to Cornville INT, Ariz.; MEA 10,000. *8,500—MCA Pres-

cott VOR, eastbound. *9,000—MCA Prescott VOR, westbound.

From Gordonsville, Va., VOR; to *Locust Grove INT; MEA 3,000. *2,000—MRA.

From Locust Grove INT, Va.; to Springfield INT, Va.; MEA 1,500.

From Springfield INT, Va.; to Washington, D.C., TVOR; MEA 1,800.

Section 610.6622 *VOR civil airway 1522* is amended to read in part:

From Mineral Wells, Tex., VOR; to Lake Worth INT, Tex.; MEA 2,500.

From Lake Worth INT, Tex.; to Dallas, Tex., VOR; MEA *2,500. *2,200—MOCA.

From Gordonsville, Va., VOR; to *Locust Grove INT, Va.; MEA 3,000. *2,000—MRA.

From Locust Grove INT, Va.; to Springfield INT, Va.; MEA 1,500.

From Springfield INT, Va.; to Washington, D.C., TVOR; MEA 1,800.

Section 610.6633 *VOR civil airway 1533* is amended to read in part:

From Pendleton, Oreg., VOR; to Fernwood INT, Idaho; MEA 12,000.

From Fernwood INT, Idaho; to Mullan Pass, Idaho, VOR; MEA 9,000.

(Sec. 313(a) of the Federal Aviation Act of 1958, Act of August 23, 1958, 72 Stat. 752 (Pub. Law 85-726). Interpret or apply section 307; 72 Stat. 749-750)

Issued in Washington, D.C., on March 24, 1959.

These rules shall become effective May 7, 1959.

E. R. QUESADA,
Administrator.

[F.R. Doc. 59-2622; Filed, Mar. 30, 1959; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6822]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

The Fair

Subpart—*Advertising falsely or misleadingly*: § 13.155 *Prices*: Comparative; exaggerated as regular and customary; percentage savings. Subpart—*Invoicing products falsely*: § 13.1108 *Invoicing products falsely*: Fur Products Labeling Act. Subpart—*Misbranding or mislabeling*: § 13.1212 *Formal regulatory and statutory requirements*: Fur Products Labeling Act. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure*: § 13.1845 *Composition*: Fur Products Labeling Act; § 13.1852 *Formal regulatory and statutory requirements*: Fur Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, The Fair, Chicago, Ill., Docket 6822, March 4, 1959]

This case was heard by a hearing examiner on the complaint of the Commission charging a Chicago department store with violating the Fur Products Labeling Act by failing to comply with the labeling and invoicing requirements; by advertising in newspapers which failed to disclose the names of animals producing certain furs, represented

prices as reduced from purported regular prices which were in fact fictitious, and used comparative prices and percentage savings claims not based on current market values or a designated time; and by failing to keep adequate records as a basis for such pricing claims.

After the usual proceedings, the hearing examiner made an initial decision sustaining certain charges and dismissing others. Having considered cross-appeals therefrom, the Commission vacated the initial decision and on March 4 issued its own findings as to the facts, conclusions, and order.

The order to cease and desist is as follows:

It is ordered, That respondent, The Fair, a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce, or the transportation or distribution in commerce, of any fur product, or in connection with the sale, advertising, offering for sale, transportation or distribution of any fur product which has been made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur products" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Misbranding fur products by:

(1) Failing to affix labels to fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(b) That the fur product contains or is composed of used fur, when such is the fact;

(c) That the fur product contains or is composed of bleached, dyed, or artificially colored fur, when such is the fact;

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies or waste fur, when such is the fact;

(e) The name, or other identification issued and registered by the Commission, of one or more persons who manufactured such fur product for introduction into commerce, introduced it into commerce, sold it in commerce, advertised or offered it for sale in commerce, or transported or distributed it in commerce; and

(f) The name of the country of origin of any imported furs used in the fur product.

(2) Setting forth on labels attached to fur products:

(a) Required information in abbreviated form or in handwriting;

(b) Non-required information mingled with required information.

B. Falsely or deceptively involving fur products by:

(1) Failing to furnish invoices to purchasers of fur products showing:

(a) The name or names of the animal or animals producing the fur or furs contained in the fur product as set forth in the Fur Products Name Guide and as prescribed under the rules and regulations;

(b) That the fur product contains or is composed of used fur, when such is the fact;

(c) That the fur product contains or is composed of bleached, dyed, or artificially colored fur, when such is the fact;

(d) That the fur product is composed in whole or in substantial part of paws, tails, bellies, or waste fur, when such is the fact;

(e) The name and address of the person issuing such invoices;

(f) The name of the country of origin of any imported furs contained in the fur product.

(2) Setting forth required information in abbreviated form.

C. Falsely or deceptively advertising fur products through the use of any advertisement, public announcement, notice or in any other manner which is intended to aid, promote or assist, directly or indirectly, in the sale or offering for sale of fur products, and which represents directly or by implication:

(1) That the regular or usual price of any fur product is any amount which is in excess of the price at which respondent has usually and customarily sold such products in the recent regular course of its business;

(2) That such product is of a higher grade, quality or value than is the fact, by means of illustrations or depictions of higher priced or more valuable products than those actually available for sale at the advertised selling price, or by any other means.

D. Making pricing claims or representations of the type referred to in Paragraph C(1) above, unless there is maintained by respondent full and adequate records disclosing the facts upon which such claims or representations are based.

It is further ordered, That the charges of the complaint relating to alleged violations of Rule 44(b) of the rules and regulations promulgated under the Fur Products Labeling Act be, and the same hereby are, dismissed.

By "Findings As To The Facts, Conclusions and Order", report of compliance was required as follows:

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

Issued: March 4, 1959.

By the Commission.

[SEAL] JOHN R. HEIM,
Acting Secretary.

[F.R. Doc. 59-2669; Filed, Mar. 30, 1959;
8:47 a.m.]

[Docket 6346]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Ward Laboratories, Inc. et al.

Subpart—Advertising falsely or misleadingly: § 13.15 Business status, advantages, or connections: Producer status of dealer or seller: Laboratory;

§ 13.170 Qualities or properties of product or service; § 13.205 Scientific or other relevant facts. Subpart—Using misleading name—Vendor: § 13.2445 Producer or laboratory status of dealer or seller.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Ward Laboratories, Inc., et al., New York, N.Y., Docket 6346, March 4, 1959]

In the Matter of Ward Laboratories, Inc., a Corporation, and Emile E. Kling, and Joseph J. Seldin, individually and as officers of Ward Laboratories, Inc., and Comate Laboratories, Inc., a Corporation, and Sebacin, Inc., a Corporation.

This proceeding was heard by a hearing examiner on the complaint of the Commission charging three associated New York City sellers with representing falsely in advertising that the common cause of baldness, or a significant one, is germ infection, and that use of their hair and scalp preparations would remedy such causes and remedy and prevent the common type of baldness; cause growth of new hair, and prevent excessive hair fall; and with representing falsely through use of the word "Laboratories" in their corporate names that they owned or operated a laboratory.

Following the usual trial, the hearing examiner made his initial decision including findings as to the facts, conclusions of law, and order to cease and desist. Denying respondents' appeal therefrom, the Commission on March 4 adopted the initial decision as the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That the respondents, Ward Laboratories, Inc., a corporation, and its officers, and respondents Emile E. Kling and Joseph J. Seldin, individually and as officers of Ward Laboratories, Inc., a corporation, and its officers, and Sebacin, Inc., a corporation, and its officers, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of their cosmetic and medicinal preparations designated as Ward's Formula Medicine for the Scalp and Hair, Ward's Formula Medicinal Lubricant for Dry Scalp and Hair, Ward's Formula Medicinal Compound for Oily Scalp, Ward's Formula Shampoo, Comate Medicinal Scalp Formula, Comate Medicinal Emulsion, Comate Scalp Conditioner, Comate Dry Scalp Shampoo, Comate Oily Scalp Shampoo, Sebacin Basic Formula, Sebacin Antiseptic Lubricant, and Sebacin Shampoo, or any other preparation or preparations of substantially similar composition or possessing substantially similar properties, under whatever name or names sold, do forthwith cease and desist from, directly or indirectly:

1. Disseminating or causing to be disseminated by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which represents, directly or by implication, that the use of said prepara-

tions alone or in conjunction with any method of treatment will:

(a) Prevent or overcome baldness or excessive hair loss, unless any such representation be expressly limited to cases other than those known as male pattern baldness, and unless the advertisement clearly and conspicuously reveals the fact that the great majority of cases of excessive hair fall and baldness are the beginning and more fully developed stages of said male pattern baldness and that in such cases respondents' preparations will be of no value in preventing or overcoming baldness or excessive hair loss;

(b) Induce new hair to grow, cause the hair to become thicker or otherwise grow hair, unless any such representation be expressly limited to cases other than those arising by reason of male pattern baldness, and unless the advertisement clearly and conspicuously reveals the fact that the great majority of cases of excessive hair fall and baldness are the beginning and more fully developed stages of said male pattern baldness and that in such cases respondents' preparations will not induce the growth of hair or thicker hair.

2. Disseminating, or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said preparations, any advertisement which contains any of the representations prohibited in Paragraph 1 above, or which fails to comply with the affirmative requirements of Paragraph 1 above.

3. Using the word "Laboratories," or any other word of similar import or meaning, as a part of or in connection with respondents' corporate or trade names, or otherwise representing, directly or by implication, that respondents own or operate a laboratory unless and until such a laboratory is actually so owned and operated.

By "Final Order", report of compliance was required as follows:

It is ordered, That the respondents, Ward Laboratories, Inc., a corporation, Emile E. Kling and Joseph J. Seldin, individually and as officers of Ward Laboratories, Inc., and Comate Laboratories, Inc., and Sebacin, Inc., corporations, shall, within sixty (60) days after service upon them of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist contained in the aforesaid initial decision.

Issued: March 4, 1959.

By the Commission.

[SEAL]

JOHN R. HEIM,
Acting Secretary.

[F.R. Doc. 59-2670; Filed, Mar. 30, 1959;
8:47 a.m.]

Title 20—EMPLOYEES' BENEFITS

Chapter II—Railroad Retirement Board

PART 322—REMUNERATION

Pursuant to the general authority contained in section 12 of the act of June 25, 1938 (52 Stat. 1094, 1107; 45 U.S.C. 362), Part 322 of the Regulations under such act is adopted by Board Order 59-73, dated March 10, 1959, to read as follows:

- Sec.
322.1 Statutory provisions.
322.2 General definition of "remuneration."
322.3 Determining the days with respect to which remuneration is payable or accrues.
322.4 Consideration of evidence.
322.5 Payments under vacation agreements.
322.6 Pay for time lost.
322.7 Allowances resulting from abandonment or coordination of employer facilities.
322.8 Miscellaneous income.

AUTHORITY: §§ 322.1 to 322.8 issued under sec. 12, 52 Stat. 1107, as amended; 45 U.S.C. 362.

§ 322.1 Statutory provisions.

Subject to the provisions of section 4 of this act, (1) a day of unemployment, with respect to any employee, means a calendar day * * * with respect to which * * * no remuneration is payable or accrues to him * * *; and (2) a "day of sickness", with respect to any employee, means a calendar day * * * with respect to which * * * no remuneration is payable or accrues to him * * *. *Provided, however,* That "subsidiary remuneration" as hereinafter defined in this subsection, shall not be considered remuneration for the purpose of this subsection except with respect to an employee whose base-year compensation, exclusive of earnings from the position or occupation in which he earned such subsidiary remuneration, is less than \$400 * * *.

For the purpose of this subsection, the term "subsidiary remuneration" means, with respect to any employee, remuneration not in excess of an average of three dollars a day for the period with respect to which such remuneration is payable or accrues, if the work from which the remuneration is derived (1) requires substantially less than full time as determined by generally prevailing standards, and (2) is susceptible of performance at such times and under such circumstances as not to be inconsistent with the holding of normal full-time employment in another occupation. (Section 1(k), Railroad Unemployment Insurance Act.)

The term "compensation" means any form of money remuneration, including pay for time lost but excluding tips, paid for services rendered as an employee to one or more employers, or as an employee representative * * *. A payment made by an employer to an individual through the employer's payroll shall be presumed, in the absence of evidence to the contrary, to be compensation for service rendered by such individual as an employee of the employer in the period with respect to which the payment is made. An employee shall be deemed to be paid, "for time lost" the amount he is paid by an employer with respect to an identifiable period of absence from the active service of the employer, including absence on account of personal injury, and the amount he is paid by the employer for loss of earnings resulting from his displacement to a less remuner-

ative position or occupation. If a payment is made by an employer with respect to a personal injury and includes pay for time lost, the total payment shall be deemed to be paid for time lost unless, at the time of payment, a part of such payment is specifically apportioned to factors other than time lost, in which event only such part of the payment as is not so apportioned shall be deemed to be paid for time lost. * * * (Section 1(i), Railroad Unemployment Insurance Act.)

The term "remuneration" means pay for services for hire, including pay for time lost, and tips, but pay for time lost shall be deemed earned on the day on which such time is lost. The term "remuneration" includes also earned income other than for services for hire if the accrual thereof in whole or in part is ascertainable with respect to a particular day or particular days. The term "remuneration" does not include (1) the voluntary payment by another, without deduction from the pay of an employee, of any tax or contribution now or hereafter imposed with respect to the remuneration of such employee, or (2) any money payments received pursuant to any nongovernmental plan for unemployment insurance, maternity insurance, or sickness insurance. (Section 1(j), Railroad Unemployment Insurance Act.)

§ 322.2 General definition of "remuneration."

"Remuneration" includes all pay for services for hire and all other earned income payable or accruing with respect to any day. Income shall be deemed earned if it is payable or accrues in consideration of services and if such services were in turn rendered in consideration of the income payable or accruing. "Remuneration" shall include income in the form of a commodity, service, or privilege if, before the performance of the service for which it is payment, the parties have agreed (a) upon the value of such commodity, service, or privilege, and (b) that such part of the amount agreed upon to be paid may be paid in the form of such commodity, service, or privilege.

§ 322.3 Determining the days with respect to which remuneration is payable or accrues.

(a) *Payable or accrues.* In determining whether remuneration is "payable" or "accrues" to an employee with respect to a claimed day or days, consideration shall be given to such factors as (1) the intention of the parties with respect to the remuneration as indicated in employment contracts, in any expressed or implied agreements between the parties, and by the actions of the parties; (2) any evidence, such as vouchers or agreement of the parties, relating the remuneration to a particular period of time or indicating that the remuneration accrued or became payable without reference to any particular period of time; (3) the measure by which the amount of remuneration was determined; (4) whether the amount of the remuneration is proportionate to the length of time needed to render the service for which it is payment; (5) whether the service for which the remuneration accrues is required to be rendered on any particular day or particular days; and (6)

whether a specified amount of the remuneration is contingent upon a result accomplished on a particular day or particular days.

(b) *Layover days.* Remuneration shall not be regarded as payable or accruing with respect to "layover" days, solely because they are termed "layover" days.

(c) *Guaranteed earnings.* A payment under a plan which guarantees an amount of earnings or mileage in a specified period is remuneration with respect to each day in the specified period.

§ 322.4 Consideration of evidence.

(a) *Initial proof.* A claimant's certification or statement on a claim form provided by the Board to the effect that he did not work on any day claimed and did not receive income such as vacation pay or pay for time lost for any day claimed on such form shall constitute sufficient evidence that no remuneration is payable or has accrued to him with respect to such day, unless there is conflicting evidence.

(b) *Investigation.* When there is a question as to whether or not remuneration is payable or has accrued to a claimant with respect to a claimed day or days, investigation shall be made with a view to obtaining information sufficient for a finding.

§ 322.5 Payments under vacation agreements.

(a) *General.* In ascertaining the accrual of remuneration under a vacation agreement, consideration shall be given to the applicable agreements and practices, the interpretations of such agreements and practices developed by the parties, and the actions of the parties pursuant thereto. When there is information that an employee has received or is to receive payment under a vacation agreement, such payment shall, in the absence of evidence to the contrary, be considered to be remuneration with respect to the days to which the payment is assigned.

(b) *Vacation pay.* If an employee takes a vacation in accordance with a vacation agreement, the payment for such vacation shall constitute remuneration with respect to the days in the vacation period for which the payment is made. An employee shall be regarded as taking a vacation when, in accordance with the applicable agreements and practices (1) he is absent from work during a scheduled or assigned vacation period; (2) he is required to take his vacation with pay while he is on furlough; or (3) he chooses to take his vacation with pay while he is unemployed or absent from work due to illness or other personal circumstances.

(c) *Pay in lieu of vacation.* If a payment in lieu of vacation is made to an employee under a vacation agreement such payment shall not constitute remuneration with respect to any particular day or days. A payment under a vacation agreement shall be regarded as in lieu of vacation if (1) the payment is made at the end of the vacation year to an employee who did not take his vacation during such year; or (2) the

payment is made after the employee's death, or after he ceased service for the purpose of receiving an annuity, and the payment is credited to the employee's last day of service in accordance with § 222.3(h) of this chapter; or (3) it is otherwise established that the parties intended the payment to be in lieu of vacation, without reference to any particular period.

§ 322.6 Pay for time lost.

(a) *Payments included.* A payment shall be regarded as "pay for time lost" if it is made with respect to an identifiable period of absence from the active service of the person or company making such payment, including absence on account of personal injury. The entire amount of a payment made by an employer with respect to a personal injury shall be deemed to be pay for time lost if such amount includes pay for time lost and is not, at the time of payment, specifically apportioned to factors other than time lost. If an amount paid with respect to personal injury is, at the time of payment, apportioned to factors other than time lost, only that part of the amount not so apportioned shall be deemed to be pay for time lost.

(b) *Employment relationship required.* Pay for time lost shall not be deemed to have been earned on any day after the day of the employee's resignation or other termination of his employment relationship.

(c) *Initial evidence.* A report that an employee has received or is to receive pay for time lost shall, in the absence of evidence to the contrary, be considered sufficient for a finding that remuneration is payable with respect to each day in the period to which the pay is assigned.

§ 322.7 Allowances resulting from abandonment or coordination of employer facilities.

(a) *Coordination or dismissal allowance.* A coordination or dismissal allowance, payable to an employee who is unemployed as a result of an abandonment or coordination, but who does not sever his employment relationship and who remains subject to call, is remuneration with respect to each day in the period for which the allowance is paid.

(b) *Separation allowance.* A separation allowance, payable to an employee who, in accordance with the applicable agreement, elects to sever his employment relationship and receive a lump-sum settlement in lieu of a coordination allowance is not remuneration with respect to any day after the employment relationship is severed.

§ 322.8 Miscellaneous income.

(a) *Income from self-employment.* In determining whether income from self-employment is remuneration with respect to a particular day or particular days, consideration shall be given to whether, and to what extent, (1) such income can be related to services performed on the day or days and (2) the expenses of the self-employment can be attributed to the day or days. Income from services performed by an individual

on a farm which he owns or rents, or in his own mercantile establishment, ordinarily is not remuneration with respect to any day.

(b) *Income from investment.* Income in the form of interest, dividends, and other returns on invested capital which is not coupled with the rendition of personal services shall not be regarded as remuneration.

(c) *Commissions on sales.* Commissions on sales shall be regarded as remuneration with respect to the day or days on which sales are made.

(d) *Payments for service as a public official.* In determining whether income for service as a public official is remuneration and, if so, the particular day or days with respect to which such remuneration is payable or accrues, consideration shall be given to such factors as (1) the amount of the income; (2) the terms and conditions of payment; (3) the character and extent of the services rendered; (4) the importance, prestige, and responsibilities attached to the position; (5) the day or days on which services, or readiness to perform services, are required; and (6) the provisions of the applicable statutes.

(e) *Payments to local lodge officials.* A payment by a local lodge of a labor organization to an employee for services as a local lodge official shall be regarded as subsidiary remuneration if such payment does not exceed an average of three dollars a day for the period with respect to which it is payable or accrues, unless there is information that the work from which the payment is derived does not require substantially less than full time as determined by generally prevailing standards, or is not susceptible of performance at such times and under such circumstances as not to be inconsistent with the holding of normal full-time employment in another occupation.

(f) *Public relief payments.* Public relief payments made in consideration of need shall not be regarded as remuneration.

Dated: March 24, 1959.

By authority of the Board.

[SEAL]

MARY B. LINKINS,
Secretary of the Board.

[F.R. Doc. 59-2675; Filed, Mar. 30, 1959;
8:47 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

PART 221—OPERATION AND MAINTENANCE CHARGES

Flathead Indian Irrigation Project, St. Ignatius, Montana

Pursuant to section 4(a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238), and authority contained in the acts of Congress approved August 1, 1914, May 18, 1916, and March 7, 1928 (38 Stat. 583; 39 Stat. 142), and by virtue of authority delegated by the Secretary of the Interior to the Com-

missioner of Indian Affairs (Order No. 2508; 14 F.R. 258), and by virtue of the authority delegated by the Commissioner of Indian Affairs to the Area Director (Bureau Order No. 551, Amendment No. 1; 16 F.R. 5454-7), notice was given of the intention to modify §§ 221.16 and 221.17 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Flathead Indian Irrigation Project, Montana, that are not subject to the jurisdiction of the several irrigation districts as follows:

§ 221.16 Charges, Jocko Division.

