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Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Development Loan Fund

Effective upon publication in the FEDERAL REGISTER, § 6.362(a) is added to Schedule C as set out below.

§ 6.362 Development Loan Fund.

(a) One Private Secretary to the Managing Director.

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

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

[F.R. Doc. 59-7356; Filed, Sept. 2, 1959; 8:51 a.m.]

Title 7—AGRICULTURE

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

PART 48—REGULATIONS OF THE SECRETARY OF AGRICULTURE FOR THE ENFORCEMENT OF THE PRODUCE AGENCY ACT

Notice is hereby given that regulations (7 CFR 48.1 to 48.11) issued under the Produce Agency Act (44 Stat. 1355; 7 U.S.C. 494) and published in the FEDERAL REGISTER July 13, 1947 (12 F.R. 4287) and January 6, 1954 (19 F.R. 57) are hereby amended to read as follows:

DEFINITIONS

Sec.
48.1 Meaning of words.
48.2 Definitions.

ADMINISTRATION

48.3 Director.

VIOLATIONS

48.4 Destroying or dumping.
48.5 False report or statement.
48.6 Failure to account.

JUSTIFICATION FOR DUMPING

48.7 Evidence to justify dumping.

COMPLAINTS

48.8 Filing of complaints.

AUTHORITY: §§ 48.1 to 48.8 inclusive, issued under sec. 3, 44 Stat. 1355, as amended; 7 U.S.C. 494.

DEFINITIONS

§ 48.1 Meaning of words.

Words in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 48.2 Definitions.

Unless the context otherwise requires, the following terms shall be construed as follows:

(a) "Act" means "An act to prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others, and to require them truly and correctly to account for all farm produce received by them," approved March 3, 1927 (44 Stat. 1355; 7 U.S.C. 491-497).

(b) "Person" means an individual, partnership, association or corporation.

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

(d) "Service" means the Agricultural Marketing Service, United States Department of Agriculture.

(e) "Deputy Administrator" means the Deputy Administrator for Marketing Services, or any officer or employee of the Service, to whom authority has heretofore lawfully been delegated, or to whom authority may hereafter lawfully be delegated, to act in his stead.

(f) "Director" means the Director of the Fruit and Vegetable Division of the

(Continued on next page)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

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

A Cumulative Codification Guide covering the current month appears at the end of each issue beginning with the second issue of the month.

Service, or any officer or employee of the Division to whom authority has heretofore lawfully been delegated, or to whom authority may hereafter lawfully be delegated by the Director to act in his stead.

(g) "Produce" means all fresh fruits and fresh vegetables generally considered by the trade as perishable fruits and vegetables, melons, dairy or poultry products, or any perishable farm products of any kind or character.

(h) "Truly and correctly to account" means, unless otherwise stipulated by the parties, that the consignee of produce shall, within ten days after the final sale is made of any produce received for sale

on consignment in interstate commerce or in the District of Columbia, render to the consignor thereof a true and correct itemized statement of the gross sales as well as all selling charges and all other charges or expenses paid and a statement of the net proceeds or deficit, and make full payment to the consignor of the net proceeds so received together with a full explanation of the disposition of any and all produce not sold.

(i) "Good and sufficient cause" means, with respect to destroyed, abandoned, discarded, or dumped produce, that the produce so dealt with had no commercial value, or that some other legal justification for so dealing with such produce existed, such as an order of condemnation by a health officer or definite authority from the shipper.

(j) "Commercial value" means any value that the produce may have for any purpose that can be ascertained in the exercise of due diligence by the consignee without unreasonable expense or loss of time.

ADMINISTRATION

§ 48.3 Director.

The Director shall perform, for and under the supervision of the Secretary and the Deputy Administrator, such duties as the Secretary or the Deputy Administrator may require in enforcing the provisions of the Act and the regulations issued thereunder.

VIOLATIONS

§ 48.4 Destroying or dumping.

Any person receiving produce in interstate commerce or in the District of Columbia for or on behalf of another who, without good and sufficient cause, shall destroy or abandon, discard as refuse, or dump any produce, directly or indirectly or through collusion with any person, shall be considered to have violated the Act.

§ 48.5 False report or statement.

Any person receiving produce in interstate commerce or in the District of Columbia for or on behalf of another shall be considered to have violated the Act if, knowingly and with intent to defraud, he makes any false report or statement to the person from whom such produce was received concerning the handling, condition, quality, quantity, sale, or disposition thereof.

§ 48.6 Failure to account.

Any person receiving produce in interstate commerce or in the District of Columbia for or on behalf of another shall be considered to have violated the Act if, knowingly and with intent to defraud, he fails truly and correctly to account to the person from whom such produce was received.

JUSTIFICATION FOR DUMPING

§ 48.7 Evidence to justify dumping.

Any person, receiving produce in interstate commerce or in the District of Columbia, having reason to destroy, abandon, discard as refuse or dump such produce, should, prior to such destroying, abandoning, discarding or dumping, obtain a dumping certificate or other evidence of justification for such action. Certification, showing that the produce has no commercial value, should be obtained from: (a) An inspector authorized by the United States Department of Agriculture to inspect produce; or (b) a health officer, or food inspector of any State, county, parish, city or municipality or of the District of Columbia. When no inspector or health officer, as designated in paragraph (a) or (b) of this section is available, affidavits as to the condition of the produce should be obtained from two disinterested persons having no financial interest in the produce involved or in the business of a person financially interested therein, and who are unrelated by blood or marriage to any such financially interested person, and who, at the time of certification, and for a period of at least one year immediately prior thereto, have been engaged in the handling of the same general kind or class of produce with respect to which such affidavits are to be made. The certificate or affidavit obtained for justifying dumping should identify the produce to be dumped by giving the name of the shipper, any identifying marks or brands on the original container, the type of container, the commodity, the quantity, the date of inspection, and contain a short description of the condition of the produce to be dumped at the time of inspection. The name, address and title of the person or persons making such inspection should also be designated on the certificate or affidavit.

COMPLAINTS

§ 48.8 Filing of complaints.

Any person having reason to believe that the Act or the regulations in this part have been violated should submit promptly all available facts with respect thereto to the Director for investigation and appropriate action.

The purpose of the above amendments is to delete existing §§ 48.7 to 48.10 inclusive, which provisions pertained to Certificates of Inspection issued prior to the enactment of Public Law 272, 84th Congress, approved August 9, 1955, which repealed the farm produce inspection clause contained in various appropriation Acts (7 U.S.C. 414) and the second, third and fourth sentences of section 1 of the Produce Agency Act of March 3, 1927 (7 U.S.C. 492). Such repeal rendered the aforementioned sections of the regulations obsolete. A new section, § 48.7 *Evidence to justify dumping*, which is primarily for informational purposes, is added to set forth the types of evidence that should be obtained by a person dumping produce received for sale on consignment in interstate commerce, to show that such produce has no commercial value. Section 48.11 is renumbered to read 48.8.

The above amendments will become effective upon publication in the FEDERAL REGISTER. It is found upon good cause under section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that notice and other public rule-making procedure with respect to these amendments is unnecessary and impracticable, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 3, 44 Stat. 1355, as amended; 7 U.S.C. 494)

Dated: August 31, 1959, to become effective upon publication in the FEDERAL REGISTER.

ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 59-7361; Filed, Sept. 2, 1959; 8:51 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Reg. Docket No. 63]

[Special Civil Air Reg. SR-424B]

PART 60—AIR TRAFFIC RULES

Positive Air Traffic Control; Extension for Indefinite Period

Notice was given on July 18, 1959, that the Federal Aviation Agency had under consideration a proposal to amend Special Civil Air Regulation No. 424A which became effective on June 15, 1959, (24 F.R. 5759).

The purpose of SR-424A was to extend the provisions of the positive air traffic control regulations which would otherwise have terminated on June 15, 1959. It had been originally intended, as outlined in a notice of proposed rule making issued on May 15, 1959, to extend the positive control provisions for an indefinite period. However, comment received from the Department of the Air Force in response to this notice indicated the need for further discussion of the impact of the positive control program on its operations. In view of these comments, it was decided to extend SR-424A on a temporary basis and the provisions of this special regulation will terminate on September 15, 1959.

It has been pointed out by the Air Force that positive control route segments are currently designated along certain 10-mile wide airways from 17,000 to 22,000 feet while the provisions of SR-424 authorized such route segments along 40-mile wide routes extending from 17,000 to 35,000 feet.

As issued, SR-424A authorized the designation of positive control routes which exceeded the dimensions of those currently designated. This was consistent with the initial authorization contained in SR-424 as adopted by the Civil Aeronautics Board and was considered to be representative of future airspace requirements for the positive control concept.

Due to the present capabilities of the air traffic control system, it was not intended to increase immediately the dimensions of positive control route segments to the full extent authorized in SR-424A. Therefore, in order to clarify the intent of the rule, it appeared desir-

able to adopt a new Special Civil Air Regulation which will provide for the designation of the positive control route segments in the same dimensions as those currently designated. Accordingly, a proposed modification to the rule was circulated as Special Civil Air Regulation No. SR–424B in Draft Release No. 59–9. In commenting on this draft release, the Department of the Air Force supported the concept of positive air traffic control and its inherent safety objectives and emphasized that such a system must accommodate the requirements of all airspace users. Implementation of positive control within the capabilities of the present air traffic control system necessitates certain procedures and restrictions on air traffic which, the Air Force contends, unduly hamper essential military air traffic. For this reason, the Air Force objects to the proposed rule making and presents a counterproposal to eliminate positive control airways in all areas covered by radar. Radar separation practices would be substituted for the procedural and restrictive practices presently applied on the positive control airways in areas of radar coverage. While the concern indicated in the Air Force objection is understood and appreciated, the extent of over-all safety which is obtained for airspace users by the continuation of the positive control route program is considered to justify the degree of burden it imposes.

It should be noted that the lateral dimensions of positive control route segments are prescribed herein as being the same as those of the airway upon which the route is designated. The use of the airway boundaries instead of a distance specified in miles is believed advisable in order to accommodate any future changes which may occur in the lateral dimensions of the federal airways.

As pointed out in Draft Release No. 59–9, the future plans for further development and expansion of the positive control concept contemplate experimentation and "service testing" with positive control areas as well as positive control route segments. The Air Force proposal for radar separation will be considered in any such development or expansion. These plans will be the subject of future rule-making procedures in order to provide interested parties with full opportunity to participate.

In consideration of the foregoing, the following Special Civil Air Regulation is hereby promulgated to become effective September 15, 1959:

1. The special air traffic rules prescribed in paragraphs (2), (3) and (4) of this special regulation shall be applicable to any operation of an aircraft in that portion of a federal airway between the altitudes of 17,000 and 22,000 feet which has been designated by the Administrator as a "positive control route segment" in Part 601 of the Administrator's regulations (14 CFR Part 601).

2. No person shall operate an aircraft within such designated airspace without prior approval of air traffic control.

3. All VFR flight activities, including VFR on top, irrespective of weather conditions, are prohibited from operating in this designated airspace.

4. All aircraft operated within this designated airspace shall have the instruments and equipment currently required for IFR operations and all pilots shall be rated for instrument flight.

This Special Civil Air Regulation shall remain in effect until superseded or rescinded by the Administrator.

(Secs. 313(a), 307(c); 72 Stat. 752, 749; 49 U.S.C. 1354, 1343).

Issued in Washington, D.C., on August 28, 1959.

E. R. QUESADA,
Administrator.

AUGUST 28, 1959.

[F.R. Doc. 59–7326; Filed, Sept. 2, 1959; 8:46 a.m.]

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 59–NY–3g]

[Amdt. 23]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 24]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Revocation of Segment of Federal Airway, Associated Control Areas, and Redesignation of Reporting Points

On June 18, 1959, a notice of proposed rule-making was published in the FEDERAL REGISTER (24 F.R. 4967) stating that the Federal Aviation Agency was considering an amendment to Parts 600 and 601 of the regulations of the Administrator which would revoke the segment of Red Federal airway No. 33, and its associated control areas, from Chicopee, Westover AFB, Mass., to Boston, Mass.

Red Federal airway No. 33 presently extends from Norfolk, Va., to Boston, Mass. An IFR Airway Traffic Peak-Day Survey for each half of the calendar year 1958 showed less than ten aircraft movements on this airway segment under consideration. On the basis of this survey, it appeared that retention of this airway segment, and its associated control areas, was unjustified as an assignment of airspace and that revocation thereof would be in the public interest. Such revocation would result in Red Federal airway No. 33, and its associated control areas, extending from Norfolk, Va., to Richmond, Va., and Poughkeepsie, N.Y., to Chicopee Falls, Mass. Although not mentioned in the Notice, revocation of this segment of the airway would involve the redesignation of § 601.4233 of the regulations of the Administrator which relates to the designated reporting points for this airway.

Written comment concerning the proposed amendments was generally favorable, except for one, which objected in principle to the revocation of only a segment of an airway. The Federal Aviation Agency agrees that it would be preferable to revoke an entire airway in one action, but only when it is justified because of the lack of sufficient air traffic or other considerations. However, as a general matter, the Agency feels that the public interest will best be served by releasing controlled airspace whenever the facts warrant.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.233 (14 CFR 1958 SUPP., § 600.233) §§ 601.233, 601.4233 (14 CFR 1958 SUPP., §§ 601.233, 601.4233) are amended as follows:

§ 600.233 [Amendment]

1. Section 600.233 *Red Federal airway No. 33 (Norfolk, Va., to Boston, Mass.)*, is amended as follows:

(a) In the caption delete "*(Norfolk, Va., to Boston, Mass.)*" and substitute therefor "*(Norfolk, Va., to Richmond, Va., and Poughkeepsie, N.Y., to Chicopee Falls, Mass.)*".

(b) In the text delete "via the Chicopee, Westover AFB, Mass., radio range station to the intersection of the northeast course of the Chicopee, Westover AFB, Mass., radio range and the west course of the Boston, Mass., radio range," and substitute therefor "to the Chicopee Falls, Mass., RR."

§ 601.233 [Amendment]

2. Section 601.233 *Red Federal airway No. 33 control areas (Norfolk, Va., to Boston, Mass.)*, is amended as follows:

In the caption delete "*(Norfolk, Va., to Boston, Mass.)*" and substitute therefor "*(Norfolk, Va., to Richmond, Va., and Poughkeepsie, N.Y., to Chicopee Falls, Mass.)*."

§ 601.4233 [Amendment]

3. Section 601.4233 *Red Federal airway No. 33 (Norfolk, Va., to Boston, Mass.)*, is amended as follows:

In the caption delete "*(Norfolk, Va., to Boston, Mass.)*". Substitute therefor "*(Norfolk, Va., to Richmond, Va., and Poughkeepsie, N.Y., to Chicopee Falls, Mass.)*".

These amendments shall become effective 0001 e.s.t. October 22, 1959.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on August 27, 1959.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 59–7327; Filed, Sept. 2, 1959; 8:46 a.m.]

[Airspace Docket No. 59-NY-3h]

[Amdt. 24]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 25]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Revocation of Segment of Federal Airway, Associated Control Areas, Redesignation of Reporting Points and Control Area Extensions

On June 18, 1959, a notice of proposed rule-making was published in the FEDERAL REGISTER (24 F.R. 4967) stating that the Federal Aviation Agency was considering an amendment to Parts 600 and 601 of the regulations of the Administrator that would revoke the segments of Blue Federal airway No. 41, and their associated control areas, from Hartford, Conn., to Concord, N.H., and from Rockland, Maine, to Bangor, Maine.

Blue Federal airway No. 41 presently extends from Hartford, Conn., to the U.S.-Canadian Border. An IFR Airway Traffic Peak-Day Survey for each half of the calendar year 1958 showed less than ten aircraft movements for each of these airway segments. On the basis of this survey, it appeared that the retention of these airway segments, and their associated control areas, was unjustified as an assignment of airspace and that revocation thereof would be in the public interest. Although not mentioned in the Notice, revocation of the segments of Blue Federal airway No. 41 would also involve a change in § 601.4641 of the regulations of the Administrator which relates to the designated reporting points for the airway.

The segment of Blue Federal airway No. 41 from Hartford, Conn., to Westfield, Mass., is also used to describe the boundaries of the Windsor Locks, Conn., control area extension. The revocation of this segment will necessitate the redescription of the Windsor Locks, Conn., control area extension by the use of VOR Federal airways.

Written comment concerning the proposed amendments was generally favorable, except for one, which objected in principle to the revocation of only a segment of an airway. The Federal Aviation Agency agrees that it would be preferable to revoke an entire airway in one action, but only when it is justified because of the lack of sufficient air traffic or other considerations. However, as a general matter, the Agency feels that the public interest will best be served by releasing controlled airspace whenever the facts warrant.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.641 (14 CFR 1958 Supp., § 600.641) and §§ 601.641, 601.4641 and 601.1081 (14 CFR 1958 Supp., §§ 601.641, 601.4641, 601.1081) are amended as follows:

§ 600.641 [Amendment]

1. Section 600.641 *Blue Federal airway No. 41 (Hartford, Conn., to United States-Canadian Border)*, is amended as follows:

(a) In the caption delete "*(Hartford, Conn., to United States-Canadian Border)*" and substitute therefor "*(Concord, N.H., to Portland, Maine, and Bangor, Maine, to United States-Canadian Border)*."

(b) In the text delete "Hartford, Conn., radio range station via the intersection of the northwest course of the Hartford, Conn., radio range and the south course of the Westfield, Mass., radio range; Westfield, Mass., radio range station; the intersection of the north course of the Westfield, Mass., radio range and the southwest course of the Concord, N.H., radio range;" and "Rockland, Maine, nondirectional radio beacon via the".

§ 601.641 [Amendment]

2. Section 601.641 *Blue Federal airway No. 41 control areas (Hartford, Conn., to United States-Canadian Border)*, is amended as follows:

In the caption delete "*(Hartford, Conn., to United States-Canadian Border)*" and substitute therefor "*(Concord, N.H., to Portland, Maine, and Bangor, Maine, to United States-Canadian Border)*".

§ 601.4641 [Amendment]

3. Section 601.4641 *Blue Federal airway No. 41 (Hartford, Conn., to United States-Canadian Border)*, is amended as follows:

In the caption delete "*(Hartford, Conn., to United States-Canadian Border)*" and substitute therefor "*(Concord, N.H., to Portland, Maine, and Bangor, Maine, to United States-Canadian Border)*".

§ 601.1081 [Amendment]

4. Section 601.1081 *Control area extension (Windsor Locks, Conn.)*, is amended as follows:

Delete the text in its entirety and substitute the following: "That airspace bounded on the north by a line extending from a point at latitude 42°08'50", longitude 72°28'00" to a point at latitude 42°04'30", longitude 72°11'30", on the east by VOR Federal airway No. 3, on the south by VOR Federal airway No. 58, and on the west by VOR Federal airway No. 123.

