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Rules and Regulations

Title 7—AGRICULTURE

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

SUBCHAPTER A—MARKETING ORDERS

[Valencia Orange Reg. 215]

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

Limitation of Handling

§ 922.515 Valencia Orange Regulation 215.

(a) *Findings.* 1. Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act by tending to establish and maintain such orderly marketing conditions for such oranges as will provide, in the interests of producers and consumers, an orderly flow of the supply thereof to market throughout the normal marketing season to avoid unreasonable fluctuations in supplies and prices, and is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish under the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Valencia oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the

recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 15, 1960.

(b) *Order.* 1. The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., September 18, 1960, and ending at 12:01 a.m., P.s.t., September 25, 1960, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 700,000 cartons;
- (iii) District 3: Unlimited movement.

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

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 16, 1960.

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

[F.R. Doc. 60-8762; Filed, Sept. 16, 1960;
11:16 a.m.]

[Lemon Reg. 864]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 953.971 Lemon Regulation 864.

(a) *Findings.* 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 23 F.R. 9053), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend

to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on September 13, 1960.

(b) *Order.* 1. The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., September 18, 1960, and ending at 12:01 a.m., P.s.t., September 25, 1960, are hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 186,000 cartons;
- (iii) District 3: Unlimited movement.

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

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 14, 1960.

FLOYD F. HEDLUND,
Deputy Director, Fruit and Vege-
table Division, Agricultural
Marketing Service.

[F.R. Doc. 60-8712; Filed, Sept. 16, 1960;
8:55 a.m.]

PART 970—IRISH POTATOES GROWN IN MAINE

Limitation of Shipments

Findings. (a) Marketing Agreement No. 122 and Order No. 70 (7 C.F.R. 970), effective under the Agricultural Marketing Agreement Act of 1937, as amended (Sec. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), provide methods for limiting the handling of potatoes grown in the area defined therein through the issuance of regulations authorized in §§ 970.1 through 970.92, inclusive, of the order. The Maine Potato Marketing Committee established pursuant to § 970.22, has recommended regulations limiting the handling of the 1960 crop potatoes. Committee recommendations, with information submitted therewith and other available information, have been considered and it is hereby found that the regulations hereinafter set forth will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication in the *FEDERAL REGISTER* (5 U.S.C. 1001-1011) in that (1) the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, (2) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this section, (3) compliance with this section will not require any special preparation on the part of handlers which can not be completed by the effective date, (4) reasonable time is permitted, under the circumstances, for such preparation, and (5) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

§ 970.307 Limitation of shipments.

During the period from September 19, 1960, through June 30, 1961, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraph (a) of this section or unless such potatoes are handled in accordance with the provisions of paragraph (b), (c), (d), (e), (f), or (g) of this section.

(a) *Minimum grade, size, and cleanliness requirements.*—(1) *Round varieties.* U.S. No. 1 or better, grade, 2¼ inches minimum diameter and 4 inches maximum diameter.

(2) *Long varieties.* U.S. No. 2 or better grade, 2 inches minimum diameter or 4 ounces minimum weight; or U.S. No. 1 or better, grade, size A, 2 inches minimum diameter or 4 ounces minimum weight.

(3) *Cleanliness.* (i) Round varieties—at least 90 percent fairly clean. (ii) Long varieties—packs of less than fifty pounds, at least generally fairly clean to clean, mostly clean, which

means that not less than 55 percent of such potatoes are clean and not more than 10 percent are slightly dirty; packs of fifty pounds or larger may be shipped if at least 90 percent fairly clean.

(b) *Special purpose shipments.*—(1) *Modified grade, size, and cleanliness requirements.* In addition to potatoes which meet the requirements of paragraph (a) of this section (minimum grade, size, and cleanliness requirements), potatoes may be shipped for the special purposes set forth in this paragraph if such potatoes meet grade and size requirements specified for the particular purpose and the handler complies with the applicable provision of paragraph (c), of this section (Safeguards).

(i) *Chipping.* Maine Processing Grade, or better, 1½ inches minimum diameter.

(ii) *Processing into potato salad, fish cakes, hash, knishes, or pancakes.* 85 percent U.S. No. 1, or better, quality, 1½ inches minimum diameter and 2½ inches maximum diameter.

(iii) *Export.* Maine Processing Grade, or better, 1½ inches minimum diameter.

(2) *Exemptions from grade, size, and cleanliness requirements.* The minimum grade, size and cleanliness requirements of paragraph (a) of this section shall not apply to shipments of potatoes for the following purposes if the handler complies with the applicable provisions of paragraph (c) of this section, (Safeguards).

- (i) Seed, (prior to June 1, 1961);
- (ii) For grading or storing within the production area;
- (iii) Dehydration or potato flakes;
- (iv) Manufacture or conversion into starch, flour, or alcohol;
- (v) Canning or freezing;
- (vi) Livestock feed;
- (vii) For distribution by the Federal Government; and
- (viii) Charity.

(c) *Safeguard S.* (1) Each handler making shipment of potatoes under the provisions of paragraph (b) of this section for chipping, processing into potato salad, fish cakes, hash, knishes, or pancakes, export, dehydration or potato flakes, canning or freezing, livestock feed, or charity shall:

(i) Prior to making shipment, apply for and obtain an approved Certificate of Privilege from the committee pursuant to the provisions of § 970.130;

(ii) Obtain inspection of, and pay assessments on such shipments except shipments for canning or freezing, livestock feed, dehydration, potato flakes, and charity;

(iii) Pay assessments on shipments of seed; and on all such seed shipments after May 31, 1961, also comply with subdivisions (i) and (iv) of this subparagraph.

(iv) Furnish the committee such reports and documents as may be requested, including certification by the buyer or consignee as to the use of such potatoes.

(2) Prior to the issuance of a Certificate of Privilege to ship potatoes for chipping, the applicant shall provide the committee with appropriate evidence

that such potatoes have been treated and conditioned (or are in the process of being treated and conditioned) for use for potato chipping and that such potatoes, meet the applicable grade and size requirements set forth in paragraph (b) (1) (i) of this section.

(3) The safeguards set forth in this paragraph shall not apply to shipments of potatoes within the production area of less than 20,000 pounds for canning or freezing, dehydration, potato flakes or livestock feed when such potatoes are shipped in bulk, barrels, or in unsewn 100-pound burlap bags.

(d) *State requirements.* The obtaining of a Certificate of Privilege for shipments to specified outlets as provided for in this section does not relieve the handler of the responsibility of complying with the provisions of the Maine Branding Law (Me. Rev. Stat. Ch. 32, sections 295-301 (1954), as amended (Supp. 1957)).

(e) *Minimum quantities.* Each handler may handle not in excess of thirty (30) hundredweight of potatoes per week free from regulation effective pursuant to § 970.45 (assessments) and § 970.65 (Inspection and Certification); if such potatoes meet the requirements of subparagraph (1) or (2) of paragraph (a) of this section and are 90 percent "fairly clean." This exemption shall not apply to any portion of a shipment of over thirty (30) hundredweight of such potatoes.

(f) *Inspection.* No handler shall ship potatoes for which inspection is required unless an appropriate inspection certificate has been issued with respect thereto and the certificate is valid at the time of shipment. Under § 970.65(c) for administration thereof each inspection certificate shall be valid for only 72 hours following completion of inspection as shown in the certificate.

(g) *Certificates of exemption.* Each handler making shipments of potatoes under a Certificate of Exemption issued under § 970.122 which are exempted from the grade and size limitations set forth in paragraph (a) of this section shall pack such potatoes in 50-pound or larger, packs.

(h) *Definitions.* The terms "clean", "fairly clean", and the grades and sizes used in this section shall have the same meaning assigned such terms, grades, and sizes in the United States Standards for Potatoes (§§ 51.1540 to 51.1556 of this title) including the tolerances set forth therein; the term "Maine Processing Grade" shall have the same meaning assigned such term in the promulgation of the "Maine Processing Grade" by the Commissioner of Agriculture of the State of Maine, in Circular No. 41, promulgated and adopted on February 10, 1960; the term "week" as used in paragraph (e) of this section means a calendar week beginning midnight (12:01 a.m.) Sunday; 85 percent U.S. No. 1, or better, quality, means that 85 percent of the potatoes in any lot meet the requirements of § 51.1541 (of this title) except paragraphs (a) and (b) thereof, or § 51.1540 of this title) except paragraphs (a) and (b) thereof; other terms used in this section shall have the same meaning

as when used in Marketing Agreement No. 122 and Order No. 70.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 15, 1960, to become effective September 19, 1960.

FLOYD F. HEDLUND,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 60-8712; Filed, Sept. 16, 1960;
8:55 a.m.]

PART 1003—DOMESTIC DATES PRODUCED OR PACKED IN DESIGNATED AREA OF CALIFORNIA

Free, Restricted, and Withholding Percentages for 1960-61 Crop Year

Notice was published in the August 30, 1960, issue of the FEDERAL REGISTER (25 F.R. 8265) that consideration was being given to a proposal to establish for the 1960-61 crop year beginning August 1, 1960, free, restricted and withholding percentages for marketable dates of the Deglet Noor, Zahidi and Khadrawy varieties. The establishment of these percentages is in accordance with the applicable provisions of Marketing Agreement No. 127, as amended, and Order No. 103, as amended (7 CFR Part 1003), regulating the handling of domestic dates produced or packed in a designated area of California. The said marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The percentages proposed in the notice were recommended by the Date Administrative Committee, established under the amended marketing agreement and order.

The said notice afforded interested persons the opportunity to submit written data, views, or arguments with respect to the proposal. None were submitted within the time prescribed therefor.

The free, restricted and withholding percentages for marketable Deglet Noor dates as set forth in the notice, of 72 percent, 28 percent and 38.9 percent, respectively, are intended to provide sufficient free dates to supply an estimated trade demand of 25.5 million pounds. The remainder of the marketable dates of such variety (i.e., those which are not free dates) may be used in accordance with this regulatory program for date products or exported to approved countries. The estimates of available supply and trade demand for the Zahidi and Khadrawy varieties indicate there will be no excessive quantities of either of such varieties; therefore, no restriction is needed for these dates, and free percentages of 100 percent should be established.

After consideration of all relevant matters presented, including the recom-

mendation of the Date Administrative Committee and other available information and a review of the estimates set forth in the notice, it is hereby found that to establish as the free percentages, restricted percentages, and the withholding percentages the respective percentages proposed in the aforesaid notice will tend to effectuate the declared policy of the act.

Therefore, it is ordered, That, for the 1960-61 crop year, the free, restricted and withholding percentages applicable to marketable dates are hereby established as follows:

§ 1003.208 Free, restricted, and withholding percentages.

For the crop year beginning August 1, 1960, and ending July 31, 1961, the free, restricted and withholding percentages applicable to marketable dates are, by variety of dates, as follows: (a) Deglet Noor variety dates: ¹ Free percentage, 72 percent; restricted percentage, 28 percent; and withholding percentage, 38.9 percent; (b) Zahidi variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding percentage, 0 percent; and (c) Khadrawy variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding percentage, 0 percent.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that: (1) The 1960-61 crop year began on August 1, 1960, and the control percentages herein established are applicable as provided in the amended marketing agreement and order, to all dates subject to volume regulation on and after that date; (2) the free, restricted and withholding percentages established for the 1959-60 crop year continue to apply in the 1960-61 crop year, in accordance with the amended marketing agreement and order, until the control percentages established herein for the 1960-61 crop year become effective; (3) at that time handlers' withholding obligations must be adjusted (as provided in the amended marketing agreement and order) for any differences between the percentages for the 1959-60 crop year and the newly established percentages; (4) since there are some such differences, it is necessary, therefore, that the control percentages for the 1960-61 crop year become effective as soon as possible so as to minimize such adjustments; and (5) handlers are aware that the percentages established herein were proposed for the 1960-61 crop year and they need no additional

¹ The following countries are specified as those that were included in the determination of trade demand in connection with the establishment of control percentages for this variety for the 1960-61 crop year: Austria, Belgium, British Isles, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, United States, and Venezuela.

advance notice for compliance under this regulation. In these circumstances, this regulation should be made effective upon publication in the FEDERAL REGISTER.

(Sec. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 13, 1960, to become effective upon publication in the FEDERAL REGISTER.

FLOYD F. HEDLUND,
Acting Director,
Fruit and Vegetable Division.

[F.R. Doc. 60-8693; Filed, Sept. 16, 1960;
8:54 a.m.]

SUBCHAPTER B—PROHIBITIONS OF IMPORTED COMMODITIES

[Avocado Reg. No. 8, Amdt. 1]

PART 1067—AVOCADOS

Grades

(a) Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), paragraph (a)(1) of § 1067.8 (Avocado Regulation No. 8; 25 F.R. 5445) is hereby amended by deleting "U.S. Combination" and substituting therefor "U.S. No. 2 except that avocados that have scars caused by wind damage or have russetting or discoloration caused by wind may be imported if they otherwise grade at least U.S. No. 2."

(b) As used herein the terms "U.S. No. 2," "scars," "russetting," and "discoloration" shall have the same meaning as when used in the United States Standards for Florida Avocados (7 CFR 51.3050-51.3069).

(c) It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to postpone the effective time of this amendment beyond that hereinafter specified (60 Stat. 237; 5 U.S.C. 1001-1011) in that (1) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), which makes such regulation necessary; (2) such amendment applies the same grade requirements to imports of avocados as are imposed on avocados grown in south Florida under Avocado Order 22 (§ 969.322); (3) compliance with this amended import regulation will not require any special preparation which cannot be completed by the effective time hereof; and (4) this amendment relieves restrictions on the importation of avocados.

(d) *Effective time.* The provisions of this amendment shall become effective at 12:01 a.m., e.s.t., September 15, 1960.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 14, 1960.

FLOYD F. HEDLUND,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 60-8692; Filed, Sept. 16, 1960;
8:54 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 60-FW-62]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

Modification

The purpose of this amendment to § 600.6056 of the regulations of the Administrator is to modify the segment of VOR Federal airway No. 56 between Columbia, S.C., and Florence, S.C.