(a) An annual minimum charge of \$2.88 per acre, for the season of 1959 and thereafter until further notice, shall be made against all assessable irrigable land in the Jocko Division that is not included in an Irrigation District organization, regardless of whether water is used.

(b) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available will be delivered at the rate of one dollar and ninety-two (\$1.92 per acre foot or fraction thereof).

§ 221.17 Charges, Mission Valley and Camas Divisions.

(a) (1) An annual minimum charge of \$3.22 per acre, for the season 1959 and thereafter until further notice, shall be made against all assessable irrigable land in the Mission Valley Division that is not included in an Irrigation District organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of two dollars and fifteen cents (\$2.15) per acre foot or fraction thereof.

(b) (1) An annual minimum charge of \$3.47 per acre, for the season of 1959 and thereafter until further notice, shall be made against all assessable irrigable land in the Camas Division that is not included in an Irrigation District organization regardless of whether water is used.

(2) The minimum charge when paid shall be credited on the delivery of the pro rata per acre share of the available water up to one and one-half acre feet per acre for the entire assessable area of the farm unit, allotment or tract. Additional water, if available, will be delivered at the rate of two dollars and thirty-one cents (\$2.31) per acre foot or fraction thereof.

Interested parties were given opportunity to participate in preparing the proposed amendments by submitting their views and data or arguments, in writing, to Area Director, U.S. Bureau of Indian Affairs, 804 North 29th Street, Billings, Montana, within 30 days from the date of publication of this notice of

No. 62—3

intention in the daily issue of the *FEDERAL REGISTER*. No objections were submitted.

PERCY E. MELIS,
Area Director.

[F.R. Doc. 59-2671; Filed, Mar. 30, 1959;
8:47 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 522—EMPLOYMENT OF LEARNERS

Hosiery Industry

On February 28, 1959, the Administrator of the Wage and Hour and Public Contracts Divisions amended § 522.43 of the learner regulations for the Hosiery Industry (29 CFR Part 522) and added a new § 522.44 to this part to provide for amendment of outstanding learner certificates (24 F.R. 1512). For reasons of technical accuracy it is now necessary to editorially amend §§ 522.40, 522.41 and 522.43 of this part to include references to the new section, which will make clear that the general learner regulations of this part, and the definition of the industry, apply to the learner certificates as amended.

Therefore in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003), and under the authority of section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1068, as amended; 29 U.S.C. 214), Reorganization Plan No. 6 of 1950 (3 CFR, 1950 Supp., p. 165), and General Order No. 45-A (15 F.R. 3290), 29 CFR Part 522 is hereby amended as follows.

1. Section 522.40 is amended to read as follows:

§ 522.40 Applicability of general learner regulations.

The employment of learners pursuant to the provisions of §§ 522.40 to 522.44 shall be subject to all provisions of the general regulations governing the employment of learners (§§ 522.1 to 522.11), except to the extent to which any provision of such general regulations is inconsistent with any provision of §§ 522.40 to 522.44.

2. Section 522.41 is hereby amended to read as follows:

§ 522.41 Applicability of §§ 522.40 to 522.44.

For purposes of §§ 522.40 to 522.44, the "hosiery industry" is defined as follows: The manufacture or processing of hosiery including, among other processes, the knitting, dyeing, clocking, and all phases of finishing hosiery, but not including the manufacture or processing of yarn or thread.

§ 522.43 [Amendment]

3. Footnote No. 1, paragraph (a) of § 522.43 is hereby amended to change references to sections from "§§ 522.40 to 522.43" to "§§ 522.40 to 522.44".

(Sec. 14, 52 Stat. 1068, as amended; 29 U.S.C. 214)

The above amendments are for purposes of clarification only. The recently added § 522.44 providing for the amendment of outstanding learner certificates did not render §§ 522.40, 522.41, and 522.43 inapplicable to the new section. Therefore general notice of proposed rule making, and opportunity to participate in the rule making procedure under section 4 of the Administrative Procedure Act are found to be unnecessary.

For the same reasons good cause is found to omit the 30 day period prior to the effective date of these amendments. Accordingly the amendments shall take effect on April 6, 1959.

Signed at Washington, D.C., this 25th day of March, 1959.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 59-2677; Filed, Mar. 30, 1959;
8:48 a.m.]

PART 522—EMPLOYMENT OF LEARNERS

Independent Telephone Industry

On February 28, 1959, the Administrator of the Wage and Hour and Public Contracts Divisions amended §§ 522.73 and 522.74 of the learner regulations for the Independent Telephone Industry (29 CFR Part 522), and added a new § 522.75 to this part to provide for amendment of outstanding learner certificates (24 F.R. 1513). For reasons of technical accuracy it is now necessary to editorially amend §§ 522.70 and 522.71 of this part to include references to the new section which will make it clear that the general learner regulations of this part, and the definition of the industry, apply to the learner certificates as amended.

Therefore in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003), and under the authority of section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1068, as amended; 29 U.S.C. 214), Reorganization Plan No. 6 of 1950 (3 CFR, 1950 Supp., p. 165), and General Order No. 45-A (15 F.R. 3290), 29 CFR, Part 522 is hereby amended as follows.

1. Section 522.70 is amended to read as follows:

§ 522.70 Applicability of general learner regulations.

The employment of learners pursuant to the provisions of §§ 522.70 to 522.75 shall be subject to all provisions of the general regulations governing the employment of learners (§§ 522.1 to 522.11), except to the extent to which any provisions of such general regulations is inconsistent with any provision of §§ 522.70 to 522.75.

2. The headnote of § 522.71 and paragraph (a) of § 522.71 is amended to read as follows:

§ 522.71 Applicability of §§ 522.70 through 522.75.

(a) For purposes of §§ 522.70 to 522.75 the independent telephone industry is defined as follows: The independent

telephone industry includes only those companies which are engaged in the commercial operation of telephone exchanges and which are not owned or controlled by the American Telephone and Telegraph Company (Bell System) or its subsidiaries.

(Sec. 14, 52 Stat. 1068, as amended; 29 U.S.C. 214)

The above amendments are for the purposes of clarification only. The recently added § 522.75 providing for amendment of outstanding learner certificates did not render §§ 522.70 and 522.71 inapplicable to the new section. Therefore general notice of proposed rule making, and opportunity to participate in the rule making procedure under section 4 of the Administrative Procedure Act are found to be unnecessary.

For the same reasons good cause is found to omit the 30 day period prior to the effective date of these amendments. Accordingly the amendments shall take effect on April 6, 1959.

Signed at Washington, D.C., this 25th day of March 1959.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 59-2678; Filed, Mar. 30, 1959;
8:48 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER M—MISCELLANEOUS

PART 153—INTERNATIONAL INTERCHANGE OF PATENT RIGHTS AND TECHNICAL INFORMATION

The Secretary of Defense approved the following on March 11, 1959:

- Sec.
153.1 Purpose and cancellation.
153.2 Scope.
153.3 Background.
153.4 Policy.
153.5 Claims for compensation.

AUTHORITY: §§ 153.1 to 153.5 issued under the Mutual Security Act of 1954, as amended (22 U.S.C. 1750 et seq.).

§ 153.1 Purpose and cancellation.

The purpose of this part is to restate Department of Defense policy concerning the international interchange for defense purposes of patent rights and technical information. DOD Directive 2000.3, "Technical Property Interchange Agreements", dated April 15, 1954, is hereby superseded and cancelled. Delegation published at 19 F.R. 2523 is cancelled.

§ 153.2 Scope.

This part applies to the activities of all Department of Defense personnel involved in the international interchange for defense purposes of patent rights and technical information. The policy prescribed herein applies to unclassified as well as classified information, owned by the United States Government or privately owned, but does not apply to patents, patent applications, and tech-

nical information in the field of atomic energy.

§ 153.3 Background.

(a) Pursuant to the provisions of the Mutual Security Act of 1954, as amended, and of predecessor legislation superseded by that Act, the United States has entered into agreements for the Interchange of Patent Rights and Technical Information for Defense Purposes with Australia, Belgium, France, the Federal Republic of Germany, Greece, Italy, Japan, The Netherlands, Norway, Turkey, and the United Kingdom. The agreements, which are published in the Treaties and Other International Act Series, are basically similar in substance but are not identical. Under the agreements:

(1) Each government undertakes to facilitate the interchange of privately owned patent rights and of technical information through the medium of commercial relationships, to the extent permitted by the laws and security requirements of the contracting governments.

(2) When technical information is supplied by one government to the other for information only, the recipient government undertakes to treat the information as disclosed in confidence and to use its best endeavors to ensure that the information is not dealt with in any manner likely to prejudice the rights of the owner to obtain patent or similar statutory protection.

(3) When technical information supplied by one government to the other discloses an invention which is the subject of a patent or patent application held in secrecy in the country of origin, the recipient government undertakes to accord similar treatment to a corresponding patent application filed in that country.

(4) When privately owned technical information is released by one government to the other and the recipient government uses or discloses the information, the owner shall, subject to the extent that the owner may be entitled thereto under the applicable law and subject to arrangements between the contracting governments regarding the assumption as between them of liability for compensation, receive prompt, just and effective compensation for such use and for any damages resulting from such use or disclosure.

(5) Each government is entitled to use for defense purposes without cost any invention which the other government (including government corporations) owns or to which it has the right to grant a license to use, except to the extent that there may be liability to any private owner of an interest in the invention.

(b) Each of these agreements establishes a Technical Property Committee, consisting of a representative of each contracting government, whose function it is to consider and make recommendations to the contracting governments on all matters relating to the subject of the agreement and to assist where appropriate in the negotiation of commercial or other agreements for the use of patent rights and technical information in the military assistance program.

(1) The Patent Advisor assigned to the Defense Staff of the U.S. Mission to

the North Atlantic Treaty Organization and European Regional Organizations (USRO), Paris, France, is the United States representative to the Technical Property Committees in Europe. The J-4, Hq. United States Forces Japan, Tokyo, Japan is the United States representative to the United States-Japanese Technical Property Committee. A member of the Office of Assistant General Counsel, International Affairs, Office of the Secretary of Defense, is the United States representative to the United States-Australian Technical Property Committee. The appropriate representative should be consulted on all problems dealing with patent rights, technical information and related matters under the agreements.

(2) These representatives receive policy guidance from the Department of Defense. The Assistant Secretary of Defense for International Security Affairs is responsible within the Department of Defense for transmitting such policy guidance through appropriate channels. Guidance transmitted for the United States representative in Europe shall be forwarded to the Defense Advisor, USRO; guidance transmitted for the United States representative in Japan shall be transmitted to the Commanding General, United States Forces Japan. Such guidance is formulated, where appropriate, in the Interagency Technical Property Committee for Defense. The Interagency Technical Property Committee comprises representatives of the Departments of Defense, State, Commerce and Justice, the Government Patents Board, and the International Cooperation Administration. A representative of the Assistant Secretary of Defense for International Security Affairs is the Chairman of this Committee. An Industry Advisory Committee established by the Department of Commerce furnishes advice upon request to the Interagency Technical Property Committee, and assists in the dissemination of information with respect to the interchange of patent rights and technical information for defense purposes.

(c) Department of Defense problems arising in the United States in connection with the interchange of patent rights and privately owned technical information should be referred to the patent activity of the appropriate Military Department.

§ 153.4 Policy.

It is the policy of the Department of Defense to encourage and facilitate international interchanges of patent rights and technical information to further the common defense of the United States and friendly nations. In achieving this purpose, the following principles shall be observed.

(a) Classified military information shall be released only through Government channels and only when consistent with the National Disclosure Policy, or when approved as an exception to that policy.

(b) In accordance with the Congressional policy prescribed by section 413(a) of the Mutual Security Act of 1954, as amended (22 U.S.C. 1933(a)), and pursuant to the bilateral agreements re-

ferred to in § 153.3, commercial relationships shall be utilized whenever appropriate and to the maximum extent feasible in order to encourage the participation of private enterprise in the Mutual Security Program, to relieve the Department of Defense of administrative burdens, and to reduce the costs to the United States of such interchanges.

(c) In accordance with section 414 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1934), the utilization of commercial channels for the exportation of unclassified privately owned technical information relating to articles designated as arms, ammunition, and implements of war in the United States Munitions List shall be subject to the regulations issued by the Secretary of State pursuant to section 414 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1934) (Title 22, Code of Federal Regulations, Chapter I, Subchapter M). (The term "technical data" is used in those regulations to describe technical information relating to such articles).

(d) Technical information which might be privately owned may be released under paragraph (e) (1) or (2) of this section by Department of Defense Agencies to foreign governments if any one of the following conditions are met:

(1) The owner expressly consents to the proposed release;

(2) The United States, by contract or otherwise, has acquired or is entitled to acquire, the information under circumstances which permit the proposed release; or

(3) The Secretary of the Military Department concerned, or his designee, determines, under the authority of the Mutual Security Act of 1954, as amended, that:

(i) The exigencies of the requirement for release to further the common defense do not allow sufficient time to obtain the consent of the owner; or

(ii) The owner refuses consent and the best interests of the United States would be served by the release.

(e) In accordance with the provisions of the agreements referred to in § 153.3, the release to foreign governments by Department of Defense agencies of technical information which might be privately owned shall normally be in accord with the following two step procedure:

(1) Release for information only.

(2) Permission for manufacture, or use, for defense purposes.

(f) (1) All technical information, whether privately owned or government owned, released to a foreign government by Department of Defense Agencies shall be marked with the following restrictions:

1. This information is accepted for defense purposes only.

2. This information shall be accorded substantially the same degree of security protection as such information has in the United States.

3. This information shall not be disclosed to another country without the consent of the United States.

(2) When technical information which might be privately owned is released for information only, the restric-

tive marking shall also contain these additional notations:

4. This information is accepted upon the understanding that it might be privately owned.

5. This information is accepted solely for the purpose of information and shall accordingly be treated as disclosed in confidence. The recipient Government shall use its best endeavors to ensure that the information is not dealt with in any manner likely to prejudice the rights of the private owner thereof to obtain patent or other like statutory protection therefor.

6. The recipient Government shall obtain the consent of the United States if it desires that this information be made available for manufacture, or use, for defense purposes.

(g) When technical information which might be privately owned is released under the procedures set forth herein, the owner, if known, shall be furnished:

(1) Notice of the release;

(2) The identity of the recipient, if not contrary to security regulations;

(3) Notice that the recipient has been advised that the information might be privately owned; and

(4) Notice of the restrictions to which the release is subject.

§ 153.5 Claims for compensation.

(a) With respect to interchanges in furtherance of the purposes of the Mutual Security Act of 1954, as amended, section 506 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1758) provides the exclusive remedy for compensation for infringement within the United States of a patent issued by the United States and for damage resulting from the disclosure by the United States of privately owned technical information.

(b) The Secretaries of the Military Departments are hereby authorized to exercise the power and authority conferred by section 506 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1758) to enter into agreements with claimants in full settlement and compromise of any claim against the United States thereunder, subject to such rules and regulations, if any, as the Secretary of Defense may promulgate from time to time. The Secretaries of the Military Departments are authorized to make successive redelegations in writing of this power and authority to any officer, employee, board or agent of their respective departments.

(c) Funds appropriated for military assistance pursuant to the Mutual Security Act of 1954, as amended, which have been made available to a Military Department may be used to settle claims under section 506 of the Mutual Security Act of 1954, as amended (22 U.S.C. 1758). In addition, in those cases where the provisions of 10 U.S.C. 2386 are applicable, funds appropriated for a Military Department available for making or procuring supplies may be used to settle such claims.

Effective date. This part is effective immediately.

MAURICE W. ROCHE,
Administrative Secretary.

MARCH 24, 1959.

[F.R. Doc. 59-2667; Filed, Mar. 30, 1959; 8:47 a.m.]

Title 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Civil and Defense Mobilization

[OCDM Reg. 1B]

OCDM REG. 1B—ISSUANCE OF NECESSITY CERTIFICATES UNDER SECTION 168 OF THE INTERNAL REVENUE CODE OF 1954

The following regulations are hereby prescribed by the Office of Civil and Defense Mobilization with the approval of the President pursuant to the authority contained in Executive Order No. 10480, dated August 14, 1953, and section 168 of the Internal Revenue Code of 1954.

Sec.

- 1 Definitions.
- 2 Criteria for determination of suitability of existing facilities.
- 3 Criteria for determination of portion of the adjusted basis attributable to defense purposes for computing the amortization deduction.
- 4 Procedures and responsibilities.
- 5 Exercise of powers of Certifying Authority.

AUTHORITY: Sections 1 to 5 issued under sec. 168, 68A Stat. 52; 26 U.S.C. 168, E.O. 10480, 18 F.R. 4939, 3 CFR, 1953 Supp., as amended.

Section 1. Definitions.

As used throughout this regulation:

(a) "Emergency facility" means any facility, land, building, machinery or equipment, or any part thereof, the construction, reconstruction, erection, installation or acquisition of which was completed after December 31, 1949, and with respect to which a Necessity Certificate has been made.

(b) "Emergency period" means the period beginning January 1, 1950, and ending on the date on which the President proclaims that the utilization of a substantial portion of the emergency facilities with respect to which Necessity Certificates have been made is no longer required in the interest of national defense.

(c) "Certifying Authority" means the Director of the Office of Civil and Defense Mobilization.

(d) "Necessity Certificate" means a certificate made by the Certifying Authority pursuant to section 168(e) (2) of the Internal Revenue Code of 1954, certifying that the construction, reconstruction, erection, installation or acquisition of the facilities referred to in the certificate is to be used:

(1) To produce new or specialized defense items or components of new or specialized defense items (as hereinafter defined) during the emergency period, or

(2) To provide research, developmental, or experimental services during the emergency period for the Department of Defense (or one of the component departments of such Department) or for the Atomic Energy Commission, as a part of the national defense program, or

(3) To provide primary processing for uranium ore or uranium concentrate under a program of the Atomic Energy

Commission for the development of new sources of uranium ore or uranium concentrate,

and stating the portion of the adjusted basis thereof which has been determined to be attributable to defense purposes within the meaning of such section 168 (e) (2) for computing the amortization deduction under section 168(a).

(e) A "new defense item" means a new product or material (excluding services) which was not in regular production prior to January 1, 1957, and which is or it is expected will be produced for sale to the Department of Defense (or one of the component departments of such Department) or to the Atomic Energy Commission to meet current or currently foreseeable requirements and for which it is anticipated there will not be any substantial civilian market.

(f) A "specialized defense item" means a product or material (excluding services) which was in regular production prior to January 1, 1957, and for which it is anticipated that there will not be any substantial civilian market and which is or it is expected will be produced for sale to the Department of Defense (or one of the component departments of such Department) or to the Atomic Energy Commission to meet current or currently foreseeable requirements.

(g) A "new component" means a component which was not in regular production prior to January 1, 1957, and for which it is anticipated there will not be any substantial civilian market and which will be sold to or become a part of a new or specialized defense item for sale to the Department of Defense (or one of the component departments of such Department) or to the Atomic Energy Commission.

(h) A "specialized component" means a component which was in regular production prior to January 1, 1957, and for which it is anticipated that there will not be any substantial civilian market and which will be sold to or become a part of a new or specialized defense item for sale to the Department of Defense (or one of the component departments of such Department) or to the Atomic Energy Commission.

(i) "Regular production" means that the item or component has been produced in quantities exceeding those for experimental or test purposes, or on other than a pilot line basis.

(j) Except in the context of "research, developmental, or experimental services", the word "services" means provision of transportation, storage, communications, power, water, fuel, sewerage, heat, refrigeration and other similar ancillary activities and materials and excludes production processes, such as fabricating, assembling, testing, retrofit or modification, and irradiation of materials.

Sec. 2. Criteria for determination of suitability of existing facilities.

(a) *For the production of a new or specialized defense item or component.* Facilities for the production of a new or specialized defense item or component may be certified if existing productive facilities are unsuitable because of the newness or specialized features of the

item or the component. Certification will not be granted where it can be shown only that existing facilities are inadequate or unavailable for the required rate of production. Where the new or specialized defense item or component could not be produced with existing facilities without substitutions, modifications or alterations of existing facilities or the acquisition of new facilities, certification may be granted for such substitutions, modifications, alterations or new facilities.