These amendments shall become effective 0001 e.s.t. October 22, 1959.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on August 27, 1959.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 59-7328; Filed, Sept. 2, 1959; 8:46 a.m.]

[Airspace Docket No. 59-NY-31]

[Amdt. 25]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 26]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Revocation of Segment of Federal Airway, Associated Control Areas, and Redesignation of Reporting Points

On June 18, 1959, a notice of proposed rule-making was published in the FEDERAL REGISTER (24 F.R. 4968) stating that the Federal Aviation Agency was considering an amendment to Parts 600 and 601 of the regulations of the Administrator which would revoke the segment of Blue Federal airway No. 45, and its associated control areas, from Greenfield, Mass., to Keene, N.H.

Blue Federal airway No. 45, presently extends from Greenfield, Mass., to Newport, Vt. An IFR Airway Traffic Peak-Day Survey for each half of the calendar year 1958 showed zero aircraft movements on the segment of Blue Federal airway No. 45 between Greenfield, Mass., and Keene, N.H. On the basis of this survey, it appeared that retention of this airway segment, and its associated control areas, was unjustified as an assignment of airspace and that revocation thereof would be in the public interest. Such revocation would result in Blue Federal airway No. 45, and its associated control areas, extending from Keene, N.H., to Lebanon, N.H., and Montpelier, Vt., to Newport, Vt. Although not mentioned in the Notice, revocation of this segment of the airway would involve the redesignation of § 601.4645 of the regulations of the Administrator which relates to the designated reporting points for the airway.

Written comment concerning the proposed amendments was generally favorable, except for one, which objected in principle to the revocation of only a segment of an airway. The Federal Aviation Agency agrees that it would be preferable to revoke an entire airway in one action, but only when it is justified because of the lack of sufficient air traffic or other considerations. However, as a general matter, the Agency feels that the public interest will best be served by releasing controlled airspace whenever the facts warrant.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.645 (14 CFR 1958 Supp., § 600.645) and §§ 601.645, 601.4645 (14 CFR 1958 Supp., §§ 601.645, 601.4645) are amended as follows:

§ 600.645 [Amendment]

1. Section 600.645 *Blue Federal airway No. 45 (Greenfield, Mass., to Newport, Vt.)*, is amended as follows:

(a) In the caption delete "*(Greenfield, Mass., to Newport, Vt.)*" and substitute therefor "*(Keene, N.H., to Lebanon, N.H., and Montpelier, Vt., to Newport, Vt.)*"

(b) In the text delete "intersection of the north course of the Westfield, Mass., radio range and the southwest course of the Concord, N.H., radio range via the".

§ 601.645 [Amendment]

2. Section 601.645 *Blue Federal airway No. 45 control areas (Greenfield, Mass., to Newport, Vt.)*, is amended as follows:

In the caption delete "*(Greenfield, Mass., to Newport, Vt.)*" and substitute therefor "*(Keene, N.H., to Lebanon, N.H., and Montpelier, Vt., to Newport, Vt.)*," is amended as follows:

§ 601.4645 [Amendment]

3. Section 601.4645 *Blue Federal airway No. 45 (Greenfield, Mass., to Newport, Vt.)*, is amended as follows:

In the caption delete "*(Greenfield, Mass., to Newport, Vt.)*" and substitute therefor "*(Keene, N.H., to Lebanon, N.H., and Montpelier, Vt., to Newport, Vt.)*."

These amendments shall become effective 0001 e.s.t., October 22, 1959.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on August 27, 1959.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 59-7329; Filed, Sept. 2, 1959; 8:46 a.m.]

[Airspace Docket No. 59-NY-3]

[Amdt. 26]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 27]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Revocation of Segment of Federal Airway, Associated Control Areas, and Redesignation of Reporting Points

On June 18, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 4969) stating that the Federal Aviation Agency was considering an amendment to Parts 600 and 601 of the regulations of the Administrator which would revoke the segment of Green Federal airway No. 6, and its associated control areas, from Richmond, Va., to Norfolk, Va.

Green Federal airway No. 6 presently extends from Alice, Tex., to Mobile, Ala., and Greensboro, N.C., to Norfolk, Va. An IFR Airway Traffic Peak-Day Survey for each half of the calendar year 1958 showed less than ten aircraft movements for the airway segment under consideration. On the basis of this survey, it appeared that retention of this airway segment, and its associated control areas, was unjustified as an assignment of airspace and that revocation thereof would be in the public interest. Such revocation would result in Green Federal airway No. 6, and its associated control areas, extending from Alice, Tex., to Mobile, Ala., and Greensboro, N.C., to Richmond, Va. Although not mentioned in the Notice, the revocation of the airway segment from Richmond, Va., to Norfolk, Va., would also involve the redesignation of §§ 601.4016, and 601.4109 of the regulations of the Administrator, which relates to the designation of reporting points. Norfolk, Va., would be redesignated from Green Federal airway No. 6 to Amber Federal airway No. 9.

Written comment concerning the proposed amendments was generally favorable. One objected in principle to the revocation of only a segment of an airway. The Federal Aviation Agency agrees that it would be preferable to revoke an entire airway in one action, but only when it is justified because of the lack of sufficient air traffic or other considerations. However, as a general matter, the Agency feels that the public interest will best be served by releasing controlled airspace whenever the facts warrant. Another objection was that Green 6 had originally been established as an inbound airway to the Norfolk terminal area from the northwest. However, Norfolk ARTC center's northwest bound preferential route from Norfolk terminal area is via Red 33 which precludes the use of Green 6 as an inbound route because of insufficient lateral separation between Red 33 and Green 6. Norfolk ARTC center's preferential inbound route to Norfolk terminal area from the northwest is via the Hopewell, Va., VOR direct to the Eclipse low frequency homing beacon, which is south and parallel to Green 6.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.16 (14 CFR 1958 Supp., § 600.16, 24 F.R. 3226), §§ 601.16, 601.4016 and 601.4109 (14 CFR 1958 Supp., §§ 601.16, 601.4016, 24 F.R. 3228, 24 F.R. 3873, § 601.4109, 24 F.R. 3873) are amended as follows:

§ 600.16 [Amendment]

1. Section 600.16 *Green Federal airway No. 6 (Alice, Tex., to Norfolk, Va.)*, is amended as follows:

(a) In the caption delete "*(Alice, Tex., to Norfolk, Va.)*" and substitute therefor "*(Alice, Tex., to Mobile, Ala., and Greensboro, N.C., to Richmond, Va.)*."

(b) In the text delete "Richmond, Va., RR; Norfolk, Va., RR to the Norfolk Municipal Airport, Norfolk, Va." and substitute therefor "to the Richmond, Va., RR".

§ 601.16 [Amendment]

2. Section 601.16 *Green Federal airway No. 6 control areas (Alice, Tex., to Norfolk, Va.)*, is amended as follows:

In the caption delete "*(Alice, Tex., to Norfolk, Va.)*" and substitute therefor "*(Alice, Tex., to Mobile, Ala., and Greensboro, N.C., to Richmond, Va.)*."

§ 601.4016 [Amendment]

3 Section 601.4016 *Green Federal airway No. 6 (Alice, Tex., to Norfolk, Va.)*, is amended as follows:

(a) In the caption delete "*(Alice, Tex., to Norfolk, Va.)*" and substitute therefor "*(Alice, Tex., to Mobile, Ala., and Greensboro, N.C. to Richmond, Va.)*."

(b) In the text delete "Norfolk, Va., radio range station."

§ 601.4109 [Amendment]

4. Section 601.4109 *Amber Federal airway No. 9 (Charleston, S.C., to Norfolk, Va.)*, is amended as follows:

In the text add: "Norfolk, Va., RR.".

These amendments shall become effective 0001 e.s.t. October 22, 1959.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on August 27, 1959.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 59-7330; Filed, Sept. 2, 1959; 8:47 a.m.]

[Airspace Docket No. 59-NY-3k]

[Amdt. 27]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

[Amdt. 28]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS

Revocation of Segment of Federal Airway, Associated Control Areas, and Designated Reporting Points

On June 18, 1959, a notice of proposed rule-making was published in the FEDERAL REGISTER (24 F.R. 4969) stating that the Federal Aviation Agency was considering an amendment to Parts 600 and 601 of the regulations of the Administrator that would revoke the segments of Red Federal airway No. 34, and their associated control areas, from Pulaski, Va., to Greensboro, N.C., and from Reid, N.C., to Raleigh, N.C.

Red Federal airway No. 34 presently extends from Pulaski, Va., to Greensboro, N.C., from Reid, N.C., to Raleigh, N.C., and from Harrellsville, N.C., to Weeksville, N.C. An IFR Airway Traffic Peak-Day Survey for each half of the calendar year 1958 showed less than ten aircraft movements for the segments

under consideration. On the basis of this survey, it appeared that the retention of these airway segments, and their associated control areas, was unjustified as an assignment of airspace and that revocation thereof would be in the public interest. Although not mentioned in the Notice, the revocation of these segments of Red Federal airway No. 34 would also involve a change in § 601.4234 of the regulations of the Administrator, which relates to the designated reporting points for this airway.

It should also be noted that the action proposed in the notice incorrectly described Red 34 as extending from New Bern, N.C., to Weeksville, N.C. As now described Red 34 will only extend from Harrellsville, N.C., to Weeksville, N.C.

Written comment concerning the proposed amendments was generally favorable, except for one, which objected in principle to the revocation of only a segment of an airway. The Federal Aviation Agency agrees that it would be preferable to revoke an entire airway in one action, but only when it is justified because of the lack of sufficient air traffic or other considerations. However, as a general matter, the Agency feels that the public interest will best be served by releasing controlled airspace whenever the facts warrant.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) § 600.234 (14 CFR 1958 Supp., § 600.234, 24 F.R. 3870), §§ 601.234 and 601.4234 (14 CFR 1958 Supp., §§ 601.234, 601.4234, 24 F.R. 3873) are amended as follows:

§ 600.234 [Amendment]

1. Section 600.234 *Red Federal airway No. 34 (Pulaski, Va., to Weeksville, N.C.)*, is amended as follows:

(a) In the caption delete "*(Pulaski, Va., to Weeksville, N.C.)*" and substitute therefor "*(Harrellsville, N.C., to Weeksville, N.C.)*".

(b) In the text delete "From the Pulaski, Va., RR to the Greensboro, N.C., RR. From the intersection of the northeast course of the Greensboro, N.C., radio range and the northwest course of the Raleigh, N.C., radio range to the Raleigh, N.C., radio range station."

§ 601.234 [Amendment]

2. Section 601.234 *Red Federal airway No. 34 control areas (Pulaski, Va., to Weeksville, N.C.)*, is amended as follows:

In the caption delete "*(Pulaski, Va., to Weeksville, N.C.)*" and substitute therefor "*(Harrellsville, N.C., to Weeksville, N.C.)*".

§ 601.4234 [Amendment]

3. Section 601.4234 *Red Federal airway No. 34 (Pulaski, Va., to Weeksville, N.C.)*, is amended as follows:

(a) In the caption delete "*(Pulaski, Va., to Weeksville, N.C.)*" and substitute therefor "*(Harrellsville, N.C., to Weeksville, N.C.)*".

(b) In the text delete "Pulaski, Va., RR;".

These amendments shall become effective 0001 e.s.t. October 22, 1959.

(Secs. 307(a), 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on August 27, 1959.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 59-7331; Filed, Sept. 2, 1959; 8:47 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6843]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Health Guild et al.

Subpart—*Advertising falsely or misleadingly:* § 13.170 *Qualities or properties of product or service.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Symon Gould et al. dba. The Health Guild, New York, N.Y., Docket 6843, August 4, 1959]

In the Matter of Symon Gould and Raphael Gould, Individually and as copartners Doing Business as The Health Guild

This case was heard by a hearing examiner on the complaint of the Commission charging a New York City seller of diet and health books and pamphlets with advertising falsely that the regimen set out in certain books he sold would effectively treat, arrest, and cure cancer, heart disease, and arthritis.

Based on the record of the proceedings, the hearing examiner made his initial decision and order to cease and desist. The Commission denied respondent's appeal therefrom, modified the preamble of the order to cease and desist, and on August 4 adopted the initial decision as so modified as the decision of the Commission.

The order to cease and desist, as thus modified, is as follows:

It is ordered, That respondent Symon Gould, individually and trading as The Health Guild, or trading under any other name, and his representatives, agents, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of the books "The Heart: Prevention and Cure of Cardiac Conditions", "Cancer: Its Cause, Prevention and Cure", "How to Avoid Cancer" and "New Hope for Arthritis Sufferers" and any other books or writings, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or indirectly, that the regimen set out in the respective books or other said books:

1. Provide an adequate, effective or reliable:

(a) Treatment for any kind of heart disease;

(b) Means of arresting the progress of, correcting the underlying causes of, or curing, any kind of heart disease;

(c) Method of preventing the contraction or development of any kind of heart disease.

2. Provides an adequate, effective or reliable:

(a) Treatment for cancer of any kind;

(b) Means of arresting the progress of, correcting the underlying causes of, or curing, cancer of any kind;

(c) Method of preventing the contraction or development of cancer of any kind.

3. Endows the reader with knowledge that will enable him to:

(a) Recognize and avoid the causes of cancer of any kind;

(b) Successfully prevent his contraction or development of cancer of any kind;

(c) Lose any existing fear of the contraction or development of cancer.

4. Provides an adequate, effective or reliable:

(a) Means of arresting the progress of, correcting the underlying causes of, or curing, any kind of arthritis, rheumatism, neuritis, lumbago, sciatica, bursitis, sacro-iliac pain;

(b) Treatment that will afford relief from the pains of, any kind of arthritis, rheumatism, neuritis, lumbago, sciatica, or bursitis.

It is further ordered, That this proceeding be and the same hereby is dismissed as to respondent Raphael Gould.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That the respondent Symon Gould shall, within sixty (60) days after service upon him of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which he has complied with the order contained in said initial decision.

Issued: August 4, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 59-7345; Filed, Sept. 2, 1959; 8:49 a.m.]

[Docket 7459 c.o.]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Russ Togs, Inc., et al.

Subpart—*Misbranding or mislabeling:* § 13.1190 *Composition:* Wool Products Labeling Act. Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1845 *Composition:* Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68-68(c)) [Cease and desist order, Russ Togs, Inc., et al., New York, N.Y., Docket 7459, August 1, 1959]

In the Matter of Russ Togs, Inc., a Corporation, and Louis Rousso, Eli Rousso and Irving L. Rousso (Erroneously Referred to in the Complaint as Louis Russo, Eli Russo and Irving Russo), Individually and as Officers of Said Corporation, and Herman Saporta, Individually and as Manager of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging New York City manufacturers with violating the Wool Products Labeling Act by tagging as 100% wool, ladies' skirts which contained a substantial quantity of fibers other than wool, and by failing to label other wool products as required.

Based on an agreement containing a consent order, the hearing examiner made his initial decision and order to cease and desist which became on August 1 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents, Russ Togs, Inc., a corporation, and its officers, and Louis Rousso, Eli Rousso and Irving L. Rousso (erroneously referred to in the complaint as Louis Russo, Eli Russo and Irving Russo), individually and as officers of said corporation, and Herman Saporta, individually and as manager of said corporation, and respondents' representatives, agents or employees, directly or through any corporate or other device, in connection with the introduction, or manufacture for introduction, into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of ladies' skirts, or other wool products, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling or otherwise identifying such products as to the character or amount of the constituent fibers included therein.

2. Failing to securely affix to or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool product, exclusive of ornamentation not exceeding five percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentages by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentages of the total weight of such wool product of any non-fibrous loading, filling, or adulterating matter;

(c) The name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein 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.

Issued: August 3, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-7346; Filed, Sept. 2, 1959; 8:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER C—MILITARY PERSONNEL

PART 45—PARTICIPATION IN RESERVE TRAINING PROGRAMS

Reserve Participation

The following change in Part 45 has been authorized:

Section 45.3(b)(1) has been amended by deleting the words "not less than two years of" in the first sentence. Section 45.3(b)(1), as revised, now reads as follows:

§ 45.3 Reserve participation.

* * * * *

(b) * * *

(1) An individual who has performed active training and service may be placed in Training Category G (no training), as defined in DoD Directive 1215.6, subject: Uniform Training Categories and Pay Groups Within the Reserve Forces, dated 5 March 1956, when the Secretary of the military department concerned determines that, because of the mobilization requirements of the service concerned, the degree of skill acquired by the individual, or the civilian occupation of the individual, no training requirement exists.

(R.S. 161; 5 U.S.C. 22)

MAURICE W. ROCHE, *Administrative Secretary.*

AUGUST 28, 1959.

[F.R. Doc. 59-7319; Filed, Sept. 2, 1959; 8:45 a.m.]

SUBCHAPTER G—CONTRACT FINANCING

PART 83—STANDARDS GOVERNING AMENDMENTS, CORRECTIONS, AND FORMALIZATION OF INFORMAL COMMITMENTS

Revocation

Part 83 is hereby revoked. The provisions of this part are now covered by Part 17, Subchapter A of this chapter.

MAURICE W. ROCHE, *Administrative Secretary.*

AUGUST 28, 1959.

[F.R. Doc. 59-7320; Filed, Sept. 2, 1959; 8:45 a.m.]

SUBCHAPTER M—MISCELLANEOUS

PART 146—PROCUREMENT INSPECTION STAMPING

Miscellaneous Amendments

§ 146.1 [Amendment]

Section 146.1 (d) and (e)(2) are revised as follows:

1. In the footnote "1", referred to in § 146.1(d), the DD form numbers 250-4 and 738 should be deleted and "DD Form 1155" inserted in lieu thereof.

2. In § 146.1(e)(2), the reference to DD Form 250-3 in the last sentence is changed to read "DD Form 250 series".

(Sec. 202, 61 Stat. 500, as amended; 5 U.S.C. 171a)

MAURICE W. ROCHE, *Administrative Secretary.*

AUGUST 28, 1959.

[F.R. Doc. 59-7321; Filed, Sept. 2, 1959; 8:45 a.m.]

PART 148—USE OF THE MILITARY POSTAL SERVICE

Policy and Implementation

The following miscellaneous changes to Part 148 have been authorized:

1. A new subparagraph (3) has been added to § 148.4(b), as follows:

§ 148.4 Policy.

* * * * *

(b) * * *

(3) Retired personnel of the Armed Forces of the United States who are U.S. citizens, and their dependents, when accompanying the principal.

2. Section 148.5(e) has been revised and § 148.5(h) has been added as follows:

§ 148.5 Implementation.

* * * * *

(e) That postal privileges are withdrawn from retired military personnel and civilians when there is evidence of abuse of the privilege.

* * * * *

(h) That the Military Postal Service is not used by individuals or agencies for commercial or business purposes or to transmit items intended for resale.