This segment of Victor 56 presently extends from the Columbia VOR to the Florence VOR via the Columbia VOR 079° True and the Florence VOR 246° True radials. Because of technical difficulties, the Florence VOR 244° True through 251° True radials are out of tolerance and therefore unusable. This situation cannot readily be corrected. Therefore, it is necessary to realign this segment of Victor 56 via usable radials. The Federal Aviation Agency is realigning this segment herein via the Columbia VOR 079° True and the Florence VOR 243° True radials. This realignment will add no appreciable distance to the airway (approximately one-half nautical mile). The control areas associated with Victor 56 are so designated that they will automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

For the reasons stated above, the Administrator finds that a situation exists requiring immediate action in the interest of safety and that notice and public procedure hereon are impracticable, and that good cause exists for making this amendment effective on less than 30 days notice.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), the following action is taken:

In the text of § 600.6056 (14 CFR 600.6056), "INT of the Columbia VOR 079° and the Florence VOR 246° radials;" is deleted and "INT of the Columbia VOR 079° True and the Florence VOR 243° True radials;" is substituted therefor.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

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

Issued in Washington, D.C., on September 12, 1960.

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

[F.R. Doc. 60-8638; Filed, Sept. 16, 1960; 8:46 a.m.]

[Airspace Docket No. 60-FW-35]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

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

Revocation of Federal Airway, Associated Control Areas, and Reporting Points; Modification of Control Area Extension

On June 7, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 4999) stating that the Federal Aviation Agency proposed to revoke in its entirety Red Federal airway No. 34, its associated control areas and reporting points.

Although not mentioned in the notice, this revocation will require a redescription of the Edenton, N.C., control area extension (§ 601.1265) because Red 34 is used to describe the north boundary of the control area extension. Therefore, the Federal Aviation Agency is bounding the north portion of the Edenton control extension by the Norfolk, Va., control area extension (§ 601.1149). No additional airspace is involved in this redescription.

No adverse comments were received regarding the proposed amendments.

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.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the Notice, the following actions are taken:

1. Parts 600 and 601 (14 CFR 600, 601) are amended as follows:

(a) Section 600.234 *Red Federal airway No. 34 (Harrellsville, N.C., to Weeksville, N.C.)* is revoked.

(b) Section 601.234 *Red Federal airway No. 34 control areas (Harrellsville, N.C., to Weeksville, N.C.)* is revoked.

(c) Section 601.4234 *Red Federal airway No. 34 (Harrellsville, N.C., to Weeksville, N.C.)* is revoked.

2. In § 601.1265 (14 CFR 601.1265) "Red Federal airway No. 34 and" is deleted.

These amendments shall become effective 0001 e.s.t. November 17, 1960.

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

Issued in Washington, D.C., on September 12, 1960.

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

[F.R. Doc. 60-8637; Filed, Sept. 16, 1960; 8:45 a.m.]

[Airspace Docket No. 60-FW-30]

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

Modification of Control Area Extension

On July 1, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 6215) stating that the Federal Aviation Agency proposed to modify the Milton, Fla., control area extension.

No adverse comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, § 601.1406 (14 CFR 601.1406) is amended to read:

§ 601.1406 Control area extension (Milton, Fla.).

That airspace bounded by a line beginning at Lat. 30°44'20" N, Long. 87°37'00" W, thence N to Lat. 30°58'45" N, Long. 87°36'00" W.; thence NE along the arc of a circle with a 34.5 mile radius centered on the Whiting RR to Lat. 31°15'40" N, Long. 87°10'30" W.; thence SE to Lat. 30°54'00" N, Long. 86°56'30" W.; thence E to Lat. 30°54'00" N, Long. 86°52'30" W.; thence to Lat. 30°46'00" N, Long. 86°52'30" W, thence SW to Lat. 30°39'00" N, Long. 87°03'25" W.; thence W to point of beginning.

This amendment shall become effective 0001 e.s.t. November 17, 1960.

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

Issued in Washington, D.C., on September 12, 1960.

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

[F.R. Doc. 60-8633; Filed, Sept. 16, 1960; 8:45 a.m.]

[Airspace Docket No. 60-NY-15]

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

Modification of Control Area Extension

On July 1, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 6214) stating that

the Federal Aviation Agency proposed to modify the Windsor Locks, Conn., control area extension.

No adverse comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, § 601.1081 (14 CFR 601.1081, 25 F.R. 5329) is amended to read:

§ 601.1081 Control area extension (Windsor Locks, Conn.).

That airspace within a 30-mile radius of the Bradley, Conn., Airport (Lat. 41°56'25" N., Long. 72°41'10" W.), excluding the portion which coincides with the New York, N.Y., control area extension (601.1066) and the area NE. of a line extending from Lat. 42°21'00" N., Long. 72°53'00" W.; to Lat. 42°08'20" N., Long. 72°37'00" W.; to Lat. 42°03'45" N., Long. 72°09'00" W.; to Lat. 42°04'30" N., Long. 72°01'00" W.

This amendment shall become effective 0001 e.s.t. November 17, 1960.

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

Issued in Washington, D.C., on September 12, 1960.

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

[F.R. Doc. 60-8634; Filed, Sept. 16, 1960; 8:45 a.m.]

[Airspace Docket No. 60-NY-72]

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

Modification of Control Zone

On July 1, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 6216) stating that the Federal Aviation Agency proposed to modify the Erie, Pa., control zone.

No adverse comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, § 601.2009 (14 CFR 601.2009) is amended to read:

§ 601.2009 Erie, Pa., control zone.

Within a 5-mile radius of the Port Erie Airport (Lat. 42°04'56" N, Long.

80°10'44" W), within 2 miles either side of the 054° True radial of the Erie VORTAC extending from the 5-mile radius zone to the VORTAC.

This amendment shall become effective 0001 e.s.t. November 17, 1960.

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

Issued in Washington, D.C., on September 12, 1960.

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

[F.R. Doc. 60-8635; Filed, Sept. 16, 1960; 8:45 a.m.]

[Airspace Docket No. 60-NY-61]

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

Modification of Control Zone

On June 28, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 5947) stating that the Federal Aviation Agency proposed to modify the Plattsburgh, N.Y., control zone.

No adverse comments were received regarding the proposed amendment.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice § 601.2371 (14 CFR 601.2371) is amended to read:

§ 601.2371 Plattsburgh, N.Y., control zone.

Within a 5-mile radius of the Plattsburgh Air Force Base (Lat. 44°39'05" N, Long. 73°28'10" W), within a 5-mile radius of the Plattsburgh Municipal Airport (Lat. 44°41'10" N, Long. 73°31'10" W), within 2 miles either side of the 338° True radial of the Plattsburgh AFB TACAN extending from the Plattsburgh Municipal Airport 5-mile radius zone to 12 miles N of the TACAN, and within 2 miles either side of the 213° True radial of the Plattsburgh VOR extending from the Plattsburgh Municipal Airport 5-mile radius zone to the VOR.

This amendment shall become effective 0001 e.s.t. November 17, 1960.

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

Issued in Washington, D.C., on September 12, 1960.

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

[F.R. Doc. 60-8636; Filed, Sept. 16, 1960; 8:45 a.m.]

[Airspace Docket No. 60-WA-209]

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

Modification and Revocation of Reporting Points

The purpose of these amendments to §§ 601.7001 and 601.4230 of the regulations of the Administrator is to revoke designated reporting points and modify the location of existing designated reporting points. Flight progress reports over designated locations, automatically initiated by pilots, will facilitate air traffic management and assist the controller in the performance of his duties. However, due to the continuous modernization of the airway structure of the United States, the need for reporting points at particular locations is constantly being revised. Thus, the actions taken herein reflect this changing need on the part of air traffic control.

Since these amendments are of a procedural nature and do not assign or reassign the use of navigable airspace, compliance with the notice and public procedure of the Administrative Procedure Act is unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, these amendments will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (24 F.R. 4530), the following actions are taken:

1. In the text of § 601.7001 (14 CFR 601.7001, 25 F.R. 7489, 3756), the following changes are made:

(a) Delete "Emerson INT: The INT of the Myrtle Beach, S.C., VOR 033° T and the Wilmington, N.C., VOR 281° T radials".

(b) The following intersections are amended to read:

Sonora INT: The INT of the San Angelo, Tex., VOR 191° True and the San Antonio, Tex., VORTAC 300° True radials.

Scottdale INT: The INT of the Pittsburgh, Pa., VORTAC 120° True and the Johnstown, Pa., 250° True radials.

2. In the text of § 601.4230 (14 CFR 601.4230, 25 F.R. 7489) "radio range station; the INT of the E course of the Tallahassee, Fla., RR and a line bearing 187° True from the Ray City, Ga., RBN." is deleted and "RR." is substituted therefor.

These amendments shall become effective 0001 e.s.t. November 17, 1960.

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

Issued in Washington, D.C., on September 12, 1960.

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

[F.R. Doc. 60-8639; Filed, Sept. 16, 1960; 8:46 a.m.]

[Airspace Docket No. 60-WA-156]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, AND POSITIVE CONTROL ROUTE SEGMENTS**PART 608—RESTRICTED AREAS****Modification of Control Area Extension, Control Zone and Restricted Area**

On June 18, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 5543) stating that the Federal Aviation Agency proposed to modify the Harrisburg, Pa., control area extension, control zone and the Indiantown Gap, Pa., Restricted Area (R-69) (New York Chart).

Although the notice stated that a control zone extension to the west of the Harrisburg-York State Airport was proposed within 2 miles either side of the 098° True radial of the Harrisburg VORTAC, this extension will be based on the Harrisburg VORTAC 100° True radial to more accurately conform to the VOR instrument approach procedure.

No adverse comments were received regarding the proposed amendments.

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.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530, 25 F.R. 8005), and for the reasons stated in the Notice, the following actions are taken:

1. Section 601.1270 (14 CFR 601.1270) is amended to read:

§ 601.1270 Control area extension (Harrisburg, Pa.).

Within a 15-mile radius of the Harrisburg VORTAC including the airspace NE of the Harrisburg VORTAC, bounded on the N by VOR Federal airway No. 30, on the E by the New York control area extension (§ 601.1066), on the S and SE by VOR Federal airway No. 162 and on the W by VOR Federal airway No. 31.

2. Section 601.2010 (14 CFR 601.2010) is amended to read:

§ 601.2010 Harrisburg, Pa., control zone.

Within a 5-mile radius of the Harrisburg-York State Airport (Lat. 40°12'59" N, Long. 76°51'03" W); within a 5-mile radius of the Olmsted AFB (Lat. 40°11'39" N, Long. 76°45'39" W); within 2 miles either side of the 100° True radial of the Harrisburg VORTAC extending from the Harrisburg-York State Airport 5-mile radius zone to the VORTAC and within 2 miles either side of the Harrisburg-York State Airport ILS localizer SW course extending from the 5-mile radius zone to the ILS OM.

§ 608.46 [Amendment]

3. In the text of § 608.46 *Pennsylvania*, Indiantown Gap, Pa., Restricted Area

(R-69) (New York Chart) (23 F.R. 8587, 23 F.R. 9773).

"Time of designation. March 1 through November 30, annually.

Controlling agency. Headquarters, 2nd Army, Fort Meade, Md." is deleted and

"Time of designation. March 1 through May 31, and September 1 through November 30, on Saturdays and Sundays only from 0800 to 1800 local standard time, annually; and from June 1 through August 31, annually, on a continuous basis.

Controlling agency. The Federal Aviation Agency, New York Air Route Traffic Control Center." is substituted therefor.

These amendments shall become effective 0001 e.s.t. November 17, 1960.

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

Issued in Washington, D.C., on September 12, 1960.

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

[F.R. Doc. 60-8641; Filed, Sept. 16, 1960; 8:46 a.m.]

[Airspace Docket No. 59-WA-72]

PART 608—RESTRICTED AREAS**Designation of Restricted Area/Military Climb Corridor**

On November 20, 1959, a notice of proposed rule making was published in the FEDERAL REGISTER (24 F.R. 9372) stating that the Federal Aviation Agency proposed to designate a Restricted Area/Military Climb Corridor at Truax Field, Madison, Wis.

The Air Transport Association of America submitted the following comments, quoted in part, in respect to the Notice, "Such designation would place the corridor across Federal Airway Victor 2 North and proposed Federal airway V170. The corridor crossing of V2N will diminish the usefulness of this airway to 2 or 3 lower altitudes. The corridor will also cross the proposed Victor 170 at a point which appears to limit usage of this airway to 10,000 feet and below." The Federal Aviation Agency is extending VOR Federal airway No. 170 from Milwaukee, Wis., to Nodine, Minn., via a VOR to be commissioned approximately December 7, 1960, near Wisconsin Dells, Wis. (Airspace Docket No. 59-KC-3, 25 F.R. 2387), effective December 15, 1960. The segment of Victor 170 between Wisconsin Dells and Milwaukee will be designated via the Wisconsin Dells VOR 097° True and the Milwaukee VOR 307° True radials. This alignment of Victor 170 will lie below the segment of the climb corridor extending vertically from 15,900 feet to 27,000 feet MSL thereby permitting unrestricted use of the altitudes below this segment. The segment of VOR Federal airway No. 2 between Lone Rock, Wis., and Milwaukee was realigned via the Lone Rock VOR 106° True and the Milwaukee VOR 270° True radials, effective July 28, 1960, and the north alternate between these two terminals is being revoked, effective December 15, 1960 (Airspace Docket No. 59-WA-190, 25 F.R. 5568). This modification will permit the simultaneous use of the climb

corridor and Victor 2. The effective date of this amendment will be December 15, 1960, so that it will coincide with the effective date of the above-mentioned airway modifications.

No other comments were received regarding the proposed amendments.

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

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 8005), and for the reasons stated in the notice, the following action is taken:

In § 608.57 *Wisconsin* (23 F.R. 8590), add the following:

Madison, Wis. (Truax Field), Restricted Area/Military Climb Corridor (R-591) (Milwaukee Chart).