(b) *For research, developmental, or experimental services for the Department of Defense (or one of the component departments of that Department) or the Atomic Energy Commission.* Facilities for research, developmental, or experimental services may be certified where such services are required to provide research, developmental, or experimental services during the emergency period for the Department of Defense (or one of the component departments of that Department), or for the Atomic Energy Commission as a part of the national defense program. The certification for facilities to perform research, developmental, or experimental services may not be made for facilities connected with the civil functions of the Department of Defense or in connection with work on peacetime usage of atomic energy that might be undertaken by the Atomic Energy Commission.

(c) *For the primary processing of uranium ore or uranium concentrate.* Facilities for the primary processing of uranium ore or uranium concentrate may be certified if existing facilities are unsuitable because of their location.

(d) *In general.* The following types of facilities will not be considered for certification:

(1) The acquisition of the productive assets of a going concern or second-hand facilities unless:

(i) Clear prospect of a substantial increase in the usefulness of such facilities for national defense exists and such increase cannot be obtained by other practical means; or

(ii) Substantial loss of usefulness for national defense would probably result in the absence of such acquisition.

(2) The construction, reconstruction, erection, installation, or acquisition of that part of a facility which is or will be used in lieu of existing facilities, except to the extent considered extraordinary and necessitated by reason of the emergency.

(3) Facilities acquired from the Government.

(4) Facilities constructed or acquired for the purpose of leasing to a defense contractor.

(5) Facilities for the provision of "services" unless:

(i) Such services are an integral part of the production or research and development facilities; and

(ii) Constructed for or acquired by the same taxpayer who owns the production or research and development facilities; and

(iii) The production or research and development facility is itself eligible under section 2.

(6) Production facilities constructed or acquired for mobilization reserve purposes, as distinguished from facilities designed to meet current or currently foreseeable defense production needs.

(7) The construction of any facility unless located, insofar as practicable, so as to reduce the risk of damage in the event of attack.

Sec. 3. Criteria for determination of portion of the adjusted basis attributable to defense purposes for computing the amortization deduction.

Determination will be made by the Certifying Authority as to the portion of the adjusted basis upon which the amortization deduction under section 168(a) shall be computed. In determining the portion to be certified, the Certifying Authority will consider the probable economic usefulness of the facility after five years and the additional incentives to the minimum amount deemed necessary to secure the expansion of industrial capacity in the interest of national defense during the emergency period. For this purpose, consideration will be given to such factors as the character of the business, including the source, amount and nature of the materials required for the expansion and the material or service to be produced; the manufacturing or servicing process involved; normal depreciation rates; expansion in competitive fields; the extent of risk assumed, including the amount and source of capital employed; the potentiality of recovering capital or retiring debt through tax savings or pricing; the relative expansion needed; the economic consequences of the location of the facility due to security or other emergency factors; increased costs due to expedited construction or emergency conditions; the historical background of the industry; the extent to which the facility is being or will be used in lieu of existing facilities; assistance to small business and the promotion of competitive enterprise; compliance with Government policies, e.g., manpower and dispersion; and other relevant factors. Land will not ordinarily be certified. The percentage certified shall be closely related to the provisions of other financial incentives provided by the Government to encourage the construction of facilities, such as direct Government loans, guarantees and contractual arrangements, so that these incentives separately or in combination will secure the needed expansion at minimum cost to the Treasury. Where percentage certification patterns for individual industries are established, adjustments upward or downward may be made for special factors.

Sec. 4. Procedures and responsibilities.

(a) *Application form.* Formal application shall conform to the standard form prescribed by the Certifying Authority and shall be executed in the manner and by the person prescribed by the form. The standard form of application for a Necessity Certificate may be obtained from the Office of Civil and Defense Mobilization, Washington 25, D.C., or from the Department of Commerce field offices.

(b) *Classified information.* If the application or its filing would involve the disclosure of information which has a security classification, the applicant shall, prior to the filing of his application, request instruction from the Government agency with which he has classified contract relations.

(c) *Filing of application.* All applications for Necessity Certificates shall be filed with the Office of Civil and Defense Mobilization in Washington, D.C., and shall be deemed to be filed when received by that agency. Simultaneously, applicant should forward a copy of the application to the cognizant local representative of any military service with which the applicant states in section 9 of the application that it has a contract. The name and address of each such representative should be furnished to the Office of Civil and Defense Mobilization with the original application.

(d) *Time of filing applications.* (1) Application for a Necessity Certificate for facilities acquired, or to be acquired, must be filed before the expiration of six months after the date of such acquisition.

(2) Applications for Necessity Certificates for any building, structure or other real property, or for the installation of facilities which will become an integral and permanent part of any building, structure or other real property must be filed prior to the beginning of construction, reconstruction, erection or installation. For purposes of subparagraphs (1) and (2) of this paragraph, an application which was timely filed on or before August 22, 1957, shall be considered to be an application timely filed under these paragraphs.

(3) An application for facilities for the primary processing of uranium ore or uranium concentrate which would not qualify under subparagraphs (1) or (2) of this paragraph will be considered to have been timely filed if filed at any time within three months after September 2, 1958. Applications for such facilities filed after December 2, 1958, must comply with subparagraphs (1) and (2) of this paragraph.

(4) For purposes of section 4(d) hereof and the time limitation provision which appears on the face of Necessity Certificates, the following definitions shall apply:

(i) Construction, reconstruction, erection or installation is deemed to begin with the incorporation in place on the site by the applicant or by any other person pursuant to any contract, understanding or arrangement, directly or indirectly for or with the applicant, of physical materials as an integral and permanent part of any building, structure or other real property (for example, the pouring or placing of footings or other foundations). Acquisition of land; engineering; contracting for construction; preparation of site; building of access roads; excavation; demolition; installation of service utilities required for construction; the fabrication, production or processing of building materials or building equipment; or the acquisition of personal property to be installed in the building, structure or

other real property does not constitute beginning of construction, reconstruction, erection or installation.

(ii) Acquisition takes place when title passes or a contract to acquire is entered into.

(iii) If the total dollar amount of the facilities which have been certified (without consideration of the percentage of certification) does not exceed \$1,000,000 the requirements of the time limitation provision in Necessity Certificates will be satisfied with regard to (a) certified facilities to be acquired (e.g., machinery, equipment, etc.) and used in connection with certified buildings or structures if the taxpayer begins the construction of such buildings or structures within the time specified, and (b) the beginning of construction, in that the beginning of construction of any structure certified will be considered to be the beginning of construction of all structures certified if several separate structures are involved.

(e) *Modification of regulations.* The provisions of this regulation concerning the filing of applications for Necessity Certificates may be changed by the Certifying Authority. Such change shall be made effective not less than 15 days after publication in the FEDERAL REGISTER.

(f) *Referral of application.* Each application, after acknowledgment, will be referred to that agency or officer of the Government according to its respective assigned responsibilities under the Defense Production Act of 1950, as amended, called "delegate agencies", and to the Department of Defense or the Atomic Energy Commission as appropriate.

(g) *Responsibilities of agencies and officers other than Certifying Authority.* Agencies of the Government to which an application is referred shall be responsible for making a report and recommendation for specific action to the certifying Authority regarding each application. Such report shall include the reasons for the recommendation and shall conform to instructions issued by the Certifying Authority.

(h) *Action by the Certifying Authority.* After consideration of the relevant factors, including but not limited to the reports of the delegate agencies, and the Atomic Energy Commission or Department of Defense, the Certifying Authority will take action upon the application.

(i) *Necessity Certificates.* Upon approval of an application, a Necessity Certificate will be forwarded to the Commissioner of Internal Revenue and will constitute conclusive evidence of certification by the Certifying Authority that the facilities therein described are necessary in the interest of national defense and of the portion of the adjusted basis upon which the amortization deduction under section 168(a) shall be computed. The Certifying Authority will not certify the accuracy of the cost of any facilities nor of any date relative to the construction, reconstruction, erection, installation or acquisition thereof. It will be incumbent upon taxpayers electing to take the amortization deduction to establish to the satisfaction of the

Commissioner of Internal Revenue the identities of the facilities, the costs thereof, and the dates relative thereto.

(j) *Further description after certification.* (1) Where the actual description or cost of a certified facility varies or will vary so materially from the description or cost in the application for a Necessity Certificate as to put in question the identity of the facility, the taxpayer may request an amendment of the certificate by filing a statement with the Certifying Authority setting forth the revised description or cost.

(2) It is to be considered that there is not so material a variation as to put in question the identity of the facility and therefore that the varied description or cost is within the scope of the original certification and no amendment is necessary in the following cases:

(i) Where the facility acquired or constructed is the same as that certified even though the actual cost exceeds the cost of the facility as estimated in the certificate.

(ii) Where the facility acquired or constructed varies from the facility certified and the actual cost exceeds by not more than 15 percent the cost estimated in the certificate. It is not intended that the certificate is to be considered as a dollar-amount authorization which may be exceeded by not more than 15 percent so as to include any additional facilities. For the purpose of the 15 percent limitation the word "facility" as employed above contemplates consideration separately of each item as listed in Appendix A (of the standard form of application for a Necessity Certificate).

(3) The statement should consist of four copies of an amended Appendix A setting forth all of the emergency facilities certified with their revised descriptions or costs in the same order in which such emergency facilities were listed on the original Appendix A. However, where the original Appendix A is lengthy and only a few variations or changes are involved, the four copies of the amended Appendix A may list only the facilities changed. In all instances, the amended descriptions or costs should be identified, by item and page number, with the descriptions or costs contained in the original Appendix A and should be accompanied by a letter explaining all changes with the reason therefor.

(4) If the Certifying Authority is of the opinion that the varied or changed costs or descriptions are within the scope of the original certification, the amended Appendix A will be forwarded by the Certifying Authority to the Commissioner of Internal Revenue for substitution for the original Appendix A attached to the original certificate to have the effect of an amendment thereof. A copy of the amendment will be transmitted to the taxpayer.

(5) Although reasonable substitutions for facilities previously certified may be determined to be within the scope of the original certification, additional facilities, as a general rule, will not be considered to be within the scope of the original certification and will require a separate new application which will be subject to the provisions of section

RULES AND REGULATIONS

168(e) (2) of the Internal Revenue Code of 1954. The Certifying Authority may, however, afford a filing date for such separate application which will correspond to the date on which the application for amendment was filed for the facilities found to be outside the scope of the original certification.

(k) *Cancellation or amendment of Necessity Certificate.* The Certifying Authority may (1) cancel any Necessity Certificate where it has been obtained by fraud or misrepresentation or has been issued through error or inadvertence, or (2) amend any Necessity Certificate for sufficient cause.

(l) *Time extensions.* Applications for time extensions on outstanding Necessity Certificates may be considered only if a request for such extension is filed with the Certifying Authority prior to the termination date of the Certificate. Time extensions on Necessity Certificates which have expired by their terms prior to the filing of a request for such time extension may be considered only if the proposed expansion can satisfy the requirements of section 168(e) (2) of the Internal Revenue Code of 1954.

Sec. 5. Exercise of powers of Certifying Authority.

(a) Any actions taken in exercise of the powers and authority conferred by section 168(c) of the Internal Revenue Code of 1954 and vested in the Director of the Office of Civil and Defense Mobilization by Executive Order 10480, as amended, may be taken in the name of the Office of Civil and Defense Mobilization by the Director's authorized representative.

(b) The Director may for good and sufficient reason in the interest of national defense make exceptions to the requirements for filing in section 4(d) (2). However, in no event may an application be filed later than 6 months after the beginning of such construction,

reconstruction, erection or installation, or the date of such acquisition.

ODM Regulation 1A, dated February 26, 1958, is hereby superseded.

Effective date: March 19, 1959.

LEO A. HOEGH,
Director of the Office of Civil
and Defense Mobilization.

Approved:

DWIGHT D. EISENHOWER,
The White House.

[F.R. Doc. 59-2665; Filed, Mar. 30, 1959;
8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 1824]

[Arizona 048611]

ARIZONA

Partially Revoking Departmental Orders of June 29, 1908, October 2, 1908, and October 12, 1908, Which Withdrew Certain Lands for Use of Forest Service As Administrative Sites

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U.S.C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. The departmental orders of June 29, 1908, October 2, 1908, and October 12, 1908, which withdrew certain lands for use of the Forest Service as administrative sites, are hereby revoked so far as

they affect the following-described lands:

GILA AND SALT RIVER MERIDIAN
KAIBAB NATIONAL FOREST

In departmental order of June 29, 1908:

BURRO CANYON ADMINISTRATIVE SITE

T. 39 N., R. 3 E.,

Sec. 6 (unsurveyed).

20 acres described by metes and bounds.

In departmental order of October 12, 1908:

HORSE SPRING ADMINISTRATIVE SITE

T. 38 N., R. 3 W.,

Sec. 24.

40 acres described by metes and bounds.

In departmental order of October 2, 1908:

KANE ADMINISTRATIVE SITE

T. 37 N., R. 3 E.,

Secs. 35 and 36 (unsurveyed).

160 acres described by metes and bounds.

In departmental order of October 2, 1908:

JUMP UP ADMINISTRATIVE SITE

T. 37 N., R. 3 W.,

Sec. 2.

319 acres described by metes and bounds.

In departmental order of October 2, 1908:

SLIDE SPRING ADMINISTRATIVE SITE

T. 38 N., R. 3 W.,

Sec. 24.

60 acres described by metes and bounds.

The areas released by this order total approximately 599 acres.

2. The lands are within the Kaibab National Forest and shall be open, subject to valid existing rights and the requirements of applicable law, to such applications, selections, and locations as are permitted on national forest lands effective at 10:00 a.m. on April 30, 1959.

ROGER ERNST,

Assistant Secretary of the Interior.

MARCH 25, 1959.

[F.R. Doc. 59-2674; Filed, Mar. 30, 1959;
8:47 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR, Part 29]

TOBACCO INSPECTION

Standards

Notice is hereby given that the United States Department of Agriculture is considering the issuance, as hereinafter proposed, of United States Standard Grades for Flue-cured Tobacco, pursuant to the authority contained in The Tobacco Inspection Act (49 Stat. 731; 7 U.S.C. 511 et seq.).

The proposed standards will supersede the current United States Standard Grades for Flue-cured Tobacco (§§ 29.301-29.399) effective May 1958.

This reissuance (1) adds three mixed grades; (2) tightens restriction on variegated tobacco in straight colors; (3) adds seven rules to clarify the usage of special-factor symbols; (4) defines and identifies rank or wild tobacco; (5) establishes five grades in the Nondescript group; and (6) adds a key to standard grademarks to clarify the use of symbols.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standard grades should file the same with the Director, Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 30 days after publication of this notice in the FEDERAL REGISTER.

The proposal is as follows:

1. Delete §§ 29.301 to 29.399 in Subpart C of Part 29 and substitute therefor immediately after § 29.582 the following:

OFFICIAL STANDARD GRADES FOR FLUE-CURED TOBACCO, U.S. TYPES 11, 12, 13, AND 14

SPECIFICATIONS

WRAPPER GRADES (A GROUP)

Sec. 29.1001 General specifications.

LEAF GRADES (B GROUP)

29.1002 General specifications.

CUTTER GRADES (C GROUP)

29.1003 General specifications.

CUTTING LUG GRADES (X GROUP)

29.1004 General specifications.

GRANULATING LUG GRADES (X GROUP) (CONTINUED)

29.1005 General specifications.

NONDESCRIPT (N GROUP)

29.1006 General specifications.

SCRAP (S GROUP)

Sec.	
29.1007	General specifications.
DEFINITIONS	
29.1036	Terms defined.
29.1037	Air-dried.
29.1038	Body.
29.1039	Botched.
29.1040	Class.
29.1041	Clean.
29.1042	Color.
29.1043	Condition.
29.1044	Crude.
29.1045	Cured.
29.1046	Cutters (C).
29.1047	Damaged.
29.1048	Decayed.
29.1049	Dun or walnut (D).
29.1050	Flue-cured.
29.1051	Foreign matter.
29.1052	Form.
29.1053	Grade.
29.1054	Green (G).
29.1055	Group.
29.1056	Injury.
29.1057	Leaf scrap.
29.1058	Lemon (L).
29.1059	Light red.
29.1060	Lot.
29.1061	Lugs (X).
29.1062	Major.
29.1063	Mixed (M).
29.1064	Nested.
29.1065	Nondescript (N).
29.1066	Offtype.
29.1067	Orange (F).
29.1068	Order (case).
29.1069	Package.
29.1070	Packing.
29.1071	Premature.
29.1072	Primings (P).
29.1073	Quality.
29.1074	Rank (S).
29.1075	Raw.
29.1076	Red (R).
29.1077	Resweated.
29.1078	Scrap.
29.1079	Semicured.
29.1080	Side.
29.1081	Smoking Leaf (H).
29.1082	Sound.
29.1083	Special factor.
29.1084	Steam-dried.
29.1085	Stem.
29.1086	Stemmed.
29.1087	Stems.
29.1088	Strips.
29.1089	Subgrade.
29.1090	Subgroup.
29.1091	Sweated.
29.1092	Sweating.
29.1093	Tips.
29.1094	Tobacco.
29.1095	Tobacco products.
29.1096	Type.
29.1097	Type 11.
29.1098	Type 12.
29.1099	Type 13.
29.1100	Type 14.
29.1101	Undersize.
29.1102	Undried.
29.1103	Uniformity.
29.1104	Unripe or greenish (V).
29.1105	Unsound (U).
29.1106	Unstemmed.
29.1107	Variegated (K).
29.1108	Waste.
29.1109	Web.
29.1110	Web scrap.
29.1111	Web yield.
29.1112	Wet (W).
29.1113	Yield.
RULES	
29.1143	Rules.
29.1144	Rule 1.
29.1145	Rule 2.
29.1146	Rule 3.
29.1147	Rule 4.

Sec.	Rule
29.1148	Rule 5.
29.1149	Rule 6.
29.1150	Rule 7.
29.1151	Rule 8.
29.1152	Rule 9.
29.1153	Rule 10.
29.1154	Rule 11.
29.1155	Rule 12.
29.1156	Rule 13.
29.1157	Rule 14.
29.1158	Rule 15.
29.1159	Rule 16.
29.1160	Rule 17.
29.1161	Rule 18.
29.1162	Rule 19.
29.1163	Rule 20.

KEY TO STANDARD GRADEMARKS

29.1225 Key to standard grademarks.

AUTHORITY: §§ 29.1001 to 29.1225 issued under 40 Stat. 734; 7 U.S.C. 511m.

SPECIFICATIONS

WRAPPER GRADES (A GROUP)

§ 29.1001 General specifications.

All grades of the A group must be clean, sound, ripe, firm, strong, and over 18" long, must have an open weave, light to true color shade, clear to bright finish, and small to medium size and blending fibers, and must not exceed the tolerances specified with respect to injury.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES

U.S. grade	
A1F	Choice Quality Wrapper in Orange Color. Very silky, very fine texture, very elastic, very oily, medium to fleshy body, spready, uniform. Tolerance, 30 percent leaves of a quality not lower than B3 or C3, and 5 percent injury of a nature affecting wrapper yield.
A1R	Choice Quality Wrapper in Red Color. Rich in oil, fleshy to heavy body, otherwise same as A1F.
A2F	Fine Quality Wrapper Pickers in Orange Color. Silky, fine texture, elastic, very oily, medium to fleshy body, fairly spready, harmonizing. Tolerance, 50 percent leaves of a quality not lower than B3 or C3, and 10 percent injury of a nature affecting wrapper yield.
A2R	Fine Quality Wrapper Pickers in Red Color. Rich in oil, fleshy to heavy body, otherwise same as A2F.

LEAF GRADES (B GROUP)

§ 29.1002 General specifications.