(Sec. 201, 61 Stat. 499, as amended; 5 U.S.C. 171 note)

MAURICE W. ROCHE, *Administrative Secretary.*

[F.R. Doc. 59-7324; Filed, Sept. 2, 1959; 8:46 a.m.]

SUBCHAPTER N—TRANSPORTATION

PART 211—POLICY GOVERNING TRANSPORTATION AND ACCOMMODATIONS OF MILITARY PERSONNEL AND THEIR DEPENDENTS, CIVILIAN EMPLOYEES AND THEIR DEPENDENTS WHEN TRAVELING VIA COMMERCIAL, GOVERNMENT OR PRIVATE TRANSPORTATION

Use of Supplemental Air Carriers

Section 211.3(a)(4)(i) (*a*) and (*c*) have been amended to read as follows:

§ 211.3 Air Transportation.

(a) *Commercial air transportation.*
* * *

(4) *Use of supplemental air carriers.*
(i) * * *

(*a*) The schedule of the proposed flight is satisfactory and will assure arrival to meet requirements of the travel orders.

* * * * *

(*c*) Use of such supplemental air carriers otherwise meets military requirements and is acceptable to personnel in an individual travel status.

(Sec. 202, 61 Stat. 500, as amended; 5 U.S.C. 171a)

MAURICE W. ROCHE,
Administrative Secretary.

[F.R. Doc. 59-7323; Filed, Sept. 2, 1959; 8:46 a.m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Mines

[30 CFR Part 33]

[Bureau of Mines Schedule 25B]

DUST COLLECTORS FOR USE IN CONNECTION WITH ROCK DRILLING IN COAL MINES

Proposed Revision of Procedures for Testing for Permissibility

Pursuant to section 4(a) of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003(a)), notice is hereby given that under authority contained in sec. 5, 36 Stat. 370, as amended, 30 U.S.C. 7; and sec. 1, 66 Stat. 709, 30 U.S.C. 482(a); it is proposed to revise the regulations in Part 33, Title 30 Code of Federal Regulations, as set forth below.

The principal revisions are: Format changed, a single certificate of approval covers a dust collector with electrical components, testing procedure modified to eliminate conformance with requirements of electrical parts operated outby last open crosscuts, and definitions are extended to include the foregoing changes.

Interested persons may submit, in triplicate, written comments, suggestions, or objections with respect to the proposed revision to the Director, Bureau of Mines, Washington 25, D.C., within 30 days after the date of publication of this notice in the FEDERAL REGISTER.

MARLING J. ANKENY,
Director.

Approved: August 28, 1959.

FRED A. SEATON,
Secretary of the Interior.

Part 33 of Title 30 would read as follows:

Subpart A—General Provisions

Subpart B—Dust Collector Requirements

Subpart C—Test Requirements

AUTHORITY: §§ 33.1 to 33.38 issued under sec. 5, 36 Stat. 370, as amended; 30 U.S.C. 7, 482(a). Interpret or apply secs. 2, 3, 36 Stat. 370, as amended, secs. 201, 209, 66 Stat. 692, 703; 30 U.S.C. 3, 5, 471; 479.

Subpart A—General Provisions

§ 33.1 Purpose.

The regulations in this part set forth the requirements for dust collectors used in connection with rock drilling in coal mines to procure their certification as permissible for use in coal mines; procedures for applying for such certification; and fees.

§ 33.2 Definitions.

As used in this part:

(a) "Permissible," as applied to a dust collector, means that it conforms to the requirements of this part, and that a certificate of approval to that effect has been issued.

(b) "Bureau" means the United States Bureau of Mines.

(c) "Certificate of approval" means a formal document issued by the Bureau stating that the dust collector unit or combination unit has met the requirements of this part and authorizing the use and attachment of an official approval plate or a marking so indicating.

(d) "Dust collector unit" means a complete assembly of parts comprising apparatus for collecting the dust that results from drilling in rock in coal mines.

(e) "Combination unit" means a rock-drilling device with an integral dust-collecting system, or mining equipment with an integral rock-drilling device and dust-collecting system.

(f) "Applicant" means an individual, partnership, company, corporation, association, or other organization that designs and manufactures, assembles or controls the assembly of a dust collector unit, or a combination unit, and seeks a certificate of approval thereof.

§ 33.3 Consultation.

By appointment, applicants or their representatives may visit the Bureau's Central Experiment Station, 4800 Forbes Avenue, Pittsburgh, 13, Pennsylvania, and discuss with qualified Bureau representatives proposed designs of equipment to be submitted in accordance with the requirements of the regulations of this part. No charge is made for such consultation and no written report thereof will be submitted to the applicant.

§ 33.4 Types of dust collectors for which certificates of approval may be granted.

(a) Certificates of approval will be granted only for completely assembled dust-collector or combination units; parts or subassemblies will not be certified.

(b) The following types of equipment may be certified: Dust-collector or combination units having components designed specifically to prevent dissemination of airborne dust generated by drilling into coal-mine rock strata in concentrations in excess of those hereinafter stated in § 33.33 as allowable, and to confine or control the collected dust in such manner that it may be removed or disposed of without dissemination into the mine atmosphere in quantities that would create unhygienic conditions.

§ 33.5 Fees for investigation.

(a) The following fees are charged for inspecting, testing, and certifying dust collectors:

(1) Preliminary review of drawings, specifications, and related data, each unit	$35
(2) Detailed inspection to determine adequacy of design and materials, each unit	50
(3) Detailed inspection to determine adequacy of design and materials relating to changes subsequent to an initial investigation, per man day or fraction thereof	[1] 30
(4) Drilling each set of 10 test holes	100
(5) Final examination and recording of drawings and specifications, and issuing certificate of approval	50
(6) Extension of certificate of approval to cover changes in design, specifications, etc	20

[1] In addition the applicant shall reimburse the Bureau for necessary travel and subsistence expenses of its representative(s) according to "Standardized Government Travel Regulations" when such Bureau representative(s) is required to be away from official headquarters.

(b) Additional fees shall be charged in accordance with the provisions of Part 18 of Subchapter D of this chapter (Bureau of Mines Schedule 2, revised, the current revision of which is Schedule 2F) for examining and testing electrical parts of dust collectors required under § 33.38.

(c) The full fee must accompany an application for certification of a unit or

for retesting a unit that has been previously tested and disapproved; but if less work is involved than for a complete investigation, the charge will be in proportion to the work done, and any surplus will be refunded to the applicant.

(d) The fee for an extension of certification to cover modifications of equipment will be determined according to the work required and the applicant will be notified accordingly. The fee must be paid in advance before the investigation will be undertaken.

(e) If the applicant is uncertain as to the amount of fee that should be sent with his application, the information will be furnished him in writing upon request addressed to the Central Experiment Station, 4800 Forbes Avenue, Pittsburgh 13, Pennsylvania, Attention: Chief, Branch of Health Research.

§ 33.6 Applications.

(a) No investigation or testing will be undertaken by the Bureau except pursuant to a written application, in duplicate (except as otherwise provided in paragraph (e) of this section), accompanied by a check, bank draft, or money order payable to the United States Bureau of Mines, to cover the fees, and all prescribed drawings, specifications, and related materials. The application and all related matters and all correspondence concerning it shall be sent to the Central Experiment Station, Bureau of Mines, 4800 Forbes Avenue, Pittsburgh 13, Pennsylvania, Attention: Chief, Branch of Health Research.

(b) The application shall specify the operating conditions (see § 33.22) for which certification of approval is requested.

(c) Shipment of the unit to be tested shall be deferred until the Bureau has notified the applicant that the application will be accepted. Shipping instructions will be issued by the Bureau and shipping charges shall be prepaid by the applicant. Upon completion of the investigation and notification thereof to the applicant by the Bureau, the applicant shall remove his equipment promptly from the test site (see § 33.30).

(d) Drawings and specifications shall be adequate in number and detail to identify fully the design of the unit and to disclose its materials and detailed dimensions of all component parts. Drawings must be numbered and dated to insure accurate identification and reference to records, and must show the latest revision. Specifications and drawings, including a complete assembly drawing with each part of the dust-collecting system identified thereon, shall include:

(1) Details of all parts of the dust-collecting system of the unit. A manufacturer who supplies the applicant with component parts or subassemblies may submit drawings and specifications of such parts or subassemblies direct to the Bureau instead of to the applicant. If the dust collector unit or the combination unit is certified, the Bureau will supply the applicant with a list, in duplicate, of drawing numbers pertaining to such parts or subassemblies for identification purposes only.

(2) Details of the electrical parts of units designed to operate as face equipment (see § 33.38) in accordance with the provisions of Part 18 of Subchapter D (Bureau of Mines Schedule 2, revised, the current revision of which is Schedule 2F).

(3) Storage capacity of the various stages of dust collection in the dust separator.

(4) Net filter area in the dust separator, and complete specifications of the filtering material.

(e) If an application is made for certification of a dust collector unit or a combination unit that includes electrical parts, and is designed to operate as electric face equipment, as defined in § 33.38, the application shall be in triplicate. One copy of the application shall be marked Attention: Chief, Branch of Electrical-Mechanical Testing.

(f) The application shall state that the unit is completely developed and of the design and materials which the applicant believes to be suitable for a finished marketable product.

(g) The applicant shall furnish a complete unit for inspection and testing. Spare parts, such as gaskets and other expendable components subject to wear in normal operation, shall be supplied by the applicant to permit continuous operation during test periods. If special tools are necessary to disassemble any part for inspection or test, the applicant shall furnish these with the equipment to be tested.

(h) Each unit shall be carefully inspected before it is shipped from the place of manufacture or assembly and the results of the inspection shall be recorded on a factory inspection form. The applicant shall furnish the Bureau with a copy of the factory inspection form with his application. The form shall direct attention to the points that must be checked to make certain that all parts of the unit are in proper condition, complete in all respects, and in agreement with the drawings and specifications filed with the Bureau.

(i) With the application the applicant shall furnish to the Bureau complete instructions for operating and servicing the unit and information as to the kind of power required to operate the unit. After the Bureau's investigation, if any revision of the instructions is required a revised copy thereof shall be submitted to the Bureau for inclusion with the drawings and specifications.

§ 33.7 Date for conducting tests.

The date of acceptance of an application will determine the order of precedence for testing when more than one application is pending, and the applicant will be notified of the date on which tests will begin. If a dust collector unit fails to meet any of the requirements, it shall lose its order of precedence. If an application is submitted to resume testing after correction of the cause of failure, it will be treated as a new application and the order of precedence for testing will be so determined.

§ 33.8 Conduct of investigations, tests, and demonstrations.

(a) Prior to the issuance of a certificate of approval, only Bureau personnel, representatives of the applicant, and such other persons as may be mutually agreed upon, may observe the investigations or tests. The Bureau shall hold as confidential and shall not disclose principles or patentable features prior to certification, nor shall it disclose any details of drawings, specifications, and related materials. After the issuance of a certificate of approval, the Bureau may conduct such public demonstrations and tests of the approved dust collector unit as it deems appropriate. The conduct of all investigations, tests, and demonstrations shall be under the sole direction and control of the Bureau, and any other persons shall be present only as observers, except as noted in paragraph (b) of this section.

(b) When requested by the Bureau, the applicant shall provide assistance in disassembling parts for inspection, preparing parts for testing, and operating combination units.

§ 33.9 Certificates of approval.

(a) Upon completion of investigation of a unit, the Bureau will issue to the applicant either a certificate of approval or a written notice of disapproval, as the case may require. No informal notification of approval will be issued. If a certificate of approval is issued, no test data or detailed results of tests will accompany it. If a notice of disapproval is issued, it will be accompanied by details of the defects, with a view to possible correction. The Bureau will not disclose, except to the applicant, any information on a unit upon which a notice of disapproval has been issued.

(b) A certificate of approval will be accompanied by a list of the drawings and specifications covering the details of design and construction of the unit, including the electrical parts, if applicable, upon which the certificate is based. Applicants shall keep exact duplicates of the drawings and specifications submitted and the list of drawing numbers referred to in subparagraph 1 of paragraph (d) of § 33.6 that relate to the unit which has received a certificate of approval, and these are to be adhered to exactly in production of the certified unit.

§ 33.10 Approval plates.

(a) A certificate of approval will be accompanied by a photograph of a design for an approval plate bearing the seal of the Bureau of Mines, the approval number or space for the approval number (or numbers if permissibility of electrical parts is involved), the type and the serial number of the unit, conditions of approval, identifying numbers of the dust-collector parts, the name of the unit, and the name of the applicant. When deemed necessary by the Bureau, an appropriate statement shall be added, giving the precautions to be observed in maintaining the unit in an approved condition.

(b) The applicant shall reproduce the design either as a separate plate or by stamping or molding it in some suitable place on each unit to which it relates. The size, type, and method of attaching and location of an approval plate are subject to the approval of the Bureau. The method of affixing the plate shall not impair the dust-collection or explosion-proof features of the unit.

(c) The approval plate identifies the unit, to which it is attached, as permissible, and is the applicant's guarantee that the unit complies with the requirements of this part. Without an approval plate, no unit has the status of "permissible" under the provisions of this part.

(d) Use of the approval plate obligates the applicant to whom the certificate of approval was granted to maintain the quality of each unit bearing it and guarantees that it is manufactured and assembled according to the drawings and specifications upon which a certificate of approval was based. Use of the approval plate is not authorized except on units that conform strictly with the drawings and specifications upon which the certificate of approval was based.

§ 33.11 Changes after certification.

If an applicant desires to change any feature of a certified unit, he shall first obtain the Bureau's approval of the change, pursuant to the following procedure:

(a) Application shall be made as for an original certificate of approval, requesting that the existing certification be extended to cover the proposed changes, and shall be accompanied by drawings, specifications, and related data showing the changes in detail.

(b) The application will be examined by the Bureau to determine whether inspection and testing of the modified unit or component will be required. Testing will be necessary if there is a possibility that the modification may affect adversely the performance of the unit. The Bureau will inform the applicant whether such testing is required, the components or materials to be submitted for that purpose, and the fee.

(c) If the proposed modification meets the requirements of this part and Part 18 of Subchapter D of this chapter (Bureau of Mines Schedule 2, revised, the current revision of which is Schedule 2F) if applicable, a formal extension of certification will be issued, accompanied by a list of new and corrected drawings and specifications to be added to those already on file as the basis for the extension of certification.

§ 33.12 Withdrawal of certification.

The Bureau reserves the right to rescind for cause, at any time, any certificate of approval granted under this part.

Subpart B—Dust Collector Requirements

§ 33.20 Design and construction.

(a) The Bureau will not test or investigate any dust collector that in its opinion is not constructed of suitable materials, that evidences faulty workmanship, or that is not designed upon sound engineering principles. Since all possible designs, arrangements, or combinations of components and materials cannot be foreseen, the Bureau reserves the right to modify the tests specified in this part in such manner to obtain substantially the same information and degree of protection as provided by the tests described in Subpart C of this part.

(b) Adequacy of design and construction of a unit will be determined in accordance with its ability (1) to prevent the dissemination of objectionable or harmful concentrations of dust into a mine atmosphere, and (2) to protect against explosion and/or fire hazards of electrical equipment.

§ 33.21 Modification of test unit.

For test purposes the unit may be modified, such as by attaching instruments or measuring devices, at the Bureau's discretion; but such modification shall not alter the performance of the unit.

§ 33.22 Mode of use.

Dust collector or combination units may be designed for use in connection with percussion and/or rotary drilling in any combination of the following drilling positions: (a) Vertically upward, (b) upward at angles to the vertical, (c) horizontally, and (d) downward. Dust collector units may be designed for use with specific drilling equipment and at rated drilling speeds.

§ 33.23 Mechanical positioning of parts.

All parts of a unit that are essential to the dust-collection feature shall be provided with suitable mechanical means for positioning and maintaining such parts properly in relation to the stratum being drilled.

Subpart C—Test Requirements

§ 33.30 Test site.

Tests shall be conducted at the Bureau's Experimental Mine, Bruceton, Pennsylvania, or other appropriate place(s) determined by the Bureau.

§ 33.31 Test space.

(a) Drilling tests shall be conducted in a test space formed by two curtains suspended across a mine opening in such a manner that the volume of the test space shall be approximately 2,000 cubic feet.

(b) No mechanical ventilation shall be provided in the test space during a drilling test, except such air movement as may be induced by operation of drilling- or dust-collecting equipment.

(c) All parts of a unit shall be within the test space during a drilling test.

§ 33.32 Determination of dust concentration.

(a) Concentrations of airborne dust in the test space shall be determined by sampling with a midget impinger apparatus, and a light-field microscopic technique shall be employed in determining concentrations of dust in terms of millions of particles (5 microns or less) per cubic foot of air sampled.

(b) Before a drilling test is started the surfaces of the test space shall be wetted; the test space shall be cleared of airborne dust insofar as practicable by mechanical ventilation or other means; and an atmospheric sample, designated as a control sample, shall be collected during a 5-minute period to determine residual airborne dust in the test space.

(c) A sample of airborne dust, designated as a test sample, shall be collected in the breathing zone of each drill operator while drilling is in progress.

§ 33.33 Allowable limits of dust concentration.

(a) The concentration of dust determined by the control sample shall be subtracted from the average concentration of dust determined by the test samples, and the difference shall be designated as the net concentration of airborne dust resulting from the escape of dust from the dust-collecting system. Calculations of the average concentration of dust determined from the test samples shall be based upon the results of not less than 80 percent of each set of 10 test samples.

(b) Under each prescribed test condition, the net concentration of airborne dust at each drill operator's position shall not exceed 10 million particles (5 microns or less) per cubic foot of air when determined in accordance with the method given in paragraph (a) of § 33.32.

§ 33.34 Drilling test.

(a) A drilling test shall consist of drilling a set of 10 holes with each drill involved under the specified operating conditions. The drilling of all sets of holes shall begin simultaneously and drilling shall continue until all holes are drilled.

(b) Holes shall be drilled to a depth of 4 feet plus or minus 2 inches and shall be spaced so as not to interfere with adjacent holes. Each hole may be plugged after completion.

(c) Receptacles and filters for collecting drill cuttings shall be emptied and cleaned before each drilling test is started.

(d) Holes designated as "vertical" shall be drilled to incline not more than 10 degrees to the vertical. Holes designated as "angle" shall be drilled to incline not less than 30 and not more than 45 degrees to the vertical. Holes designated as "horizontal" shall be drilled to incline not more than 15 degrees to the horizontal.

§ 33.35 Methods of drilling—dust collector unit.

(a) *General.* All drilling shall be done with conventional, commercial drilling equipment—pneumatic-percussion, hydraulic-rotary, and/or electric-rotary types.