Description. That area centered on the 003° True radial of the Truax Field TVOR beginning 5 statute miles N of the airbase and extending 32 statute miles N of the airbase, having a width of 2 statute miles at the beginning, and a width of 4.6 statute miles at the outer extremity.

Designated altitudes.

2,900' MSL to 15,900' MSL from 5 statute miles N of the airbase to 6 statute miles N of the airbase.

2,900' MSL to 24,900' MSL from 6 to 7 statute miles N of the airbase.

2,900' MSL to 27,000' MSL from 7 to 10 statute miles N of the airbase.

6,900' MSL to 27,000' MSL from 10 to 15 statute miles N of the airbase.

10,900' MSL to 27,000' MSL from 15 to 20 statute miles N of the airbase.

15,900' MSL to 27,000' MSL from 20 to 25 statute miles N of the airbase.

19,900' MSL to 27,000' MSL from 25 to 32 statute miles N of the airbase.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency Control Tower, Truax Field, Madison, Wis.

This amendment shall become effective 0001 e.s.t. December 15, 1960.

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

Issued in Washington, D.C., on September 12, 1960.

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

[F.R. Doc. 60-8640; Filed, Sept. 16, 1960; 8:46 a.m.]

Title 19—CUSTOMS DUTIES**Chapter I—Bureau of Customs, Department of the Treasury**

[T.D. 55222]

PART 19—CUSTOMS WAREHOUSES AND CONTROL OF MERCHANDISE THEREIN**PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE****Reimbursement of Expenses**

At present, misinterpretation is possible as to when a proprietor of a bonded warehouse is required to reimburse the Government for the transportation ex-

penses and any authorized per diem expenses of customs employees assigned to perform services at a bonded warehouse. In order to eliminate this possibility and to make it specifically clear when such expenses incurred by any customs employee so assigned must be reimbursed by the warehouse proprietor, the Customs Regulations are amended as set forth below:

In Part 19—Customs Warehouses and Control of Merchandise Therein:

Section 19.5(c) is amended to read as follows:

(c) The necessary transportation expenses and any authorized per diem expenses of a customs employee assigned to perform services at a warehouse at which he is not regularly assigned shall be reimbursed by the warehouse proprietor.

Section 19.5(d) is amended to read as follows:

(d) When a customs officer is regularly assigned to duty at more than one warehouse, the charge for his compensation and transportation expenses in going from one bonded warehouse to another shall be equitably apportioned among the respective warehouse proprietors concerned. However, no charge shall be made for transportation expenses when a customs employee is reporting to as a first assignment, or leaving from as a last assignment, a place where he is regularly assigned to duty.

(R.S. 251, secs. 555, 624, 46 Stat. 743, 759; 19 U.S.C. 66, 1555, 1624)

In Part 24—Customs Financial and Accounting Procedure, § 24.17(c) is amended to read as follows:

(c) The charge for any service enumerated in this section for which expenses are required to be reimbursed shall include actual transportation expenses and any authorized per diem expenses of a customs employee whether the services are performed within or without the port limits, except that no charge shall be made for transportation expenses when a customs employee is reporting to, as a first assignment, or leaving from as a last assignment, a place where he is regularly assigned to duty.

(R.S. 161, as amended, 251, sec. 501, 65 Stat. 290, sec. 624, 46 Stat. 759; 5 U.S.C. 22, 140, 19 U.S.C. 66, 1624)

Notice of the proposed issuance of the foregoing amendments was published in the FEDERAL REGISTER of July 15, 1960 (25 F.R. 6692) pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003). No data, views, or arguments relating thereto were received. The amendments as set forth above are hereby adopted effective 30 days after the date of publication in the FEDERAL REGISTER.

[SEAL] LAWTON M. KING,
Acting Commissioner of Customs.

Approved: September 9, 1960.

A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F.R. Doc. 60-8676; Filed, Sept. 16, 1960;
8:51 a.m.]

No. 182—2

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 19—CHEESES; PROCESSED CHEESES; CHEESE FOODS; CHEESE SPREADS, AND RELATED FOODS; DEFINITIONS AND STANDARDS OF IDENTITY

Cream Cheese and Neufchatel Cheese; Order Amending Standards of Identity

In the matter of amending the definitions and standards of identity for cream cheese and neufchatel cheese:

A notice of proposed rule making was published in the FEDERAL REGISTER of May 27, 1960 (25 F.R. 4691), setting forth a proposal filed by the Kelco Company, San Diego, California, to amend the definitions and standards of identity for cream cheese and neufchatel cheese by listing propylene glycol alginate as an optional ingredient permitted to be used in amounts up to 0.5 percent by weight.

Upon consideration of the information submitted with the proposal and in the comments filed and other relevant information available, it is concluded that it will promote honesty and fair dealing in the interest of consumers to amend the definitions and standards of identity for cream cheese and neufchatel cheese (21 CFR 19.515, 19.520) as hereinafter set forth. Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F.R. 1045, 23 F.R. 9500, 25 F.R. 5611), the following amendments are ordered:

1. In § 19.515, paragraph (b) (2) is amended by adding propylene glycol alginate to the optional ingredients listed therein, and paragraph (c) is amended by designating this additional optional ingredient for label declaration by the name "propylene glycol alginate", so that as amended these paragraphs read as follows:

§ 19.515 Cream cheese: identity; label statement of optional ingredients.

* * * * *

(b) * * *

(2) In the preparation of cream cheese one or any mixture of two or more of the optional ingredients gum karaya, gum tragacanth, carob bean gum, gelatin, algin, or propylene glycol alginate may be used; but the quantity of any such ingredient or mixture is such that the total weight of the solids contained therein is not more than 0.5 percent of the weight of the finished cream cheese.

* * * * *

(c) When an optional ingredient listed in paragraph (b) (2) of this section is present in cream cheese, the label shall bear the statement "----- added" or

"with added -----," the blank being filled in with the word or words "vegetable gum," "gelatin," "algin," or "propylene glycol alginate," or any combination of two or more of these, as the case may be. Wherever the name "cream cheese" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statement specified in this section, showing the optional ingredients present, shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

2. In § 19.520, paragraph (b) (2) is amended by adding propylene glycol alginate to the optional ingredients listed therein, and paragraph (c) is amended by designating this additional optional ingredient for label declaration by the name "propylene glycol alginate," so that as amended these paragraphs read as follows:

§ 19.520 Neufchatel cheese: identity; label statement of optional ingredients.

* * * * *

(b) * * *

(2) In the preparation of neufchatel cheese, one or any mixture of two or more of the optional ingredients gum karaya, gum tragacanth, carob bean gum, gelatin, algin, or propylene glycol alginate may be used; but the quantity of any such ingredient or mixture is such that the total weight of the solids contained therein is not more than 0.5 percent of the weight of the finished neufchatel cheese.

* * * * *

(c) When an optional ingredient listed in paragraph (b) (2) of this section is present in neufchatel cheese, the label shall bear the statement "----- added" or "with added -----," the blank being filled in with the word or words "vegetable gum," "gelatin," "algin," or "propylene glycol alginate," or any combination of two or more of these, as the case may be. Wherever the name "neufchatel cheese" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statement specified in this section, showing the optional ingredients present, shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to warrant the relief sought. Objections may be accompanied by a memorandum or brief in

support thereof. All documents shall be filed in quintuplicate.

Effective date: This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371. Interprets or applies sec. 401, 52 Stat. 1046, as amended; 21 U.S.C. 341)

Dated: September 9, 1960.

[SEAL]

JOHN L. HARVEY,
Deputy Commissioner of
Food and Drugs.

[F.R. Doc. 60-8669; Filed, Sept. 16, 1960;
8:51 a.m.]

PART 25—DRESSINGS FOR FOODS

French Dressing and Salad Dressing; Order Amending Standards of Identity

In the matter of amending the standards of identity for french dressing and salad dressing:

A notice of proposed rule making was published in the FEDERAL REGISTER of March 25, 1960 (25 F.R. 2545), setting forth the proposal of the Dow Chemical Company, Midland, Michigan, to amend the standards of identity for french dressing and salad dressing. The notice invited all interested persons to submit views and comments on the proposal.

Upon consideration of the information furnished by the petitioner and other relevant information, it is concluded that it will promote honesty and fair dealing in the interest of consumers to amend the standards of identity for french dressing and salad dressing as proposed. Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F.R. 1045, 23 F.R. 9500): *It is ordered*, That the above-referenced standards of identity (21 CFR 25.2, 25.3 (24 F.R. 6711)) be amended as set forth below:

1. In § 25.2 *French dressing; identity; label statement of optional ingredients*, paragraph (c) (1) is amended by adding the name "hydroxypropyl methylcellulose" at the end of the list of emulsifying ingredients that are permitted in amounts up to 0.75 percent. As amended, paragraph (c) (1) reads as follows:

(c) * * *

(1) Gum acacia (also called gum arabic) carob bean gum (also called locust bean gum), guar gum, gum karaya, gum tragacanth, extract of Irish moss, pectin, propylene glycol ester of alginic acid, sodium carboxymethylcellulose, methylcellulose U.S.P. (methoxy content not less than 27.5 percent and not more than 31.5 percent on a dry-weight basis), hy-

droxypropyl methylcellulose, or any mixture of two or more of these.

2. In § 25.3 *Salad dressing; identity; label statement of optional ingredients*, paragraph (d) is amended by adding the name "hydroxypropyl methylcellulose" at the end of the list of emulsifying ingredients. As amended, paragraph (d) reads as follows:

(d) The optional emulsifying ingredients referred to in paragraph (a) of this section are: Gum acacia (also called gum arabic), carob bean gum (also called locust bean gum), guar gum, gum karaya, gum tragacanth, extract of Irish moss, pectin, propylene glycol ester of alginic acid, sodium carboxymethylcellulose, methylcellulose U.S.P. (methoxy content not less than 27.5 percent and not more than 31.5 percent on a dry-weight basis), hydroxypropyl methylcellulose, or any mixture of two or more of these. The quantity used of any such emulsifying ingredient or mixture amounts to not more than 0.75 percent by weight of the finished salad dressing.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall become effective sixty days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371. Interpret or apply sec. 401, 52 Stat. 1046, as amended; 21 U.S.C. 341)

Dated: September 12, 1960.

[SEAL]

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 60-8670; Filed, Sept. 16, 1960;
8:51 a.m.]

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Tolerance for Residues of Inorganic Bromide

A petition was filed with the Food and Drug Administration by Dow Chemical

Company, Midland, Michigan, requesting the establishment of a tolerance for residues of inorganic bromide from fumigation with methyl bromide in or on popcorn at 200 parts per million. The petitioner later amended the petition to request a tolerance of 240 parts per million.

The Secretary of Agriculture has certified that this pesticide chemical is useful for the purpose for which a tolerance is being established.

After consideration of the data submitted in the petition and other relevant material which show that the tolerance established in this order will protect the public health, and by virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (d) (2), 68 Stat. 512; 21 U.S.C. 346a (d) (2)) and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.7(g)), the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.123) are amended as follows:

Section 120.123 is amended by inserting therein a tolerance of 240 parts per million for residues of inorganic bromide in or on popcorn. All paragraph designations are hereby deleted to facilitate insertion of new tolerances. As revised, § 120.123 reads as follows:

§ 120.123 Tolerances for residues of inorganic bromides resulting from fumigation with methyl bromide.

Tolerances for residues of inorganic bromides (calculated as Br) in or on raw agricultural commodities that have been fumigated with methyl bromide are established as follows:

(a) 240 parts per million in or on popcorn.

(b) 200 parts per million in or on almonds, brazil nuts, bush nuts, butter-nuts, cashew nuts, chestnuts, cottonseed, filberts (hazelnuts), hickory nuts, pecans, pistachio nuts, walnuts.

(c) 100 parts per million in or on copra.

(d) 75 parts per million in or on potatoes, sweetpotatoes.

(e) 50 parts per million in or on alfalfa hay, barley, beans, beans (green), beans (lima), beans (snap), black-eyed peas, cipollini bulbs, cocoa beans, corn, garlic, grain sorghum (milo), oats, peas (with pods), rice, rye, sweet corn (determined on kernels plus cob with husk removed), wheat.

(f) 30 parts per million in or on garden beets (roots), carrots (roots), citrus citron, cucumbers, grapefruit, horseradish, Jerusalem-artichokes, kumquats, lemons, limes, okra, oranges, parsnips (roots), peppers, pimentos, radishes, rutabagas, salsify roots, strawberries, sugar beets (roots), summer squash, tangelos, tangerines, turnips (roots), yams.

(g) 20 parts per million in or on apricots, cantaloups, cherries, eggplants, grapes, honeydew melons, mangoes, muskmelons, nectarines, onions, papayas, peaches, pineapples, plums, (fresh prunes), pumpkins, tomatoes, water-melons, winter squash, zucchini squash.

(h) 5 parts per million in or on apples, pears, quinces.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 408(d)(2), 68 Stat. 512; 21 U.S.C. 346a(d)(2))

Dated: September 9, 1960.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner of
Food and Drugs.

[F.R. Doc. 60-8671; Filed, Sept. 16, 1960;
8:51 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

HYDROXYPROPYL METHYLCELLULOSE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition filed by Dow Chemical Company, Abbott Road Building, Midland, Michigan, has concluded that the following regulation should issue in conformance with section 409 of the Federal Food, Drug, and Cosmetic Act with respect to the food additive hydroxypropyl methylcellulose. Therefore, pursuant to the provisions of the act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (23 F.R. 9500, 25 F.R. 5611), Subpart D (21 CFR Part 121) of the food additive regulations is amended by adding thereto the following new section:

§ 121.1021 Hydroxypropyl methylcellulose.

The food additive hydroxypropyl methylcellulose may be safely used in food, except confectionery and except in standardized foods which do not provide for such use, in accordance with the following prescribed conditions:

(a) The additive is a cellulose ether containing both propylene glycol and methyl groups attached by ether linkages and contains, on an anhydrous basis, not more than 1.82 degrees of substitution as methoxyl (OCH₃), and not more than 0.30 degree of substitution as propylene glycol ether (OCH₂-CHOHCH₃) groups.