All grades of the B group must be clean, sound, medium to heavy body, and must not exceed the tolerances specified with respect to waste and other injury. General tolerance, 20 percent undersized leaves.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES

U.S. grade	
B1L	Choice Quality Leaf in Lemon Color. Very smooth, very good texture, oily, ripe, firm, medium body, strong, fairly spready, open weave, light color shade, very clear finish, blending fibers, uniform, over 20" long. Tolerance, 5 percent injury.
B1F	Choice Quality Leaf in Orange Color. Very oily, medium to fleshy body, otherwise same as B1L.
B1R	Choice Quality Leaf in Red Color. Rich in oil, fleshy body, otherwise same as B1L.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES—Continued

U.S. grade	
B2L	Fine Quality Leaf in Lemon Color. Smooth, good texture, oily, ripe, firm, medium body, strong, normal width, open weave, fairly light color shade, clear finish, emerging fibers, harmonizing, over 18" long. Tolerance, 10 percent injury.
B2F	Fine Quality Leaf in Orange Color. Very oily, medium to fleshy body, otherwise same as B2L.
B2R	Fine Quality Leaf in Red Color. Rich in oil, fleshy body, otherwise same as B2L.
B3L	Good Quality Leaf in Lemon Color. Fairly smooth, fair texture, oily, ripe, firm, medium body, fairly strong, normal width, fairly open weave, true color shade, fairly clear finish, similar, over 16" long. Tolerance 15 percent injury.
B3F	Good Quality Leaf in Orange Color. Very oily, medium to fleshy body, otherwise same as B3L.
B3R	Good Quality Leaf in Red Color. Rich in oil, fleshy body, otherwise same as B3L.
B3D	Good Quality Leaf in Dun or Walnut Color. Medium to heavy body, otherwise same as B3L.
B3K	Good Quality Variegated Leaf. Average quality of B3 or better in variegated colors corresponding to the general shades of lemon, orange, red, or green.
B3M	Good Quality Mixed Leaf. Average quality of B3 or better.
B3G	Good Quality Leaf in Green Color. Quality of B3, except maturity.
B4L	Fair Quality Leaf in Lemon Color. Unrough, fairly oily, fairly ripe, fairly firm, medium body, normal strength, not narrow, fairly true color shade, normal finish, unmixing. Tolerance, 20 percent total injury of which not over 5 percent may be waste or other badly injured tobacco.
B4F	Fair Quality Leaf in Orange Color. Medium to fleshy body, otherwise same as B4L.
B4R	Fair Quality Leaf in Red Color. Fleshy body, otherwise same as B4L.
B4D	Fair Quality Leaf in Dun or Walnut Color. Medium to heavy body, otherwise same as B4L.
B4K	Fair Quality Variegated Leaf. Average quality of B4 or better in variegated colors corresponding to the general shades of lemon, orange, red, or green.
B4M	Fair Quality Mixed Leaf. Average quality of B4 or better.
B4G	Fair Quality Leaf in Green Color. Quality of B4, except maturity.
B5L	Low Quality Leaf in Lemon Color. Fairly ripe, medium body, not weak, not stringy, dusky color shade, dull finish, unmixing. Tolerance, 30 percent total injury of which not over 10 percent may be waste or other badly injured tobacco.
B5F	Low Quality Leaf in Orange Color. Medium to fleshy body, otherwise same as B5L.
B5R	Low Quality Leaf in Red Color. Fleshy body, otherwise same as B5L.
B5D	Low Quality Leaf in Dun or Walnut Color. Medium to heavy body, otherwise same as B5L.
B5K	Low Quality Variegated Leaf. Average quality of B5 or better in variegated colors corresponding to the general shades of lemon, orange, red, or green.
B5M	Low Quality Mixed Leaf. Average quality of B5 or better.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES—Continued

U.S. grade	GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES
B5G	Low Quality Leaf in Green Color. Quality of B5, except maturity.
B6L	Poor Quality Leaf in Lemon Color. Fairly ripe, medium body, not tender, dark color shade, dingy finish, unmixed. Tolerance, 40 percent total injury of which not over 20 percent may be waste or other badly injured tobacco.
B6F	Poor Quality Leaf in Orange Color. Medium to fleshy body, otherwise same as B6L.
B6R	Poor Quality Leaf in Red Color. Fleshy body, otherwise same as B6L.
B6D	Poor Quality Leaf in Dun or Walnut Color. Medium to heavy body, otherwise same as B6L.
B6K	Poor Quality Variegated Leaf. Average quality of B6 or better in variegated colors corresponding to the general shades of lemon, orange, red, or green.
B6M	Poor Quality Mixed Leaf. Average quality of B6 or better.
B6G	Poor Quality Leaf in Green Color. Quality of B6, except maturity.

CUTTER GRADES (C GROUP)

§ 29.1003 General specifications.

All grades of the C group must be clean, sound, thin to medium body, must have an open weave and small to medium size fibers, and must not exceed the tolerances specified with respect to waste and other injury. General tolerance, 20 percent undersized leaves.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES

U.S. grade	GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES
C1L	Choice Quality Cutters in Lemon Color. Fairly silky, fine texture, oily, ripe, firm, thin body, fairly strong, broad, light color shade, very clear finish, blending fibers, uniform, over 20" long. Tolerance, 5 percent injury.
C1F	Choice Quality Cutters in Orange Color. Fairly thin to medium body, otherwise same as C1L.
C2L	Fine quality Cutters in Lemon Color. Very smooth, very good texture, oily, ripe, firm, thin body, fairly strong, spready, light color shade, very clear finish, blending fibers, harmonizing, over 20" long. Tolerance, 10 percent injury.
C2F	Fine Quality Cutters in Orange Color. Fairly thin to medium body, otherwise same as C2L.
C3L	Good Quality Cutters in Lemon Color. Smooth, good texture, fairly oily, ripe, fairly firm, thin body, normal strength, fairly spready, fairly light color shade, clear finish, emerging fibers, similar, over 18" long. Tolerance, 15 percent injury.
C3F	Good Quality Cutters in Orange Color. Fairly thin to medium body, otherwise same as C3L.
C4L	Fair Quality Cutters in Lemon Color. Smooth, fair texture, lean, ripe, not flimsy, thin body, normal strength, normal width, true color shade, fairly clear finish, unmixed. Tolerance, 20 percent total injury of which not over 5 percent may be waste or other badly injured tobacco.
C4F	Fair Quality Cutters in Orange Color. Fairly thin to medium body, otherwise same as C4L.
C4K	Fair Quality Variegated Cutters. Average quality of C4 or better.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES—Continued

U.S. grade	GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES
C5L	Low Quality Cutters in Lemon Color. Fairly smooth, lean, fairly ripe, not flimsy, thin body, not weak, not narrow, fairly true color shade, normal finish, unmixed. Tolerance, 30 percent total injury of which not over 10 percent may be waste or other badly injured tobacco.
C5F	Low Quality Cutters in Orange Color. Fairly thin to medium body, otherwise same as C5L.
C5K	Low Quality Variegated Cutters. Average quality of C5 or better.
C5M	Low Quality Mixed Cutters. Average Quality of C5 or better.

CUTTING LUG GRADES (X GROUP)

§ 29.1004 General specifications.

All grades of the Cutting Lugs must be clean, sound, thin to medium body, and must not exceed the tolerances specified with respect to waste and other injury.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES

U.S. grade	GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES
X1L	Choice Quality Cutting Lugs in Lemon Color. Smooth, good texture, fairly oily, ripe, fairly firm, thin body, not weak, normal width, open weave, fairly light color shade, fairly clear finish, emerging fibers, similar. Tolerance, 20 percent total injury of which not over 5 percent may be waste or other badly injured tobacco.
X1F	Choice Quality Cutting Lugs in Orange Color. Fairly thin to medium body, otherwise same as X1L.
X2L	Fine Quality Cutting Lugs in Lemon Color. Smooth, fair texture, lean, ripe, not flimsy, thin body, not weak, not narrow, open weave, true color shade, normal finish, unmixed. Tolerance, 25 percent total injury of which not over 10 percent may be waste or other badly injured tobacco.
X2F	Fine Quality Cutting Lugs in Orange Color. Fairly thin to medium body, otherwise same as X2L.
X3L	Good Quality Cutting Lugs in Lemon Color. Fairly smooth, lean, fairly ripe, not flimsy, thin body, not tender, not stringy, fairly open weave, fairly true color shade, dull finish, unmixed. Tolerance, 40 percent total injury of which not over 20 percent may be waste or other badly injured tobacco.
X3F	Good Quality Cutting Lugs in Orange Color. Fairly thin to medium body, otherwise same as X3L.
X3M	Good Quality Mixed Cutting Lugs. Average quality of X3 or better.
X3G	Good Quality Cutting Lugs in Green Color. Quality of X3, except maturity.

GRANULATING LUG GRADES (X GROUP) CONTINUED)

§ 29.1005 General specifications.

All grades of Granulating Lugs must be clean, sound, tissuey to thin body, porous, and must not exceed the tolerances specified with respect to waste. Any tissuey to thin-bodied tobacco in lemon, orange, or variegated colors which will not meet the specifications of the lowest grade of Leaf, Smoking Leaf, Cutters, or Cutting Lugs and which does not contain over 40 percent of waste and is not de-

fined as Nondescript or Scrap may be classified as Granulating Lugs or Granulators.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES

U.S. grade	GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES
X4L	Fair Quality Granulators in Lemon Color. Unrough, fairly ripe, thin body, dusky color shade, cloudy finish, unmixed. Tolerance, 30 percent waste.
X4F	Fair Quality Granulators in Orange Color. Fairly thin to medium body, otherwise same as X4L.
X4K	Fair Quality Variegated Granulators. Over 16" long, otherwise average quality of X4 or better.
X4M	Fair Quality Mixed Granulators. Average quality of X4 or better.
X4G	Fair Quality Granulators in Green Color. Quality of X4, except maturity.
X5L	Low Quality Granulators in Lemon Color. Fairly ripe, thin body, dark color shade, dingy finish, unmixed. Tolerance 40 percent waste.
X5F	Low Quality Granulators in Orange Color. Fairly thin to medium body, otherwise same as X5L.
X5K	Low Quality Variegated Granulators. Average quality of X5 or better.
X5M	Low Quality Mixed Granulators. Average quality of X5 or better.
X5G	Low Quality Granulators in Green Color. Quality of X5, except maturity.

NONDESCRIPT (N GROUP)

§ 29.1006 General specifications.

All standard grades of Nondescript must be clean and sound.

GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES

U.S. grade	GRADE DESCRIPTION, SPECIFICATIONS, AND TOLERANCES
N1L	Best, Thinnest Body, and Lightest Color Nondescript. Not crude, quality under X5 or P5, and containing not more than 60 percent waste.
N1F	Best, Medium Body, and Medium Color Nondescript. Not crude, quality under H6, and containing not more than 60 percent waste.
N1R	Best, Heaviest Body, and Darkest Color Nondescript. Not crude, quality under B6, and containing not more than 60 percent waste.
N1G	Best, Crude Green Nondescript. Not more than 60 percent crude leaves or waste.
N2	Substandard Nondescript.

SCRAP (S GROUP)

§ 29.1007 General specifications.

Loose, tangled, whole, or broken unstemmed leaves, or the web portions of tobacco leaves reduced to scrap by any process.

GRADE NAME

U.S. grade	GRADE NAME
S	Scrap (See General specifications.)

DEFINITIONS

§ 29.1036 Terms defined.

For the purposes of these official standard grades, the following terms shall be construed as explained herein.

§ 29.1037 Air-dried.

The condition of unfermented tobacco as customarily prepared for storage under natural atmospheric conditions.

§ 29.1038 Body.

The thickness and density of leaf or weight per unit of surface.

§ 29.1039 Botched.

Any lot of unsorted tobacco offered for inspection which has not been sorted (or graded) in a manner which is customary in the type district, or any tobacco which does not reasonably conform to the common and accepted practices in the type district of preparing tobacco for market, including: (a) Extreme mixtures, such as Lugs and Primings intermingled with Leaf, lemon- and orange-colored tobacco intermingled with red or walnut, or tobacco of very poor quality, or badly injured tobacco intermingled with good quality tobacco which is not materially injured, et cetera; (b) any unsorted tobacco or tobacco which has been sorted in an unskilled, careless, or bungling manner; (c) tobacco which clearly and obviously contains an abnormal quantity of foreign matter such as strings, sand, or muddy or extremely dirty leaves; (d) tobacco prepared in a disorderly or tangled manner such as not being packed reasonably straight in layers or flakes with the butts of the leaves or the heads of the bundles in the same direction; and (e) tobacco tied with abnormally large or long heads so that it cannot be properly redried in the customary manner.

§ 29.1040 Class.

A major division of tobacco based on characteristics caused by varieties, soils, or climatic conditions, and the method of cultivation, harvesting, or curing.

§ 29.1041 Clean.

Normally free of dirt and other foreign matter.

§ 29.1042 Color.

A subdivision of a group based on the relative hues, saturations, and brilliances common to the group and on certain elements of quality such as body and maturity which are closely related to color.

§ 29.1043 Condition.

The state of tobacco in storage or in relation to its preparation for storage, with reference to its manner of preparation or its degree of fermentation such as undried, air-dried, steam-dried, sweating, sweated, and resweated.

§ 29.1044 Crude.

Any very immature leaf of which one-fifth or more of its surface has a positive green color; or any tobacco containing 30 percent or more crude leaves.

§ 29.1045 Cured.

Tobacco thoroughly dried of its sap by either natural or artificial processes.

§ 29.1046 Cutters (C).

A group of tobacco which is spready and very thin to medium in body as compared with the average width and body of the type and which has the characteristics of Cutting Lugs, except with respect to injury, finish, and length.

§ 29.1047 Damaged.

The effect of mold, must, rot, black rot, or other fungus or bacterial diseases

which attack tobacco in its cured state, including tobacco having the odor of mold, must, or rot.

§ 29.1048 Decayed.

Any tobacco which is damaged to the extent of 20 percent or more.

§ 29.1049 Dun or Walnut (D).

Tobacco which is chiefly composed of leaves having a very dull or dingy finish and a very dusky or dark shade of brown color and which is not crude, green, or mixed.

§ 29.1050 Flue-cured.

Tobacco cured under artificial atmospheric conditions by a process of regulating the heat and ventilation without allowing smoke or fumes from the fuel to come in contact with the tobacco; or tobacco cured by some other process which accomplishes the same results.

§ 29.1051 Foreign matter.

Any substance or material extraneous to tobacco, including dirt, sand, stalks, suckers, straw, strings, et cetera.

§ 29.1052 Form.

The stage of preparation of tobacco, such as unstemmed and stemmed.

§ 29.1053 Grade.

A subdivision of a type according to group and quality, and according to color when it is of sufficient importance to be treated as a separate factor.

§ 29.1054 Green (G).

(a) Any leaf of which one-fifth or more of its surface is predominantly green in color; or (b) any lot of tobacco containing 20 percent or more green leaves; or (c) any lot of tobacco which is not crude but which contains 20 percent of green and crude combined.

§ 29.1055 Group.

A division of a type covering several closely related grades based on the general quality of the tobacco, including body, the percentage of injury, and other characteristics.

§ 29.1056 Injury.

Hurt or impairment from any cause except damage. Injured tobacco shall include dead, burnt, hail-cut, or ragged tobacco; or tobacco that has been torn or broken, frozen or frosted, sunburned or scalded, scorched or fire-killed, bulk-burnt or steam-burnt, pole-burnt or house-burnt, bleached or bruised; or tobacco containing deformed leaves; or tobacco hurt by insects; or tobacco affected by wildfire, rust, frog-eye, mosaic, frening, sand-drown, or other similar diseases.

§ 29.1057 Leaf scrap.

Unstemmed scrap, which is a by-product from handling unstemmed tobacco consisting of loose and tangled whole or broken leaves.

§ 29.1058 Lemon (L).

Tobacco which is chiefly yellow in color and which is not crude, green, mixed, or variegated.

§ 29.1059 Light red.

An intermediate shade of red, which includes the dark side of the F color and the light side of the R color. Light red is designated by the use of a special factor symbol.

§ 29.1060 Lot.

A pile, basket, bulk, bale, case, hogshead, tierce, package, or other definite unit.

§ 29.1061 Lugs (X).

A group of tobacco which in the better qualities consists of Cutting Lugs and in the lower qualities consists of Granulated Lugs. Cutting Lugs are normally under 16" long and have the characteristics of Cutters except for a somewhat narrower width, less injury and waste, a duller finish, and less tensile strength. Granulating Lugs have a material amount of waste and injury of the kind characteristic of leaves grown near the ground and include variegated leaves which are too badly injured, discolored, or have too much waste or other badly injured tobacco to be classified as Cutters or Cutting Lugs.

§ 29.1062 Major.

The principal or leading kind of tobacco of which a lot consists; or the kind of tobacco which constitutes the largest percentage of a lot.

§ 29.1063 Mixed (M).

A lot of tobacco which contains 30 percent or more leaves of distinctly different quality or color from the major or run of the lot, and which has not been botched and which contains less than 30 percent of variegated leaves and less than 20 percent of green.

§ 29.1064 Nested.

Any tobacco which has been loaded, packed, or arranged in such a manner as to conceal foreign matter or tobacco of inferior grade, quality, or condition. Specifically, nested shall include: (a) Any lot of tobacco which contains damaged, injured, tangled, or other inferior tobacco, or an abnormal quantity of sand or other foreign matter, any of which cannot be readily detected upon inspection due to the way the lot is packed or arranged; (b) any lot of tied tobacco which contains foreign matter in the inner portions of the hands or which contains foreign matter in the heads under the tie leaves; (c) any lot of tied tobacco in which the leaves on the outside of the hands are so placed or arranged as to conceal from view relatively inferior quality leaves on the inside of the hands, or which contains wet tobacco or tobacco of relatively lower quality in the heads under the tie leaves; (d) any lot of tobacco consisting of distinctly different grades, qualities, or conditions which is stacked or arranged in layers with the same kinds together so that the tobacco in the lower layer or layers is distinctly inferior in grade, quality, or condition from the tobacco in the top or upper layers.

§ 29.1065 Nondescript (N).

Except as may be designated by a special factor, Nondescript shall include:

(a) Any tobacco which does not meet the minimum specifications of the lowest grade of any other group; (b) any wet semicured, or unsound tobacco; or (c) any tobacco which has wasted or contains waste to the extent of 40 percent or more.

§ 29.1066 Offtype.

Any tobacco which cannot be properly classified in any grade of the type normally sold on the markets of a given type due to its distinctly different characteristics; or any tobacco which for any reason is distinctly foreign to the grades of an established type. Specifically, offtype shall cover any kind of tobacco which is not ordinarily sold on the markets at which it is offered for inspection and shall include any smutty or smoked tobacco, tobacco having an odor foreign to the type, or tobacco showing the effects of smoke or fumes from open fires.

§ 29.1067 Orange (F).

Tobacco which is chiefly orange in color and which is not crude, green, mixed, or variegated.

§ 29.1068 Order (case).

The state of tobacco with respect to its moisture content.

§ 29.1069 Package.

A hogshead, tierce, case, bale, or other securely enclosed parcel or bundle.

§ 29.1070 Packing.

A lot of tobacco consisting of a certain number of packages submitted for sampling or inspection as one definite unit and represented to contain the same grade and kind of tobacco and having a common identification number or mark on each package.

§ 29.1071 Premature.

A low degree of maturity, but having the appearance of being ripe.

§ 29.1072 Primings (P).

A subgroup of Lugs—composed of very thin or tissuey, pale, silky, and premature leaves which are low in oil and wax and which have a dull or dingy finish.

§ 29.1073 Quality.

A division of group, forming the second factor of a grade, based upon the relative degree of one or more of the elements of quality in tobacco, construed in relation to the type as a whole unless otherwise specifically restricted, as in the element "color shade" which is restricted to a given color.

§ 29.1074 Rank (S).

Rough, wild, oversized Leaf tobacco characterized by coarse, bony fibers and midribs. This tobacco is described as "slapjack" by the trade.

§ 29.1075 Raw.

Freshly harvested tobacco, or tobacco as it appears between the time of harvesting and the beginning of the curing process.

§ 29.1076 Red (R).

Tobacco which is chiefly red in color and which is not crude, green, mixed, or variegated.

§ 29.1077 Resweated.

The condition of tobacco which has passed through a second fermentation under abnormally high temperatures, or re fermented with a relatively high percentage of moisture, including tobacco which has been dipped or reconditioned after its first fermentation and put through a forced or artificial sweat.

§ 29.1078 Scrap.

A by-product from handling tobacco in both the unstemmed and stemmed forms, consisting chiefly of loose, untied, and unstemmed leaves or the web portions of leaves, which accumulate in warehouses, packing and conditioning plants, and stemmeries; or tobacco which has been reduced to scrap by any process.

§ 29.1079 Semicured.

Tobacco in the process of being cured or tobacco which is partially but not thoroughly cured, including tobacco which contains fat-stems, wet-butts, swell-stems, or stems which have not been thoroughly dried in the curing process.

§ 29.1080 Side.

Any distinct characteristic of tobacco; or a certain phase of quality, color, or length as compared with some other phase of quality, color, or length.

§ 29.1081 Smoking Leaf (H).

A subgroup of Leaf: Composed of relatively thin, nonelastic, very ripe to mellow, very grainy, and porous leaves; being low in oil; having prominent ribs (considering the rib size in relation to the thickness of the leaf); and characterized by a somewhat duller finish than the corresponding colors of the Leaf group. Some of the lower grades of Smoking Leaf have a considerable amount of injury of the kind normally found in very grainy or overripe tobacco.

§ 29.1082 Sound.

Free of damage.

§ 29.1083 Special factor.

A symbol or term authorized to be used with specified grades to designate a certain side or characteristic of importance, varying from or not covered by the specifications of the grades.

§ 29.1084 Steamdried.

The condition of unfermented tobacco as customarily prepared for storage by means of a redrying machine or other steam-conditioning equipment.

§ 29.1085 Stem.

A midrib of a tobacco leaf.

§ 29.1086 Stemmed.

A form of tobacco from which the stems or midribs have been removed, which may consist of either strips or web scrap.