(b) *Pneumatic-percussion drilling.* A stoper-type drill with a piston diameter of 2½ to 3 inches shall be used for roof drilling. A hand-held, sinker-type drill with a piston diameter of 2½ to 3 inches shall be used for down drilling and also for horizontal drilling, except that the drill shall be supported mechanically. Compressed air for operating the drill shall be supplied at a gage pressure of 85–95 pounds per square inch. Drill bits shall be detachable, cross type with hard inserts, and shall be sharp when starting

to drill each set of 10 holes. In roof drilling, 1¼- and 1½-inch diameter drill bits shall be used; in horizontal and down drilling, 1¾-inch diameter bits shall be used. The drill steel shall be ⅞-inch hexagonal and of hollow type to permit the introduction of compressed air through the drill steel when necessary to clean a hole during drilling.

(c) *Rotary drilling.* A hydraulic-rotary drill with a rated drilling speed of 18 feet per minute free lift, capable of rotating drill steel at 900 revolutions per minute with 100 foot-pounds torque, and having a feed force of 7,000 pounds, shall be used for roof drilling. An electric-rotary drill, supported by a post mounting, with a rated drilling speed of 30 inches per minute and powered by a 2.25 horsepower motor shall be used for horizontal drilling. For roof drilling, the bits shall be hard-tipped, 1⅜ and 1½ inches outside diameter, and 1¼-inch auger-type drill steel shall be used. For horizontal drilling, the bits shall be hard-tipped, 2 inches outside diameter, and 1¾-inch auger-type drill steel shall be used. Drill bits shall be sharp when starting to drill each set of 10 holes.

§ 33.36 Method of drilling—combination unit.

Drilling with a combination unit shall be conducted in accordance with the applicant's specifications and operating instructions. If special drill bits or drill steel are required, they shall be furnished to the Bureau by the applicant. Otherwise the drill bit and drill steel requirements stated in paragraphs (b) and (c) of § 33.35 shall be complied with for all types of combination units.

§ 33.37 Test procedure.

(a) *Roof drilling.* Units specified for use with both percussion and rotary drills shall be tested with both types; otherwise tests shall be confined to the type of drill for which the unit is specified. Drilling shall be done in friable strata, similar to the roof in the Bureau's Experimental Mine, which tends to produce large scale-like cuttings.

(b) *Horizontal drilling.* Units specified for use with both percussion or rotary drills shall be tested with both types; otherwise tests shall be confined to the type of drill for which the unit is specified. Holes shall be drilled in strata comparable in hardness to that of coal-mine draw slate. Holes shall be started near the roof of the test space under conditions simulating the drilling of draw slate in coal mining.

(c) *Down drilling.* Holes shall be drilled in typical mine floor strata with a pneumatic percussion-type drill. Five holes shall be drilled vertically and five holes shall be drilled at an angle.

§ 33.38 Electrical parts.

(a) Units with electrical parts and designed to operate as electric face equipment[2] shall meet the requirements of Part 18 of Subchapter D (Bureau of Mines Schedule 2, revised, the current revision of which is Schedule 2F), and the examination and testing of the electrical parts shall be entirely separate from the examination and testing of dust-collecting equipment as such.

(b) Units with electrical parts designed to operate only outby the last open crosscut in a coal-mine entry, room, or other opening (including electric-drive units with their controls and push buttons) are not required to comply with the provisions of Part 18 of Subchapter D (Bureau of Mines Schedule 2, revised, the current revision of which is Schedule 2F).

[2] See definition of electric face equipment, § 45.44-1 of this chapter.

[F.R. Doc. 59-7351; Filed, Sept. 2, 1959; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 1024]

[Docket No. AO-308]

MILK IN OHIO VALLEY MARKETING AREA

Extension of Time for Filing Exceptions to the Recommended Decision to Proposed Marketing Agreement and Order

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), notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed marketing agreement and order regulating the handling of milk in the Ohio Valley marketing area, which was issued August 7, 1959, (24 F.R. 6504), is hereby extended to September 15, 1959.

Dated: August 28, 1959.

ORIS V. WELLS,
Administrator.

[F.R. Doc. 59-7316; Filed, Sept. 2, 1959; 8:45 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[46 CFR Ch. II]

[Docket No. 856]

CONSULAR FEE DISCRIMINATION BY REPUBLIC OF ECUADOR; EQUALIZATION FEE

Notice of Proposed Rule Making

Whereas, notice of proposed rule making under the above-cited docket appeared in the FEDERAL REGISTER issue of July 3, 1959 (24 F.R. 5422) wherein all interested persons were invited to file written comments; and

Whereas, Flota Mercante Grancolombiana, S.A. has filed with the Federal Maritime Board a Motion to Dismiss this proceeding alleging as grounds therefore that (1) the Board has no authority to impose taxes or duties on exports, (2) the tax or duty proposed is unconstitutional, (3) Section 19, Merchant Marine Act, 1920, insofar as it may be thought to imply power in the Board to impose the tax or duty proposed, is invalid, and (4) section 19 was not intended by Congress to confer power to tax exports; which Motion may be inspected at the Office of the Secretary, Federal Maritime Board, Washington, D.C.;

Now therefore, it is ordered that all persons interested in the proposed regulations which are the subject of this proceeding may file with the Secretary, Federal Maritime Board, Washington 25, D.C., U.S.A., briefs upon the issues raised by the aforesaid Motion to Dismiss not later than the close of business on September 21, 1959.

Dated: September 1, 1959.

By order of the Federal Maritime Board.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-7386; Filed, Sept. 2, 1959; 8:52 a.m.]

FEDERAL AVIATION AGENCY

Bureau of Air Traffic Management

[14 CFR Part 600]

[Airspace Docket No. 59-WA-43]

FEDERAL AIRWAYS

Modification of Federal Airway

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6047 of the regulations of the Administrator, as hereinafter set forth.

VOR Federal airway No. 47 presently extends from Bowling Green, Ky., to Detroit, Mich. The distance between the Bowling Green, Ky., VOR and the Nabb, Ind., VOR is approximately 110 miles, which is in excess of the desired 90 mile normal maximum spacing between VOR's. The Federal Aviation Agency is considering the realignment of this airway via a VOR proposed to be installed approximately November 1, 1959 in the vicinity of Mystic, Ky., at latitude 37°53'39", longitude 86°14'42", which would provide more precise navigational guidance. If this action is taken, Victor 47 would be designated from Bowling Green, Ky., VOR via the Mystic, Ky., VOR; to the Nabb, Ind., VOR. The control areas associated with Victor 47 are so designated that they will automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, New York International Airport, Jamaica, Long Island, New York. All communications received within thirty days after publication of this notice in the FEDERAL REGISTER will be considered be-

fore action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

In consideration of the foregoing, it is proposed to amend § 600.6047 *VOR Federal airway No. 47 (Bowling Green, Ky., to Detroit, Mich.)*, (14 CFR, 1958 Supp., 600.6047) as follows:

In the text, delete "via the point of INT of the Bowling Green VOR 008° and the Louisville, Ky., VOR 245° radials;" and substitute therefor "via the Mystic, Ky., VOR;".

Issued in Washington, D.C., on August 21, 1959.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 59-7325; Filed, Sept. 2, 1959; 8:46 a.m.]

NOTICES

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 59-34]

EQUIPMENT, INSTALLATIONS, OR MATERIALS, AND CHANGE IN ADDRESS OF MANUFACTURER

Approval and Amendments of Prior Document

1. Various items of lifesaving, firefighting, and miscellaneous equipment, installations, and materials used on merchant vessels subject to Coast Guard inspection or on certain motorboats and other pleasure craft are required by law and various regulations in 46 CFR Chapter I to be of types approved by the Commandant, United States Coast Guard. The procedures governing the granting of approvals set forth in 46 CFR 2.75-1 to 2.75-50, inclusive. For certain types of equipment, installations, and materials specifications have been also prescribed by the Commandant and are published in 46 CFR Parts 160 to 164, inclusive (Subchapter Q—Specifications).

2. By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order Nos. 120, dated July 31, 1950 (15 F.R. 6521), 167-14, dated November 26, 1954 (19 F.R. 8026), 167-20, dated June 18, 1956 (21 F.R. 4894), and CGFR 56-28 dated July 24, 1956 (21 F.R. 5659), and R.S. 4405, as amended, 4462, as amended, 4491, as amended, sections 1, 2, 49 Stat. 1544, as amended, section 17, 54 Stat. 166, as amended, and section 3, 54 Stat. 346, as amended, section 3, 70 Stat. 152 (46 U.S.C. 405, 416, 489, 367, 526p, 1333, 390b), and section 3(c) of the Act of August 9, 1954 (50 U.S.C. 198), and implementing regulations in 46 CFR Chapter I:

It is ordered, That:

a. All the approvals listed in Part I of this document which extend approvals previously published in the FEDERAL REGISTER are prescribed and shall be in effect for a period of 5 years from their respective dates as indicated at the end of each approval, unless sooner canceled or suspended by proper authority; and

b. All the other approvals listed in Part I of this document (which are not covered by paragraph a above) are prescribed and shall be in effect for a period of 5 years from the date of publication of this document in the FEDERAL REGISTER, unless sooner canceled or suspended by proper authority; and

c. The change in name and address of manufacturers shall be made as indicated in Part II of this document.

d. The corrections to the Coast Guard document CGFR 59-30 regarding approval and termination of approval of equipment, installations, or materials and change in name of manufacturer approved July 21, 1959 and published in the FEDERAL REGISTER of July 28, 1959 (24 F.R. 6009-6015) shall be made as indicated in Part III of this document.

PART I—APPROVALS OF EQUIPMENT, INSTALLATIONS OR MATERIALS

LIFE PRESERVERS, KAPOK, ADULT AND CHILD (JACKET TYPE) MODELS 3 AND 5

Approval No. 160.002/86/0, Model 3, adult kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by New York Rubber Corporation, Swainsboro, Ga.

Approval No. 160.002/87/0, Model 5, child kapok life preserver, U.S.C.G. Specification Subpart 160.002, manufactured by New York Rubber Corporation, Swainsboro, Ga.

LIFE PRESERVERS, CORK, ADULT AND CHILD (JACKET TYPE) MODELS 32 AND 36

Approval No. 160.003/25/0, Model 32, adult cork life preserver, U.S.C.G. Specification Subpart 160.003, manufactured by New York Rubber Corporation, Swainsboro, Ga.

Approval No. 160.003/26/0, Model 36, child cork life preserver, U.S.C.G. Specification Subpart 160.003, manufactured by New York Rubber Corporation, Swainsboro, Ga.

LIFE PRESERVERS, BALSA WOOD, ADULT AND CHILD (JACKET TYPE) MODELS 42 AND 46

Approval No. 160.004/21/0, Model 42, adult balsa wood life preserver, U.S.C.G. Specification Subpart 160.004, manufactured by New York Rubber Corporation, Swainsboro, Ga.

Approval No. 160.004/22/0, Model 46, child balsa wood life preserver, U.S.C.G. Specification Subpart 160.004, manufactured by New York Rubber Corporation, Swainsboro, Ga.

CLEANING PROCESSES FOR LIFE PRESERVERS

Approval No. 160.006/1/1, No. 111 cleaning process for kapok life preservers without vinyl covered pad inserts, as outlined in description of process dated December 1, 1944, from Sinclair & Valentine Co., 611 West 129th Street, New York 27, N.Y. (Supersedes Approval No. 160.006/1/0 published in FEDERAL REGISTER October 4, 1957.)

Approval No. 160.006/2/1, Filter-VAC Cleaning Process for kapok life preservers without vinyl covered pad inserts, as outlined in letter dated January 25, 1944, from Rug Renovating Co., Inc., 1438 33d Avenue, Long Island City, N.Y. (Supersedes Approval No. 160.006/2/0 published in FEDERAL REGISTER October 4, 1957.)

Approval No. 160.006/4/1, Sullivan Cleaning Process for kapok life preservers without vinyl covered pad inserts, as outlined in letter dated June 11, 1945, from Sullivan Awning Co., 245 South Van Ness Avenue, San Francisco 3, Calif. (Supersedes Approval No. 160.006/4/0 published in FEDERAL REGISTER October 4, 1957.)

Approval No. 160.006/20/1, U.S. Cleaners and Dyers Cleaning Process for kapok life preservers without vinyl covered pad inserts, as outlined in description of process dated December 23, 1950, from U.S. Cleaners and Dyers, Inc., 716 Washington Street, Hoboken, N.J. (Supersedes Approval No. 160.006/20/0 published in FEDERAL REGISTER May 15, 1956.)

Approval No. 160.006/21/1, Overall Cleaning Process for kapok life preservers without vinyl covered pad inserts, as outlined in letter of April 1, 1952, from Overall Cleaning and Supply Co., 220 Yale Avenue, North, Seattle 9, Wash. (Supersedes Approval No. 160.006/21/0 published in FEDERAL REGISTER August 3, 1957.)

Approval No. 160.006/22/1, Northwest Cleaning Process for cork life preservers and kapok life preservers without vinyl covered pad inserts, as outlined in description of process submitted with letter of November 24, 1953, from Northwest Industrial Laundry Co., 1848 Northwest 23d Avenue, Portland 10, Oreg. (Supersedes Approval No. 160.006/22/0 published in FEDERAL REGISTER June 20, 1959.)

Approval No. 160.006/23/1, Associated Cleaning Process for kapok life preservers without vinyl covered pad inserts, as

outlined in letter dated May 18, 1954, from Associated Cleaners, Cornwall at Carolina, Bellingham, Wash. (Supersedes Approval No. 160.006/23/0 published in FEDERAL REGISTER October 6, 1954.)

BUOYANT APPARATUS

Approval No. 160.010/56/0, 9.75' x 6.25' (10½'' x 10½'' body section) rectangular aluminum buoyant apparatus with unicellular plastic foam core, 30-person capacity, dwg. No. 60093 dated May 19, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J.

LADDERS, EMBARKATION-DEBARKATION (FLEXIBLE)

Approval No. 160.017/4/4, Model 241–A, Type II, embarkation-debarkation ladder, chain suspension, steel ears, dwg. No. 241–A dated February 21, 1950, revised March 18, 1959, manufactured by Great Bend Manufacturing Corp., 248 Main Street, Fort Lee, N.J. (Supersedes Approval No. 160.017/4/3 published in FEDERAL REGISTER January 30, 1957.)

LIFE FLOATS

Approval No. 160.027/39/1, 6.0' x 2.83' (8½'' x 8½'' body section) rectangular aluminum life float with unicellular plastic foam core, 7-person capacity, dwg. No. 60064, Rev. B dated June 29, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Supersedes Approval No. 160.027/39/0 published in FEDERAL REGISTER June 3, 1958.)

Approval No. 160.027/47/1, 7.5' x 4.0' (10½'' x 10½'' body section) rectangular aluminum life float with unicellular plastic foam core, 15-person capacity, dwg. No. 60068 dated January 24, 1958, revised May 22, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Supersedes Approval No. 160.027/47/0 published in FEDERAL REGISTER June 3, 1958.)

Approval No. 160.027/49/1, 9.0' x 5.0' (10½'' x 10½'' body section) rectangular aluminum life float with unicellular plastic foam core, 22-person capacity, dwg. No. 60074, Rev. B dated May 22, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J. (Supersedes Approval No. 160.027/49/0 published in FEDERAL REGISTER July 4, 1958.)

DAVITS

Approval No. 160.032/162/0, Mechanical davit, straight boom sheath screw, Type B–30, approved for a maximum working load of 6,000 pounds per set (3,000 pounds per arm), identified by arrangement dwg. No. 80245, Rev. A dated April 21, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J.

LIFEBOATS

Approval No. 160.035/311/1, 24.0' x 8.0' x 3.5' steel, motor-propelled lifeboat without radio cabin (Class B), 37-person capacity, identified by construction and arrangement dwg. No. 24–9E, Rev. C dated July 2, 1959, manufactured by Marine Safety Equipment Corp., Point Pleasant, N.J. (Reinstates and supersedes Approval No. 160.035/311/0 terminated in FEDERAL REGISTER March 14, 1959.)

Approval No. 160.035/395/0, 24.0' x 8.3' x 3.58' steel, oar-propelled lifeboat, 43-person capacity, identified by general arrangement dwg. No. G–2443 dated June 1959 and revised June 23, 1959, manufactured by C. C. Galbraith & Son, Inc., 99 Park Place, New York 7, N.Y.

Approval No. 160.035/402/0, 22.0' x 7.5' x 3.17' steel, oar-propelled lifeboat with removable interior, 31-person capacity, identified by construction and arrangement dwg. No. 80259, Rev. A dated July 10, 1959, manufactured by Welin Davit and Boat Division of Continental Copper & Steel Industries, Inc., Perth Amboy, N.J.

BUOYANT VESTS, KAPOK OR FIBROUS GLASS, ADULT AND CHILD MODELS AK, CKM, CKS, AF, CFM, AND CFS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.047/238/0, Model AK, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Knight Leather Products, Inc., 126 Call Street, Jamaica Plain 30, Mass.

Approval No. 160.047/239/0, Model CKM, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Knight Leather Products, Inc., 126 Call Street, Jamaica Plain 30, Mass.

Approval No. 160.047/240/0, Model CKS, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by Knight Leather Products, Inc., 126 Call Street, Jamaica Plain 30, Mass.

Approval No. 160.047/247/0, Model AK, adult kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by New York Rubber Corporation, Swainsboro, Ga.

Approval No. 160.047/248/0, Model CKM, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by New York Rubber Corporation, Swainsboro, Ga.

Approval No. 160.047/249/0, Model CKS, child kapok buoyant vest, U.S.C.G. Specification Subpart 160.047, manufactured by New York Rubber Corporation, Swainsboro, Ga.

BUOYANT CUSHIONS, KAPOK OR FIBROUS GLASS

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.048/153/0, Special approval for 15'' x 15'' x 2'' rectangular kapok buoyant cushion, 20 oz. kapok, U.S.C.G. Specification Subpart 160.048, manufactured by Knight Leather Products, Inc., 126 Call Street, Jamaica Plain 30, Mass.

Approval No. 160.048/154/0, Special approval for 17'' diameter x 2'' thick, round kapok buoyant cushion, 20 oz. kapok, dwgs. C–20 and A–103 dated June 15, 1959, manufactured by The American Pad & Textile Co., Greenfield, Ohio; 511 North Solomon Street, New Orleans 19, La.; and Fairfield, Calif.

Approval No. 160.048/157/0, Group approval for rectangular or trapezoidal kapok buoyant cushions, U.S.C.G. Specification Subpart 160.048, sizes and weights of kapok filling to be as per Table 160.048–4(c)(1)(i), manufactured by New York Rubber Corporation, Swainsboro, Ga.

Approval No. 160.048/158/0, Special approval for 14'' x 17'' x 2'' rectangular, ribbed-type, four compartment kapok buoyant cushion, 21 oz. kapok, Airubber Div. dwg. No. 1 dated June 23, 1959, manufactured by New York Rubber Corporation, Swainsboro, Ga.