(b) The additive meets all the specifications described in The National Formulary, Eleventh Edition.

(c) It is used or intended for use as an emulsifier, film former, protective colloid, stabilizer, suspending agent, or thickener, in accordance with good manufacturing practice.

(d) To insure safe use of the additive, the container of the additive, in addition to being labeled as required by the general provisions of the act, shall be accompanied by labeling which contains adequate directions for use to provide a final product that complies with the limitations prescribed in paragraph (c) of this section.

Any person who will be adversely affected by the foregoing order may at any time prior to the thirtieth day from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall become effective on the date of publication in the FEDERAL REGISTER.

(Sec. 409(c), 72 Stat. 1786; 21 U.S.C. 348(c))

Dated: September 12, 1960.

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

[F.R. Doc. 60-8668; Filed, Sept. 16, 1960;
8:51 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

SUBCHAPTER C—AIDS TO NAVIGATION

[CGFR 60-63]

PART 72—MARINE INFORMATION

Subpart 72.05—Lists of Lights and Other Marine Aids

PURPOSE OF COAST GUARD LISTS

The purpose of this amendment to 33 CFR 72.05-1 is to provide in the regulations for the publishing of Coast Guard Lists of Lights and Other Marine Aids in Five Volumes thereby reducing the size of the volumes to permit ease of use and correction, and to discontinue the publishing of Local Lists of Lights and Other Marine Aids for individual Coast Guard Districts.

By virtue of the authority vested in me as Commandant, United States Coast

Guard, by Treasury Department Orders 167-3 dated May 6, 1953 (18 F.R. 2962), 167-15 dated January 3, 1955 (20 F.R. 840), 167-17 dated June 29, 1955 (20 F.R. 4976) and 167-23 dated July 27, 1956 (21 F.R. 5852), to promulgate regulations in accordance with the statutes cited with the regulations below, § 72.05-1 is amended as follows which is prescribed and shall become effective upon the date of publication of this document in the FEDERAL REGISTER:

§ 72.05-1 Purpose.

(a) The Coast Guard publishes annually the following five List of Lights and Other Marine Aids covering the waters of the United States, its territories and possessions.

(1) Volume I, Atlantic Coast, from St. Croix River, Maine to Little River, South Carolina.

(2) Volume II, Atlantic and Gulf Coasts, from Little River, South Carolina, to Rio Grande River, Texas, and the Greater Antilles.

(3) Volume III, Pacific Coast and Islands.

(4) Volume IV, Great Lakes.

(5) Volume V, Mississippi River System.

(b) These Lists of Lights and Other Marine Aids show the official name, location, characteristics and general description of all aids to navigation maintained by or under authority of the U.S. Coast Guard.

(Sec. 92, 63 Stat. as amended; 14 U.S.C. 92. Interpret or apply sec. 93, 63 Stat. 504, as amended; 14 U.S.C. 93)

Dated: September 9, 1960.

[SEAL] A. C. RICHMOND,
Admiral, U.S. Coast Guard,
Commandant.

[F.R. Doc. 60-8675; Filed, Sept. 16, 1960;
8:51 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

PART 15—KEY LARGO CORAL REEF PRESERVE

Initial Regulations Governing the Protection and Conservation of the Coral and Other Resources of the Seabed.

Presidential Proclamation 3339 of March 15, 1960 (25 F.R. 2352), designated a portion of the outer Continental Shelf situated seaward of a line three geographic miles from Key Largo, Monroe County, Florida, as the Key Largo Coral Reef Preserve, and withdrew such lands from disposition. A new Part 15 governing the protection and conservation of the coral and other mineral resources in this area is published below:

Although it is the policy of the Department of the Interior that wherever practicable the rule making requirements of the Administrative Procedure Act (5

U.S.C. 1003) be observed voluntarily, emergency action must be initiated due to the commercial exploitation of the coral structures now taking place in the Preserve. It is imperative that this commercial exploitation, with its extensive destruction of the coral and other resources of the seabed by blasting, dredging, and otherwise, be stopped as soon as possible.

In order to meet this emergency this regulation shall become effective on the 10th day following publication in the *FEDERAL REGISTER*.

Subtitle A of Title 43 is amended by the addition of a new Part 15.

- Sec.
15.1 Scope.
15.2 Removal or destruction of natural features and marine life.
15.3 Dredging, filling, excavating and building activities.
15.4 Refuse and polluting substances.
15.5 Wrecks.
15.6 Markers.
15.7 Fishing.
15.8 Skin diving.
15.9 Collection of scientific specimens.
15.10 Operation of watercraft.
15.11 Explosives and dangerous weapons.
15.12 Closing of Preserve.
15.13 Report of accidents.
15.14 Applicability of laws.

AUTHORITY: §§ 15.1 to 15.14 issued under sec. 5, 67 Stat. 464; 43 U.S.C. 1334 Proc. 3339, 25 F. R. 2352.

§ 15.1 Scope.

The State of Florida has established a similar coral reef preserve on an area situated shoreward of a line three geographic miles from Key Largo and contiguous to the Key Largo Coral Reef Preserve. It is the policy of the Department of the Interior to cooperate with the State of Florida and its conservation agencies in the preservation of the reef.

§ 15.2 Removal or destruction of natural features and marine life.

No person shall destroy, injure, deface, mar, move, dig, harmfully disturb or remove from the Preserve any beach sand, gravel or minerals, corals, sea feathers and fans, shells and shell fish, starfishes or other marine invertebrates, seaweeds, grasses, or any soil, rock, artifacts, stones or other materials. No person shall cut, carve, injure, mutilate, move, displace or break off any bottom formation or growth. Nor shall any person dig in, or in any other way injure or impair the natural beauty or usefulness of this Preserve. No rope, wire or other contrivance shall be attached to any coral, rock or other formation, whether temporary or permanent in character or use.

§ 15.3 Dredging, filling, excavating and building activities.

No dredging, excavating, or filling operations of any kind are permitted in the Preserve and no materials of any sort may be deposited in or on the waters thereof. No building or structure of any kind, whether permanent or temporary, may be constructed or built, and no public service facility may be constructed or extended into, upon or across the Preserve.

§ 15.4 Refuse and polluting substances.

No person shall dump or deposit in or on the waters of this Preserve any oily liquids or wastes, acids or other deleterious chemicals, bottles, broken glass, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse or other debris or polluting substance.

§ 15.5 Wrecks.

No person shall willfully destroy, molest, remove, deface, displace, or tamper with any wrecks, parts of wrecks or any cargo pertaining to such wrecks within the Preserve in such manner as to injure or destroy any coral formation.

§ 15.6 Markers.

No person shall willfully mark, deface or injure in any way, or displace, remove or tamper with any Preserve signs, notices or placards, whether temporary or permanent, or with any monuments, stakes, posts or other boundary markers.

§ 15.7 Fishing.

(a) Spear fishing within the boundaries or confines of this Preserve is prohibited.

(b) The use of poisons, electric charges, or other such methods is prohibited.

§ 15.8 Skin diving.

Diving with camera, or diving for observation and pleasure is permitted and encouraged within the Preserve.

§ 15.9 Collection of scientific specimens.

Collection of natural objects and marine life for educational purposes and for scientific and industrial research shall be done only in accordance with the terms of written permits granted by the Director of the Florida Board of Parks and Historic Memorials. Such permits shall be issued only to persons representing reputable scientific, research, or educational institutions. No permits will be granted for specimens the removal of which would disturb the remaining natural features or mar their appearance. All permits are subject to cancellation without notice at the discretion of the issuing official. Permits shall be for a limited term and may be renewed at the discretion of the issuing official.

§ 15.10 Operation of watercraft.

No watercraft shall be operated in such a manner as to strike or otherwise cause damage to the natural features of the Preserve. Except in case of emergency endangering life or property, no anchor shall be cast or dragged in such a way as to damage any reef structure.

§ 15.11 Explosives and dangerous weapons.

No person shall carry, use or possess within the Preserve firearms of any description, air rifles, spring guns, bows and arrows, slings, spear guns, harpoons, or any other kind of weapon potentially harmful to the reef structure. The use of such weapons from beyond the boundaries of the Preserve and aimed or directed into the Preserve is forbidden.

The use or possession of explosives within the Preserve is prohibited.

§ 15.12 Closing of Preserve.

The Preserve may be closed to public use in the event of emergency conditions encouraged within the Preserve.

§ 15.13 Report of accidents.

Accidents involving injury to life or property shall be reported as soon as possible by the person or persons involved to the officer in charge of the Preserve.

§ 15.14 Applicability of laws.

In areas to which this part pertains all Federal Acts shall be enforced insofar as they are applicable, and the laws and regulations of the State of Florida shall be invoked and enforced in accordance with the act of June 25, 1948 (62 Stat. 686; 18 U.S.C. 13).

ELMER F. BENNETT,
Acting Secretary of the Interior.

SEPTEMBER 13, 1960.

[F.R. Doc. 60-8719; Filed, Sept. 16, 1960; 8:55 a.m.]

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2200]

[Idaho 010682]

[Idaho 010946]

IDAHO

Opening Lands Subject to Section 24 of the Federal Power Act

Pursuant to Determinations DA-416 and DA-530 of the Federal Power Commission issued January 17, 1952 and July 13, 1959, respectively, and to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and as Secretary of the Interior, it is ordered as follows:

1. Subject to valid existing rights, the provisions of existing withdrawals and the requirements of applicable law, the following-described public lands are hereby opened to application, petition, location, entry, and selection under the public land laws, subject to the provisions of section 24 of the Federal Power Act, supra, and with respect to the lands in Determination DA-530, to the further condition that in the event such lands are required for power purposes, any improvements or structures placed thereon which shall be found to interfere with such development shall be removed or relocated as may be necessary to eliminate interference with power development at no cost to the United States, its permittees or licensees:

Idaho 010946

DA-416—Idaho

POWER SITE RESERVE No. 223

BOISE MERIDIAN

T. 11 N., R. 18 E.,

Sec. 14, lots 1, 5, 6, 7, and NW¼SE¼;

Sec. 15, lots 1 and 2.

Containing 280.36 acres.

Idaho 010682

DA-530—Idaho

POWER SITE RESERVE No. 8

BOISE MERIDIAN

- T. 19 N., R. 21 E.,
 Sec. 1, lot 6;
 Sec. 2, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 11, lot 3, 4, 5, 8, 9, 10, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 14, lot 1, 2, 3, 4, 7, and 8;
 Sec. 15, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 22, lot 1, 2, 3, and 4;
 Sec. 23, lot 1, 2, 3, 4, 5, 8, 9, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 26, W $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 27, lot 1, 2, 3, 4, 5, and 6;
 Sec. 34, lot 2, 4, and 7.
- T. 20 N., R. 21 E.,
 Sec. 35, lot 1 and 3.
- T. 20 N., R. 22 E.,
 Sec. 7, lot 7, 8, 10, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 and NW $\frac{1}{4}$ SE $\frac{1}{4}$.
- T. 23 N., R. 21 E.
 Sec. 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Containing 1,453.69 acres.

2. The lands are grazing lands, bordering on, or located near the Salmon River. Some are difficult of access but a few are traversed by Highway No. 93.

3. Until 10:00 a.m. on March 14, 1961, the State of Idaho shall have a preferred right of application to select the lands in accordance with and subject to the provisions of subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and the regulations in 43 CFR. During this period the State may also apply for the reservation to it or to any of its political subdivisions under any law or regulation applicable thereto, of any of the lands required for

rights-of-way or materials sites, in accordance with the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended. However, applications for highway right-of-way for the lands in DA-416 (except the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14), shall be subject to the additional stipulations contained in DA-393, Idaho, issued August 31, 1948, that if and when the lands used for the highway are required for purposes of power development by the United States or its permittees or licensees under the Federal Power Act, the transferee of the proposed highway right-of-way shall relocate and reconstruct at its own expense as much of the highway at such higher elevation as may be necessary to avoid interference with such power development.

4. Other applications and selections under the nonmineral public land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(a) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications other than from those re-

ferred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(b) All valid applications and selections under the nonmineral public land laws presented prior to 10:00 a.m. on October 18, 1960, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

5. The lands have been open to applications and offers under the mineral leasing laws. They have also been open to location under the United States mining laws, pursuant to the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

6. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

FRED G. AANDAHL,
 Assistant Secretary of the Interior.

SEPTEMBER 12, 1960.

[F.R. Doc. 60-8645; Filed, Sept. 16, 1960;
 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 960, 975]

[Docket Nos. AO-325 and AO-179-A20]

MILK IN GREATER YOUNGSTOWN-WARREN AND NORTHEASTERN OHIO MARKETING AREAS

Notice of Hearing on Proposed Marketing Agreements and Orders

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 of a public hearing to be held in the Cascade Room, Ohio Pick Hotel, Youngstown, Ohio, beginning at 10:00 a.m. local time, on October 4, 1960, with respect to a proposed marketing agreement and order regulating the handling of milk in the Greater Youngstown-Warren marketing area and a proposed amendment or, alternatively, termination of a provision of the order regulating the handling of milk in the Northeastern Ohio marketing area.

The public hearing is for the purpose of receiving evidence with respect to economic and marketing conditions which relate to the proposed marketing agreements and orders, hereinafter set forth, and any appropriate modifications thereof; and for the purpose of determining (1) whether the handling of milk in the Greater Youngstown-Warren area proposed for regulation is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects interstate or foreign commerce, (2) whether there is need for a marketing agreement or order regulating the handling of milk in this area, and (3) whether provisions specified in the proposals or some other provisions appropriate to the terms of the Agricultural Marketing Agreement Act of 1937, as amended, will tend to effectuate the declared policy of the Act.

The proposals, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by the Dairyman's Cooperative Sales Association:

Proposal No. 1. Greater Youngstown-Warren order.