§ 29.1087 Stems.

A tobacco by-product composed of the midribs of tobacco leaves.

§ 29.1088 Strips.

The two whole sides of a tobacco leaf from which the stem has been removed; or a lot of tobacco composed of strips.

§ 29.1089 Subgrade.

Any grade modified by a special factor or subgroup symbol.

§ 29.1090 Subgroup.

A group formed by the substitution of a different group symbol to denote a modification of the specifications or to indicate a certain side or characteristic of the tobacco.

§ 29.1091 Sweated.

The condition of tobacco which has passed through one or more fermentations natural to tobacco packed with a normal percentage of moisture.

§ 29.1092 Sweating.

The condition of tobacco in the process of fermentation.

§ 29.1093 Tips.

A subgrade of leaf tobacco of which 25 percent or more of its leaves are under 16" in length. Tips normally consist of relatively narrow, sharp-pointed, and heavy-bodied leaves, under 16" long, which grow on the top or upper part of the plant but may consist of any short leaf tobacco having the characteristics of tips.

§ 29.1094 Tobacco.

Tobacco as it appears between the time it is cured and stripped from the stalk, or primed and cured, and the time it enters into the different manufacturing processes. The acts of stemming, sweating, and conditioning are not regarded as manufacturing processes. Tobacco, as herein used, does not include any raw tobacco, manufactured products, stems which have been removed from leaves, cuttings, clippings, trimmings, or shorts (fine siftings).

§ 29.1095 Tobacco products.

Products manufactured from tobacco which are subject to internal revenue taxes, including: Cigarettes, cigars, and smoking, chewing, and snuff tobaccos.

§ 29.1096 Type.

A division of a class of tobacco having certain common characteristics and closely related grades. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths shall be treated as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

§ 29.1097 Type 11.

That type of flue-cured tobacco commonly known as Western Flue-cured or Old Belt and Middle Belt Flue-cured, produced principally in the Piedmont

sections of Virginia and North Carolina and the district extending eastward to the coastal plains region. That portion of this type known as Old Belt Flue-cured, normally characterized by a heavier body and darker color shade and produced principally in the Piedmont sections of Virginia and North Carolina, may be classified as Type 11a; and that portion of the type known as Middle Belt Flue-cured, normally characterized by a thinner body and lighter color shade and produced principally in a section lying between the Piedmont and coastal plains regions of Virginia and North Carolina, may be classified as Type 11b.

§ 29.1098 Type 12.

That type of flue-cured tobacco commonly known as Eastern Flue-cured, New Belt of North Carolina Flue-cured, or Eastern Carolina Flue-cured, produced principally in the coastal plains section of North Carolina, north of the South River.

§ 29.1099 Type 13.

That type of flue-cured tobacco commonly known as Southeastern Flue-cured, South Carolina Flue-cured, or New Belt of South Carolina, produced principally in the coastal plains section of South Carolina and the southeastern counties of North Carolina, south of the South River.

§ 29.1100 Type 14.

That type of flue-cured tobacco commonly known as Southern Flue-cured or New Belt of Georgia, Florida, and Alabama, produced principally in the southern section of Georgia and to some extent in Florida and Alabama.

§ 29.1101 Undersize.

Tobacco which is shorter than the minimum size established for a particular group or grade of a type.

§ 29.1102 Undried.

The condition of unfermented tobacco which has not been air-dried or steam-dried.

§ 29.1103 Uniformity.

One of the elements of quality in tobacco having reference to the consistency of a lot, as ordinarily sorted and prepared for market, with respect to other elements of quality or color. The following are the specifications for the several degrees of uniformity showing for each degree the percentage of a lot that may be of a distinctly different group, quality, or color from the major or principal kind of which a lot consists: (a) Alike or very uniform, less than 5 percent; (b) uniform, less than 10 percent; (c) harmonizing or fairly uniform, less than 15 percent; (d) similar, less than 20 percent; (e) unmingled, less than 25 percent; (f) unmixed or mingled, less than 30 percent; and (g) mixed, 30 percent or more. When uniformity with respect to quality is specified it includes uniformity with respect to group, but when uniformity with respect to color is specified it does not include uniformity with respect to group or quality.

§ 29.1104 Unripe or greenish (V).

Tobacco of the B, C, and X groups which is slick or starchy or has a greenish cast, indicating a low degree of maturity, will be designated by the use of a special factor symbol following the grade.

§ 29.1105 Unsound (U).

Damaged under 20 percent.

§ 29.1106 Unstemmed.

A form of tobacco from which the stems or midribs have not been removed, including both whole leaf and leaf scrap.

§ 29.1107 Variegated (K).

Having a diversity of contrasting colors or tints within a leaf; or leaves which are in part distinctly gray, mottled, bleached, stained, or doty-faced; or leaves which in part have been badly discolored in the curing process by scalding, scorching, et cetera; or leaves which do not blend with the normal colors of lemon, orange, red, walnut, or green established for the type. Any lot of tobacco containing 20 percent or more of such leaves is classified as variegated.

§ 29.1108 Waste.

The portion or portions of the web of tobacco leaves which have been lost or rendered unserviceable for use in tobacco products, including: (a) Portions which have been decomposed or largely decomposed by field diseases, field-firing, pole-burning, bulk-burning, or scorching; and (b) portions which are dead, lifeless, and do not have sufficient strength or stability to hold together in the normal manufacturing process due to excessive injury of any kind.

§ 29.1109 Web.

The portion of a tobacco leaf expanded from the midrib, as distinguished from the stem or midrib; that portion of a tobacco leaf from which the midrib has been removed; a lot of tobacco consisting of the web of tobacco leaves; or any unmanufactured tobacco which does not contain stems.

§ 29.1110 Web scrap.

Stemmed scrap or stemless scrap which is a by-product from stemming tobacco or handling strips, consisting chiefly of portions of strips; or a lot of tobacco from which the stems have been removed by thrashing or other means which break the web or sides of the leaves into small pieces.

§ 29.1111 Web yield.

The ratio of the weight of granulated and clean web which is normally serviceable and useable in reputable tobacco products to the weight of the original unstemmed tobacco.

§ 29.1112 Wet (W).

Any sound tobacco containing excessive moisture to the extent that it is in an unsafe or doubtful keeping state for the condition or purpose the tobacco is to be used, handled, or stored. Wet shall apply to any semicured tobacco or other tobacco which is not damaged, but which is likely to damage on account of excessive moisture if treated in the customary

manner or unless unusual precaution is taken.

§ 29.1113 Yield.

The potential quantity or percentage of a given product which can be produced, per unit, from a lot or packing of tobacco.

RULES

§ 29.1143 Rules.

The application of these official standard grades shall be in accordance with the following rules.

§ 29.1144 Rule 1.

Each grade shall be treated as a subdivision of a particular type and when the grade is stated in an inspection certificate, the type shall also be stated.

§ 29.1145 Rule 2.

The determination of grade shall be based upon a thorough examination of a lot of tobacco or an official sample of the lot.

§ 29.1146 Rule 3.

In determining the grade of a lot of tobacco, the lot as a whole shall be considered and minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

§ 29.1147 Rule 4.

In drawing an official sample from a hogshead or other package of tobacco, three or more breaks shall be made at such points and in such manner as the inspector or sampler may find necessary to determine the kinds of tobacco and the percentage of each kind contained in the lot. One break shall be made not more than twelve inches from the top of the package and one not more than twelve inches from the bottom of the package, and all breaks shall be made so that the tobacco contained in the center of the package is visible to the sampler. Tobacco shall be drawn from at least three of the breaks so made, and from these draws a representative sample of not less than six hands shall be selected. The sample shall include tobacco of each different quality, color, length, and kind found in the lot in proportion to the quantities of each contained in the lot.

§ 29.1148 Rule 5.

Tobacco damaged under 20 percent shall be classed as unsound and treated as a subgrade by placing the special factor letter "U" after or above the grade-mark. For example: A lot of unsound tobacco which otherwise meets the specifications of B4M shall be graded B4M-U.

§ 29.1149 Rule 6.

When a lot of tobacco, unmixed in color, is on the marginal line between two colors so that there is a question as to which is the predominant color, it shall be placed in the color with which the tobacco best corresponds with respect to body and maturity.

§ 29.1150 Rule 7.

Any lot of tobacco shall be regarded as meeting the specifications of a certain grade when the tobacco is not lower in

any degree of quality than that stated in the specifications of such grade. The degree of uniformity specified for a particular grade governs the percentage of a lot which must meet the specifications with respect to other degrees of quality unless specifically restricted by other rules.

§ 29.1151 Rule 8.

Any lot of tobacco which clearly and fully meets the specifications of two or more grades shall be placed in the highest one of such grades; but any lot of tobacco which is on the marginal line between two or more grades so that the grade cannot be determined by applying other rules shall be placed in the lowest grade in question.

§ 29.1152 Rule 9.

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification thereof.

§ 29.1153 Rule 10.

If, at any time, it is found that a lot of tobacco does not comply with the description and specifications of the grade previously assigned, it shall not thereafter be represented as being of such grade.

§ 29.1154 Rule 11.

Any special factor symbol, approved by the Director of the Tobacco Division of the Agricultural Marketing Service, may be used after a grademark to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

§ 29.1155 Rule 12.

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards Branch and approved by the Director.

§ 29.1156 Rule 13.

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

§ 29.1157 Rule 14.

All qualities of Leaf in L, F, R, and K colors which have the characteristics of Smoking Leaf shall be made a subgroup of Leaf by substituting the letter "H" for the group letter "B" in the grade symbol.

§ 29.1158 Rule 15.

Lugs of the second quality in L and F colors only and Lugs of the third, fourth, and fifth qualities in L, F, and G colors which have the characteristics of Primings shall be made a subgroup of Lugs by substituting the letter "P" for the group letter "X" in the grade symbol.

§ 29.1159 Rule 16.

When authorized as provided in Rule 11, combinations of color symbols may be used by placing an additional color symbol in the fourth position in the grademark to indicate variations in the basic color. Color symbols so used shall

be considered as special factors and the grades so formed treated as subgrades.

§ 29.1160 Rule 17.

Unripe or greenish tobacco, as defined, shall be designated by the use of the special factor "V" after the grademark.

§ 29.1161 Rule 18.

The special factor symbol "S" shall be used with grades of the B group to designate the rank or wild side.

§ 29.1162 Rule 19.

The special factor "W" shall be used with any grade when in the opinion of the inspector the tobacco is in an unsafe or doubtful keeping order.

§ 29.1163 Rule 20.

Tobacco defined as decayed, nested, offtype, and botched is not covered by the standard grades and shall be designated as "No-G."

KEY TO STANDARD GRADEMARKS

§ 29.1225 Key to standard grademarks.

Groups and subgroups	Qualities	Colors
A—Wrappers.	1—Choice.	L—Lemon.
B—Leaf.	2—Fine.	F—Orange.
H—Smoking Leaf.	3—Good.	R—Red.
C—Cutters.	4—Fair.	D—Walnut.
X—Lugs.	5—Low.	K—Variegated.
P—Primings.	6—Poor.	M—Mixed.
N—Nondescript.		G—Green.

Special factor application

LL—Pale lemon.	GL—Light green.
FR—Light red.	GF—Medium green.
KL—Variegated lemon.	GR—Dark green.
KF—Variegated orange.	GK—Scorched green.
KV—Variegated greenish.	GG—Gray green.
KR—Dappled.	W—Unsafe keeping.
V—Unripe or greenish.	U—Unsound.
S—Rank.	

(49 Stat. 734; 7 U.S.C. 511m)

Done at Washington, D.C., this 26th day of March 1959.

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

[F.R. Doc. 59-2688; Filed, Mar. 30, 1959;
8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Establishment of Tolerances for Residues of Piperonyl Butoxide and Pyrethrins In or On Birdseed Mixtures

It has come to the attention of the Food and Drug Administration that it is desirable to prevent the development of storage-insect infestation in seed mixtures for feeding birds. Suitable pesticides for this purpose include mixtures of piperonyl butoxide and pyrethrins for which tolerances have been established to permit their use on certain grains to combat storage-insect infestation. When used for this purpose

on birdseed mixtures, there is no hazard to the birds nor will such use constitute a hazard to the health of man.

Accordingly, the Commissioner of Food and Drugs, on his own initiative and under the authority of the Federal Food, Drug, and Cosmetic Act (sec. 408 (b) and (c), 68 Stat. 514; 21 U.S.C. 346a (b), (c)), vested in the Secretary of Health, Education, and Welfare and delegated to the Commissioner (21 CFR 120.29(a) 23 F.R. 6403), proposes that the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (23 F.R. 6403) be amended in the following respects:

1. It is proposed to amend § 120.127 *Tolerances for residues of piperonyl butoxide* by inserting in paragraph (a) the words "birdseed mixtures", after the word "barley".

2. It is proposed to amend § 120.128 *Tolerances for residues of pyrethrins* by inserting in paragraph (a) the words "birdseed mixtures", after the word "barley".

A person who has registered or who has submitted an application for the registration of an economic poison under the Federal Insecticide, Fungicide, and Rodenticide Act containing piperonyl butoxide or pyrethrins may request, within 30 days from the date of publication of this proposal in the FEDERAL REGISTER, that the proposal be referred to an Advisory Committee in accordance with section 408(e) of the Federal Food, Drug, and Cosmetic Act.

Any interested person is invited at any time prior to the thirtieth day from the date of publication of this notice in the FEDERAL REGISTER to file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written comments on the proposal. Comments may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Dated: March 24, 1959.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 59-2679; Filed, Mar. 30, 1959;
8:48 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 41]

SCHEDULED AIR CARRIER OPERATIONS OUTSIDE CONTINENTAL LIMITS OF THE UNITED STATES

Certification and Operation Rules

In the notice of proposed rule making on this matter (Draft Release 58-24) published in the FEDERAL REGISTER on January 7, 1959 (24 F.R. 145), by the Bureau of Safety of the Civil Aeronautics Board, it was stated that consideration would be given to all relevant matter in communications received on or before April 1, 1959. The Air Transport Association of America, acting on behalf of itself and its members engaged in inter-

national operations, has requested the Administrator of the Federal Aviation Agency to extend the date by which comments must be filed for an additional period of 60 days. This request was predicated upon the planned introduction of new turbo-jet aircraft into service by several member airlines which will preoccupy the time of their technical personnel responsible for the submission of comments on the proposal.

The draft release proposed extensive and substantial revisions in Part 41 which are fully explained therein. Since this proposal is a matter of substantial import and concern to air carriers en-

gaged in international operations, the Director finds that the date previously set for return of comments should be extended to June 1, 1959 to provide the interested air carriers adequate opportunity for careful study and comment.

Therefore, pursuant to the authority delegated under § 405.27, I hereby give notice that the time within which comments will be received is extended to June 1, 1959. Communications should be submitted in duplicate to the Bureau of Flight Standards, Federal Aviation Agency, Washington 25, D.C. Copies of such communications will be available after June 3, 1959 for examination by

interested persons at the Public Docket Room of the FAA, located in Room B-316 at 1711 New York Avenue NW., Washington, D.C.

(Sec. 313(a), Federal Aviation Act of 1958, Act of August 23, 1958, 72 Stat. 752 (Pub. Law 85-726). Interpret or apply secs. 601-610; 72 Stat. 775-780)

Issued in Washington, D.C., on March 20, 1959.

WILLIAM B. DAVIS,
Director,

Bureau of Flight Standards.

[F.R. Doc. 59-2668; Filed, Mar. 30, 1959; 8:47 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 54816]

COAL, COKE, AND BRIQUETTES

Taxable Status on Importations From Certain Countries

MARCH 26, 1959.

Coal, coke made from coal, and coal or coke briquettes imported from the following countries and entered for consumption or withdrawn from warehouse for consumption during the period from January 1 to December 31, 1959, inclusive, will not be subject to the tax of 10 cents per 100 pounds prescribed in section 4531, Internal Revenue Code of 1954:

Canada, Japan, Mexico, United Kingdom, West Germany.

Certain countries from which there have been no importations of coal or allied fuels since January 1, 1957, are not included in the above list. Further information concerning the taxable status of coal or allied fuels imported during the calendar year 1959 from countries not listed above will be furnished upon application therefor to the Bureau of Customs.

[SEAL]

RALPH KELLY,
Commissioner of Customs.

[F.R. Doc. 59-2681; Filed, Mar. 30, 1959; 8:49 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. NM 6]

NEW MEXICO

Order Providing for Opening of Public Lands

MARCH 23, 1959.

Pursuant to authority delegated to me by Order No. 541, section 2.5 of the Director, Bureau of Land Management, approved April 21, 1954 (19 F.R. 2473), the following described lands reconveyed

to the United States in exchanges of land made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended, are hereby restored to disposition under the applicable public land laws as hereinafter indicated:

NEW MEXICO PRINCIPAL MERIDIAN

T. 24 N., R. 11 E.,
Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$.
T. 15 N., R. 2 W.,
Sec. 11, Lots 1, 2, 3, 4, and S $\frac{1}{2}$;
Sec. 13, All.
T. 18 N., R. 2 W.,
Sec. 9, All.
T. 19 N., R. 4 W.,
Sec. 32, NW $\frac{1}{4}$.
T. 19 N., R. 5 W.,
Sec. 2, All.
T. 20 N., R. 5 W.,
Sec. 36, All.
T. 21 N., R. 5 W.,
Sec. 16, All;
Sec. 36, N $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 20 N., R. 6 W.,
Sec. 2, All.
T. 21 N., R. 6 W.,
Sec. 2, W $\frac{1}{2}$;
Sec. 16, All.
T. 22 N., R. 6 W.,
Sec. 32, All;
Sec. 36, All.
T. 20 N., R. 7 W.,
Sec. 2, S $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$.
T. 21 N., R. 7 W.,
Sec. 16, All;
Sec. 32, All;
Sec. 36, All.
T. 19 N., R. 8 W.,
Sec. 17, All;
Sec. 21, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$.
T. 20 N., R. 8 W.,
Sec. 16, All;
Sec. 36, All.
T. 21 N., R. 8 W.,
Sec. 36, All.
T. 22 N., R. 9 W.,
Sec. 16, S $\frac{1}{2}$;
Sec. 36, All.
T. 22 N., R. 10 W.,
Sec. 16, All;
Sec. 27, All.
T. 15 N., R. 11 W.,
Sec. 27, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 23 N., R. 11 W.,
Sec. 2, All.
T. 24 N., R. 11 W.,
Sec. 16, E $\frac{1}{2}$;
Sec. 36, All.
T. 25 N., R. 11 W.,
Sec. 32, All.

T. 24 N., R. 12 W.,
Sec. 2, All.
T. 25 N., R. 12 W.,
Sec. 32, All;
Sec. 36, All.
T. 27 N., R. 12 W.,
Sec. 21, E $\frac{1}{2}$;
Sec. 22, W $\frac{1}{2}$.
T. 24 N., R. 13 W.,
Sec. 2, All;
Sec. 36, All.
T. 25 N., R. 13 W.,
Sec. 36, All.
T. 4 S., R. 5 E.,
Sec. 3, Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$;
Sec. 10, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 11, N $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 7 S., R. 19 E.,
Sec. 28, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29, NE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 11 S., R. 20 E.,
Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 12, N $\frac{1}{2}$.
T. 6 S., R. 24 E.,
Sec. 26, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$.
T. 9 S., R. 24 E.,
Sec. 15, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 17 S., R. 24 E.,
Sec. 12, W $\frac{1}{2}$ NW $\frac{1}{4}$.
T. 5 S., R. 25 E.,
Sec. 21, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 27, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 28, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 34, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 25 S., R. 25 E.,
Sec. 11, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, W $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 6 S., R. 26 E.,
Sec. 17, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 20, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 21, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 29, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 32, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 7 S., R. 26 E.,
Sec. 5, Lot 3, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 8 S., R. 26 E.,
Sec. 5, S $\frac{1}{2}$;
Sec. 8, W $\frac{1}{2}$.
T. 11 S., R. 30 E.,
Sec. 4, W $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 5, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 8, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, W $\frac{1}{2}$ W $\frac{1}{2}$.
T. 8 S., R. 13 W.,
Sec. 18, NE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 16 S., R. 19 W.,
Sec. 14, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

The areas described aggregate 25721.02 acres more or less.

Further information as to mineral rights, reservations for rights-of-way, etc., in these lands is of record in the Land Office, Federal Courthouse Building, Santa Fe, New Mexico.

The lands are in widely scattered parcels distributed throughout the State. They are generally semi-desert in character, and not suitable for farming.

No application for these lands will be allowed under the homestead, desert-land, small tract, or any other non-mineral public land law, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

Subject to any existing valid rights and the requirements of applicable law, the lands described above are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws for those lands for which minerals have been conveyed to the United States may be presented to the Manager mentioned below, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

1. Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

2. All valid applications under the homestead, desert land, and small tract laws by qualified veterans of World War II or of the Korean Conflict and by others entitled to preference right under the act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284), as amended, presented by 10:00 a.m. on April 23, 1959, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and by 10:00 a.m. on July 23, 1959, will be governed by the time of filing.