Approval No. 160.048/159/0, Special approval for 14'' x 19'' x 2'' rectangular, ribbed-type, four compartment kapok buoyant cushion, 24 oz. kapok, Airubber Div. dwg. No. 1 dated June 23, 1959, manufactured by New York Rubber Corporation, Swainsboro, Ga.

BUOYANT CUSHIONS, UNICELLULAR PLASTIC FOAM

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.049/29/0, Group approval for rectangular and trapezoidal unicellular plastic foam buoyant cushions, U.S.C.G. Specification Subpart 160.049, sizes to be as per Table 160.049–4(c)(1), manufactured by Bottom Dollar Industries, Inc., 715 Izard Street, Little Rock, Ark., for Allgood Products Co., 824 West Eighth Street, Little Rock, Ark.

BUOYANT VESTS, UNICELLULAR PLASTIC FOAM, ADULT AND CHILD

NOTE: Approved for use on motorboats of Classes A, 1, or 2 not carrying passengers for hire.

Approval No. 160.052/78/0, Type I, Model AP, adult unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Bottom Dollar Industries, Inc., 715 Izard Street, Little Rock, Ark., for Allgood Products Co., 824 West Eighth Street, Little Rock, Ark.

Approval No. 160.052/79/0, Type I, Model CPM, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Bottom Dollar Industries, Inc., 715 Izard Street, Little Rock, Ark., for Allgood Products Co., 824 West Eighth Street, Little Rock, Ark.

Approval No. 160.052/80/0, Type I, Model CPS, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by Bottom Dollar Industries, Inc., 715 Izard Street, Little Rock, Ark., for Allgood Products Co., 824 West Eighth Street, Little Rock, Ark.

Approval No. 160.052/81/0, Type I, Model AP, adult unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by New York Rubber Corporation, Swainsboro, Ga.

Approval No. 160.052/82/0, Type I, Model CPM, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by

New York Rubber Corporation, Swainsboro, Ga.

Approval No. 160.052/83/0, Type I, Model CPS, child unicellular plastic foam buoyant vest, U.S.C.G. Specification Subpart 160.052, manufactured by New York Rubber Corporation, Swainsboro, Ga.

FIRE EXTINGUISHERS, PORTABLE HAND, CARBON DIOXIDE TYPE

Approval No. 162.005/106/0, Randolph Model M5M, 5-lb. carbon dioxide type hand portable fire extinguisher, parts list No. 5265 dated April 10, 1959, assembly dwg. No. 3048, Rev. 2 dated May 26, 1958, nameplate dwg. No. 963A, Rev. No. 16 dated May 20, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Randolph Laboratories, Inc., 1450 Frontage Road, Northbrook, Ill.

Approval No. 162.005/116/0, Redi-Freeze Model CD–5 (Symbol KI), 5-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 870390, Rev. F dated November 18, 1957, name plate dwg. No. 271199, Rev. C dated May 27, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Walter Kidde & Co., Inc., Belleville 9, N.J., for Stop-Fire, Inc., New Brunswick, N.J.

Approval No. 162.005/117/0, Redi-Freeze Model CD–10 (Symbol KI), 10-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 870811, Rev. B dated November 17, 1954, name plate dwg. No. 271200, Rev. B dated May 27, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Walter Kidde & Co., Inc., Belleville 9, N.J., for Stop-Fire, Inc., New Brunswick, N.J.

Approval No. 162.005/118/0, Redi-Freeze Model CD–15 (Symbol KI), 15-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 870369, Rev. B dated November 17, 1954, name plate dwg. No. 271201, Rev. B dated May 27, 1959 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by Walter Kidde & Co., Inc., Belleville 9, N.J., for Stop-Fire, Inc., New Brunswick, N.J.

Approval No. 162.005/119/0, Kidde Model 5T–2, 5-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 890613, Rev. A dated August 20, 1958, name plate dwg. No. 271368, Rev. C dated October 23, 1958 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Walter Kidde & Co., Inc., Belleville 9, N.J.

Approval No. 162.005/120/0, Kidde Model 10T–2, 10-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 872017, Rev. A dated June 16, 1958, name plate dwg. No. 271290, revised May 19, 1958 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Walter Kidde & Co., Inc., Belleville 9, N.J.

Approval No. 162.005/121/0, Kidde Model 15T–2, 15-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. 872018, Rev. A dated June 16, 1958, name plate dwg. No. 271291, revised May 19, 1958 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by Walter Kidde & Co., Inc., Belleville 9, N.J.

Approval No. 162.005/125/0, Dayton Model 83–1, 5-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. B–22684 dated April 13, 1959, name plate dwg. No. C–4888, Rev. 6 dated May 5, 1958 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Dayton Fire Extinguisher Co., 1300 East First Street, Dayton 1, Ohio.

Approval No. 162.005/126/0, Dayton Model 84–1, 10-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. C–22685, Rev. 1 dated June 12, 1959, name plate dwg. No. D–4901, Rev. 4 dated December 20, 1957 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Dayton Fire Extinguisher Co., 1300 East First Street, Dayton 1, Ohio.

Approval No. 162.005/127/0, Dayton Model 85–1, 15-lb. carbon dioxide type hand portable fire extinguisher, assembly dwg. No. C–22686, Rev. 1 dated June 22, 1959, name plate dwg. No. D–4880, Rev. 5 dated December 20, 1957 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by Dayton Fire Extinguisher Co., 1300 East First Street, Dayton 1, Ohio.

FIRE EXTINGUISHERS, PORTABLE, HAND, WATER, CARTRIDGE-OPERATED OR STORED PRESSURE TYPE

Approval No. 162.009/21/0, Elkhart Model EAN–CG, stored pressure anti-freeze type 2½-gal. hand portable fire extinguisher, assembly dwg. No. C–41402, revised May 4, 1956, name plate dwg. No. B–43767, Rev. A dated May 10, 1959 (Coast Guard classification: Type A, Size II), manufactured by Elkhart Brass Manufacturing Co., Inc., Elkhart, Ind.

FIRE EXTINGUISHERS, PORTABLE, HAND, DRY CHEMICAL TYPE

Approval No. 162.010/15/1, Fyr-Fyter Model No. 26–1, 10-lb. dry chemical pressure cartridge-operated type hand portable fire extinguisher, assembly dwg. No. 26–1, Rev. B dated March 10, 1959, name plate dwg. No. 4183, Rev. J dated June 24, 1959 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/15/0 published in FEDERAL REGISTER July 17, 1956.)

Approval No. 162.010/16/1, Buffalo Model No. 26–2, 10-lb. dry chemical pressure cartridge-operated type hand portable fire extinguisher, assembly dwg. No. 26–2, Rev. B dated March 10, 1959, name plate dwg. No. 4185, Rev. H dated December 30, 1958 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/16/0 published in FEDERAL REGISTER July 17, 1956.)

Approval No. 162.010/17/1, Fyr-Fyter Model No. 27–1, 20-lb. dry chemical pressure cartridge-operated type hand portable fire extinguisher, assembly dwg. No. 27–1, Rev. B dated March 10, 1959, name plate dwg. No. 3909, Rev. I dated June 24, 1959 (Coast Guard classification: Type B, Size III; and Type C, Size III), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/17/0 published in FEDERAL REGISTER July 17, 1956.)

Approval No. 162.010/18/1, Buffalo Model No. 27–2, 20-lb. dry chemical pressure cartridge-operated type hand portable fire extinguisher, assembly dwg. No. 27–2, Rev. B dated March 10, 1959, name plate dwg. No. 4306, Rev. G dated December 30, 1958 (Coast Guard classification: Type B, Size III; and Type C, Size III), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/18/0 published in FEDERAL REGISTER July 17, 1956.)

Approval No. 162.010/19/1, Fyr-Fyter Model No. 28–1, 30-lb. dry chemical pressure cartridge-operated type hand portable fire extinguisher, assembly dwg. No. 28–1, Rev. B dated March 10, 1959, name plate dwg. No. 4184, Rev. H dated June 24, 1959 (Coast Guard classification: Type B, Size IV; and Type C, Size IV), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/19/0 published in FEDERAL REGISTER July 17, 1956.)

Approval No. 162.010/20/1, Buffalo Model No. 28–2, 30-lb. dry chemical pressure cartridge-operated type hand portable fire extinguisher, assembly dwg. No. 28–2, Rev. B dated March 10, 1959, name plate dwg. No. 4186, Rev. F dated December 30, 1958 (Coast Guard classification: Type B, Size IV; and Type C, Size IV), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/20/0 published in FEDERAL REGISTER July 17, 1956.)

Approval No. 162.010/79/1, Kidde Model 2½–DCP, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 872449, Rev. E dated January 4, 1959, name plate dwg. No. 271238, Rev. B dated February 6, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Walter Kidde & Co., Inc., Belleville 9, N.J. (Supersedes Approval No. 162.010/79/0 published in FEDERAL REGISTER March 14, 1959.)

Approval No. 162.010/81/1, C-O-Two Model No. PDC–2½P, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. PDC–2½P, Rev. G dated April 29, 1959, name plate dwg. No. 7141, Rev. C dated February 3, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/81/0 published in FEDERAL REGISTER June 20, 1959.)

Approval No. 162.010/83/1, Fyr-Fyter Model No. 23–3, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 23–3, Rev. G dated April 29, 1959, name plate dwg. No. 7141, Rev. C dated February 3, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/83/0 published in FEDERAL REGISTER June 20, 1959.)

Approval No. 162.010/85/1, Buffalo Better-Built Model No. 23–4, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 23–4, Rev. G dated April 29, 1959, name plate dwg. No. 7140, Rev. C dated

February 3, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/85/0 published in FEDERAL REGISTER June 20, 1959.)

Approval No. 162.010/88/1, Kidde Model 5DCP, 5-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 890610, Rev. E dated January 2, 1959, name plate dwg. No. 271239, Rev. D dated March 11, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Walter Kidde & Co., Inc., Belleville 9, N.J. (Supersedes Approval No. 162.010/88/0 published in FEDERAL REGISTER March 14, 1959.)

Approval No. 162.010/92/0, Yankee Model M600 (Symbol S–F), 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. DC2C–0–57 dated June 9, 1958, name plate dwg. No. DC2½ Yankee dated February 10, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by Stop-Fire, Inc., New Brunswick, N.J., for Yankee Metal Products Corp., Norwalk, Conn.

Approval No. 162.010/94/1, Dayton Model 23–8, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 23–8, Rev. G dated April 29, 1959, name plate dwg. No. 7367, Rev. A dated March 3, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio. (Supersedes Approval No. 162.010/94/0 published in FEDERAL REGISTER June 20, 1959.)

Approval No. 162.010/106/0, Dayton Model No. 26–8, 10-lb. dry chemical pressure cartridge-operated type hand portable fire extinguisher, assembly dwg. No. 26–8, Rev. B dated March 10, 1959, name plate dwg. No. 7369, Rev. A dated April 21, 1959 (Coast Guard classification: Type B, Size II; and Type C, Size II), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/107/0, Dayton Model No. 27–8, 20-lb. dry chemical pressure cartridge-operated type hand portable fire extinguisher, assembly dwg. No. 27–8, Rev. B dated March 10, 1959, name plate dwg. No. 7370, Rev. A dated April 21, 1959 (Coast Guard classification: Type B, Size III; and Type C, Size III), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/108/0, Dayton Model No. 28–8, 30-lb. dry chemical pressure cartridge-operated type hand portable fire extinguisher, assembly dwg. No. 28–8, Rev. B dated March 10, 1959, name plate dwg. No. 7371, Rev. A dated April 21, 1959 (Coast Guard classification: Type B, Size IV; and Type C, Size IV), manufactured by The Fyr-Fyter Co., Dayton 1, Ohio.

Approval No. 162.010/116/0, American LaFrance Model PDC–2½B, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 33X–1348, Rev. E dated April 7, 1959, name plate dwg. No. 33X–547, Rev. C dated June 25, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by American LaFrance, Division of Sterling Precision Corp., Elmira, N.Y.

Approval No. 162.010/117/0, Protexall Deluxe Model 2½B, 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 33X–1372 dated April 15, 1959, name plate dwg. No. 33X–603, Rev. A dated June 25, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by American LaFrance, Division of Sterling Precision Corp., Elmira, N.Y.

Approval No. 162.010/120/0, Protexall Model 5, 5-lb. dry chemical stored pressure type hand portable fire extinguisher, assemby dwg. No. 33X–1377, Rev. B dated June 9, 1959, name plate dwg. No. 33X–629, Rev. A dated June 26, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by American LaFrance, Division of Sterling Precision Corp., Elmira, N.Y.

Approval No. 162.010/121/0, Protexall Model 10, 10-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. 33X–1378, Rev. B dated June 9, 1959, name plate dwg. No. 33X–630, Rev. A dated June 25, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by American LaFrance, Division of Sterling Precision Corp., Elmira, N.Y.

Approval No. 162.010/122/0, Power-Pak Model CM–2.5 (Symbol GEN), 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP2½–12011 dated May 8, 1959, name plate dwg. No. CP2½–12006 dated May 6, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill., for Power-Pak Products, Inc., 43 Pearl Street, Buffalo 2, N.Y.

Approval No. 162.010/123/0, Moor-Fite Model CPS–2½ (Symbol GEN), 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP2½–11463 dated May 25, 1959, name plate dwg. No. CP2½–11464, Rev. D dated May 20, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill., for Moor-Fite, Inc., 1153 South Eastern Avenue, Los Angeles 23, Calif.

Approval No. 162.010/124/0, Quick Aid Model CP–2½A (Symbol GE, GEC, GEN, or GEP), 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP2½–6387 dated March 6, 1959, nameplate dwg. No. CP–2½–11943 dated March 20, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The General Fire Extinguisher Corp., 6801 Rising Sun Avenue, Philadelphia 11, Pa., and 8740 Washington Boulevard, Culver City, Calif.

Approval No. 162.010/125/0, Fire Guard Model SP–2½A (Symbol GE, GEC, GEN, or GEP), 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP2½–11956 dated March 6, 1959, nameplate dwg. No. CP2½–11955 dated March 20, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill.

Approval No. 162.010/126/0, Ace Model E–229 (Symbol GEN), 2½-lb. dry chemical stored pressure type hand portable fire extinguisher, assembly dwg. No. CP2½–12087 dated May 28, 1959, nameplate dwg. No. CP2½–12085 dated May 28, 1959 (Coast Guard classification: Type B, Size I; and Type C, Size I), manufactured by The Fire Guard Corp., 1685 Shermer Road, Northbrook, Ill., for Ace Chemical Co., 627 Howard Street, Detroit 26, Mich.

BULKHEAD PANELS

Approval No. 164.008/38/1, "Marine Board 60–P" asbestos board type bulkhead panel identical to those described in National Bureau of Standards Test Report No. 5756, Project No. 1002–30–4876 dated January 27, 1958, and in National Bureau of Standards Test Report No. 6425, Project No. 1002–30–4877 dated June 2, 1959, approved as meeting Class B–15 requirements in a ⅞-inch thickness, 37 pounds per cubic foot density, manufactured by Nippon Asbestos Co., Ltd., No. 3, 6-Chome, Ginza-Nishi, Chuo-Ku, Tokyo, Japan. (Supersedes Approval No. 164.008/38/0 published in FEDERAL REGISTER March 25, 1958.)

Approval No. 164.008/44/0, "Marine Board 100P" asbestos board type bulkhead panel identical to those described in National Bureau of Standards Test Report No. 6425, Project No. 1002–30–4877 dated June 2, 1959, approved as meeting Class B–15 requirements in a ⅞-inch thickness, 59 pounds per cubic foot density, manufactured by Nippon Asbestos Co., Ltd., No. 3, 6-Chome, Ginza-Nishi, Chuo-Ku, Tokyo, Japan.

PART II—CHANGE IN ADDRESS OF MANUFACTURER

The address of the Protection Products Co., Division of Ero Manufacturing Co., 2637 West Polk Street, Chicago, Ill., has been changed to 2637 West Polk Street, Chicago, Ill., and Hazlehurst, Georgia, for Approval Nos. 160.047/174/0, 160.047/175/0, and 160.048/117/0 for kapok buoyant cushions published in the FEDERAL REGISTER of March 25, 1958.

PART III—CORRECTION TO PRIOR DOCUMENT

The Coast Guard Document CGFR 59–30 and Federal Register Document 59–6190 published in the FEDERAL REGISTER of July 28, 1959, are corrected by making the following changes:

(a) Substitute "January 27," in lieu of "January 29" in Approval No. 162.001/15/2 under heading "Safety Valves (Power Boilers)." (24 F.R. 6011, 3d col.)

(b) Substitute drawing numbers G–921–302–2 C.G. Rev. 2 and A–928–302–6, Rev. 1 for G–621–320–2, Rev. 4 and A–982–302–6, Rev. 1, respectively, in Approval No. 162.010/87/0 under heading "Fire Extinguishers, Portable, Hand, Dry Chemical Type." (24 F.R. 6013, 3d col.)

Dated: August 27, 1959.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 59–7362; Filed, Sept. 2, 1959; 8:52 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

AUGUST, 25, 1959.

The Federal Aviation Agency (formerly Civil Aeronautics Administration), United States Department of Commerce, has filed an application, Serial Number Sacramento 057245 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the general mining laws and the mineral leasing laws, subject to existing valid claims. The management, use, and disposal of the forest and range resources will continue under the administration of the Bureau of Land Management in accordance with applicable laws and regulations. The applicant desires the land for establishment of air navigational facilities.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawals may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, California Fruit Building, Room 1000, Fourth and J Streets, Sacramento 14, California.

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:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 20 S., R. 12 E.,
Sec. 34: S½SW¼.
Total acreage: 80 acres.

WALTER E. BECK,
Manager, Land Office,
Sacramento.

[F.R. Doc. 59-7347; Filed, Sept. 2, 1959; 8:49 a.m.]

WYOMING

Notice of Proposed Withdrawal and Reservation of Lands

AUGUST 28, 1959.

The Office of Naval Petroleum and Oil Shale Reserves, Department of the Navy, has filed an application, Serial Number Wyoming 067583, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws.

The applicant desires the land for inclusion as part of Naval Petroleum Reserve No. 3 (Teapot Dome), to be administered in connection with said reserve.

Since August 18, 1932, the lands have been temporarily withdrawn by Executive Order No. 5904 in connection with the Teapot Dome Reserve.

For a period of 30 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 State Supervisor, Bureau of Land Management, Department of the Interior, P.O. Box 929, Cheyenne, Wyoming.

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:

SIXTH PRINCIPAL MERIDIAN

T. 38 N., R. 78 W.,
Sec. 9, SW¼NE¼, NW¼SE¼, S½SE¼.

Containing 160 acres of public land.

EUGENE L. SCHMIDT,
Lands and Minerals Officer.

[F.R. Doc. 59-7348; Filed, Sept. 2, 1959; 8:49 a.m.]