DEFINITIONS

Sec.	Act.
960.1	Secretary.
960.2	Department of Agriculture.
960.3	Person.
960.4	Greater Youngstown-Warren Marketing Area.
960.5	Producer.
960.6	Approved plant.
960.7	Distributing plant.
960.8	Supply plant.
960.9	

Sec.	
960.10	Pool plant.
960.11	Nonpool plant.
960.12	Handler.
960.13	Producer-handler.
960.14	Producer milk.
960.15	Fluid milk product.
960.16	Other source milk.
960.17	Cooperative association.
960.18	Chicago butter price.

MARKET ADMINISTRATOR

960.25	Designation.
960.26	Powers.
960.27	Duties.

REPORTS, RECORDS, AND FACILITIES

960.30	Reports of sources and utilization.
960.31	Other reports.
960.32	Records and facilities.
960.33	Retention of records.

CLASSIFICATION OF MILK

960.40	Skim milk and butterfat to be classified.
960.41	Classes of utilization.
960.42	Responsibility of handlers.
960.43	Transfers.
960.44	Computation of skim milk and butterfat in each class.
960.45	Allocation of skim milk and butterfat classified.

MINIMUM PRICES

960.50	Basic formula price.
960.51	Class price.
960.52	Butterfat differentials to handlers.
960.53	Location differentials to handlers.
960.54	Rate of compensatory payments.
960.55	Use of equivalent prices.

APPLICATION OF PROVISIONS

960.60	Producer-handlers.
960.61	Plants subject to other Federal Orders.
960.62	Handlers operating nonpool plants.
960.63	Milk caused by a handler to be delivered to another handler's pool plant.

DETERMINATION OF PRICES TO PRODUCERS

960.70	Computation of the obligation of each handler.
960.71	Computation of uniform price.
960.72	Butterfat differential to producers.
960.73	Location differential to producers.
960.74	Notification of handlers.

PAYMENTS

960.80	Time and method of payment.
960.81	Producer-settlement fund.
960.82	Payments to the producer-settlement fund.
960.83	Payments out of producer-settlement fund.
960.84	Adjustment of accounts.
960.85	Marketing services.
960.86	Expenses of administration.
960.87	Termination of administration.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

960.100	Effective time.
960.101	Suspension or termination.
960.102	Continuing obligations.
960.103	Liquidation.

MISCELLANEOUS PROVISIONS

960.110	Agents.
960.111	Separability of provisions.

DEFINITIONS

§ 960.1 Act.

"Act" means Public Act No. 10, 73d Congress, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

§ 960.2 Secretary.

"Secretary" means the Secretary of Agriculture of the United States or any other officer or employee of the United States authorized to exercise the powers or to perform the duties of the said Secretary of Agriculture.

§ 960.3 Department of Agriculture.

"Department of Agriculture" means the United States Department of Agriculture or any other Federal Agency authorized to perform the price reporting functions specified in this part.

§ 960.4 Person.

"Person" means any individual, partnership, corporation, association, or other business unit.

§ 960.5 The Greater Youngstown-Warren Marketing Area.

"Greater Youngstown-Warren Marketing Area", hereinafter called the "marketing area", means all the territory included within the boundaries of Trumbull and Mahoning Counties, except Smith Township in Mahoning County; and within the township of Perry in Columbiana County; and all municipalities located in the above defined area, all in the state of Ohio.

§ 960.6 Producer.

"Producer" means any person except a producer handler who produces milk in compliance with Grade A inspection requirements of a duly constituted health authority having jurisdiction in the marketing area which milk is received during the month at a pool plant: *Provided*, That if such milk is diverted from a pool plant by a handler to a nonpool plant (except a nonpool plant at which the handling of milk is subject to the classification and pricing provisions of another order) for his account any day during the months of March through July or on not more than 10 days (5 days in the case of every-other-day delivery) during any other month, the milk so diverted shall be deemed to have been received at a pool plant at the location of the plant from which diverted.

§ 960.7 Approved plant.

"Approved plant" means all of the buildings, premises and facilities of (a) a plant in which any fluid milk product is processed or packaged and from which any fluid milk product is disposed of during the month on routes (including disposal through plant stores, vendors or by vending machines) to wholesale or retail outlets (excluding other plants)

in the marketing area, or (b) a plant from which fluid milk products eligible for distribution in the marketing area under a Grade A label are shipped during the month to a plant described in paragraph (a) of this section.

§ 960.8 Distributing plant.

"Distributing plant" means an approved plant which meets the conditions of both paragraphs (a) and (b) of this section:

(a) Not less than the required percentage (as specified herein) of the volume of milk received thereat from dairy farmers who meet the inspection requirements pursuant to § 960.6 and from a cooperative association as a handler pursuant to § 960.12(c) is disposed of as Class I milk during the month on routes (including disposal through plant stores, vendors or by vending machines) to wholesale or retail outlets (except pool plants), such required percentages being 45 percent in April, May and June, and 55 percent in other months; and

(b) Not less than 5 percent of such disposition on routes as described in paragraph (a) of this section is to wholesale or retail outlets (except pool plants) in the marketing area.

§ 960.9 Supply plant.

"Supply plant" means: During any of the months of September through January, inclusive, an approved plant from which during the month, fluid milk products equal to not less than 55 percent of its receipts from dairy farmers who meet the inspection requirements pursuant to § 960.6 and from a cooperative association as a handler pursuant to § 960.12(c) are shipped to distributing plants or plants described in § 960.10(c) which during the month dispose of as Class I milk on routes described in § 960.8(a), a volume not less than 55 percent of the sum of: (a) Milk received by the plant from producers pursuant to § 960.14 (a) and (b); (b) milk caused to be delivered to the plant pursuant to § 960.63; and (c) any other fluid milk product received by the plant and eligible for distribution in the marketing area under a Grade A label: *Provided*, That if a plant qualifies as a supply plant pursuant to this section in each of the months of September, October, November, December, and January, such plant shall be a pool plant until the end of the following August, unless the operator requests in writing that such plant not be a pool plant beginning in the month following the date of such request.

§ 960.10 Pool plant.

"Pool plant" means:

(a) A distributing plant;

(b) A supply plant; or

(c) An approved plant which receives no milk from dairy farmers and from which Class I milk equal to not less than 5 percent of milk disposed of during the month on routes (including disposal through plant stores, vendors or by vending machines) to retail or wholesale outlets (excluding pool plants), is so disposed of in the marketing area.

§ 960.11 Nonpool plant.

"Nonpool plant" means any milk plant other than a pool plant.

§ 960.12 Handler.

"Handler" means:

(a) A cooperative association with respect to milk of producers diverted for the account of such association from a pool plant to a nonpool plant in accordance with the provisions of § 960.6;

(b) Any person in his capacity as the operator of one or more approved plants; or

(c) A cooperative association with respect to Grade A milk it receives from dairy farmers in a tank truck, the operation of which is under the control of such cooperative association, and delivered in such tank truck to a pool plant: *Provided*, That such milk shall be deemed to have been received directly from producers at the location of the pool plant to which it is delivered by the tank truck.

§ 960.13 Producer-handler.

"Producer-handler" means a person who operates both a dairy farm(s) and a milk processing or bottling plant at which each of the following conditions is met during the month:

(a) Milk is received from the dairy farm(s) of such person but from no other dairy farm;

(b) Fluid milk products are disposed of on routes or through a plant store to retail or wholesale outlets in the marketing area; and

(c) The butterfat or skim milk disposed of in fluid milk products does not exceed the butterfat or skim milk, respectively, received in the form of milk from the dairy farm(s) of such person and in the form of fluid milk products from pool plants of other handlers.

§ 960.14 Producer milk.

"Producer milk" means only that skim milk and butterfat contained in milk (a) received by a handler directly from producers, not including milk delivered for another handler's account pursuant to § 960.63; or (b) diverted by a handler to a nonpool plant (except a nonpool plant at which the handling of milk is subject to the classification and pricing provisions of another order issued pursuant to the Act) in accordance with the provisions of § 960.6; or (c) caused by a handler to be delivered for his account to the pool plant of another handler pursuant to § 960.63.

§ 960.15 Fluid milk product.

"Fluid milk product" means milk, skim milk, buttermilk, flavored milk, flavored milk drinks, yogurt, cream or any mixture in fluid form of milk, skim milk and cream (except sterilized products packaged in hermetically sealed containers, egg nog, ice cream mix and aerated cream).

§ 960.16 Other source milk.

"Other source milk" means all skim milk and butterfat contained in:

(a) Receipts during the month of fluid milk products except (1) fluid milk prod-

ucts received from pool plants, or (2) producer milk; and

(b) Products, other than fluid milk products, from any source (including those produced at the plant) which are reprocessed or converted to another product in the plant during the month.

§ 960.17 Cooperative association.

"Cooperative association" means any cooperative association of producers which the Secretary determines, after application by the association:

(a) To be qualified under the provisions of the Act of Congress of February 18, 1922, as amended, known as the "Capper-Volstead Act;"

(b) To have full authority in the sale of milk of its members and to be engaged in making collective sales or marketing milk or its products for its members; and

(c) To have all of its activities under the control of its members.

§ 960.18 Chicago butter price.

"Chicago butter price" means the simple average, as computed by the market administrator, of the daily wholesale selling prices (using the midpoint of any price range as one price) per pound of 92-score bulk creamery butter at Chicago as reported during the month by the Department of Agriculture.

MARKET ADMINISTRATOR

§ 960.25 Designation.

The agency for the administration of this part shall be a market administrator, selected by the Secretary, who shall be entitled to such compensation as may be determined by, and shall be subject to removal at the discretion of, the Secretary.

§ 960.26 Powers.

The market administrator shall have the following powers with respect to this part:

(a) To administer its terms and provisions;

(b) To make rules and regulations to effectuate its terms and provisions;

(c) To receive, investigate, and report to the Secretary complaints of violations; and

(d) To recommend amendments to the Secretary.

§ 960.27 Duties.

The market administrator shall perform all duties necessary to administer the terms and provisions of this part, including, but not limited to the following:

(a) Within 30 days following the date on which he enters upon his duties, or such lesser period as may be prescribed by the Secretary, execute and deliver to the Secretary a bond, effective as of the date on which he enters upon his duties and conditioned upon the faithful performance of such duties, in an amount and with surety thereon satisfactory to the Secretary;

(b) Employ and fix the compensation of such persons as may be necessary to enable him to administer its terms and provisions;

(c) Obtain a bond in a reasonable amount and with reasonable surety thereon covering each employee who

PROPOSED RULE MAKING

handles funds entrusted to the market administrator;

(d) Pay out of the funds received pursuant to § 960.86: (1) The cost of his bond and of the bonds of his employees, (2) his own compensation, and (3) all other expenses, except those incurred under § 960.85 necessarily incurred by him in the maintenance and functioning of his office and in the performance of his duties;

(e) Keep such books and records as will clearly reflect the transactions provided for in this section, and upon request by the Secretary, surrender the same to such other person as the Secretary may designate;

(f) Publicly disclose to handlers and producers, at his discretion, unless otherwise directed by the Secretary, by posting in a conspicuous place in his office and by such other means as he deems appropriate, the name of the handler who after the date on which he is required to perform such acts, has not made reports pursuant to § 960.30 and § 960.31 or payments pursuant to § 960.80 through § 960.86;

(g) Submit his books and records to examination by the Secretary and furnish such information and reports as may be requested by the Secretary;

(h) On or before the 12th day after the end of each month report to each cooperative association which so requests the percentage of producer milk delivered by members of such association which was used in each class by each handler receiving such milk. For the purpose of this report the milk so received shall be prorated to each class in accordance with the total utilization of producer milk by such handler;

(i) Verify all reports and payments of each handler by audit if necessary, of such handler's records and the records of any other handler or person upon whose utilization the classification of skim milk and butterfat for such handler depends; and by such other means as are necessary;

(j) Prepare and make available for the benefit of producers, consumers, and handlers, general statistics and information concerning the operation of this order which do not reveal confidential information; and

(k) On or before the date specified publicly announce, by posting in a conspicuous place in his office and by such other means as he deems appropriate, and mail to each handler at his last known address a notice of the following:

(1) The 5th day of each month, the Class II milk price and the Class II butterfat differential both for the preceding month; and

(2) The 11th day of each month, the Class I milk price and the Class I butterfat differential both for the current month; and the uniform prices computed pursuant to § 960.71 and the producer butterfat differential, both for the preceding month.

REPORTS, RECORDS, AND FACILITIES

§ 960.30 Reports of sources and utilization.

On or before the 7th day after the end of each month each handler, except a

producer-handler, shall report for such month to the market administrator in the detail and on forms prescribed by the market administrator as follows:

(a) The quantities of skim milk and butterfat contained in:

(1) Producer milk;

(2) Fluid milk products received from other pool plants and from a cooperative association as a handler pursuant to § 960.12(c);

(3) Other source milk;

(4) Inventories of fluid milk products on hand at the beginning of the month;

(5) Milk caused to be moved from a producer's farm to a plant of another handler; and

(b) The utilization of all skim milk and butterfat required to be reported pursuant to paragraph (a) of this section, including separate statements as to the disposition of Class I milk outside the marketing area, and inventories of fluid milk products on hand at the end of the month.

§ 960.31 Other reports.

(a) Each producer-handler shall make reports to the market administrator at such times and in such manner as the market administrator may prescribe;

(b) Each handler, except a producer-handler, shall report to the market administrator in detail and on forms prescribed by the market administrator:

(1) On or before the 7th day of each of the months of May through August the aggregate quality of base milk received for the preceding month.

(2) On or before the 20th day after the end of the month, his producer payroll for such months which shall show for each producer:

(i) His name and address;

(ii) The total pounds of milk received from such producer;

(iii) The days for which milk was received from such producer if less than the entire month;

(iv) The average butterfat content of such milk; and

(v) The net amount of such handler's payment to the producer, together with the price paid and the amount and nature of any deductions.