3. All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs (1) and (2) above, and applications and offers under the mineral leasing laws presented by 10:00 a.m. on July 23, 1959, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands for which minerals have been conveyed to the United States will be open to location under the United States mining laws beginning 10:00 a.m. on July 23, 1959.

Persons claiming veteran's preference rights under Paragraph a(2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, P.O. Box 1251, Santa Fe, New Mexico.

DOUGLAS E. HENRIQUES,
Acting State Supervisor.

[F.R. Doc. 59-2672; Filed, Mar. 30, 1959;
8:47 a.m.]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

The U.S. Forest Service, Department of Agriculture, has filed an application, Serial Number F-023026 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining laws. The applicant desires the land for establishment of a Forest Research study area.

For a period of sixty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 1050, Fairbanks, Alaska.

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

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

The lands involved in the application are:

FAIRBANKS MERIDIAN

T. 7 S., R. 8 E.,
Sec. 27: S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 34: N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$.

Containing 40 acres.

RICHARD L. QUINTUS,
Operations Supervisor,
Fairbanks.

[F.R. Doc. 59-2673; Filed, Mar. 30, 1959;
8:47 a.m.]

Office of the Secretary

IMPORTS OF CRUDE AND UNFINISHED PETROLEUM OILS

Pursuant to section 1 of Presidential Proclamation 3279, Adjusting Imports of

Petroleum and Petroleum Products Into the United States (24 F.R. 1781), I have advised the Commissioner of Customs as follows:

Please refer to our letter of March 13, 1959, regarding the importation of crude and unfinished petroleum oils. That letter is hereby modified as follows:

Effective 12:01 a.m., Wednesday, April 1, 1959, no crude oil, unfinished oils, or finished products may be entered for consumption or withdrawn from warehouse for consumption in Districts I-IV, District V, and in Puerto Rico, except upon presentation of the original license by or for the account of a person to whom a license has been issued by the Administrator, Oil Import Administration.

The presentation of the original license, to the respective Collectors of Customs, will eliminate the necessity of obtaining telephonic authorization for entries and withdrawals from the Administrator, and that procedure is, therefore, discontinued as of April 1, 1959.

Regarding the provisions of our letter of March 11, 1959, relating to the keeping of records; all entries of crude oil and unfinished oils for consumption and all withdrawals from warehouse for consumption made between the period commencing March 11, 1959, and the date when the appropriate original license is presented shall be recorded on the reverse side of said license. It is understood, of course, that all future entries and withdrawals of crude oil and unfinished oils will also be recorded on the reverse side of the licenses in accordance with the instructions printed thereon.

Commencing April 1, 1959, all entries and withdrawals of "finished products" shall also be recorded on the reverse side of said licenses.

FRED A. SEATON,
Secretary of the Interior.

MARCH 27, 1959.

[F.R. Doc. 59-2716; Filed, Mar. 27, 1959;
2:49 p.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

CLARENCE BLUMOEHR

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER of April 28, 1956, 21 F.R. 2795; October 2, 1956, 21 F.R. 7553; April 11, 1957, 22 F.R. 2441; October 10, 1957, 22 F.R. 8072; April 4, 1958; 23 F.R. 2232; October 4, 1958, 23 F.R. 7713.

A. Deletions: No change.
B. Additions: No change.

This statement is made as of March 22, 1959.

CLARENCE BLUMOEHR.

MARCH 22, 1959.

[F.R. Doc. 59-2682; Filed, Mar. 30, 1959;
8:49 a.m.]

*24 F.R. 1919.

CURT L. OHEIM**Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months:

- A. Deletions: No change.
B. Additions: No change.

This statement is made as of March 19, 1959.

CURT L. OHEIM.

MARCH 19, 1959.

[F.R. Doc. 59-2683; Filed, Mar. 30, 1959; 8:49 a.m.]

GEORGE E. HARDING**Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months:

- A. Deletions: None.
B. Additions: None.

This statement is made as of March 19, 1959.

GEORGE E. HARDING.

MARCH 20, 1959.

[F.R. Doc. 59-2684; Filed, Mar. 30, 1959; 8:49 a.m.]

HAROLD J. VORZIMER**Statement of Changes in Financial Interests**

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months:

- A. Deletions: No Changes.
B. Additions: No Changes.

This statement is made as of March 12, 1959.

HAROLD J. VORZIMER.

MARCH 18, 1959.

[F.R. Doc. 59-2685; Filed, Mar. 30, 1959; 8:49 a.m.]

TARIFF COMMISSION**LONG-STAPLE COTTON****Institution of Supplemental Investigation and Hearing**

The United States Tariff Commission, on the 25th day of March 1959, instituted

an investigation for the purposes of section 22(d) of the Agricultural Adjustment Act, as amended, supplemental to its investigation No. 1 under section 22, to determine whether changed circumstances require the modification of the annual quota established pursuant to section 22 on imports of cotton having a staple of 1½ inches or more in length, in order to carry out the purposes of section 22.

Annual absolute quotas on imports of cotton having a staple of 1½ inches or more in length were originally made effective on September 20, 1939 by Presidential proclamation of September 5, 1939. At the present time, the quota is 45,656,420 pounds for each 12-month period beginning August 1, and is subdivided into two separate quotas for cotton having a staple of 1½ inches or more in length (39,590,778 pounds) and cotton having a staple of 1½ inches or more but less than 1¾ inches in length (6,065,642 pounds).

Hearing. All parties interested will be given opportunity to be present, to produce evidence, and to be heard at a public hearing to be held in connection with this supplemental investigation in the Hearing Room of the Tariff Commission, Eighth and E Streets NW., Washington, D.C., beginning at 10 a.m., e.d.s.t., on April 28, 1959.

Issued March 25, 1959.

By order of the Commission.

[SEAL]

DONN N. BENT,
Secretary.

[F.R. Doc. 59-2663; Filed, Mar. 30, 1959; 8:46 a.m.]

[Investigation 79]

MINK SKINS**Institution of Investigation and Hearing**

Investigation instituted. Upon application of the National Board of Fur Farm Organizations, Inc., Milwaukee, Wisconsin, received March 19, 1959, the United States Tariff Commission, on the 25th day of March, 1959, under the authority of section 7 of the Trade Agreements Extension Act of 1951, as amended, instituted an investigation to determine whether dressed mink skins provided for in paragraph 1519(a) of the Tariff Act of 1930 and undressed mink skins provided for in paragraph 1681 of the Tariff Act of 1930 are, as a result in whole or in part of the duty or other customs treatment reflecting concessions granted thereon under the General Agreement on Tariffs and Trade, being imported into the United States in such increased quantities, either actual or relative, as to cause or threaten serious injury to the domestic industry or industries producing like or directly competitive products.

Public hearing ordered. A public hearing in this investigation will be held beginning at 10 a.m., e.d.s.t., on June 23, 1959, in the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington, D.C. Inter-

ested parties desiring to appear and to be heard at the hearing should notify the Secretary of the Commission, in writing, at least three days in advance of the date set for the hearing.

Inspection of application. The application filed in this case is available for public inspection at the office of the Secretary, United States Tariff Commission, Eighth and E Streets, NW., Washington, D.C., and at the New York City office of the Tariff Commission, located in Room 437 of the Custom House, where it may be read and copied by persons interested.

Issued March 25, 1959.

By order of the Commission.

[SEAL]

DONN N. BENT,
Secretary.

[F.R. Doc. 59-2664; Filed, Mar. 30, 1959; 8:46 a.m.]

FEDERAL HOUSING ADMINISTRATION**2½ PERCENT TITLE I HOUSING INSURANCE FUND DEBENTURES, SERIES L****Notice of Call for Partial Redemption, Before Maturity**

MARCH 24, 1959.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2½ percent Title I Housing Insurance Fund Debentures, Series L, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1959, on which date interest on such debentures shall cease:

2½ PERCENT TITLE I HOUSING INSURANCE FUND DEBENTURES, SERIES L

Denomination:	Serial numbers (all numbers inclusive)
\$50-----	154 to 159
\$100-----	214 to 253
\$500-----	106 to 116
\$1,000-----	447 to 477
\$5,000-----	47 to 50 and 52 to 57

The debentures first issued as determined by the issue dates thereof were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1959. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1959, and provision will be made for the payment of final interest due on July 1, 1959, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1959 to

June 30, 1959, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1959, or for purchase prior to that date will be given by the Secretary of Treasury.

JULIAN H. ZIMMERMAN,
Commissioner.

Approved: March 24, 1959.

JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-2655; Filed Mar. 30, 1959;
8:45 a.m.]

2 3/4 PERCENT TITLE I HOUSING INSURANCE FUND DEBENTURES, SERIES R

Notice of Call for Partial Redemption, Before Maturity

MARCH 24, 1959.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2 3/4 percent Title I Housing Insurance Fund Debentures, Series R, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1959, on which date interest on such debentures shall cease:

2 3/4 PERCENT TITLE I HOUSING INSURANCE FUND DEBENTURES, SERIES R

Denomination:	Serial numbers (all numbers inclusive)
\$50.....	215 to 233
\$100.....	335 to 412
\$500.....	83 to 118
\$1,000.....	85 to 106
\$5,000.....	99 to 130

The debentures first issued as determined by the issue dates thereof were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1959. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1959, and provision will be made for the payment of final interest due on July 1, 1959, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1959 to June 30, 1959, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1959, or for purchase

prior to that date will be given by the Secretary of the Treasury.

JULIAN H. ZIMMERMAN,
Commissioner.

Approved: March 24, 1959.

JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-2656; Filed, Mar. 30, 1959;
8:45 a.m.]

3 PERCENT TITLE I HOUSING INSURANCE FUND DEBENTURES, SERIES T

Notice of Call for Partial Redemption, Before Maturity

MARCH 24, 1959.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 3 percent Title I Housing Insurance Fund Debentures, Series T, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1959, on which date interest on such debentures shall cease:

3 PERCENT TITLE I HOUSING INSURANCE FUND DEBENTURES, SERIES T

Denomination:	Serial numbers (all numbers inclusive)
\$50.....	195 to 218
\$100.....	713 to 823
\$500.....	303 to 345
\$1,000.....	286 to 377
\$5,000.....	226 to 251

The debentures first issued as determined by the issue dates thereof were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1959. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1959, and provision will be made for the payment of final interest due on July 1, 1959, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1959 to June 30, 1959, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1959, or for purchase prior to that date will be given by the Secretary of the Treasury.

JULIAN H. ZIMMERMAN,
Commissioner.

Approved: March 24, 1959.

JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-2657; Filed, Mar. 30, 1959;
8:45 a.m.]

3 1/2 PERCENT SECTION 221 HOUSING INSURANCE FUND DEBENTURES, SERIES DD

Notice of Call for Partial Redemption, Before Maturity

MARCH 24, 1959.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 3 1/2 percent Section 221 Housing Insurance Fund Debentures Series DD, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1959, on which date interest on such debentures shall cease:

3 1/2 PERCENT SECTION 221 HOUSING INSURANCE FUND DEBENTURES, SERIES DD

Denomination:	Serial numbers (all numbers inclusive)
\$100.....	9 to 12
\$500.....	3
\$1,000.....	11 to 13
\$5,000.....	5

The debentures first issued as determined by the issue dates thereof were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1959. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1959, and provision will be made for the payment of final interest due on July 1, 1959, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1959, to June 30, 1959, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1959, or for purchase prior to that date will be given by the Secretary of the Treasury.

JULIAN H. ZIMMERMAN,
Commissioner.

Approved: March 24, 1959.

JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-2659; Filed, Mar. 30, 1959;
8:46 a.m.]

2 1/2, 2 3/4, 2 1/2, 2 3/4, 3, 3 1/4, 3 3/4 AND 3 1/2 PERCENT MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES AA

Notice of Call for Partial Redemption, Before Maturity

MARCH 24, 1959.

Pursuant to the authority conferred by the National Housing Act (48 Stat.

1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2½, 2%, 2¼, 2⅞, 3, 3¼, 3⅞ and 3½ percent Mutual Mortgage Insurance Fund Debentures, Series AA, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1959, on which date interest on such debentures shall cease:

2½, 2%, 2¼, 2⅞, 3, 3¼, 3⅞ AND 3½ PERCENT
MUTUAL MORTGAGE INSURANCE FUND DEBENTURES, SERIES AA

Denomination:	Serial numbers (all numbers inclusive)
\$50-----	1,412 to 1,669
\$100-----	4,896 to 6,069
\$500-----	1,479 to 1,744
\$1,000-----	3,506 to 4,374
\$5,000-----	1,556 to 1,918
\$10,000-----	1,376 to 1,502

The debentures first issued as determined by the issue dates thereof were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1959. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1959, and provision will be made for the payment of final interest due on July 1, 1959, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1959, to June 30, 1959, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1959, or for purchase prior to that date will be given by the Secretary of the Treasury.

JULIAN H. ZIMMERMAN,
Commissioner.

Approved: March 24, 1959.

JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-2658; Filed, Mar. 30, 1959;
8:46 a.m.]

2½, 3, 3¼ AND 3% PERCENT SERVICEMEN'S MORTGAGE INSURANCE FUND DEBENTURES, SERIES EE

Notice of Call for Partial Redemption, Before Maturity

MARCH 24, 1959.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2½, 3, 3¼ and 3% percent Servicemen's Mortgage Insurance Fund Debentures, Series EE, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1,

1959, on which date interest on such debentures shall cease:

2½, 3, 3¼ AND 3% PERCENT SERVICEMEN'S
MORTGAGE INSURANCE FUND DEBENTURES,
SERIES EE

Denomination:	Serial numbers (all numbers inclusive)
\$50-----	9
\$100-----	36 to 53
\$500-----	7 to 10
\$1,000-----	29 to 45
\$5,000-----	5 to 6
\$10,000-----	7 to 13

The debentures first issued as determined by the issue dates thereof were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1959. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1959, and provision will be made for the payment of final interest due on July 1, 1959, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1959, to June 30, 1959, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1959, or for purchase prior to that date will be given by the Secretary of the Treasury.

JULIAN H. ZIMMERMAN,
Commissioner.

Approved: March 24, 1959.

JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-2660; Filed, Mar. 30, 1959;
8:46 a.m.]

2½ PERCENT WAR HOUSING INSURANCE FUND DEBENTURES, SERIES H

Notice of Call for Partial Redemption, Before Maturity

MARCH 24, 1959.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2½ percent War Housing Insurance Fund Debentures, Series H, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1959, on which date interest on such debentures shall cease:

2½ PERCENT WAR HOUSING INSURANCE FUND
DEBENTURES, SERIES H

Denomination:	Serial numbers (all numbers inclusive)
\$50-----	4,239 to 4,307
\$100-----	13,242 to 13,809
\$500-----	3,173 to 3,465 and 3,630
\$1,000-----	14,321 to 15,875
\$5,000-----	3,685 to 3,813
\$10,000-----	36,199 to 37,952

The debentures first issued as determined by the issue dates thereof were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1959. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1959, and provision will be made for the payment of final interest due on July 1, 1959, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1959, to June 30, 1959, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1959, or for purchase prior to that date will be given by the Secretary of the Treasury.

JULIAN H. ZIMMERMAN,
Commissioner.

Approved: March 24, 1959.

JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-2661; Filed, Mar. 30, 1959;
8:46 a.m.]

2½ PERCENT ARMED SERVICES HOUSING MORTGAGE INSURANCE FUND DEBENTURES, SERIES FF

Notice of Call for Partial Redemption, Before Maturity

MARCH 24, 1959.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U.S.C., title 12, sec. 1701 et seq.) as amended, public notice is hereby given that 2½ percent Armed Services Housing Mortgage Insurance Fund Debentures, Series FF, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1959, on which date interest on such debentures shall cease:

2½ PERCENT ARMED SERVICES HOUSING MORTGAGE INSURANCE FUND DEBENTURES, SERIES FF

Denomination:	Serial numbers (all numbers inclusive)
\$100-----	28 to 32
\$500-----	7
\$1,000-----	35 to 38
\$5,000-----	11
\$10,000-----	1,021 to 1,167

The debentures first issued as determined by the issue dates thereof were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books

maintained by the Treasury Department on or after April 1, 1959. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1959, and provision will be made for the payment of final interest due on July 1, 1959, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1959, to June 30, 1959, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1959, or for purchase prior to that date will be given by the Secretary of the Treasury.

JULIAN H. ZIMMERMAN,
Commissioner.

Approved: March 24, 1959.

JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-2662; Filed, Mar. 30, 1959;
8:46 a.m.]

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

[OCDD (DPA) Request 43; DPAV-49(a)]

PLAN AND REGULATIONS OF ORD- NANCE CORPS GOVERNING IN- TEGRATION COMMITTEE ON CAST ARMOR FOR TRACK LAYING TYPE VEHICLES

Notice of Amendment

In accordance with the provisions of section 708 of the Defense Production Act of 1950, as amended, the Plan and Regulations of Ordnance Corps Governing Integration Committee on Cast Armor for Track Laying Type Vehicles was amended to extend membership eligibility pursuant to the Defense Production Act Amendments of 1955, after consultation with respect thereto between the Attorney General, the Chairman of the Federal Trade Commission and the Director of the Office of Defense Mobilization. This amended voluntary plan was approved by the Director of the Office of Defense Mobilization and was found to be in the public interest as contributing to the national defense.

The following companies have agreed to participate in the amended plan and this list supersedes the membership notice published in 18 F.R. 5576, September 17, 1953.

Acceptances

American Steel Foundries, Chicago, Ill.
Birdsboro Steel Co., Birdsboro, Pa.
Blaw-Knox Co., Pittsburgh, Pa.
The Buckeye Steel Castings Co., Columbus, Ohio.
General Steel Castings Corp., Granite City, Ill.
Pittsburgh Steel Foundry Corp., Pittsburgh, Pa.
Scullin Steel Co., St. Louis, Mo.
Superior Steel & Malleable Castings Co., Benton Harbor, Mich.

(Sec. 708, 64 Stat. 818, as amended, 50 U.S.C. App. Sup. 2158; Executive Order 10480, August 14, 1953, 18 F.R. 4939; Reorganization Plan No. 1 of 1958, 23 F.R. 4991, as amended; Executive Order 10773, July 1, 1958, 23 F.R. 5061; Executive Order 10782, September 6, 1958, 23 F.R. 6971)

Dated: March 18, 1959.

LEO A. HOEGH,
Director.

[F.R. Doc. 59-2666; Filed, Mar. 30, 1959;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

ORGANIZATION OF DIVISIONS AND BOARDS AND ASSIGNMENT OF WORK

MARCH 26, 1959.

The organization of divisions and boards and assignment of work, business and functions of the Interstate Commerce Commission, pursuant to section 17 of the Interstate Commerce Act as amended (49 U.S.C. 17), effective January 1, 1959, is set forth below.

[SEAL] HAROLD D. MCCOY,
Secretary.

BUSINESS AND FUNCTIONS

Chairman—Kenneth H. Tuggle (Jan. 1, 1959–Dec. 31, 1959).

Divisions

Division One—Commissioners Rupert L. Murphy (Chairman), Abe McGregor Goff and Charles A. Webb.

Division Two—Commissioners John H. Winchell (Chairman), Everett Hutchinson and Donald P. McPherson.

Division Three—Commissioners Howard G. Freas (Chairman), Laurence K. Walrath and Donald P. McPherson.

Division Four—Commissioners Richard F. Mitchell (Chairman), Anthony F. Arpaia and Laurence K. Walrath.

Commission Committees and Commissioners
Legislation—Kenneth H. Tuggle (as ex officio Chairman), Commissioners Arpaia and Freas.

Rules—Kenneth H. Tuggle (as ex officio Chairman), Commissioners McPherson and Goff.

1.1 The following organization schedule and assignment of work and functions shall be effective until duly changed:

DIVISIONS OF THE COMMISSION

2.1 There shall be four divisions of the Commission to be known, respectively, as divisions one, two, three and four.

2.2 As provided by section 17 of the Interstate Commerce Act, as amended, each division shall have authority to hear and determine, order, certify, or report or otherwise act as to any work, business, or functions assigned or referred to it under the provisions of that section, and with respect thereto shall have all the jurisdiction and powers conferred by law upon the Commission, and be subject to the same duties and obligations.

2.3 Each division with regard to any case or matter assigned to it, or any

question brought to it under this delegation of duty and authority, may call upon the whole Commission for advice and counsel, or for consideration of any case or question by an additional Commissioner or Commissioners assigned thereto; and the Commission may recall and bring before it as such any case, matter or question so allotted or assigned and may either dispose of such case, matter, or question itself, or may assign or refer the matter to the same or another division.