WYOMING

Notice of Proposed Withdrawal and Reservation of Lands

AUGUST 27, 1959.

The Federal Aviation Agency, U.S. Department of Commerce, has filed an application, Serial Number Wyoming 068517, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws.

The applicant desires the land for the Big Piney, Wyoming VORTAC facility, which will provide navigational aid for instrument flight rule approaches and departures at the Big Piney airfield.

The lands are part of airport, lease Evanston 018332, issued to the town of Big Piney.

For a period of 30 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 State Supervisor, Bureau of Land Management, Department of the Interior, P.O. Box 929, Cheyenne, Wyoming.

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:

SIXTH PRINCIPAL MERIDIAN

T. 30 N., R. 111 W.,
Sec. 18, SE¼.

Containing 160 acres.

EUGENE L. SCHMIDT,
Lands and Minerals Officer.

[F.R. Doc. 59-7349; Filed, Sept. 2, 1959; 8:49 a.m.]

ALASKA

Modification of Notice of Proposed Withdrawal and Reservation of Lands

The Bureau of Sports Fisheries and Wildlife has filed an application, Serial Number Fairbanks 017050, for withdrawal and reservation of lands for establishment of the Arctic Wildlife Range in northeastern Alaska. The notice of this proposed withdrawal and reservation of lands was published in the FEDERAL REGISTER, Volume 23, Number 14, Page 364, on January 21, 1958. A modification of this request was published in the FEDERAL REGISTER, Volume 23, Number 191, Page 7592, on September 30, 1958.

In the proposed notice, as modified, mining locations were precluded until on or after September 1, 1959. The applicant has recently requested further modification of the proposed withdrawal so as to preclude mining locations until on or after September 1, 1960. The recent request was made in order that the proposed range may remain intact pending final Congressional action following hearings on proposed legislation (H.R. 7045 and S. 1899).

Comments or protests to this modification of the proposed withdrawal of the Arctic Wildlife Range may be directed to Richard L. Quintus, Operations Supervisor, Bureau of Land Management, 516 Second Avenue, Fairbanks, Alaska.

RICHARD L. QUINTUS,
Operations Supervisor.

[F.R. Doc. 59-7350; Filed, Sept. 2, 1959; 8:50 a.m.]

Office of the Secretary

WYANDOTTE TRIBE OF OKLAHOMA

Amendments to Final Roll

Pursuant to section 3 of the Act of August 1, 1956 (70 Stat. 893), there was published in the FEDERAL REGISTER on February 25, 1959, a final roll of the Wyandotte Tribe of Oklahoma. It has been determined that the following corrections to the roll are necessary:

Corrections in the spelling of two names and in the citation of the proposed roll number shown for one individual.

Deletion of the name of LaMotte Bernhardt, Final Roll No. 93. It has been determined that Mr. Bernhardt was not living on August 1, 1956, as required by the statute and should not be listed on the final roll.

Addition of the names of four persons who were inadvertently omitted in the preparation of the final roll, and three new roll numbers. Roll number 124 was not used on the final roll as published and is being assigned to one of the additions.

Listed below are the corrections and additions to and the deletion from the final roll of the Wyandotte Tribe of Oklahoma as previously published.

FRED A. SEATON,
Secretary of the Interior.

AUGUST 28, 1959.

FINAL ROLL—WYANDOTTE TRIBE OF OKLAHOMA, PREPARED PURSUANT TO THE ACT OF AUG. 1, 1956 (70 STAT. 893)

Roll No. Final	Roll No. Proposed	Name	Sex	Date of birth	Allotment No.	Degree of blood	Family relationship	Residence	Remarks
					Corrections				
88	77	Bearskin, Ronald Leaford	M	(?)	None	3/16	Son	Mother's address: 132 G St., Miami, Okla.	First name corrected from Donald to Ronald.
180	146	Brumbaugh, Earn	M	2-23-16	None	1/8	Head	1009 West First St., Aberdeen, Wash.	First name corrected from Eara to Earn.
612	607	Long, Frank W	M	3-23-72	167	1/16	do	Pawnee, Okla	Proposed roll number corrected from 606 to 607.
					Deletion				
93	81	Bernhardt, LaMotte	M	9-28-23	None	1/16	Head	Owl Drug Store, Coffeyville, Kans.	Died prior to date of act.
					Additions				
124	533	Keown, Helen Margaret	F	2-22-24	None	1/32	Head	Arkansas City, Kans.	Roll No. 124 not used on roll as previously published.
1155	852	Reddington, Norma Lee Harris	F	7-3-34	None	1/16	Wife	Fairland, Okla.	
1156	26	Russell, Jean Marie Andreoff	F	3-24-32	None	1/32	Head	25 East Marine View Terrace, Eureka, Calif.	
1157	22	Tanner, Viola Rina Andreoff	F	2-27-24	None	1/32	do	Route 4, Buhl, Idaho	

[F.R. Doc. 59-7352; Filed, Sept. 2, 1959; 8:50 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

SOUTH DAKOTA

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in the following counties in the State of South Dakota a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

SOUTH DAKOTA

Aurora.	Hamlin.
Beadle.	Hanson.
Brookings.	Hutchinson.
Brule.	Jerauld.
Buffalo.	Lincoln.
Charles Mix	Lyman.
Codington.	McCook.
Corson.	McPherson.
Davison.	Miner.
Deuel.	Perkins.
Dewey.	Potter.
Douglas.	Roberts.
Edmunds.	Sanborn.
Grant.	Turner.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after June 30, 1960, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 27th day of August, 1959.

MARVIN L. MCLAIN,
Acting Secretary.

[F.R. Doc. 59-7317; Filed, Sept. 2, 1959; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27-20]

OCEAN TRANSPORT CO.

Notice of Application for Byproduct, Source and Special Nuclear Material License

Please take notice that an application for a license to provide a radioactive waste disposal service has been filed by the Ocean Transport Company, No. 1 Drumm Street, San Francisco 11, California.

The application specifies a maximum possession limit of 750 curies of byproduct material, 2,000 pounds of source material, and 4 grams of special nuclear material.

The applicant proposes to dispose of the waste in the Pacific Ocean within a 5 mile radius circle the center of which is at a point designated as parallel of Latitude 37°41′ N. and meridian of Longitude 123°25′ W. where the minimum depth is 1,000 fathoms or at other locations in the Pacific Ocean at a minimum depth of 1,000 fathoms when approved by the Commission. The material will be stored at the Ocean Transport Company's facility located at the foot of South 4th Street, corner of Wright Avenue, Inner Harbor, Richmond, California.

A copy of the application is available for public inspection in the Atomic Energy Commission's Public Document Room at 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 27th day of August 1959.

For the Atomic Energy Commission.

EBER R. PRICE,
Assistant Director, Division of Licensing and Regulation.

[F.R. Doc. 59-7322; Filed, Sept. 2, 1959; 8:45 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-18863]

CLARK FUEL PRODUCING CO. AND PRATT & HEWIT OIL CORP. OF TEXAS

Notice of Application and Date of Hearing

AUGUST 28, 1959.

Take notice that on June 25, 1959, Clark Fuel Producing Company and Pratt & Hewit Oil Corporation of Texas (Applicants) filed in Docket No. G-18863 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon natural gas service to Tennessee Gas Transmission Company (Tennessee) from leases in Doss Field (or Cecil Field) and the East Coastal Field Area, Hidalgo and Starr Counties, Texas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The subject service is covered by a gas sales contract dated March 16, 1956, by and between Applicants, as sellers, and Tennessee, as buyer, on file with the Commission as Clark Fuel Producing Company (Operator) et al., FPC Gas Rate Schedule No. 2.

Applicants were authorized to render service to Tennessee pursuant to the aforesaid contract by Commission order issued April 8, 1957, in Docket No. G-10150, which order also authorized service under another contract not involved herein.

Applicants state that the available supply of natural gas covered by the aforesaid contract has become depleted and the last well on the property involved has been plugged and abandoned, all other wells thereon having been previously plugged and abandoned.

Notice of cancellation of the subject rate schedule has been accepted for fil-

ing and designated as Supplement No. 1 to Clark Fuel Producing Company (Operator) et al., FPC Gas Rate Schedule No. 2, to become effective on the date on which abandonment is authorized.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 8, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 28, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7333; Filed, Sept. 2, 1959; 8:47 a.m.]

[Docket No. G-18823]

BRITISH-AMERICAN OIL PRODUCING CO.

Notice of Application and Date of Hearing

AUGUST 28, 1959.

Take notice that The British-American Oil Producing Company (Applicant), an independent producer with its principal place of business in Dallas, Texas, filed on June 22, 1959, an application for a certificate of public convenience and necessity, pursuant to section 7(c) of the Natural Gas Act, authorizing Applicant to continue to sell natural gas to Colorado Interstate Gas Company (Colorado Interstate) from the Holt and Neu-Holt Units, Greenwood Field, Morton and Stanton Counties, Kansas, and Baca County, Colorado, pursuant to two ratification agreements, each dated April 20, 1956, of a basic gas sales contract dated August 24, 1955, between Amerada Petroleum Corporation (Amerada), seller, and Colorado Interstate, buyer. Applicant owns a 37.5 percent working interest in the Holt Unit and a 7.0641425 percent working interest in the Neu-Holt Unit.

Applicant's shares of gas from the Holt and Neu-Holt Units have been and are being delivered, for Applicant's account, by the Unit operators, The Carter Oil Company and Amerada, pursuant to authorizations issued to these operators in Docket Nos. G-10131 and G-9413, respectively.

The ratifications and basic contract, as amended, are on file as The British-American Oil Producing Company FPC Gas Rate Schedule No. 41, as supplemented.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 7, 1959 at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 25, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7334; Filed, Sept. 2, 1959; 8:47 a.m.]

[Docket No. E-6887]

BONNEVILLE PROJECT, COLUMBIA RIVER, OREGON-WASHINGTON

Notice of Supplemental Request for Confirmation and Approval of Wholesale Power Rate Schedules and General Rate Schedule Provisions

AUGUST 28, 1959.

Notice is hereby given that the Secretary of the Department of the Interior, on behalf of the Bonneville Power Administration filed on August 13, 1959, with the Federal Power Commission, a request re-submitting Bonneville Power Administration's Wholesale Power Rate Schedules and General Rate Schedule Provisions which the Secretary previously sought to change by the submission of Revised Wholesale Rate Schedules and Revised General Rate Schedule Provisions of the Bonneville Power Administration. Notice of the filing of those revised schedules and provisions for confirmation and approval of this Commission pursuant to the provisions of the Bonneville Act (50 Stat. 731), as amended and section 5 of the Flood Control Act of 1944 (58 Stat. 890) was previously given by "Notice of Request For Confirmation and Approval of Revised Wholesale Rate Schedules and Revised General Rate Schedule Provisions" by publication in the FEDERAL REGISTER on July 3, 1959 (24 F.R. 5432).

In effect, the Secretary's August 13, 1959 request would result in the continuation of all of Bonneville Power Administration's existing wholesale power rate schedules and general rate schedule provisions with the exception of certain annual rate adjustment clauses.

The proposed Wholesale Power Rate Schedules and General Rate Schedule Provisions are on file with the Commission for public inspection. Any person desiring to comment or make any representations with respect thereto should submit same on or before September 15, 1959, to the Federal Power Commission, Washington 25, D.C.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7335; Filed, Sept. 2, 1959; 8:47 a.m.]

[Docket No. E-6821]

CITY OF COLTON, CALIFORNIA AND SOUTHERN CALIFORNIA EDISON CO.

Order Fixing Hearing

AUGUST 28, 1959.

The City of Colton, California (Petitioner), a municipal corporation, by formal petition filed May 9, 1958, requested the Commission to institute an investigation and thereafter direct Southern California Edison Company (Edison), Los Angeles, California, to file, as an effective rate schedule pursuant to the Federal Power Act, a power supply contract (Contract), dated October 1, 1945, between Edison and Petitioner providing for the wholesale sale of electric power and energy to the latter by the former;[1] to cease and desist from charging Petitioner any rates other than those set forth in that Contract;[2] to account for

[1] Petitioner owns and operates an electric distribution system in and around the City of Colton, California, for the supply of electric power and energy to the general public. At the present time and for some years past the entire electric requirements of that system have been supplied by Edison.

[2] Petitioner alleges that Edison "since September 13, 1954 has demanded and collected from petitioner for the sales of electric energy under said contract rates and charges higher than those provided therein and since November 15, 1957 has demanded and collected from petitioner still higher rates and charges in violation of the provisions of the contract, the Act and the rules and regulations thereunder."

the difference between the amounts actually charged to and paid by Petitioner and those which would have been charged and paid in accordance with the Contract as a legally effective rate schedule; and to make appropriate refunds to Petitioner with six percent interest per annum.

Edison, by answer filed June 9, 1958, responded to the allegations of the petition seriatim, generally disputing the jurisdiction of the Commission as to the matters raised by the petition and requested that the petition be dismissed on jurisdictional grounds.

To resolve the factual questions raised by this jurisdictional dispute, the Commission staff thereafter undertook a field examination of the physical facilities and operating data of Petitioner, Edison and others. The results of that examination are embodied in a staff engineering report which was served upon Petitioner and Edison. Based upon the facts set out in that report, the staff concludes this wholesale transaction to be jurisdictional under the provisions of the Federal Power Act.

Edison, by letter filed August 3, 1959, indicated its lack of objection and willingness to stipulate to certain of the data disclosed by the Staff field examination and as set forth in the aforementioned Staff report. Nevertheless Edison indicates by that letter that it regards a hearing in this matter to be necessary for the development of certain other facts.

Written notice of the filing of the petition has been given to the Arizona Corporation Commission, the Public Utilities Commission of the State of California, and the Nevada Public Service Commission.

The Public Utilities Commission of the State of California, by letter filed May 26, 1958, expressed the opinion that the electric service in question is subject to the jurisdiction of that Commission.

Accordingly, it is necessary and appropriate for the purposes of the Federal Power Act that a public hearing be held in this matter as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Federal Power Act, particularly sections 205, 301, 306, 307, 308 and 309 thereof, and the Commission's rules of practice and procedure, a public hearing shall be held respecting the matters involved in and the issues presented in this proceeding, at a time and place and in the manner to be fixed by the Secretary of the Commission.

(B) Interested State commissions may participate in this proceeding as provided in §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7336; Filed, Sept. 2, 1959; 8:47 a.m.]

[Docket No. 8288 etc.]

SUN OIL CO. ET AL.

Order Severing and Consolidating Proceedings

AUGUST 28, 1959.

In the matters of Sun Oil Company, Docket Nos. G-8288, G-12841, G-12880, G-13316, G-13444, G-13585, G-13617, G-13618, G-13664, G-13937, G-15010, G-15016, G-15450, G-15633, G-15743, G-16257, G-16396, G-16410, G-16621, G-16624, G-16684, G-16686, G-16700, G-16810, G-17274, G-17346, G-17717, G-18094, G-18184, G-18521; Sun Oil Company, Docket No. G-18353; Sun Oil Company (Operator) et al., Docket Nos. G-13425, G-13619, G-15011, G-15632, G-15768, G-16258, G-16622, G-16685, G-16699, G-17354, G-17923; Sun Oil Company et al., Docket No. G-13426.

On April 29, 1959, an order was issued in the above-designated Docket Nos. G-8288, et al. (except Docket Nos. G-18184 and G-18521), consolidating proceedings and fixing date of hearing. The proceedings in Docket Nos. G-15632, G-15633, G15743 and G-15768 concern proposed changes in Sun Oil Company's (Sun) presently effective rate schedules occasioned by the increase in the Louisiana Gas severance tax and the decrease in the Louisiana Gas gathering tax, both effective as of December 1, 1958. Consequently, these matters should not be heard at this time or with the other related matters involved in this consolidated proceeding.

On April 6, 1959, an order was issued in Docket No. G-18184, and on May 20, 1959, an order was issued in Docket No. G-18521 suspending and deferring the use of certain proposed changes in Sun's presently effective rate schedules for sales of natural gas, subject to the jurisdiction of the Commission. Additionally, said orders provided that a public hearing be held upon a date to be fixed.

On May 19, 1959, Sun filed a motion requesting that Docket No. G-18184 be consolidated with the proceedings in Docket Nos. G-8288, et al.

On June 12, 1959, El Paso Natural Gas Company (El Paso) filed a reply in opposition to Sun's motion, and on June 22, 1959, the Public Utilities Commission of the State of California filed a statement in opposition to said motion. Thereafter, El Paso, on June 26, 1959, filed a "supplemental reply" to said motion. Neither El Paso's "replies," nor the Utilities Commission's statement were timely filed. However, we have considered the allegations and averments made therein, and consider them to be without merit.

It would appear that the issues in the proceedings in Docket Nos. G-8288, et al. are broad enough to include those raised by Sun's filing in Docket Nos. G-18184 and G-18521 and, therefore, it is appropriate that all of these matters be consolidated for hearing.

The Commission finds:

(1) Proper administration of the Natural Gas Act requires that the proceedings in Docket Nos. G-15632, G-15633, G-15743 and G-15768 be severed from the other above-docketed proceedings.

(2) Proper administration of the Natural Gas Act requires that the proceedings in Docket Nos. G-18184 and G-18521 should be consolidated with the proceedings in Docket No. G-8288, et al. for the purpose of hearing.

The Commission orders:

(A) The matters involved in Docket Nos. G-15632, G-15633, G-15743 and G-15768 are hereby severed from the consolidated above-docketed proceedings, and hearing in each of these matters is postponed to dates to be hereafter fixed by further notice.

(B) The matters involved in Docket Nos. G-18184 and G-18521 are hereby consolidated for hearing with the proceedings in Docket Nos. G-8288, et al. The hearing in these consolidated proceedings will commence on Tuesday, September 15, 1959, at 10:00 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., in accordance with the order issued April 29, 1959, and the notice issued July 30, 1959, in Docket Nos. G-8288, et al.

(C) Petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.19) and interested State Commissions may participate as provided by §§ 1.8 and 1.37(f) of said rules.

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7337; Filed, Sept. 2, 1959; 8:47 a.m.]

[Docket No. IT-5971]

SOUTHWESTERN POWER ADMINISTRATION

Notice of Request for Approval of Rates and Charges

AUGUST 28, 1959.

Notice is hereby given that the Secretary of the Department of the Interior on behalf of the Southwestern Power Administration (SWPA) has filed with the Federal Power Commission for confirmation and approval pursuant to section 5 of the Flood Control Act of 1944 (58 Stat. 890), a Schedule of Wholesale Rates for Special Peaking Power Service. The proposed special peaking power service would constitute a fifth classification of wholesale power service by SWPA; the others being Firm Service (F-1); Peaking Service (P-1); Interruptible Service (IC); and Excess Energy Service (EE) all as heretofore confirmed and approved by orders of this Commission issued August 9, 1957 and June 11, 1958 in the above-entitled matter. The proposed Schedule of Wholesale Rates was filed on August 20, 1959.