(3) On or before the day prior to diverting producer milk pursuant to § 960.6 his intention to divert such milk, the date or dates of such diversion and the nonpool plant to which such milk is to be diverted, and

(4) Such other information with respect to his sources and utilization of butterfat and skim milk as the market administrator may prescribe.

§ 960.32 Records and facilities.

Each handler shall maintain and make available to the market administrator during the usual hours of business such accounts and records of his operations and such facilities as are necessary for the market administrator to verify or establish the correct data for each month with respect to:

(a) The receipt and utilization of all skim milk and butterfat handled in any form;

(b) The weights and tests for butterfat and other content of all products handled;

(c) The pounds of skim milk and butterfat contained in or represented by all items of products on hand at the beginning and end of each month; and

(d) Payments to producers, including any deductions authorized by producers and disbursements of money so deducted.

§ 960.33 Retention of records.

All books and records required under this part to be made available to the market administrator shall be retained by the handler for a period of three years to begin at the end of the calendar month to which such books and records pertain: *Provided*, That if, within such three-year period, the market administrator notifies the handler in writing that the retention of such books and records, or of specified books and records, is necessary in connection with a proceeding under sec. 8c(15) (A) of the Act or a court action specified in such notice, the handler shall retain such books and records, or specified books and records, until further written notification from the market administrator. In either case, the market administrator shall give further written notification to the handler promptly upon the termination of the litigation or when the records are no longer necessary in connection therewith.

CLASSIFICATION OF MILK

§ 960.40 Skim milk and butterfat to be classified.

The skim milk and butterfat to be reported pursuant to § 960.30(a) shall be classified each month pursuant to the provisions of § 960.41 through § 960.46.

§ 960.41 Classes of utilization.

Subject to the conditions set forth in § 960.42 through § 960.46, the classes of utilization shall be as follows:

(a) *Class I milk*. Class I milk shall be all skim milk and butterfat: (1) Disposed of from the plant in the form of fluid milk products, except those classified pursuant to paragraph (b) (3) and (4) of this section, and (2) not specifically accounted for as Class II milk; and

(b) *Class II milk*. Class II milk shall be all skim milk and butterfat: (1) Used to produce any product other than a fluid milk product; (2) contained in inventories of fluid milk products on hand at the end of the month; (3) disposed of in bulk to any manufacturer of candy, soup or bakery products who does not dispose of milk in fluid form; (4) disposed of as skim milk and used for livestock feed or skim milk dumped subject to prior notification to and an inspection (at his discretion) by the market administrator; and (5) in shrinkage not to exceed 2 percent, respectively, of the skim milk and butterfat contained in producer milk (except that diverted pursuant to § 960.6), milk received from a cooperative association for which it is a handler pursuant to § 960.12(c), milk caused to be delivered to the plant pursuant to § 960.63, and other source milk received in the form of fluid milk products; *Provided*, That if shrinkage of skim milk or butterfat is less than such 2 percent it

shall be assigned pro rata to the skim milk or butterfat contained in producer milk (except that diverted pursuant to § 960.6), milk received from a cooperative association for which it is a handler pursuant to § 960.12(c), milk caused to be delivered to the plant pursuant to § 960.63, and other source milk received in the form of fluid milk products.

§ 960.42 Responsibility of handlers.

All skim milk and butterfat to be classified pursuant to this order shall be classified as Class I milk, unless the handler who first receives such milk and butterfat establishes to the satisfaction of the market administrator that it should be classified as Class II milk.

§ 960.43 Transfers.

(a) Skim milk and butterfat transferred from a pool plant (or from a cooperative association which is a handler pursuant to § 960.12(c)) to the pool plant of another handler (including that milk which a handler causes to be delivered from a producer's farm to the pool plant of another handler pursuant to § 960.63) shall be classified as Class I milk unless utilization as Class II milk is mutually reported in writing to the market administrator by both handlers on or before the 7th day after the end of the month within which such transfer occurred, and the amount of skim milk or butterfat so assigned to Class II milk does not exceed the amount of skim milk or butterfat, respectively, remaining in Class II utilization by the transferee handler after the subtraction of other source milk pursuant to § 960.45: *Provided*, That the skim milk and butterfat so transferred shall be classified so as to result in a maximum assignment of producer milk to Class I milk: *And provided further*, In no case shall the assignment to Class I milk in the transferee plant be greater than the difference between its total receipts of milk and its total utilization of such milk in Class II;

(b) Skim milk and butterfat transferred to the plant of a producer-handler in the form of fluid milk products, shall be classified Class I milk;

(c) Skim milk and butterfat transferred or diverted in bulk form as milk or skim milk to a nonpool milk plant shall be classified Class I milk unless:

(1) The transferee-plant is located less than 250 miles from the Court House in Youngstown or Warren, Ohio, by the shortest hard-surfaced highway distance, as determined by the market administrator;

(2) The transferring or diverting handler claims classification in Class II milk in his report submitted to the market administrator pursuant to § 960.30 for the month within which such transaction occurred;

(3) The operator of the nonpool plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification; and

(4) Not less than an equivalent amount of skim milk and butterfat was actually utilized in the nonpool plant in the use indicated in such report: *Pro-*

vided, That if it is found that an equivalent amount of skim milk and butterfat was not actually used in such plant during the month in such indicated use, the pounds transferred in excess of such actual use shall be classified Class I milk; and

(d) Skim milk and butterfat transferred in bulk form as cream to a nonpool plant shall be classified Class I unless:

(1) The transferring handler claims classification in Class II milk in his report submitted to the market administrator pursuant to § 960.30;

(2) The handler attaches tags or labels to each container of such cream bearing the words "for manufacturing uses only" and the shipment is so invoiced;

(3) The handler gives the market administrator sufficient notice to allow him to verify such shipment;

(4) The operator of the nonpool plant maintains books and records showing the utilization of all skim milk and butterfat at such plant which are made available if requested by the market administrator for the purpose of verification; and

(5) Not less than an equivalent amount of skim milk and butterfat was actually utilized in the nonpool plant in the use indicated in such report: *Provided*, That if it is found that an equivalent amount of skim milk and butterfat was not actually used in such plant during the month in such indicated use, the pounds transferred in excess of such actual use shall be classified Class I milk.

§ 960.44 Computation of skim milk and butterfat in each class.

For each month, the market administrator shall correct for mathematical and other obvious errors, the reports submitted by each handler pursuant to § 960.30 and compute the total pounds of skim milk and butterfat respectively, in Class I milk and Class II milk at all of the pool plants of such handler: *Provided*, That the skim milk contained in any product utilized, produced, or disposed of by the handler during the month shall be considered to be an amount equivalent to the nonfat milk solids contained in such product, plus all of the water originally associated with such solids.

§ 960.45 Allocation of skim milk and butterfat classified.

(a) The pounds of skim milk remaining in each class after making the following computations each month with respect to the pool plant(s) of each handler, shall be the pounds of skim milk in such class allocated to the producer milk of such handler for such month.

(1) Subtract from the total pounds of skim milk in Class II milk the shrinkage of skim milk in producer milk classified as Class II milk pursuant to § 960.41(b),

(2) Subtract from the pounds of skim milk remaining in Class II milk the pounds of skim milk in other source milk except that to be subtracted pursuant to subparagraph (3) of this paragraph: *Provided*, That if the pounds of skim milk to be subtracted are greater than

the remaining pounds of skim milk in Class II milk, the balance shall be subtracted from the pounds of skim milk in Class I milk,

(3) Subtract from the pounds of skim milk remaining in Class II milk the pounds of skim milk in fluid milk products received from plants regulated under another order(s) issued pursuant to the Act and classified as Class I pursuant to such other order(s): *Provided*, That if the pounds of skim milk to be subtracted are greater than the remaining pounds of skim milk in Class II milk, the balance shall be subtracted from the pounds of skim milk in Class I milk.

(4) Subtract from the pounds of skim milk remaining in Class II milk the pounds of skim milk contained in inventory of fluid milk products on hand at the beginning of the month: *Provided*, That if the pounds of skim milk in such inventory exceed the remaining pounds of skim milk in Class II milk the balance shall be subtracted from the pounds of skim milk remaining in Class I milk.

(5) Subtract the pounds of skim milk in fluid milk products received from other handlers from the pounds of skim milk remaining in the class to which assigned, pursuant to § 960.43(a),

(6) Add to the pounds of skim milk, remaining in Class II milk the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph,

(7) If the pounds of skim milk remaining in all classes exceed the pounds of skim milk in milk received from producers subtract such excess from the pounds of skim milk remaining in the various classes in series beginning with Class II milk;

(b) Determine the pounds of butterfat in each class to be allocated to producer milk in the manner prescribed in paragraph (a) of this section for determining the allocation of skim milk to producer milk; and

(c) Add the pounds of skim milk and the pounds of butterfat in each class calculated pursuant to paragraphs (a) and (b) of this section and determine the percentage of butterfat in the producer milk allocated to each class.

§ 960.46 Inventory reclassification.

From any skim milk or butterfat assigned to Class I milk pursuant to § 960.45(a)(4) and the corresponding step in § 960.45(b) subtract in the following order the skim milk and butterfat respectively, assigned during the preceding month to Class II milk (except shrinkage) pursuant to § 960.45 in:

(a) Producer milk, and

(b) Other source milk classified and priced as Class I milk pursuant to another Federal order.

MINIMUM PRICES

§ 960.50 Basic formula price.

The higher of the prices computed pursuant to paragraph (a) or (b) of this section, rounded to the nearest whole cent, shall be known as the basic formula price.

(a) The average of the basic or field prices per hundredweight reported to have been paid or to be paid for milk of 3.5 percent butterfat content received

from farmers during the month at the following plants or places for which prices have been reported to the market administrator or to the Department:

Present Operator and Location

Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

(b) The price per hundredweight computed by adding together the plus values of subparagraphs (1) and (2) of this paragraph:

(1) From the Chicago butter price, subtract 3 cents, add 20 percent thereof, and multiply by 3.5.

(2) From the simple average as computed by the market administrator of the weighted averages of the carlot prices per pound for nonfat dry milk solids, spray and roller process, respectively, for human consumption, f.o.b. manufacturing plants in the Chicago area, as published for the period from the 26th day of the immediately preceding month through the 25th day of the current month by the Department, deduct 5.5 cents and multiply by 8.2.

§ 960.51 Class prices.

Subject to the provisions of §§ 960.52 and 960.53, the minimum class prices per hundredweight of milk containing 3.5 percent butterfat to be paid by each handler for milk received at his pool plant from producers during the month shall be determined as follows:

(a) *Class I milk price.* The Class I milk price shall be the basic formula price (computed pursuant to § 960.50) for the preceding month, subject to the adjustments provided in subparagraphs (1) and (2) of this paragraph:

(1) April, May, June and July—add \$1.60

(2) All other months—add \$2.05

(b) *Class II milk price.* The Class II milk price shall be the basic formula price computed pursuant to § 960.50.

§ 960.52 Butterfat differentials to handlers.

For milk containing more or less than 3.5 percent butterfat, the class prices calculated pursuant to § 960.51 shall be increased or decreased, respectively, for each one-tenth percent butterfat at the appropriate rate, rounded to the nearest one-tenth cent, determined as follows:

(a) *Class I price.* Multiply the Chicago butter price for the preceding month by 0.13; and

(b) *Class II price.* Multiply the Chicago butter price for the month by 0.115.

§ 960.53 Location differentials to handlers.

For milk disposed of from a pool plant located 80 miles or more from the Court House of Youngstown or Warren, Ohio, whichever is nearest by shortest hard-surfaced highway distance as determined by the market administrator, as Class I milk pursuant to paragraphs (a)

and (b) of this section, but not to exceed producer milk received and milk caused to be delivered pursuant to § 960.63 at such plant, the price specified in § 960.51 (a) shall be reduced at the rate set forth in the following schedule:

Distance from the Court House of Youngstown or Warren, Ohio whichever is nearest (miles):

Rate per hundredweight (cents)

80 but not more than 90-----	18.0
For each additional 10 miles or fraction thereof an additional-----	1.5

(a) In the case of fluid milk products which are moved from the pool plant to another pool plant, assign to Class I milk for the purposes of this section, that proportion of the milk moved which remains after assigning such milk to the quantity of Class II milk in the transferee plant as determined by the calculations prescribed in § 960.45(a) (1) through (4), and the comparable steps in § 960.45(b) for the transferee plant, such assignment to Class II milk in the case of transfers from several plants to be made in the sequence to the transferring plants according to the location differential applicable at each transferring plant, beginning with the plant having the largest differential; and

(b) Class I disposition from the plant other than disposition to the other pool plants.

§ 960.54 Rate of compensatory payments.

The rate of compensatory payment per hundredweight shall be calculated as follows, except that the rate shall be zero in any month in which total deliveries by producers are less than 110 percent of Class I utilization (excluding duplications) in plants qualified as pool plants pursuant to § 960.10 (a) and (b):

(a) Subtract the Class II milk price, adjusted by the Class II butterfat differential, from the Class I milk price adjusted by the Class I butterfat differential and adjusted by the location differential rates set forth in § 960.53 for the location of the plant at which the milk was received from farmers.

§ 960.55 Use of equivalent prices.

If for any reason a price quotation required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

APPLICATION OF PROVISIONS

§ 960.60 Producer-handlers.

§§ 960.40 through 960.46, 960.50 through 960.53, 960.61 through 960.63, 960.70 through 960.74, and 960.80 through 960.87 shall not apply to a producer-handler.

§ 960.61 Plants subject to other Federal orders.

A plant specified in paragraph (a) or (b) of this section shall be treated as a nonpool plant, except that the operator of such plant shall, with respect to total receipts and utilization or disposition of skim milk and butterfat at the plant,

make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports by the market administrator:

(a) Any plant qualified pursuant to § 960.10 (a) or (c) which disposes of a lesser volume of Class I milk in the Youngstown-Warren marketing area than in a marketing area where milk is regulated pursuant to another order issued pursuant to the Act, and which is subject to the classification and pricing provisions of such other order is exempted pursuant to this paragraph from regulation as a pool plant under this part, unless the Secretary determines otherwise;

(b) Any plant qualified pursuant to § 960.10(b) for any portion of the period February through August, inclusive, that the milk of producers at such plant is subject to the classification and pricing provisions of another order issued pursuant to the Act and the Secretary determines that such plant should be exempted from this part.