2.4 From such assignment of work there shall be reserved for consideration and disposition by the Commission (1) all investigations on the Commission's own motion heretofore entered upon and hereafter instituted, except as may be otherwise provided, and (2) all applications for rehearing, reargument or other reconsideration and all cases before the Commission for reconsideration, except as hereinafter otherwise provided; and there shall also be excepted from this assignment of work all cases submitted to the Commission and specially referred to a division, the various cases enumerated in any previous order of the Commission as reserved for consideration and disposition by the Commission, and all cases otherwise specially assigned.

2.5 All proceedings of the character in which, by provisions of the Administrative Procedure Act (60 Stat. 237), a hearing is required to be conducted in conformity with section 7, and a decision to be made as provided in section 8 of that act, shall be and are reserved to the Commission for initial decision, and for such purpose of initial decision may be assigned to a division, individual Commissioner, or board, as provided in section 17 of the Interstate Commerce Act (49 U.S.C. 17), by the general order of the Commission as to assignment of work, business, or functions. The following are excepted from the foregoing reservation: (a) Proceedings required by section 205 of the Interstate Commerce Act (49 U.S.C. 305) to be submitted to joint boards; and (b) specific cases, or classes of cases, as to which the Commission may order exemption from the operation of this general rule. For the purpose of such initial decision, the record in a proceeding so reserved shall be considered as certified to the Commission for initial decision when received by the Secretary of the Commission for filing in the docket. Such certification shall not be construed as relieving the officer from the necessity of submitting such recommended, tentative, or other type of report (consistent with the requirements of the Administrative Procedure Act) as the Commission shall previously have directed him to prepare in the proceeding. In individual proceedings involving rule-making as defined in section 2(c) of the Administrative Procedure Act, and in determining applications for initial licenses, the Commission, or the division, individual Commissioner, or board, or examiner, to which or whom a particular proceeding may have been assigned under section 17 of the Interstate Commerce Act (49 U.S.C. 17), will, as warranted by the second sentence of sec. 2(a) of the Administrative Proce-

dures Act (60 Stat. 237), determine (c) whether there shall be a tentative decision by the Commission, or by a division, individual Commissioner, or board, or examiner, to whom the proceeding may be referred or assigned, or (d) whether there shall be a recommended decision by designated responsible officers of the Commission; and (e) in any case the Commission, or the division, Commissioner, or board, may find upon the record that due and timely execution of the functions of the Commission imperatively and unavoidably requires that a tentative or recommended decision be omitted in that case.

2.6 When a Commissioner is transferred from a division he shall continue to serve as a member of such division in lieu of his successor for the purpose of clearing up accumulated work, which shall be limited to the disposition of cases submitted on oral argument prior thereto, and still pending for decision, cases in which drafts of final reports or orders have been circulated, and other matters requiring official action which are under active consideration at the time of the transfer.

DUTIES AND RESPONSIBILITIES OF THE CHAIRMAN OF THE COMMISSION

3.1 The following duties and responsibilities are delegated to the Chairman (or, in his absence, to the Acting Chairman who shall be the available senior Commissioner in point of service) to be exercised in addition to his statutory duties and any other duties that may be assigned or delegated to him:

3.2 He shall be the executive head of the Commission.

3.3 He shall preside at all sessions of the Commission, and shall see that every vote and official act of the Commission required by law to be recorded is accurately and promptly recorded by the Secretary or the person designated by the Commission for such purpose.

3.4 Except regular sessions, which shall be provided for by general regulation of the Commission, he shall call the Commission into special session whenever in his opinion any matter or business of the Commission so requires, but he shall, in any event, call a special session for the consideration of any matter or business upon request of a majority of the members.

3.5 He shall exercise general control over the Commission's argument calendar and conference agenda.

3.6 Except in instances where the duty is otherwise delegated or provided for, he shall act as correspondent and spokesman for the Commission in all matters where an official expression of the Commission is required.

3.7 He shall (a) bring to the attention of any Commissioner, division, or board any delay or failure in the work under his or its supervision, and (b) recommend to the Commission ways and means of correcting or preventing avoidable delays in the performance of any work or the disposition of any official matter which he is unable otherwise to have remedied.

3.8 He shall be ex officio Chairman of the Committee on Legislation and of the Committee on Rules.

3.9 He shall be relieved, during his chairmanship, of any regular assignment as a member of a division.

3.10 In any case in which it appears desirable, he may designate an additional Commissioner or Commissioners to sit with a division.

3.11 He may designate a Commissioner to fill a vacancy on any Committee until the Commission otherwise orders.

3.12 Pursuant to the general objectives and broad policies, or to specific instructions of the Commission, he shall represent the Commission in supervising, guiding and directing the Managing Director, the Secretary and the General Counsel in the performance of their duties and shall serve as the channel through which they submit recommendations to the Commission.

3.13 In accordance with section 1003-(a) of the Civil Aeronautics Act of 1938, he is directed, when the occasion arises, in conjunction with corresponding action by the Chairman of the Civil Aeronautics Board, to designate a like number of Commissioners to function as members of a joint board to consider and pass upon matters referred to it as provided under subsection (c) of such section.

3.14 He shall be the Commission's representative on the United States National Commission for the Pan American Railway Congress Association.

ASSIGNMENT OF DUTIES TO DIVISION

4.1 Work, business, and functions of the Commission are assigned and referred to the respective divisions for action thereon (including, for each division to which the subject matter or the principal part thereof is assigned, authority to approve recommendations of the Commission's staff for the enforcement of penal provisions of the Interstate Commerce Act, and statutory provisions supplementary thereto), as follows:

4.2 Division One—Operating Rights Division:

(a) Section 203(b), relating to partial exemption from the provisions of Part II, including determinations as to the necessity for application of Part II to transportation within a municipality, between contiguous municipalities, or within an adjacent zone, and the determination of the limits of such zones, referred to in section 203(b)(8) and to casual transportation operations by motor vehicle, referred to in section 203(b)(9).

(b) Section 204(a) (1) to (3), inclusive, so far as relates to reasonable requirements with respect to continuous and adequate service and transportation of baggage and express by common carriers, and to qualifications and maximum hours of service of employees and safety of operation and equipment for common, contract, and private carriers, but not including requirements for the same transportation of explosives and other dangerous articles.

(c) Section 204(a) (4) and section 211 (a) to (c), inclusive, relating to the regulation of brokers (other than their accounts, records, and reports, the transfer of brokers' licenses and changes in control of corporations or associations holding brokers' licenses).

(d) Section 204(a) (4a), relating to certificates of exemption to motor carriers operating solely within a single State.

(e) Section 204(a) (7), so far as relates to inquiries into the management of the business of motor carriers and brokers and persons controlling, controlled by, or under common control with motor carriers, and requests for information deemed necessary to carry out the provisions of Part II.

(f) Section 204(b), relating to the establishment of classifications of brokers or of groups of carriers and just and reasonable rules, regulations and requirements therefor.

(g) Sections 206, 207, and 208, relating to certificates of public convenience and necessity.

(h) Section 209, relating to permits.

(i) Section 210, relating to dual operations.

(j) Section 210a(a) relating to applications for temporary authority for service by common or contract carriers by motor vehicle when certified to the Division by the Temporary Authorities Board.

(k) Section 211, relating to brokerage licenses.

(l) Section 212(a), relating to suspension, change, and revocation of certificates, permits, and licenses, except determination of uncontested motor carrier revocation proceedings which have not involved the taking of testimony at a public hearing unless certified to the Division by the Temporary Authorities Board.

(m) Section 302(e) and section 303 (b) to (h), inclusive, relating to exemptions of water carriers from the provisions of Part III.

(n) Section 304(c) relating to classifications of groups of water carriers subject to Part III and rules, regulations, and requirements relating thereto.

(o) Sections 303(1), 309, and 310 relating to certificates of convenience and necessity and permits; section 311(a) relating to temporary authorities; section 410 (a) to (f), inclusive, section 410 (h) and (i) relating to permits.

(p) Section 215, relating to security for the protection of the public.

(q) Section 224, relating to identification of motor carriers.

(r) Section 403 (c) and (d) relating to authority to prescribe reasonable rules and regulations governing the filing of surety bonds, policies of insurance, etc., by freight forwarders.

(s) Sections 204(c), 304(e) and 403(f), so far as relating to investigation of complaints of alleged noncompliance with the provisions of Parts II, III and IV assigned to Division One or requirements established pursuant thereto.

(t) Any matters arising under Parts II, III, and IV not specially assigned or referred to other divisions.

(u) Authority to act initially on applications for approval of contract carrier rental contracts under § 207.6(b) of Ex Part No. MC 43, including authority to act on the rental contracts on file on January 31, 1957 and those filed prior to the availability of an appropriate application form without requiring such ap-

plicants first to complete that form, but that any approval shall be temporary or tentative and subject to subsequent confirmation; and if the division disapproves an application which involves rental arrangements already in operation by the carriers and shippers, the division is authorized to issue an order of disapproval which does not require an actual termination of the rental arrangements until the Commission has acted on any timely and appropriately filed petition for reconsideration of the division's action.

(v) Section 212(c) relating to issuance of certificates of public convenience and necessity in lieu of permits outstanding on August 22, 1957.

(w) In connection with the foregoing assignments Division One is authorized to institute, conduct, and determine investigations into motor carrier, water carrier, and freight forwarder practices pertaining to matters covered by such assignments.

4.3 Division Two—Rates, Tariffs, and Valuation Division:

(a) Section 4, relating to long-and-short-haul and aggregate-of-intermediate rates, and relief therefrom when such proceedings have been formally heard, when applications are certified to the Division by the Fourth Section Board, when fourth section relief arises as a result of an order or requirements of the Commission, or a division thereof, or when applications are to be considered in connection with general rate-increase proceedings.

(b) Section 5a, relating to agreements between or among carriers.

(c) Section 6, except paragraphs (11) and (12), relating to schedules of carriers under Part I, sections 217 and 218 relating to tariffs of common carriers and schedules of contract carriers under Part II, section 306 relating to tariffs of common carriers and schedules of contract carriers under Part III, and section 405 relating to tariffs of freight forwarders under Part IV—including, among other matters, the promulgation or prescription of forms, specifications, rules, or regulations to effectuate such provisions of law, as well as applications or petitions involving the construction, interpretation or application of such forms, specifications, rules, or regulations.

(d) Section 409 relating to contracts between freight forwarders and motor carriers, including authority to institute, conduct, and determine investigations pertaining thereto.

(e) Sections 15(7), 216(g), 218(c), 307(g) and (i), and 406(e), relating to the disposition (1) by declining to suspend or (2) by entering an order of investigation and suspension, either on its own motion or on petitions or requests for suspension of schedules and tariffs, and relating to authority to institute investigations into rates, fares, charges, and practices of carriers under Parts I, II, III, and IV, as ancillary to such investigations or such investigation and suspension proceedings: (1) When there are petitions or requests for suspension of proposed general increases in rates,

fares, or charges for application throughout a rate territory or region, or of wider scope, or (2) when there are involved petitions for suspension of schedules or tariffs filed in purported compliance with any decision, order, or requirement of the Commission or a Division thereof, or (3) when such matter is certified to the Division by the Board of Suspension; and including authority to vacate or discontinue orders in proceedings instituted by Division Two, Division Two acting as an appellate division, or Board of Suspension, wherein respondents have cancelled the matter under investigation or suspension, except in those instances where authority has been delegated to the Board of Suspension.

(f) Section 6 (11) (b) and (12) of the Interstate Commerce Act and section 11(d) of the Panama Canal Act, (49 U.S.C. 51), relating to the establishment, under the additional authority conferred upon the Commission by the Panama Canal Act of proportional rates to or from ports, and through rail-and-water arrangements in foreign commerce.

(g) Institution of investigations of intrastate rates, fares, and charges, classifications and practices under section 13(3) of Part I and section 406(f) of Part IV on the petition of carriers or freight forwarders.

(h) Section 19a, relating to the valuation of the property of carriers.

(i) Section 20(11) of Part I and section 219 of Part II, so far as relating to the authorization of released rates and ratings.

(j) Sections 3(2), 223, 318, and 414, so far as relating to the prescription of rules governing the delivery of freight and the settlement of rates and charges, and to prevent unjust discrimination.

(k) Section 22.

(l) Section 220(a) relating to contracts between motor contract carriers and shippers.

(m) Section 304(d) of Part III, relating to relief from the provisions of that part because of competition from carriers engaged in foreign commerce.

(n) Section 204(c), section 304(e), and section 403(f), so far as relating to the investigation of complaints of alleged noncompliance with provisions of Parts II, III, and IV hereinbefore assigned to Division Two or requirements established pursuant thereto.

(o) Section 20 (1) to (10), inclusive; section 204(a) (1), (2), and (4); section 220 (a) to (f), inclusive; section 222 (b), (d), and (g); sections 313, 316(b), 317 (d), and (e); and sections 412, 417(b), and 421 (d) and (e), so far as those sections relate to accounting and statistical reports, records, and accounts of carriers, lessors, brokers, freight forwarders, and other persons under Parts I, II, III, and IV, and so far as matters arising under the stated sections are not assigned to individual commissioners.

(p) Formal complaints and suspension cases in which the issues relate primarily and predominantly to the interpretation and application of tariffs.

4.4 Division Three—Rates, Safety and Service Division:

(a) Section 1(9), relating to switch connections.

(b) Section 1(14) (b), relating to contracts of common carriers by railroad or express companies for the furnishing of protective service against heat or cold.

(c) Section 1 (10) to (14) (a), inclusive, and section 1 (15) to (17), inclusive, relating to car-service and emergency directions with respect thereto.

(d) Section 5(1), relating to the pooling of traffic, service, or gross or net earnings of common carriers subject to the act.

(e) Section 3(5), relating to requirement of common use of terminals and compensation therefor.

(f) Section 6(11) (a) of the Interstate Commerce Act, and section 11(d) of the Panama Canal Act, relating to the additional jurisdiction over rail and water traffic conferred upon the Commission by the Panama Canal Act (49 U.S.C. 51), with respect to physical connections between rail lines and docks; and section 201(c), Transportation Act, 1920, as amended, 49 U.S.C. 141(c).

(g) Section 15(10), relating to the direction of the routing of unrouted traffic.

(h) Sections 15(13), 225, 314, and 415, relating to fixation of reasonable allowances to the owner of property transported for transportation services rendered, and I. & S. No. 11, The Tap Line Case.

(i) Section 25 (a) to (g), inclusive, as amended, relating to the instalment and maintenance of safety devices by carriers by railroad.

(j) Section 1(21) so far as relating to the compulsory construction of new roads or procurements of additional facilities.

(k) Section 204(a), (1), (2), (3), and (5) of Part II, so far as relating to the establishment of reasonable requirements for the safe transportation of explosives and other dangerous articles, including flammable liquids, flammable solids, oxidizing materials, corrosive liquids, compressed gases, and poisonous substances.

(l) Section 403 (b), relating to establishment of reasonable requirements with respect to continuous and adequate service by freight forwarders.

(m) Section 404(d), relating to agreements between freight forwarders for joint loading of traffic.

(n) Section 204(c) and section 403(f), so far as relating to the investigation of complaints of alleged noncompliance with provisions of Parts II and IV, hereinbefore assigned to Division Three, or requirements established pursuant thereto.

(o) Matters coming from the Board of Reference, relating to instructions concerning the informal consideration of unusual matters and cases for which there is no governing precedent.

(p) Matters coming from the Section of Informal Cases of the Bureau of Traffic.

(q) Matters arising under the Transportation of Explosives and Dangerous Articles Act, Accident Reports Act, Safety Appliance Act, Hours of Service Act, Locomotive Inspection Act, Medals of Honor Act, Ash Pan Act, Railroad Retirement Act of 1937, Railroad Retirement Tax Act, Railroad Unemployment

Insurance Act, the Railway Labor Act, as respectively amended; the Block Signal Resolution of June 30, 1906, and Sundry Civil Appropriation Act of May 27, 1908; Postal Service Acts (39 U.S.C. 6, 12, 13, 14 and 15), so far as those acts relate to duties of the Commission.

(r) Authority to approve recommendations of the Commission's staff for the enforcement of penal provisions of the Interstate Commerce Act, and statutory provisions supplementary thereto if the subject matter is otherwise unassigned.

(s) Standard Time Act of March 19, 1918, as amended, 15 U.S.C. 261-265, inclusive.

4.5 Divisions Two and Three, except in special circumstances, alternately, in monthly rotation, commencing with Division Three in January 1954:

(a) All formal cases not otherwise herein assigned or referred to another division, or reserved to the Commission, arising under Part I, and all formal cases involving rates, fares, or charges arising under Parts II, III, and IV.

4.6 Division Four—Finance Division:

(a) Section 1 (18) to (20), inclusive, relating to certificates of public convenience and necessity, and section 311(b) relating to temporary operating authorities.

(b) Section 5 (2) to (13), inclusive, and section 210a(b) relating to the consolidation, merger, purchase, lease operating contracts, and acquisition of control of carriers, and to non-carrier control, including matters of public convenience and necessity under section 207 and consistency with the public interest under section 209 directly related thereto.

(c) Section 5 (14) to (16), inclusive, relating to common control of railroads and common carriers by water.

(d) Sections 20a and 214 relating to the issuance and approval of securities of carriers and to the holding of interlocking positions as director or officer.

(e) Section 20b relating to voluntary adjustments of capital structures under Part I.

(f) Sections 204(a) (4) and 212(b) relating to transfer of licenses, certificates, or permits, and changes in control of corporations and associations holding brokers' licenses, except determination of applications which have not involved the taking of testimony at a public hearing unless certified to the Division by The Transfer Board.

(g) Section 312, relating to transfer of operating rights.

(h) Section 410(g) relating to transfer of permits.

(i) Section 411 (d) and (f), relating to investigation of alleged violations of section 411 (a), (b), and (c).

(j) Sections 204(c), 304(e), and 403 (f), so far as relating to the investigation of complaints of alleged noncompliance with provisions of Parts II, III, and IV, hereinbefore assigned to Division Four or requirements established pursuant thereto.

(k) The Uniform Bankruptcy Act, as amended, 11 U.S.C. relating to the reorganization of corporations subject to the

exercise of the regulatory powers of the Commission.

(l) Section 3 of Public Law No. 478 relating to review by the Commission prior to confirmation by the courts of plans of reorganization previously approved by the Commission.

(m) Matters arising under section 20c, providing for the recording of equipment trust agreements and other documents relating to lease or conditional sale of railroad equipment.

(n) Matters arising under the Clayton Antitrust Act, as amended.

(o) Part V, relating to the guaranty of loans to common carriers by railroad, excepting matters relating to the closing of such transactions which are delegated by Item 6.6(b) hereof to the Commis-

sioner through whom the Bureau of Finance reports, unless certified to the Division by said Commissioner.

(p) Section 13a, relating to discontinuances or changes of railroad operations or services.

COMMITTEES OF THE COMMISSION

5.1 There shall be a Committee on Legislation and a Committee on Rules composed of three Commissioners each.

ASSIGNMENT OF DUTIES TO INDIVIDUAL COMMISSIONERS

6.1 The following portions of the work, business, and functions of the Commission are assigned and referred to individual Commissioners as herein designated:

6.2(a) Entry of reparation orders responsive to findings authorizing the filing of statements as provided in Rule 100 of the General Rules of Practice.

(b) Claims arising under Federal Tort Claims Act, 28 U.S.C. 2671 et seq., except claims covered by section 2672 of that Act.

(c) Approval for publication of statistical releases.

6.3 Dismissal of complaints upon requests of complainants.

6.4 Postponement of the effective date of orders in proceedings which are the subject of suits brought in a court to enjoin, suspend, or set aside the decision, order, or requirement therein.

6.5(a) Authority to permit the use of prescribed accounts for carriers and other persons under Parts I, II, III, and IV, which by provisions of their own texts require special authority.

(b) Authority to permit departures from general rules prescribing uniform systems of accounts for carriers and other persons under Parts I, II, III, and IV.

(c) Authority to prescribe by order, rates of depreciation to be used by individual carriers by railroad, water, and pipeline.

(d) Authority to issue special authorizations permitted by the prescribed regulations governing the destruction of records of carriers subject to Parts I, II, III, and IV.

6.6(a) Applications under section 20a(12) for authority to hold the position of officer or director of more than one corporation.

(b) Matters relating to the closing of transactions in accordance with such terms and conditions as may have been prescribed by the Commission or Division 4 under the provisions of Part V of the Act, including the execution on behalf of the Commission of contracts and other instruments incident to the closing of such transactions. The Commissioner may certify to Division 4 any matter which in his judgment should be passed on by that division, or the Commission.