The Secretary of the Department of the Interior requests confirmation and approval of the proposed Special Peaking Power Service for the period ending

August 9, 1962. By the aforementioned Commission orders, this Commission approved the F–1, P–1, IC and EE Services for a period ending August 9, 1962. The proposed Schedule of Wholesale Rates for Special Peaking Power Service is as follows:

SCHEDULE OF WHOLESALE RATES FOR SPECIAL PEAKING POWER SERVICE

Available: In the area served by the Southwestern Power Administration (Government).

Applicable: To wholesale power customers who, by contract, purchase special peaking power service.

Amount of energy with special peaking power service: Energy associated with special peaking power service will be made available in the amount of 1,200 kilowatt-hours per kilowatt of contract demand during each fiscal year which shall be the twelve-month period beginning on July 1 of each year.

Character and condition of service: Special peaking power service will be delivered as three-phase alternating current, at approximately 60 cycles per second, at such point or points of delivery and at such voltages as are specified by contract.

Annual rates: Demand charges: $19.20 per year per kilowatt of contract demand, payable at the rate of $1.60 per month per kilowatt of contract demand. Energy charge: $0.002 per kilowatt hour.

Discounts for conditions of service: (a) A discount of $1.20 per kilowatt of billing demand per year will be allowed on the total annual charge for special peaking power service if delivery of power and energy is made from the 69 kv, 138 kv, or 161 kv transmission facilities owned or leased by the Government and if transformation and substation facilities are required at the point of delivery and are furnished by the power customer at no cost to the Government. Discount is payable at the rate of $0.10 per month per kilowatt of contract demand.

(b) A discount of $4.80 per kilowatt of billing demand per year will be allowed on the total annual charge for special peaking power service if delivery of power and energy is made from, and at the voltage of, the 138 kv or the 161 kv transmission facilities owned or leased by the Government, or at lower or intermediate voltages from substations directly connected to such transmission facilities, and if the Government is thereby relieved of additional transmission costs. Discount is payable at the rate of $0.40 per month per kilowatt of contract demand.

Minimum bill: $1.60 per month per kilowatt of contract demand less applicable discounts for conditions of service.

Contract demand: The contract demand will be the maximum rate in kilowatts which the Government is, by contract, obligated to deliver energy to the customer.

Billing demand: The billing demand for any month shall be the contract demand.

Adjustment in billing demand:

For reduction in demand: In the event of one or more reductions in customer's demand during any monthly billing period, each of which continued for two hours or more, due to the inability of the Government to supply the contract demand, the billing demand for such period shall be reduced for each such reduction in demand by an amount equal to the reduction in demand (in kilowatts) times the ratio that the number of hours of each such reduction bears to the total number of scheduled hours in such billing period.

For power factor: None. The customer normally will be required to maintain a power factor at the point of delivery of not less than 90 percent lagging.

The Secretary of the Department of the Interior advises that a proposed Special Peaking Power Rate Schedule is expected to meet the needs of SWPA which will arise during the next several years for a schedule of rates and charges under which low load factor energy can be delivered by it. In form and in pricing, the proposed Special Peaking Power Rate Schedule follows SWPA's rates and charges for its P–1 service, the only significant difference being that the P–1 rates and charges contemplate a minimum of 1800 hours use per kilowatt of capacity per year while the proposed Special Peaking Power Rates and Charges contemplate 1200 hours use per kilowatt of capacity per year.

The proposed Schedule of Wholesale Rates for Special Peaking Power Service is on file with the Commission for public inspection. Any person desiring to comment or make any representations with respect thereto should submit same on or before September 15, 1959, to the Federal Power Commission, Washington 25, D.C.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59–7338; Filed, Sept. 2, 1959; 8:48 a.m.]

[Docket No. G–19319]

TEXACO INC.

Order for Hearing and Suspending Proposed Change in Rates

AUGUST 28, 1959.

Texaco Inc. on July 29, 1959, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: Cities Service Gas Co.
Rate schedule designation: Supplement No. 6 to Texaco Inc.'s FPC Gas Rate Schedule No. 100.
Effective date: August 30, 1959 (stated effective date is that proposed by Texaco Inc.).

In support of the proposed rate increase, Texaco Inc. claims that the present sales contract with Cities Service may be canceled and that notice of termination or cancellation was given on July 22, 1959, to Cities Service. The respondent further states that the filing will result in just and reasonable increased rates; and revenue requirements necessitate such increased price in order to avoid confiscation of its gas properties and the premature abandonment of the wells concerned.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 6 to Texaco Inc.'s FPC Gas Rate Schedule No. 100 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 6 to Texaco Inc.'s FPC Gas Rate Schedule No. 100.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until January 30, 1960, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59–7339; Filed, Sept. 2, 1959; 8:48 a.m.]

[Docket No. G–18487 etc.]

SOUTHWESTERN DEVELOPMENT CO. ET AL.

Notice of Applications and Date of Hearing

AUGUST 27, 1959.

In the matters of Southwestern Development Company, Docket No. G–18487; Vandergrift and Hardman,[1] Docket No. G–18493; Tower Oil and Gas Co., Inc., Docket No. G–18499.

Take notice that each of the above Applicants has filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing each to render service to Hope Natural Gas Company as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection.

Docket No.; Field and Location; and Related FPC Gas Rate Schedule No.

G–18487; Burning Springs District, Wirt County, W. Va.; 5.

G–18493; Murphy and Union Districts, Ritchie County, W. Va.; 8.

G–18499; Murphy District, Ritchie County, W. Va.; 2.

[1] Vandergrift and Hardman, Applicant, a partnership, is filing through Alice M. Vandergrift, Partner and Agent.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 6, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 25, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7340; Filed, Sept. 2, 1959; 8:48 a.m.]

[Project No. 2267]

ALASKA LUMBER & PULP CO., INC.

Notice of Application for License

AUGUST 27, 1959.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a–825r) by Alaska Lumber & Pulp Co., Inc., of Seattle, Washington, for license for a proposed hydroelectric development, designated as Project No. 2267, to be located on the Medvetch River (Sawmill Creek), on Baranof Island, approximately five miles east of Sitka, in the State of Alaska, and affecting lands of the United States within Tongass National Forest.

The proposed project would consist of an 1100 horsepower turbine connected to a 900 kw generator installed in a room within Applicant's filtration plant; a transformer, and appurtenant transmission facilities. The turbine acts as an energy dissapater, the water from the draft tube entering into the Applicant's filter chambers. Water is furnished by a 36-inch diameter steel pipe connected to a 7-foot water supply tunnel running between Blue Lake Reservoir and the powerhouse of City of Sitka's Project No. 2230.

The proposed project would serve as an additional source of energy in the company's manufacturing processes.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is October 14, 1959. The application is on file with the Commission for public inspection.

MIC HAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7341; Filed, Sept. 2, 1959; 8:48 a.m.]

[Project No. 2269]

CALAVERAS COUNTY WATER DISTRICT

Notice of Application for Preliminary Permit

AUGUST 27, 1959.

Public notice is hereby given that Calaveras County Water District, of San Andreas, California, has filed application under the Federal Power Act (16 U.S.C. 791a–825r) for preliminary permit for a proposed project, designated Project No. 2269, to be situated in Alpine, Calaveras and Toulumne Counties, in the State of California, on Highlands Creek, North Fork Stanislaus River, Beaver Creek, Griswold Creek and Mill Creek. Lands of the United States within the Stanislaus National Forest will be affected.

The project, as proposed and described in the application, will consist of raising the existing Spicer Dam and Reservoir (presently under license to Pacific Gas and Electric Company as part of Project No. 2019) and constructing the following: Ganns Dam and Reservoir on the North Fork Stanislaus River, Squaw Hollow Powerhouse with an installed capacity of 140,000 kilowatts and Squaw Hollow Reservoir on the North Fork Stanislaus River, a tunnel from Ganns to the Squaw Hollow Powerhouse, Beaver Dam and Reservoir on Beaver Creek, Griswold Dam and Reservoir on Griswold Creek, a tunnel from Griswold and Beaver reservoirs to Squaw Hollow Reservoir, Collierville Powerhouse with an installed capacity of 193,000 kilowatts on the Stanislaus River, and a tunnel from Squaw Hollow Reservoir to Collierville Powerhouse.

Applicant states that energy from the proposed plants will be sold to Pacific Gas and Electric Company for use in that company's distribution system for northern California.

No construction is authorized under a preliminary permit. A permit, if issued, gives permittee, during the period of the permit, the right to priority of application for license while the permittee undertakes the necessary studies and examinations, including the preparation of maps and plans, in order to determine the economic feasibility of the proposed project, the means of securing the necessary financial arrangements for construction, the market for the project power, and all other information necessary for inclusion in an application for license, should one be filed.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last date upon which protests or petitions may be filed is October 12, 1959. The application is on file with the Commission for public inspection.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7342; Filed, Sept. 2, 1959; 8:48 a.m.]

[Docket No. G-18965]

HOPE NATURAL GAS CO.

Notice of Application and Date of Hearing

AUGUST 27, 1959.

Take notice that on July 13, 1959, Hope Natural Gas Company (Applicant) filed in Docket No. G-18965 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity to construct and operate certain natural gas facilities, and for permission and approval to abandon certain other natural gas facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to:

(1) Construct and operate approximately 400 feet of 6-inch pipeline to replace an equal length of existing 3-inch line extending from Applicant's Line TL-300 in Monongalia County, West Virginia, to the West Virginia-Pennsylvania state line near Mount Morris, Pennsylvania;

(2) Relocate an existing metering station from a point on the West Virginia-Pennsylvania state line near Point Marion, Pennsylvania, to a site on said state line near Mount Morris, Pennsylvania, where it will be attached to the 6-inch line proposed in (1) above; and

(3) Retire and dismantle approximately 11,000 feet of 6-inch transmission line TL-304 in the northeast corner of Applicant's pipeline system.

The new pipeline proposed in (1) above will connect with a new 6-inch line to be built by Peoples Natural Gas Company (Peoples) to maintain existing service in the Point Marion, Pennsylvania, area, and Applicant will sell gas to Peoples at the relocated metering station, (2) above, for both the Mount Morris and the Point Marion areas, which latter area is now being served through the old, deteriorated line proposed to be abandoned in (3) above.

Total estimated cost of the entire project under this application, including abandonment costs, is $13,850, which will be paid from funds on hand.

No change in authorized deliveries to Peoples is involved in Hope's proposal.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections

7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 8, 1959, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 28, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7343; Filed, Sept. 2, 1959; 8:48 a.m.]

LANDS WITHDRAWN IN POWER SITE CLASSIFICATION

Finding and Order Vacating Withdrawal Under Federal Water Power Act

AUGUST 28, 1959.

In the matter of lands withdrawn in Power Site Classification No. 128, Project No. 113, and Power Site Reserves Nos. 698 and 731; Docket No. DA-135-Utah, Bureau of Indian Affairs, United States Department of the Interior.

Application was filed by the Bureau of Land Management, Department of the Interior, on behalf of the Bureau of Indian Affairs, seeking the revocation of power withdrawals against the following described lands, for the benefit of the Ute Indian Tribe of the Uintah and Ouray Reservation under the provisions of the Act of August 27, 1954 (68 Stat. 874):

UINTAH MERIDIAN, UTAH

T. 1 N., R. 8 W.,
Sec. 19, lots 2, 3, 4, NE¼, E½NW¼, SE¼ SW¼ and SE¼;

to which the NE¼SW¼ of said Sec. 19 has been added, the land status and power values of which are similar to the other tracts within Sec. 19 first described above.

The above-described lands are crossed by the Duchesne River and its tributary, West Fork, the two streams joining in the SE¼ of Sec. 19. That part of the main stem above the confluence apparently was formerly designated as the North Fork.

The SE¼SW¼ of Sec. 19 is withdrawn in Power Site Classification No. 128, approved February 4, 1926, and the remaining lands are withdrawn pursuant to the filing of an application for preliminary permit on December 4, 1920 for Project No. 113. The permit for the project expired July 19, 1923. Lots 2, 3, 4, W½NE¼, E½NW¼, NE¼SW¼ and NW¼SE¼ are further withdrawn in Power Site Reserve No. 698, approved November 16, 1918, while the SW¼SE¼ is withdrawn in Power Site Reserve No. 731, approved May 14, 1920. The SE¼ SE¼ is included in the Duchesne Administrative Site (now part of the Stockmore Ranger Station Site of Ashley National Forest) withdrawn for Forest Service purposes on February 2, 1908.

Development of power under proposed Project No. 113, which would have provided storage on the so-called North Fork and diversion on the West Fork, includes use of the subject lands for conduit and penstock location and as a site for a powerhouse. According to available records, the power capacity of the development contemplated in Project No. 113 would range from 3350 to 6880 horsepower. However, no plans for power development are presently known to be pending or imminent. Bureau of Reclamation investigations of the river and its tributaries have been concerned primarily with irrigation needs and the development of power, where considered at all, is subservient.

As we have recited above, the subject application indicates that vacation of the power withdrawals of the lands involved is sought to implement the provisions of the Act of August 27, 1954, which, among other things, provides for the transfer of lands to and the division of assets between the Ute Indians of the Uintah and Ouray Reservation for the ultimate purpose of removing Federal supervisory restrictions on the Indians as quickly as possible.

We note that both the Geological Survey and the Bureau of Reclamation advocate restoration of the lands subject to section 24 of the Federal Power Act. The Forest Service advises it has no objection to the cancellation of the power withdrawals with respect to those lands in which the Service has an administrative interest. While invited to comment on the application, the State of Utah has not expressed any views.

The Commission finds:

(1) The above-described lands have negligible value for purposes of power development and, therefore, the Commission has no objection to revocation by the Secretary of the Interior of Power Site Classification No. 128 and Power Site Reserves Nos. 698 and 731, pertaining to the lands.

(2) The existing power withdrawal under section 24 of the Federal Water Power Act serves no useful purpose and vacation of the withdrawal is in the public interest.

The Commission orders: The existing power withdrawal pertaining to the above-described lands under section 24 of the Federal Water Power Act pursuant to the filing of the application for preliminary permit for proposed Project No. 113 is vacated.

By the Commission.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 59-7344; Filed, Sept. 2, 1959; 8:48 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2645]

F. L. JACOBS CO.

Order Summarily Suspending Trading Pursuant to Securities Exchange Act of 1934

AUGUST 28, 1959.

I. The common stock, $1.00 par value, of F. L. Jacobs Co. is registered on the New York Stock Exchange and admitted to unlisted trading privileges on the Detroit Stock Exchange, national securities exchanges, and

II. The Commission on February 11, 1959 issued its order and notice of hearing under section 19(a) (2) of the Securities Exchange Act of 1934 to determine at a hearing beginning March 16, 1959 whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the capital stock of F. L. Jacobs Co. on the New York Stock Exchange and Detroit Stock Excange for failure to comply with section 13 of the Act and the rules and regulations thereunder.

On August 19, 1959, the Commission issued its order summarily suspending trading of said securities on the exchanges pursuant to section 19(a) (4) of the Act for the reasons set forth in said order to prevent fraudulent, deceptive or manipulative acts or practices for a period of ten days ending August 29, 1959.

III. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the New York Stock Exchange and Detroit Stock Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the further opinion that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, trading in the stock of F. L. Jacobs Co. will be unlawful under section 15(c)(2) of the Securities Exchange Act of 1934 and the Commission's Rule 240.15c2-2 (17 CFR 240.15c2-2) thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19(a) (4) of the Securities Exchange Act of 1934 that trading in said security on the New York Stock Exchange and Detroit Stock Exchange be summarily suspended

in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, August 30, 1959 to September 8, 1959, inclusive.

By the Commission.

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

[F.R. Doc. 59-7353; Filed, Sept. 2, 1959; 8:50 a.m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

[Case No. 263]

ALF TOMSEN & CO. AND K. B. BYRRILD-STEFFENSEN

Order Denying Export Privileges

In the matter of Alf Tomsen & Co., and K. B. Byrrild-Steffensen, Warburgstrasse 33, Hamburg 36, Federal Republic of Germany, respondents, Case No. 263.

Alf Tomsen & Co. and K. B. Byrrild-Steffensen, of Hamburg, Federal Republic of Germany, the respondents herein, were charged by the Director, Investigation Staff, Bureau of Foreign Commerce of the United States Department of Commerce, with having violated the Export Control Act of 1949, as amended, in that, as alleged, they made false representations to procure the exportation of United States goods to them, they transshipped such goods to unauthorized destinations, and they violated a temporary denial order heretofore issued against them. (The temporary denial order was issued on January 14, 1959 (24 F.R. 438, Jan. 17, 1959), was extended from time to time and, most recently, was extended until the completion of this proceeding (24 F.R. 3803, May 12, 1959). They answered the charging letter, admitting certain of the allegations and reciting several defenses in avoidance.

In accordance with the practice, the case was referred to the Compliance Commissioner, who has reported that the evidence supports the charges and that the respondents should be denied export privileges so long as export controls remain in effect.

Now, after considering the entire record consisting of the charges, the evidence submitted in support thereof, the answer and other evidence in opposition thereto, and the Report and Recommendation of the Compliance Commissioner, I hereby make the following findings of fact:

1. At all times hereinafter mentioned, Alf Tomsen & Co. was engaged in the export-import business in Hamburg, Federal Republic of Germany, and respondent K. B. Byrrild-Steffensen was its managing director.

2. On or about the 15th day of August, 1957, having an order from a customer in Hungary for the sale of one radio frequency bridge, valued at about $620, respondents ordered the same from a dealer in the United States and did not disclose to that dealer their intention to transship it to Hungary.

3. On or about the 27th day of February, 1958, having another order from a customer in Hungary for the sale of one pulse (sweep and time-delay) generator, valued at about $1,750, respondents ordered it from the same dealer in the United States and did not disclose to that dealer their intention to transship it to Hungary.

4. On each occasion, following receipt of each order, the dealer applied to the Bureau of Foreign Commerce for the necessary export license to ship the article ordered to the respondents, together with which applications he submitted to the Bureau of Foreign Commerce official German import certificates provided to him by respondents and authorizing them to import said instruments into Germany.

5. The licenses were duly issued authorizing the exportation of said instruments to respondents and, in each case, named West Germany as the country of ultimate destination.

6. Under the authority of the licenses so issued, the dealer in the United States exported the said instruments to the respondents and caused the bills of lading and the invoices to be endorsed with the required destination control notice, "These Commodities Licensed by the U.S. for Ultimate Destination Germany. Diversion Contrary to U.S. Law Prohibited."

7. On receipt of the instruments and in disregard of the notices prohibiting diversion from West Germany, as contained in the documents received by them, respondents thereafter transshipped them to Hungary, without prior authorization from the Bureau of Foreign Commerce.