§ 960.62 Handlers operating nonpool plants.

Each handler who is the operator of a nonpool plant which is not subject to the classification and pricing provisions of another order issued pursuant to the Act, shall on or before the 12th day after the end of each month, pay to the market administrator for deposit into the producer-settlement fund an amount calculated by multiplying the total hundredweight of butterfat and skim milk disposed of in the form of fluid milk products from such nonpool plant to retail or wholesale outlets (including deliveries by vendors and sales through plant stores) in the marketing area during the month, by the rate of compensatory payment calculated pursuant to § 960.54: *Provided*, That such payments shall not apply to butterfat or skim milk in excess of butterfat or skim milk received by such nonpool plant from dairy farmers and in the form of fluid milk products from plants not fully regulated under any Federal order.

§ 960.63 Milk caused by a handler to be delivered to another handler's pool plant.

Milk caused by a handler, as the operator of a pool plant which is an approved plant pursuant to § 960.7(a), to be delivered for his account to another handler's pool plant similarly qualified pursuant to § 960.7(a), shall be considered, for purposes of reporting, classification, and payment to be received by the handler who so caused the milk to be delivered, if both handlers report such milk as so caused to be delivered.

DETERMINATION OF PRICES TO PRODUCERS

§ 960.70 Computation of the obligation of each handler.

For each month the market administrator shall compute the obligation of each pool handler as follows:

(a) Multiply the quantity of producer milk in each class by the applicable class price, as adjusted by location differentials on the amount of milk to which location

differential allowance applies pursuant to § 960.53;

(b) Add an amount computed by multiplying the hundredweight of skim milk and butterfat subtracted from Class I milk pursuant to § 960.45 (a) (2) and (b) by the rate of compensatory payment as determined pursuant to § 960.54 for the nearest plant(s) from which an equivalent amount of other source milk was received in the form of fluid milk products;

(c) Add the amounts computed by multiplying the pounds of overage deducted from each class pursuant to § 960.45 (a) (7) and (b) by the applicable class price; and

(d) Add (1) any amount obtained by multiplying any plus amount resulting from the calculations pursuant to § 960.46(a) by the difference between the Class II price for the preceding month and the Class I price for the current month, and (2) any amount obtained by multiplying any plus amount remaining after the calculation pursuant to § 960.46(b) by the rate of compensatory payment pursuant to § 960.54(a).

§ 960.71 Computation of the uniform price.

For each month the market administrator shall compute the uniform price per hundredweight of producer milk of 3.5 percent butterfat content, f.o.b. market, as follows:

(a) Combine into one total the obligation computed pursuant to § 960.70 for all handlers who submit reports prescribed in § 960.30 and who are not in default of payments pursuant to §§ 960.80 or 960.82;

(b) Subtract, if the average butterfat content of the producer milk included under paragraph (a) of this section is greater than 3.5 percent, or add, if such average butterfat content is less than 3.5 percent, an amount computed as follows: Multiply the amount by which the average butterfat content of such milk varies from 3.5 percent by the butterfat differential computed pursuant to § 960.72 and multiply the result by the total hundredweight of such milk;

(c) Add an amount equal to the sum of deductions to be made from producer payments for location differentials pursuant to § 960.73;

(d) Add an amount equal to one-half of the unobligated balance on hand in the producer-settlement fund;

(e) Add the total amount of payment due pursuant to § 960.62;

(f) Divide the resulting amount by the total hundredweight of producer milk included under paragraph (a) of this section; and

(g) Subtract not less than 4 cents nor more than 5 cents.

§ 960.72 Butterfat differential to producers.

The applicable uniform prices to be paid each producer shall be increased or decreased for each one-tenth of one percent which the average butterfat content of his milk is above or below 3.5 percent, respectively, at the rate determined by multiplying the pounds of butterfat in producer milk allocated to each class by the appropriate butterfat differential for

such class as determined pursuant to § 960.52, dividing by the total butterfat in producer milk and rounding to the nearest even tenth of a cent.

§ 960.73 Location differential to producers.

The applicable uniform prices to be paid for producer milk as defined in § 960.14 (a) and (b), received at a pool plant located 80 miles or more from the City Hall of Youngstown or Warren, Ohio, whichever is nearest by shortest hard-surfaced highway distance, as determined by the market administrator, or caused to be delivered pursuant to § 960.63, to a pool plant so located shall be reduced at the rates set forth in § 960.53 according to the location of such plant.

§ 960.74 Notification of handlers.

On or before the 11th day after the end of each month, the market administrator shall mail to each handler, who submitted the report(s) prescribed in § 960.30 at his last known address, a statement showing:

(a) The amount and value of his producer milk in each class and the totals thereof;

(b) The uniform price(s) computed pursuant to § 960.71 and the butterfat differential computed pursuant to § 960.72; and

(c) The amounts to be paid by such handler pursuant to §§ 960.82, 960.85, 960.86, or 960.62 and the amount due such handler pursuant to § 960.83.

PAYMENTS

§ 960.80 Time and method of payment.

Each handler shall make payment as follows:

(a) To each producer from whom milk is received during the month and to whom payment is not made pursuant to paragraph (b) of this section:

(1) On or before the last day of each month to each producer who did not discontinue shipping milk to each handler before the 25th day of each month an amount equal to not less than the Class II price for the preceding month multiplied by the hundredweight of milk received from such producer during the first 15 days of the month, less proper deductions authorized by such producer to be made from payments due pursuant to this paragraph;

(2) On or before the 15th day of the following month, an amount equal to not less than the appropriate uniform price(s) adjusted by the butterfat and location differentials to producers multiplied by the hundredweight of milk received from such producer during the month, subject to the following adjustments:

(i) Less payments made to such producer pursuant to subparagraph (1) of this paragraph;

(ii) Less marketing service deductions made pursuant to § 960.85;

(iii) Plus or minus adjustments for errors made in previous payments made to such producer; and

(iv) Less proper deductions authorized in writing by such producer: *Provided*, That if by such date such handler has

not received full payment from the market administrator pursuant to § 960.83 for such month, he may reduce pro rata his payments to producers by not more than the amount of such underpayment. Payments to producers shall be completed thereafter not later than the date for making payments pursuant to this paragraph next following after the receipts of the balance due from the market administrator.

(b) In the case of a cooperative association which the market administrator determines is authorized by its members to collect payment for their milk and which has so requested any handler in writing, such handler shall on or before the second day prior to the date on which payments are due individual producers pay the cooperative association for milk received during the month from the producer members of such association as determined by the market administrator an amount equal to not less than the amount due such producer members as determined pursuant to paragraph (a) of this section;

(c) On or before the 10th day of the following month for milk received from a cooperative association for which it is a handler pursuant to § 960.12(c) at not less than the value of such milk at the applicable class prices; *Provided*, That to this amount shall be added one-half of one percent of any amount due such association pursuant to this paragraph for each month or any portion thereof that such payment is overdue;

(d) Each handler who receives milk during the month from producers for which payment is to be made to a cooperative association pursuant to paragraph (b) of this section shall report to such cooperative association or to the market administrator for transmittal to such cooperative association for each such producer as follows:

(1) On or before the 25th day of the month, the total pounds of milk received during the first 15 days of such month; and

(2) On or before the 7th day of the following month;

(i) The pounds of milk received each day and the total for the month, together with the butterfat content of such milk;

(ii) The amount or rate and nature of any deductions to be made from payments; and

(iii) The amount and nature of payments due pursuant to § 960.84.

§ 960.81 Producer-settlement fund.

The market administrator shall establish and maintain a separate fund known as the "producer-settlement fund" into which he shall deposit all payments made by handlers pursuant to § 960.62, § 960.82, and § 960.84, and out of which he shall make all payments pursuant to §§ 960.83 and 960.84: *Provided*, That any payments due to any handler shall be offset by any payments due from such handler.

§ 960.82 Payments to the producer-settlement fund.

On or before the 12th day after the end of each month, each handler, including a cooperative association which

is a handler, shall pay to the market administrator any amount by which his obligation is computed pursuant to § 960.70 for such month, is greater than the amount owed by him for such milk at the appropriate uniform price(s) adjusted by the producer butterfat and location differentials: *Provided*, That to this amount shall be added one-half of one percent of any amount due the market administrator pursuant to this section for each month or any portion thereof that such payment is overdue.

§ 960.83 Payments out of producer-settlement fund.

On or before the 13th day after the end of each month, the market administrator shall pay to each handler any amount by which his obligation computed pursuant to § 960.70, for such month is less than the amount owed by him for such milk at the appropriate uniform price(s) adjusted by the producer butterfat and location differentials. If at such time the balance in the producer-settlement fund is insufficient to make all payments pursuant to this section, the market administrator shall reduce uniformly such payments and shall complete such payments as soon as the appropriate funds are available.

§ 960.84 Adjustment of accounts.

Whenever audit by the market administrator of any reports, books, records, or accounts or other verification discloses errors, resulting in monies due (a) the market administrator from a handler, (b) a handler from the market administrator, or (c) any producer or cooperative association from handler, the market administrator shall promptly notify such handler of any amount so due and payment thereof shall be made on or before the next date for making payments set forth in the provisions under which such error occurred.

§ 960.85 Marketing services.

(a) Except as set forth in paragraph (b) of this section, each handler, in making payments to producers for milk (other than milk of his own production) pursuant to § 960.80, shall deduct 5 cents per hundredweight, or such amount not exceeding 5 cents per hundredweight, as may be prescribed by the Secretary, and shall pay such deductions to the market administrator on or before the 15th day after the end of the month. Such money shall be used by the market administrator to provide market information and to check the accuracy of the testing and weighing of their milk for producers who are not receiving such service from a cooperative association;

(b) In the case of producers who are members of a cooperative association which the Secretary has determined is actually performing the services set forth in paragraph (a) of this section, each handler shall (in lieu of the deduction specified in paragraph (a) of this section), make such deductions from the payments to be made to such producers as may be authorized by the membership agreement or marketing contract between such cooperative association and

such producers, and on or before the 13th day after the end of each month, pay such deductions to the cooperative association of which such producers are members, furnishing a statement showing the amount of any such deductions and the amount of milk for which such deduction is computed for each producer.

§ 960.86 Expenses of administration.

On or before the 15th day after the end of each month, each handler shall pay to the market administrator, 4 cents or such lesser amount as the Secretary may prescribe, for each hundredweight of butterfat and skim milk contained in (a) producer milk, except producer milk received by a cooperative association as a handler pursuant to § 960.12(c), (b) milk received from a cooperative association as a handler pursuant to § 960.12(c), (c) other source milk allocated to Class I milk pursuant to § 960.45(a) (2) and (b), and (d) Class I milk disposed of in the marketing area (except to a pool plant) form a nonpool plant as determined pursuant to § 960.62.

§ 960.87 Termination of obligations.

The provisions of this section shall apply to any obligations under this part for the payment of money.

(a) The obligation of any handler to pay money required to be paid under the terms of this part shall, except as provided in paragraphs (b) and (c) of this section, terminate two years after the last day of the calendar month during which the marketing administrator receives the handler's utilization report on the milk involved in such obligation unless within such 2-year period the market administrator notifies the handler in writing that such money is due and payable. Service of such notice shall be complete upon mailing to the handler's last known address, and it shall contain, but need not be limited to, the following information:

- (1) The amount of the obligation,
- (2) The month(s) during which the milk, with respect to which the obligation exists was received or handled; and
- (3) If the obligation is payable to one or more producers or to an association of producers, the name of such producer(s) or association of producers, or if the obligation is payable to the market administrator, the account of which it is to be paid;

(b) If a handler fails or refuses, with respect to any obligation under this part, to make available to the market administrator or his representative all books and records required by this part to be made available, the market administrator may, within the two-year period provided for in paragraph (a) of this section, notify the handler in writing of such failure or refusal. If the market administrator so notifies a handler, the said two-year period with respect to such obligation shall not begin to run until the first day of the calendar month following the month during which all such books and records pertaining to such obligation are made available to the market administrator or his representative;

(c) Notwithstanding the provisions of paragraphs (a) and (b) of this section,

a handler's obligation under this order to pay money shall not be terminated with respect to any transaction involving fraud or willful concealment of a fact, material to the obligation, on the part of the handler against whom the obligation is sought to be imposed; and

(d) Any obligation on the part of the market administrator to pay a handler any money which such handler claims to be due him under the terms of this part shall terminate two years after the end of the calendar month during which the payment (including deduction or set-off by the market administrator) was made by the handler, if a refund on such payment is claimed, unless such handler, within the applicable period of time, files, pursuant to § 960.8(c) (15) (a) of the Act, a petition claiming such money.

EFFECTIVE TIME, SUSPENSION, OR TERMINATION

§ 960.100 Effective time.

The provisions of this part, or any amendment thereto, shall become effective at such time as the Secretary may declare and shall continue in force until suspended or terminated.

§ 960.101 Suspension or termination.

The Secretary shall, whenever he finds that any or all provisions of this part, or any amendment thereto, obstruct or do not tend to effectuate the declared policy of the Act, terminate or suspend the operation of any or all provisions of this part or any amendment thereto.

§ 960.102 Continuing obligations.

If, upon the suspension or termination of any or all provisions of this part, or any amendment thereto, there are any obligations thereunder the final accrual or ascertainment of which requires further acts by any person (including the market administrator), such further acts shall be performed notwithstanding such suspension or termination.

§ 960.103 Liquidation.