6.7 Authority to act upon recommendations of the Commission's staff with respect to matters looking to court enforcement proceedings under the provisions of Part II of the Interstate Commerce Act relating to those subject matters which, or the principal parts of which, are assigned to Division 1, except that in those matters relating solely to safety violations and violations of hours-of-service regulations (Parts 190 to 196, inclusive, and Part 198 of the Motor Carrier Safety Regulations) in which criminal action is indicated the District Director of the Bureau of Motor Carriers and the Regional Attorney of the Bureau of Inquiry and Compliance in the several districts, where they agree on the action to be taken, jointly may make recommendations directly to the United States Attorneys or Department of Justice.

6.8(a) Issuance and release of motor carrier accident investigation reports except those in which testimony is taken at a public hearing.

(b) Issuance of orders designating Bureau of Motor Carriers employees authorized to declare motor vehicles "out of service."

Chairman of the Commission.

If the proceeding has been assigned to a Commissioner, the Commissioner to whom it is assigned; otherwise, to the Chairman of the Commission.

Commissioner through whom the General Counsel reports.

Commissioner through whom the Bureau of Accounts, Cost Finding and Valuation reports.

Commissioner through whom the Bureau of Finance reports.

Commissioner through whom the Bureau of Inquiry reports.

Commissioner through whom the Bureau of Motor Carriers reports.

6.9(a) Uncontested matters arising under the Boiler Inspection Act, as amended.

(b) Uncontested matters under section 25, the Safety Appliance Acts, as amended, the Hours of Service Act, as amended, and section 3 of the Accident Reports Act (including the making of reports of investigations under that section except those in which testimony is taken at a public hearing).

(c) Uncontested matters relating to the transportation of explosives and other dangerous articles.

6.10(a) Special permissions or other permissible waivers of rules regarding schedules of rates, etc., under sections 6, 217, 218, 306, 405 and 409(a).

(b) Released rates applications under section 20(11).

(c) Ex Parte No. 13, with respect to modifications under section 6(3) of posting requirements of section 6(1).

(d) Reduced rates authorizations in cases of calamitous visitation under section 22.

(e) Applications and complaints on the special docket.

6.11(a) With respect to carriers and other persons subject to Parts I, II, III, and IV, (1) authority to grant extensions of time for filing annual, periodical, and special reports, and (2) authority to grant exemptions to individual carriers from the reporting and accounting requirements.

(b) Requests for (1) access to waybills or photostatic copies thereof, and (2) public inspection of reports described in § 125.9 of the Rules Governing Monthly Reports of Railroad Accidents.

(c) Approval of research projects with consultation with the Commission as a whole from time to time as matters require.

6.12 Admission, disbarment, and suspension of practitioners before the Commission under Rules 7 to 13, inclusive, of the General Rules of Practice.

6.13 Merely procedural matters in any formal case or pending matter, and extensions of time for compliance with orders (except in investigations on the Commission's own motion), in any such case or matter which is not the subject of a suit in court, when the subject matter or particular proceeding has been or is assigned or referred to the division: *Provided*, That if the proceeding has been assigned to a Commissioner for administrative handling or preparation of report, such Commissioner shall act on such procedural matters (including extensions of time for compliance with orders); and if the subject matter or particular proceeding has not been assigned or referred to a division or to a Commissioner, the Chairman of the Commission may act on such matters.

6.14 The functions, powers, responsibilities, and duties of the Defense Transport Administration transferred and delegated to the Commission pursuant to the Defense Production Act of 1950, as amended, effective July 1, 1955.

6.15 In each of the foregoing delegations and assignments, except Item 6.14, to an individual Commissioner, in event of the absence or disability of such individual Commissioner, the senior member of the division which has jurisdiction of the subject matter or proceeding who is present shall act instead of the Commissioner above designated. In the event of the absence or disability of a Commissioner to whom a proceeding not referred to a division has been assigned for administrative handling or preparation of report, procedural matters in connection with such proceeding may be acted upon by the Chairman of the Commission.

¹In the event of the absence or disability of the Commissioner who is responsible for the supervision of the Bureau of Safety and Service, the senior member of Division Three who is present shall act in his place and stead in performing the duties and exercising the powers vested in that Commissioner by delegation or redelegation issued pursuant to the Defense Production Act of 1950, as amended, or by the Director of the Office of Defense Mobilization pursuant to law, provided further, that in the event of the absence or disability of all members of Division Three, the Chairman (or, in his absence, the Acting Chairman) of the Commission shall act in the place and stead of said Commissioner in performing such duties and exercising such powers.

ASSIGNMENTS TO BOARDS

7.1 The following portions of the work, business, and functions of the Commission are assigned to Boards of employees. Such portions relate to proceedings or classes of proceedings that do not involve issues of general transportation importance. The right to apply to the Commission for rehearing, reargu-

ment or reconsideration of a decision, order or requirement of an appellate division upon a petition filed by a party to the original order, action or requirement of any such board is restricted, under the authority granted by section 17(6) of the Interstate Commerce Act as herein provided.

7.2 *Fourth Section Board.* Section Four, relating to long-and-short-haul

Commissioner through whom the Bureau of Safety and Service reports.

Commissioner through whom the Bureau of Traffic reports.

Commissioner through whom the Bureau of Transport Economics and Statistics reports.

Commissioner Mitchell.

Chairman of the respective divisions.

Chairman of the Commission.

Commissioner through whom the Bureau of Safety and Service reports.¹

and aggregate-of-intermediate rates, and relief therefrom, except proceedings made the subject of formal hearing, matters prompted by an order or requirement of the Commission or a division thereof, or matters arising from general increase proceedings. The Board may certify to Division Two any matter which, in its judgment, should be passed on by that division or the Commission.

7.3 *Board of Suspension.* Sections 15(7), 216(g), 218(c), 307 (g) and (l), and 406(e), relating to the initial disposition (1) by declining to suspend or (2) by entering an order of investigation or (3) by entering an order of investigation and suspension, either on its own motion or on petitions or requests for suspension of schedules and tariffs, and relating to authority to institute investigations into rates, fares, charges, and practices of carriers under Parts I, II, III, and IV as ancillary to such investigations or such investigation and suspension proceedings; and the authority, prior to submission of evidence, to enter orders discontinuing any proceeding instituted by it when the schedules or tariffs under which the proceeding arose have been canceled. This delegation of authority shall not include (1) petitions or requests relating to schedules or tariffs filed in purported compliance with any decision or order of the Commission or a division thereof, (2) petitions or requests for suspension of proposed general increases in rates, fares, or charges for application throughout a rate territory or region, or of wider scope, nor (3) any action in connection with suspensions to be taken during or after formal hearings or investigations. The Board may certify to Division Two any matter which, in its judgment, should be passed upon by that division or the Commission.

7.4 *Temporary Authorities Board.* (a) Section 210a(a), relating to applications for temporary authority for service by common or contract carriers by motor vehicle, except applications involving broad questions of policy; matters in which the decision of the Board would be inconsistent with an order of the Commission or a division; matters in which substantially the same question is already before the Commission or a division; and applications received as a result of strikes which allegedly disrupt transportation in the areas involved. Matters herein excepted from the Board's jurisdiction shall be certified to Division 1 under Item 7.4(d).

(b) Determination of uncontested motor carrier revocation proceedings under section 212(a) which have not involved the taking of testimony at a public hearing.

(c) Any matter referred to the Board which is assigned for the taking of testimony at a public hearing shall be carried to a conclusion in accordance with the established practices and assignment of work of the Commission.

(d) The Board may certify to Division One any matter which in the Board's judgment should be passed on by that division, or the Commission.

7.5 *The Transfer Board.* (a) Determination of applications under sections 204(a) (4) and 212(b), relating to transfer of licenses, certificates, or permits, and changes in control of corporations or

associations holding brokers' licenses, which have not involved the taking of testimony at a public hearing.

(b) Any matter referred to the Board which is assigned for the taking of testimony at a public hearing shall be carried to a conclusion in accordance with the established practices and assignment of work of the Commission.

(c) The Board may certify to Division 4 any matter which in the Board's judgment should be passed on by that division, or the Commission.

REHEARINGS AND FURTHER PROCEEDINGS

8.1 For the proper and more convenient dispatch of business, and to the ends of justice, the following regulations of the conduct of proceedings are adopted (in addition to those governing the parties, as set out in the Rules of Practice), in respect of rehearings, reconsiderations, further hearings, and supplementary proceedings, as the result of the filing of petitions by parties to the decisions, orders, or requirements of divisions of the Commission, individual Commissioner, Board of Suspension, Fourth Section Board, Temporary Authorities Board or The Transfer Board.

8.2 In respect of all such matters, petitions for reconsideration or for rehearing of any order or decision of an individual Commissioner as herein authorized shall be initially passed upon by the division to which the general subject is referred, and if the general subject has not been referred to a division, then by the Commission.

8.3 Except as to matters provided for in Items 8.4, 8.5, and 8.6, any such petition and any supporting or opposing documents in: (a) a proceeding decided unanimously with respect to the final conclusion by the participating members of a division, except as indicated in (b), shall be considered by the Commission; and (b) a proceeding:

(1) Not decided unanimously with respect to the final conclusion by the participating members of the division, or

(2) In which, without regard to the unanimity of the division, there is a recommendation by a staff member that the petition be granted, or

(3) Relating to the application for approval of contract carrier rental contracts under authority of § 207.6(b) of Ex Parte No. MC-43,

shall be considered by the appropriate division as constituted at the time the petition is processed and circulated for action; if the division grants the same, the petition will stand as granted by the division and denied by the Commission, and further proceedings will be before the division and under its direction. Any further decision, order or requirement of the division shall be subject to petition for rehearing or reconsideration as provided in the act. If the division does not grant the petition, it will be considered by the Commission.

8.4 Division Two is hereby designated as an appellate division to which applications or petitions for reconsideration or review of any order, action, or requirement of the Board of Suspension or the Fourth Section Board shall be assigned or referred for consideration and action. When so acting, it shall have all author-

ity which the board is authorized to exercise. Decisions or orders of the appellate division shall be administratively final and not subject to review by the Commission.

8.5 Division One is hereby designated as an appellate division to which applications or petitions for reconsideration or review of any order, action, or requirement of the Temporary Authorities Board under paragraphs (a) and (b) of Item 7.4 shall be assigned or referred for disposition, (except as otherwise provided in Item 7.4(a)) and the decisions or orders of the appellate division shall be administratively final and not subject to review by the Commission.

8.6 Division Four is hereby designated as an appellate division to which applications or petitions for reconsideration or review of any order, action or require-

ment of The Transfer Board under Item 7.5(a) shall be assigned or referred for disposition and the decisions or orders of the appellate division shall be administratively final and not subject to review by the Commission.

8.7 Announcements of the staying or postponement of decisions, orders, or requirements of divisions, individual Commissioners, or boards when petitions for rehearing, reargument, or reconsideration are filed before such decisions, orders, or requirements have become effective, will be made by the Secretary or under his direction.

BUREAUS AND OFFICES OF THE COMMISSION

9.1 The Bureaus and Offices of the Commission shall report as follows, except with respect to matters within the jurisdiction of the Managing Director:

Bureaus or offices of the Commission	Headed by—	Reports to the Commission or appropriate division through—
9.2 Office of the Managing Director.....	Managing Director.....	Chairman ex officio.
(a) Management staff.....	Chief of Staff.....	
(b) Budget and Fiscal.....	Budget Officer.....	
(c) Personnel.....	Personnel Director.....	
(d) Administrative Services.....	Chief of Section.....	
(e) Stenography.....	do.....	
(f) Regional offices.....	13 Regional Managers.....	
9.3 Office of the Secretary.....	Secretary.....	Chairman ex officio.
(a) Dockets.....	Chief of Section.....	
(b) Mails and Files.....	do.....	
(c) Reference Services.....	do.....	
9.4 Office of the General Counsel.....	General Counsel.....	Chairman ex officio,
9.5 Accounts, Cost Finding and Valuation.....	Director.....	Comr. Webb.
(a) Accounting.....	Chief of Section.....	
(b) Cost Finding.....	do.....	
(c) Valuation.....	Assistant Director and Acting Chief of Section.....	
(d) Field Service.....	Chief of Field Service.....	
(e) Field Staff.....	Director.....	Comr. Mitchell.
9.6 Finance.....	Chief of Section.....	
(a) Convenience and Necessity (and Interlocking Directorates).....	Assistant Director and Chief of Section.....	
(b) Motor Carrier Finance.....	Acting Chief of Section.....	
(c) Securities and Reorganizations.....	Chief of Section.....	
(d) Loans.....	Chairman of the Board.....	
(e) The Transfer Board.....	Director.....	Comr. Walrath.
9.7 Inquiry and Compliance.....	Assistant Director and Chief of Section.....	
(a) Motor Carrier Enforcement.....	do.....	
(b) Rail, Water and Forwarder Enforcement.....	do.....	
(c) Field Staff.....	Director.....	Comr. Murphy.
9.8 Motor Carriers.....	Administrative Officer.....	
(a) Administration.....	Chief of Section.....	
(b) Insurance.....	do.....	
(c) Motor Carrier Safety.....	Assistant Director.....	
(d) Field Staff.....	District Directors.....	
(e) 13 Districts.....	Director.....	Comr. Goff.
9.9 Operating Rights.....	Chief of Section.....	
(a) Administration.....	do.....	
(b) Hearing Examiner Staff.....	do.....	
(c) Review Committee.....	do.....	
(d) Appeals.....	do.....	
(e) Examiners.....	do.....	
(f) Captions.....	do.....	
(g) Certificates and Permits.....	do.....	
(h) Temporary Authorities Board.....	Chairman of Board.....	
9.10 Rates and Practices.....	Director.....	Comr. Hutchinson.
(a) Administration.....	do.....	
(b) Hearing Examiner Staff.....	do.....	
(c) Final Reports No. 1.....	Chief of Section.....	
(d) Final Reports No. 2.....	do.....	
(e) Review.....	do.....	
9.11 Safety and Service.....	Director.....	Comr. Freas. ¹
(a) Car Service.....	Assistant Director and Chief of Section.....	
(b) Locomotive Inspection.....	Assistant Director of Bureau and Director of Locomotive Inspection.....	
(c) Railroad Safety.....	Assistant Director and Chief of Section.....	
(d) Explosives Branch.....	Chief of Branch.....	
(e) Field Staff.....	Director.....	Comr. Winchell.
9.12 Traffic.....	Chairman of Board.....	
(a) Suspension Board.....	do.....	
(b) Fourth Section Board.....	do.....	
(c) Rates and Informal Cases.....	Assistant Director and Chief of Section.....	
(d) Tariffs.....	do.....	
9.13 Transport Economics and Statistics.....	Director.....	Comr. McPherson.
(a) Reports.....	Chief of Section.....	
(b) Research.....	do.....	
(c) Traffic Statistics.....	do.....	
9.14 Water Carriers and Freight Forwarders.....	Director.....	Comr. Arpaia.
(a) Section 5a Applications.....	do.....	
(b) Temporary Operating Authorities.....	do.....	
(c) Field Staff.....	do.....	

¹ Also serves as the delegate for administration and performance of duties arising under Defense Production Act of 1950, as amended. See Item 6.14 (page 17).

[Notice 102]

MOTOR CARRIER TRANSFER PROCEEDINGS

MARCH 26, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61854. By order of March 19, 1959, the Transfer Board approved the transfer to Luxart Van Service, Inc., Sunland, Calif., of Certificate in No. MC 106698 Sub 1, issued June 25, 1948, to Ben Johnson, doing business as Johnson Van Service, Burbank, Calif., authorizing the transportation of: *Horses*, other than ordinary, and in the same vehicle with such horses, *stable supplies* and *equipment* used in the care and exhibition of such horses, *mascots*, and the *personal effects* of their attendants, trainers, and exhibitors, between the boundary of the United States and Mexico at or near San Ysidro, Calif., on the one hand, and, on the other, specified points in California; and between specified points in California, on the one hand, and, on the other, points in Yuma and Maricopa Counties, Ariz. Phil Jacobson, 510 West Sixth Street, Los Angeles, Calif., for applicants.

No. MC-FC 61867. By order of March 19, 1959, the Transfer Board approved the transfer to Leslie B. Wiltfong, doing business as L. B. Wiltfong Movers, South Bend, Ind., of Certificate No. MC 10792, issued September 12, 1940, to Clarence J. Peterson, South Bend, Ind., authorizing the transportation of: Household goods, between South Bend and Mishawaka, Ind., on the one hand, and, on the other, points in Illinois, Kentucky, Michigan, Minnesota, Missouri, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin. Walter F. Jones, Jr., 1019 Chamber of Commerce Building, Indi-

anapolis 4, Indiana, and Gerald A. Kamm, 403 St. Joseph Bank Building, South Bend, Indiana, for applicants.

No. MC-FC 61888. By order of March 19, 1959, the Transfer Board approved the transfer to Star Cartage, Inc., Steubenville, Ohio, of Certificate in No. MC 33548, issued April 28, 1941, to Star Cartage Company, A Corporation, Steubenville, Ohio, authorizing the transportation of: *General commodities*, except dangerous explosives and household goods, between specified points in Ohio, West Virginia and Pennsylvania; and, *Household goods*, between specified points in Ohio, West Virginia, and Pennsylvania, on the one hand, and, on the other, points in Ohio, West Virginia, Pennsylvania, New York, New Jersey, Maryland, Delaware, Virginia, North Carolina, Kentucky, Indiana, Illinois, Michigan, and the District of Columbia. Noel F. George, 44 East Broad Street, Columbus, Ohio, for applicants.

No. MC-FC 61977. By order of March 19, 1959, the Transfer Board approved the transfer to Silver Streak Express, A Corporation, Drexel Hill, Pa., a portion of Certificate No. MC 35463, issued August 21, 1950, in the name of Joseph G. Whinney, Jr. (J. G. Whinney III, Administrator), doing business as Whinney's Express, Philadelphia, Pa., authorizing the transportation of general commodities, excluding household goods, commodities in bulk, and other specified commodities, over irregular routes, from Philadelphia, Pa., to points in that part of New Jersey north of a line extending from Trenton to Asbury Park, not including points on the said line, with no transportation for compensation on return except as otherwise authorized. Jacob Polin, P.O. Box 317, Bala-Cynwyd, Pa.

No. MC-FC 62039. By order of March 18, 1959, the Transfer Board approved and authorized the transfer to J. I. Martin and F. W. Polen, a partnership, doing business as Westmoreland Express Line, Jeannette, Pennsylvania, of a certificate in No. MC 73011, issued January 29, 1958, to Frank Luchini, Pittsburgh, Pennsylvania, authorizing the transportation of glass products, rubber products, toys, iron and steel products, and furniture, over regular routes, between Jeannette, Pa., and Pittsburgh, Pa., serving the off-route point of Grapeville, Pa., and between Jeannette, Pa., and Pittsburgh, Pa., serving no intermediate points. Henry M. Wick, Jr., Delisi and

Wick, 1211 Berger Building, Pittsburgh 19, Pa.

No. MC-FC 62048. By order of March 18, 1959, the Transfer Board approved the transfer to Van Horn Transfer & Storage Co., a Corporation, 1420 Grace Avenue, Panama City, Florida, of the operating rights in Certificate No. MC 106015, issued March 12, 1946, to Earl W. Van Horn and Madge R. Van Horn, a Partnership, doing business as Van Horn Transfer and Storage Co., 1420 Grace Avenue, Panama City, Florida, authorizing the transportation of household goods, over irregular routes, between Panama City, Fla., on the one hand, and, on the other, points in Alabama and Georgia.

No. MC-FC 62057. By order of March 18, 1959, the Transfer Board approved the transfer to Hartmon Trucking, Inc., a corporation, Burkhardt, Wisconsin, of Certificate in No. MC 117362, issued November 24, 1958, to Robert J. Hartmon, Burkhardt, Wisconsin, authorizing the transportation of: Animal and poultry feeds from New Richmond, Wis., to points in 15 counties in Iowa and 13 counties in Minn.; and manufactured feed ingredients, in bulk, from 5 counties in Minn., to New Richmond, Wis. A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn., for applicants.

No. MC-FC 62070. By order of March 19, 1959, the Transfer Board approved the transfer to Benjamin Clayman, Jacob Clayman, Joseph Clayman and Morris Clayman, doing business as B. Clayman & Sons, 2609 East Cambria Street, Philadelphia, Pa., of certificate in No. MC 76045, issued May 2, 1951, to Aaron Clayman, Benjamin Clayman, Jacob Clayman, Joseph Clayman and Morris Clayman, doing business as B. Clayman & Sons, Philadelphia, Pa., authorizing the transportation of: Household goods and general commodities, except commodities in bulk and other specified commodities, between Philadelphia, Pa., and Atlantic City, N.J., and certain points within 10 miles of Atlantic City; and household goods between Philadelphia, Pa., and certain specified points in New Jersey. Harry C. Maxwell, 200 Penn Square Building, Juniper and Filbert Streets, Philadelphia 7, Pa., for applicants.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 59-2633; Filed, Mar. 30, 1959; 8:45 a.m.]

CUMULATIVE CODIFICATION GUIDE—MARCH

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

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