8. After the happening of the foregoing events and having more detailed knowledge of United States export controls affecting the exportation of goods from the United States and restricting the subsequent transshipment thereof to other destinations, particularly destinations in the Soviet Bloc, respondents ordered from a supplier in the United States 5 klystron tubes, valued at about $340, and 5 cathode ray tubes, valued at about $84, and did not disclose to their vendor in the United States the fact that they had agreed to sell these commodities to persons or firms in Hungary or Switzerland.

9. The dealer in the United States, on receipt of said orders, assumed that it was respondents' intention to use or sell the goods in West Germany and, relying thereon, applied to the Bureau of Foreign Commerce for validated export licenses to export the said commodities to the respondents for ultimate consumption in West Germany.

10. In reliance on the representations contained in the applications for export licenses, the Bureau of Foreign Commerce issued to the respondents' vendor in the United States validated export licenses authorizing the exportation of the klystron tubes and cathode ray tubes to the respondents in West Germany.

11. Thereafter, the vendor in the United States exported the said klystron tubes and cathode ray tubes to the respondents by parcel post, and endorsed the invoices accompanying said goods with the destination control clause warning that diversion contrary to United States law was prohibited.

12. On receipt of the goods, with the knowledge aforesaid of United States controls affecting the disposition of goods exported from the United States, and in possession of the invoices containing the destination control clause endorsed thereon, respondents, nevertheless, did transship the klystron tubes to Hungary and the cathode ray tubes to Switzerland, the latter shipment to Switzerland being intended for ultimate transshipment to Hungary.

13. Beginning in January 1958, and continuing in February and May of that year, respondents made five different purchases of various electronic materials, including transistors, tubes, and a precision phase meter, from different suppliers in the United States and, with respect to each of said purchases, represented either to the Bureau of Foreign Commerce or to their suppliers, or to both the Bureau of Foreign Commerce and their suppliers, that the goods involved in each order would be purchased by them for ultimate sale and delivery to one or another named purchaser in Denmark.

14. In reliance on these representations, made either directly to it by the respondents or to it by the respondents through their American suppliers, the Bureau of Foreign Commerce issued validated export licenses authorizing the exportation to the respondents of the goods ordered by them, and the goods, having an aggregate value of almost $2,000, were thereafter exported to the respondents by the American suppliers.

15. Every invoice for said goods and, in those cases where bills of lading were involved, every bill of lading contained a destination control clause.

16. In disregard of the notices given to respondents in the destination control clause endorsed on the invoices and the bills of lading and in disregard of their representations that Denmark was the ultimate destination, previously made to the Bureau of Foreign Commerce and their suppliers, and in disregard of their actual knowledge of United States export control regulations, respondents diverted and transshipped part of the said goods to Switzerland and the remainder to Hungary, all without prior authorization by the Bureau of Foreign Commerce.

17. Further, in attempts to obtain goods from the United States, for a purpose or purposes not disclosed in the record, respondents placed with three suppliers in the United States orders for klystron tubes, transistors, and a gas gravity balance, and represented to such suppliers, with respect to each order so placed, that they were purchasing the same for delivery to one or another named buyer in Denmark.

18. The representations so made by the respondents, that they were purchasing the said goods for delivery to a buyer or buyers in Denmark, were false, because the buyers so named had not ordered the same from the respondents and had no use for the goods. Export licenses were not granted by the Bureau of Foreign Commerce with respect to these goods.

19. On January 14, 1959, the Bureau of Foreign Commerce issued an order denying all export privileges to respondent Alf Tomsen & Co. for a period of thirty days thereafter and, by order dated February 13, 1959, said temporary denial order was extended to and including the 31st day of March, 1959. (It was further extended thereafter and is being made permanent by the order in this case.)

20. By the terms of said denial order, of which the respondent Byrrild-Steffensen had actual knowledge, it affected not only the respondent Alf Tomsen & Co. but also "its agents, servants, and employees, and all persons and firms associated with it * * *" Byrrild-Steffensen, being its director and manager, was therefore also subject thereto.

21. Although duly served with the original denial order and the order of extension dated February 13, 1959, and with knowledge of the contents thereof, respondents, by order dated March 6, 1959, attempted to procure to be exported from the United States electronic materials, valued at about $1,750, by resorting to the device of placing an order with the American supplier on stationery bearing the letterhead of Benny Byrrild-Steffensen and not disclosing his association with or the interest of the respondent Alf Tomsen & Co. in acquiring said materials.

22. The said materials were, in fact, substantially the same materials which the respondents had attempted to acquire from the same American dealer some months prior thereto and with respect to which they had been informed by the American supplier that the Bureau of Foreign Commerce had refused to issue an export license.

And, from the foregoing, it is my conclusion that the respondents knowingly made false representations to the Bureau of Foreign Commerce for the purpose of and in connection with the obtaining of validated export licenses, in violation of § 381.5 of the Export Regulations; that they knowingly and without authorization transshipped, diverted, and re-exported goods exported from the United States to destinations other than those for which the exportations had been licensed, in violation of §§ 379.10(d)(2) and 381.6 of the Export Regulations; and that they sought to obtain and have shipped to them goods to be exported from the United States, during the time that they were subject to an export control denial order denying to them the right to participate in any exportations from the United States, contrary to the provisions of §§ 381.3, 381.4, and 381.10 of the Export Regulations.

In his report the Compliance Commissioner discussed a major defense interposed herein and said:

> (Respondents' answer) admits the transshipment of the radio frequency bridge, the klystron tubes, and the cathode ray tubes, but alleges (a) that the American exporter and the Department of Commerce were on notice that the respondents had purchased the goods in connection with triangular transactions, the transshipment of which could be authorized by the German Government, and that the German Government did authorize such transshipment; * * *
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> * * *
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> * * * On being informed that the export license was granted, but without information that the license prohibited re-exportation from Germany, and assuming, because of the nature of the import certificate, that the American export license was compatible with it, respondents opened the letter of credit in favor of (the American exporter). * * * It was not until the goods arrived and respondents' bank received another copy of the invoice and the bill of lading that the destination control clause came to their attention. * * * Although confronted with the control notices, they were faced also with the fact that their customer's letter of credit in their favor was to expire in a few days, and they could not assume that it would be extended. Having the alternative of being saddled with the goods for which they had paid and losing their customer, they elected to transship. They say the fault for all this is BFC's, because it should have been alerted to the fact that this was a triangular transaction and that, if there was any lack of clarity, BFC should have requested additional information from them before issuing the license * * *
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> * * * * *
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> In summary, the substance of the defense * * * is the claimed inequity of the position in which respondents found themselves by reason of the German-licensed transshipment after they had involved themselves in the acquisition of the goods following the claimed error on the part of BFC in issuing the export license, coupled with their alleged good faith in incurring the obligations to complete their sales to Hungary prior to actual notice of restrictions affecting the movement of the goods. Superficially, the position of the respondents does not appear to be unreasonable. They seem to have been placed in a dilemma which pushed them into a violation of United States export controls. However, neither the fact that a foreign importer presents an import certificate nor the fact that the import certificate discloses that a triangular transaction which may be approved by his government is involved absolves the foreign importer from United States export controls. Section 373.2(b) of the regulations referring to import certificates, provides:
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> "These documents contain an undertaking by the government issuing the Import Certificate or the Delivery Verification to exercise legal control over the disposition of the commodities covered. This control is in addition to the conditions and restrictions placed on the exportation by the Bureau of Foreign Commerce. The laws and regulations of the United States are in no way modified, changed, or superseded by the issuance of an Import Certificate or Delivery Verification."
>
> Note 2 under § 373.2(a)(1) says,
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> "Submission of an Import Certificate does not relieve the parties to the transaction from compliance with the reexportation provisions."
>
> The Department of Commerce, by issuing a license in a case in which is involved an import certificate such as those involved in this case, could not end its control over the goods after arrival in the country of first destination and leave it to that country's government to permit unrestrictedly the further movement of the goods. There is nothing in the Export Control Law which could be regarded as permitting an agency of the United States to delegate to a foreign government its power to control exports from the United States. The power of delegation is limited by section 3(b) of the law "to such departments, agencies, or officials of the [United States] Government * * *" as the President may deem appropriate.
>
> The only effect of the import certificate is to impose on the foreign importer his own government's control in addition to the controls imposed by the United States.
>
> * * * This has been ruled consistently (e.g., see Kesco G.m.b.H., 20 F.R. 2093, Apr. 2, 1955). At best, in an appropriate case, the facts cited by respondents might be given sympathetic consideration as mitigating circumstances.
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> In summary, the Compliance Commissioner added:
>
> The respondents in this case were familiar with United States export control regulations in general. They knew also that every bill of lading issued in connection with an exportation from the United States had to be endorsed with a destination control notice warning against transshipment. Having this knowledge and with the intention of transshipping goods to unauthorized destinations, they withheld this information from their suppliers; they furnished their suppliers with German import certificates bearing triangle endorsements with the previously conceived intention to claim that such endorsements nullified the United States controls affecting goods licensed to be exported following the submission of the import certificates; they transshipped goods so exported to unauthorized destinations in violation of the destination control notices brought to their attention; they made false representations to American suppliers as to intended buyers and destinations; they transshipped to unauthorized destinations goods exported under validated export licenses issued on the basis of such representations later disclosed as false; and, while they were subject to a temporary denial order, in defiance of that order, they attempted to procure goods to be exported from the United States to them. This record indicates a pattern of knowing, wilful, and continuing violations of the Export Control Act of 1949, as amended, and of the regulations. In my opinion, it is necessary that these respondents be denied export privileges so long as export controls are in effect in order that effective enforcement of the law may be achieved.

Having concluded that the recommended action is fair, just, and necessary to achieve effective enforcement of the law:

It is hereby ordered:

I. Henceforth, and so long as export controls shall be in effect, the said respondents, their officers, agents, servants, and employees, be, and they hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any exportation of any commodity or technical data from the United States to any foreign destination, including Canada, whether such exportation has heretofore or hereafter been completed. Without limitation of the generality of the foregoing denial of export privileges, participation in an exportation is deemed to include and prohibit participation, directly or indirectly, in any manner or capacity, (a) as a party or as a representative of a party to any validated export license application, (b) in the obtaining or using of any validated or general export license or other export control document, (c) in the receiving, ordering, buying, selling, using, or disposing in any foreign country of any commodities in whole or in part exported or to be exported from the United States, and (d) in storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

II. Such denial of export privileges shall extend not only to the respondents, but also to any person, firm, corporation, or business organization with which they now or hereafter may be related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade in which may be involved exports from the United States or services connected therewith.

III. No person, firm, corporation, partnership, or other business organization, whether in the United States or elsewhere, without prior disclosure to, and specific authorization from the Bureau of Foreign Commerce, shall, on behalf of or in any association with either respondent, directly or indirectly, in any manner or capacity, (a) apply for, obtain, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any such prohibited activity or (b) order, receive, buy, use, sell, dispose of, finance, transport, or forward any commodity heretofore or hereafter exported from the United States. Nor shall any person do any of the foregoing acts with respect to any such commodity or exportation in which either respondent may have any interest of any kind or nature, direct or indirect.

Dated: August 28, 1959.

JOHN C. BORTON,
Director,
Office of Export Supply.

[F.R. Doc. 59-7318; Filed, Sept. 2, 1959; 8:45 a.m.]

Federal Maritime Board

[Docket No. 867]

PAN-ATLANTIC STEAMSHIP CORP.

Proportional Commodity Rates on Cigarettes and Tobacco

NOTICE OF INVESTIGATION AND OF HEARING

On August 24, 1959, the Federal Maritime Board entered the following order:

It appearing that there has been filed with the Federal Maritime Board a tariff schedule, as amended, setting forth new reduced proportional rates and charges, and new rules, regulations and practices affecting such proportional rates and charges applicable on Cigarettes and Tobacco from U.S. Atlantic ports to ports in the Commonwealth of Puerto Rico, to become effective August 25, 1959, designated as follows:

Pan-Atlantic Steamship Corporation F.M.B.F.-No. 5, also Supplements Nos. 1, 2 and 3 thereto;

It further appearing that upon consideration of the said schedule, as amended, and protests thereto, there is reason to believe that it would, if permitted to become effective, result in rates and charges, rules and regulations or practices which would be unjust and unreasonable or otherwise unlawful in violation of the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933, as amended; and good cause appearing therefor;

It is ordered, That an investigation be, and is hereby, instituted into and concerning the lawfulness of the rates, charges, rules, regulations and practices contained in said schedule, as amended, with a view to making such findings and orders in the premises as the facts and circumstances shall warrant;

It is further ordered, That the operation of said schedule, as amended, be and it is hereby suspended in full, and that the use thereof be deferred to and including December 24, 1959, unless otherwise ordered by the Board;

It is further ordered, That neither the schedule hereby suspended nor those sought to be altered thereby may be changed until this investigation and suspension proceeding has been disposed of or until the period of suspension has expired, unless otherwise authorized by the Board;

It is further ordered, That there shall be filed immediately with the Board by Pan-Atlantic Steamship Corporation a consecutively numbered supplement to tariff F.M.B.F.-No. 5 which shall reproduce the portion of this Order wherein the suspended designated tariff, as amended, is described, and shall state that such tariff as amended is suspended and that the rates, charges, rules, regulations and practices therein stated may not be used until the twenty-fifth day of December, 1959, unless otherwise authorized by the Board; and that neither the rates, charges, rules, regulations and practices hereby deferred nor those which sought to be altered thereby, may be changed during the period of suspension or any extension thereof, unless otherwise authorized by the Board;

It is further ordered, That copies of this order shall be filed with said tariff in the Regulation Office of the Federal Maritime Board; that a copy hereof be forthwith served upon Pan-Atlantic Steamship Corporation; and said carrier be and it is hereby made respondent in this proceeding; and

It is further ordered, That the investigation herein ordered be assigned for hearing before an examiner of the Board's Hearing Examiners' Office at a date and place to be determined and announced by the Chief Examiner; that the respondent and protestants be duly notified of the time and place of the hearing herein ordered; and that notice of such hearing be published in the FEDERAL REGISTER.

Pursuant to the above order, notice is hereby given that the hearing herein ordered will be held before an examiner of the Board's Hearing Examiners' Office at a date and place to be determined and announced by the Chief Examiner. The hearing will be conducted in accordance with the Board's rules of practice and procedure, and an initial decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies), having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Board promptly and file petitions for leave to intervene in accordance with Rule 5(n) (46 CFR § 201.74) of said rules.

Dated: August 31, 1959.

By order of the Federal Maritime Board.

[SEAL] JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-7359; Filed, Sept. 2, 1959; 8:51 a.m.]

AMERICAN PRESIDENT LINES, LTD., ET AL.

Notice of Agreements Filed for Approval

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

(1) Agreement No. 8061-A-1, between American President Lines, Ltd., Isthmian Lines, Inc., and Lykes Bros. Steamship Co., Inc., modifies approved Agreement No. 8061-A, a supplementary agreement to Agreement No. 8061, as amended, that covers an arrangement for the apportionment of rubber shipments from Siam (except Bangkok local rubber) to U.S. Atlantic and Gulf ports. Agreement No. 8061-A records the basis on which American President and Isthmian shall share any undercarried portion of rubber allocated to Lykes under Agreement No. 8061. The purpose of Agreement No. 8061-A-1 is to modify Agreement No. 8061-A to reflect the percentage participation of American President and Isthmian in any undercarriage by Lykes of its proposed new percentage allotment under Agreement No. 8061, as provided by Agreement No. 8061-5.

(2) Agreement No. 8407, between Dampskibsselskabet af 1912 Aktieselskab/Aktieselskabet Dampskibsselskabet Svendborg (carriers comprising the A. P. Moller-Maersk Line joint service), and Bull Insular Line, Inc., covers a through billing arrangement in the trade from India, China, including Hong Kong, Japan, Philippine Islands, Formosa, Siam, Singapore, Sigon, Indonesia, and Ceylon to Puerto Rico, with transshipment at New York, Baltimore, Philadelphia, Mobile or New Orleans.

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

Dated: August 31, 1959.

By order of the Federal Maritime Board.

[SEAL] JAMES L. PIMPER,
Secretary.

[F.R. Doc. 59-7360; Filed, Sept. 2, 1959; 8:51 a.m.]

Office of the Secretary

RICHARD V. FORD

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:

A. Deletions: None.
B. Additions: None.

This statement is made as of August 24, 1959.

RICHARD V. FORD.

AUGUST 24, 1959.

[F.R. Doc. 59-7357; Filed, Sept. 2, 1959; 8:51 a.m.]

JOHN A. CLAUSSEN

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: Hevi Duty Electric Co.
B. Additions: None.

This statement is made as of August 23, 1959.

JOHN A. CLAUSSEN.

AUGUST 24, 1959.

[F.R. Doc. 59-7358; Filed, Sept. 2, 1959; 8:51 a.m.]

TARIFF COMMISSION

DRIED FIGS

Tariff Commission Reports to President

AUGUST 31, 1959.

The U.S. Tariff Commission today submitted to the President its sixth periodic report on the developments in the trade in dried figs since the "escape clause" action of August 30, 1952, modifying the concession granted in the General Agreement on Tariffs and Trade on such figs classifiable under paragraph 740 of the Tariff Act of 1930. This report was made pursuant to paragraph 1 of Executive Order 10401 of October 14, 1952, which order prescribes procedures for the periodic review of escape-clause actions. The review under paragraph 1 is limited to the determination of whether a formal investigation under paragraph 2 of the order should be made for the purpose of determining if a concession that has been modified or withdrawn can be restored in whole or in part without causing or threatening serious injury to the domestic industry concerned.

In submitting its sixth report, the Commission advised the President that the conditions of competition between imported and domestic dried figs had not so changed since the issuance of its fifth report as to warrant the institution of a formal investigation.

Copies of the Commission's report are available upon request as long as the limited supply lasts. Requests should be addressed to the U.S. Tariff Commission, Eighth and E Streets, NW., Washington, D.C.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 59-7354; Filed, Sept. 2, 1959; 8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 182]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 31, 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 general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. 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 62374. By order of August 27, 1959, Division 4, Acting as an Appellate Division, approved the transfer to George E. Woodin, doing business as George's Motor Freight, Albany, N.Y., of that portion of the operating rights in Certificate No. MC 68908, issued October 12, 1949, to Mullen Bros., Inc., of North Adams, Adams, Mass., authorizing the transportation, of general commodities, excluding household goods and other specified commodities, between Pittsfield, Mass., and Hoosick Falls, N.Y. Benjamin Apkin, 68 Main Street, North Adams, Mass., for applicants.

[SEAL] HAROLD D. McCOY,
Secretary.

[F.R. Doc. 59-7355; Filed, Sept. 2, 1959; 8:50 a.m.]

CUMULATIVE CODIFICATION GUIDE—SEPTEMBER

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