Upon the suspension or termination of any or all provisions of this part, the market administrator, or such other liquidating agent as the Secretary may designate, shall, if so directed by the Secretary, liquidate the business of the market administrator's office, dispose of all property in his possession or control, including accounts receivable, and execute and deliver all assignments or other instruments necessary or appropriate to effectuate any such disposition. If a liquidating agent is so designated, all assets, books and records of the market administrator shall be transferred promptly to such liquidating agent. If, upon such liquidation, the funds on hand exceed the amounts required to pay outstanding obligations of the office of the market administrator and to pay necessary expenses of liquidating and distribution, such excess shall be distributed to contributing handlers and producers in an equitable manner.

MISCELLANEOUS PROVISIONS

§ 960.110 Agents.

The Secretary may, by designation in writing, name any officer or employee of

the United States to act as his agent and representative in connection with any of the provisions of this part.

§ 960.111 Separability of provisions.

If any provisions of this part, or its application to any person or circumstances, is held invalid, the application of such provision, and of the remaining provisions of this part, to other persons or circumstances shall not be affected thereby.

Proposed by Isaly's Dairy and the Borden Company, both of Youngstown, Ohio; Riverside Dairy, Inc., Niles, Ohio; Petersburg Creamery Company, Petersburg, Ohio; Smith Dairy, Boardman, Ohio; Warren Sanitary Dairy, Warren, Ohio; and Select Dairies, Salem, Ohio: *Proposal No. 2.* The Greater Youngstown-Warren Marketing Area.

Greater Youngstown-Warren marketing area, hereinafter called the marketing area, means all the territory included within the boundaries of Ashtabula County, except the City of Ashtabula; all the territory included within the boundaries of Trumbull and Mahoning Counties, except Smith Township; all the territory included within the boundaries of Columbiana County, except the Township of Knox, and those townships now included within the marketing area defined in Order No. 102, the Greater Wheeling milk marketing order; all the territory included within the boundaries of Carroll County; all the territory included within the boundaries of Lake County, except the City of Painesville and those townships now included within the marketing area defined by Order No. 75, the Northeast Ohio milk marketing order; all the territory included within the boundaries of Geauga County; and all the territory included within the boundaries of Portage County, except those townships now included in the marketing area defined in Order No. 75, the Northeast Ohio milk marketing order.

Proposed by Sealtest Foods Division, National Dairy Products Corporation:

Proposal No. 3.

Provide for a marketing area as follows: "All the territory in the Counties of Ashtabula (including Ashtabula City), Trumbull, Mahoning, and the Townships of Butler, Salem, Fairfield, Unity, West, Hanover, Center, Elk Run, Middleton, Franklin and Wayne, all within the County of Columbiana."

Proposal No. 4.

"Conduct a joint public hearing on the proposed Greater Youngstown-Warren order and Order No. 75, and amend Order No. 75 by deleting the City of Ashtabula from the marketing area, or, in the alternative, terminate the provisions of Order No. 75 which include the City of Ashtabula in the marketing area."

Proposed by Greenville Dairy Company, Greenville, Pennsylvania:

Proposal No. 5.

Amend §§ 960.7 through 960.11 to provide that a handler selling less than 10 percent of his milk as Class I within the marketing area, shall be exempt from the pooling provisions of § 960.70 and from the compensatory payment provisions of §§ 960.54 through 960.62 and § 960.82, provided however that such handler

shall pay his own producers the Class I price provided in this order for such sales. Such handler shall be bound by all other provisions of the order.

Copies of this notice may be procured from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Issued at Washington, D.C., this 14th day of September 1960.

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

[F.R. Doc. 60-8694; Filed, Sept. 16, 1960;
8:54 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerances for Residues of Sodium 2,2-Dichloropropionate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (1), 68 Stat. 512; 21 U.S.C. 346a (d) (1)), the following notice is issued:

A petition has been filed by Dow Chemical Company, Midland, Michigan, proposing the establishment of a tolerance of 5 parts per million for residues of sodium 2,2-dichloropropionate, expressed as 2,2-dichloropropionic acid, in or on grapefruit, lemons, limes, and tangerines.

The analytical method proposed in the petition for determining residues of sodium 2,2-dichloropropionate as 2,2-dichloropropionic acid is that described in the notice published in the FEDERAL REGISTER of November 29, 1956 (21 F.R. 9329) and in the Journal of Agricultural and Food Chemistry, Volume 5, pages 675-678 (1957), with minor modifications.

Dated: September 12, 1960.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological and Physical Sciences.

[F.R. Doc. 60-8664; Filed, Sept. 16, 1960;
8:50 a.m.]

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerance for Residues of Sodium o-Phenylphenate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (1), 68 Stat. 512; 21 U.S.C. 346a (d) (1)), the following notice is issued:

A petition has been filed by Dow Chemical Company, Midland, Michigan, pro-

posing the establishment of a tolerance of 10 parts per million for residues of sodium o-phenylphenate, expressed as o-phenylphenol, to cover residues from postharvest use of sodium o-phenylphenate and o-phenylphenol in or on tomatoes.

The analytical method proposed in the petition for determining residues of o-phenylphenol resulting from the treatment of tomatoes with formulations containing o-phenylphenol or sodium o-phenylphenate is the method described in the FEDERAL REGISTER of November 13, 1959 (24 F.R. 9240) with minor modifications.

Dated: September 12, 1960.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological and Physical Sciences.

[F.R. Doc. 60-8665; Filed, Sept. 16, 1960;
8:50 a.m.]

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerance for Residues of O,O-Diethyl S-2-(Ethylthio)Ethyl Phosphorodithioate

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 408(d) (1), 68 Stat. 512; 21 U.S.C. 346a (d) (1)), the following notice is issued:

A petition has been filed by Chemagro Corporation, Post Office Box 4913, Kansas City 20, Missouri, proposing the establishment of a tolerance of 0.75 part per million for residues of O,O-diethyl S-2-(ethylthio)ethyl phosphorodithioate in or on potatoes.

The analytical method proposed in this petition for determining residues of O,O-diethyl S-2-(ethylthio)ethyl phosphorodithioate in or on potatoes is a total phosphorus method with a chromatographic step designed to remove the naturally occurring phosphorus compounds. In addition, a paper chromatographic procedure for the qualitative identification of residues of this pesticide chemical is proposed.

Dated: September 12, 1960.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological and Physical Sciences.

[F.R. Doc. 60-8666; Filed, Sept. 16, 1960;
8:50 a.m.]

[21 CFR Part 120]

TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Notice of Filing of Petition for Establishment of Tolerance for Residues of Dieldrin

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec.

408(d)(1), 68 Stat. 512; 21 U.S.C. 346a (d)(1)), the following notice is issued:

A petition has been filed by Shell Chemical Company, 110 West Fifty-first Street, New York 20, New York, proposing the establishment of a tolerance of zero for residues of dieldrin in or on bananas, determined on the edible portion after removing the peel.

The analytical methods proposed in the petition for determining residues of dieldrin are the methods described in the FEDERAL REGISTER of April 15, 1955 (20 F.R. 2486), with minor modifications.

Dated: September 12, 1960.

[SEAL] ROBERT S. ROE,
Director, Bureau of Biological
and Physical Sciences.

[F.R. Doc. 60-8667; Filed, Sept. 16, 1960;
8:50 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by American Maize Products Company, 113th Street and Indianapolis Boulevard, Roby, Indiana, proposing the issuance of a regulation to provide for the safe use of starch modified with phosphorus oxychloride, as a thickener in foods.

Dated: September 9, 1960.

[SEAL] J. K. KIRK,
Assistant to the Commissioner
of Food and Drugs.

[F.R. Doc. 60-8661; Filed, Sept. 16, 1960;
8:49 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition has been filed by Eastman Chemical Products, Inc., Kingsport, Tennessee, proposing the issuance of a regulation to provide for the safe use of cellulose acetate propionate resin in food production and packaging.

Dated: September 9, 1960.

[SEAL] J. K. KIRK,
Assistant to the Commissioner
of Food and Drugs.

[F.R. Doc. 60-8662; Filed, Sept. 16, 1960;
8:49 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a peti-

tion has been filed by International Salt Company, Inc., 254 West Thirty-first Street, New York 1, New York, proposing the issuance of a regulation to establish a tolerance of 5 parts per million (0.0005 percent) of sodium ferrocyanide as an anticaking and free-flowing agent in sodium chloride for human and animal consumption.

Dated: September 19, 1960.

[SEAL] J. K. KIRK,
Assistant to the Commissioner of
Food and Drugs.

[F.R. Doc. 60-8663; Filed, Sept. 16, 1960;
8:49 a.m.]

Public Health Service

[42 CFR Part 73]

BIOLOGIC PRODUCTS

Additional Standards: Whole Blood (Human)

Notice is hereby given that the Surgeon General of the Public Health Service, with the approval of the Secretary of Health, Education, and Welfare, proposes to revise 42 CFR Part 73. The proposed amendments would provide specific standards for Whole Blood (Human) when prepared with heparin as the anticoagulant, a specified procedure for the required periodic check on sterile technique, changes in required temperatures for storing blood, and several miscellaneous clarifying amendments to the present Additional Standards for Whole Blood (Human).

Notice is also given that it is proposed to make any amendments that are adopted effective 30 days after publication in the FEDERAL REGISTER.

Inquiries may be addressed, and data, views and arguments may be presented by interested parties, in writing, in triplicate, to the Surgeon General, Public Health Service, Washington 25, D.C. All relevant material received not later than 30 days after publication of this notice in the FEDERAL REGISTER will be considered.

1. Amend § 73.302(c) by adding a sentence at the end thereof and as thus amended paragraph (c) shall read as follows:

(c) *Blood containers.* Blood containers and donor sets shall be pyrogen-free, sterile, and identified by lot number. The amount of anticoagulant required for the quantity of blood to be collected shall be in the blood container when it is sterilized. In addition, all container and donor set surfaces that come in contact with blood used in the processing of Heparinized Whole Blood (Human) shall be water-repellent.

2. Amend § 73.302(d) by inserting "Anticoagulant Acid Citrate Dextrose Solutions" immediately above the present formulae, by changing "may" to "shall" in the second sentence and by adding a formula for anticoagulant Heparin solution. As thus amended, § 73.302(d) would read as follows:

(d) *The anticoagulant solution.* The anticoagulant solution shall be sterile and pyrogen-free. One of the following formulae shall be used in the indicated volumes:

(1) *Anticoagulant acid citrate dextrose solutions.*

	Solution A	Solution B
Tri-sodium citrate (Na ₃ C ₆ H ₅ O ₇ ·2H ₂ O).....gm.....	22.0	13.2
Citric acid (C ₆ H ₈ O ₇ ·H ₂ O).....do.....	8.0	4.8
Dextrose (C ₆ H ₁₂ O ₆ ·H ₂ O).....do.....	24.5	14.7
Water for injection (U.S.P.) to make.....ml.....	1,000	1,000
Volume per 100 ml. blood.....do.....	15	25

(2) *Anticoagulant heparin solution.*

Heparin sodium (U.S.P.)..... 75,000 units.
Sodium chloride injection (U.S.P.), to make..... 1,000 ml.
Volume per 100 ml. of blood..... 6 ml.

No other anticoagulant may be used unless prior to use the Surgeon General has found that under such conditions of dating, storage, and use as he may prescribe, the proposed anticoagulant is at least as effective as the above formulae in preventing coagulation and in preserving red blood cells.

3. Amend § 73.302(g) to read as follows:

(g) *Pilot samples for laboratory tests.* Before blood collection, at least one pilot tube shall be attached securely to the container in a manner that will give evidence of removal and containers of blood shall not be issued or reissued with pilot tubes that are not so attached. Each pilot tube and all containers for additional samples as needed for laboratory testing, shall bear the donor's identification at the time of blood collection. All samples shall be collected by the person collecting the blood at the time of filling the final container.

4. Redesignate the present § 73.302(h) as § 73.302(i) and insert a new paragraph (h) to read as follows:

(h) *Phlebotomy for Heparinized Whole Blood (Human).* Heparinized Whole Blood (Human) shall be collected with minimal damage to, and minimal manipulation of, the donor's tissue, and with a single, uninterrupted, free-flowing venipuncture.

5. Amend § 73.302(i) as redesignated, by deleting in the first sentence "at 4° to" and substituting therefor "within a 2° range between 1° and", by deleting in the second sentence "toward 4° to" and "at 4° to" and by substituting therefor in the first instance "toward a 2° range between 1° and", and in the second instance "within a 2° range between 1° and". As thus amended, § 302(i) would read as follows:

(i) *Storage.* Immediately after collection, the blood shall be placed in storage within a 2° range between 1° and 6° C., unless it must be transported from the donor clinic to the processing laboratory. In the latter case the blood shall be placed in temporary storage having sufficient refrigeration capacity to cool the blood continuously toward a 2° range between 1° and 6° C. until it ar-

rives at the processing laboratory where it shall be stored within a 2° range between 1° and 6° C.

6. Amend § 73.303(d) by adding at the end thereof the phrase "before it is used for transfusion". As thus amended paragraph (d) would read as follows:

(d) *Sterility test.* Whole Blood (Human) intended for transfusion shall not be tested for sterility by a method that entails entering the final container before the blood is used for transfusion.

7. Delete the present § 73.304(b) and insert in lieu thereof a new paragraph (b) to read as follows:

(b) *Periodic check on sterile technique.* Within the 18th to 24th day after collection, at least one container of blood that upon visual examination appears normal, shall be tested each month as a continuing check on technique of blood collection. This test shall be performed as follows: No less than 10 ml. of blood shall be inoculated into at least ten times that volume of fluid thioglycollate or thioglycollate broth medium which may be distributed in one or more test vessels, mixed thoroughly, incubated for seven to nine days at a temperature of 30° to 32° C., and examined for evidence of growth of microorganisms every workday throughout the test period. On the third, fourth or fifth day at least 1 ml. of material from each test vessel shall be subcultured in additional test vessels containing the same culture medium and in such proportion as will permit significant visual inspection, mixed thoroughly, incubated for seven to nine days at a temperature of 30° to 32° C. and examined for evidence of growth of microorganisms every workday throughout the test period. If growth is observed in any test vessel, the test shall be repeated to rule out faulty test procedure, using another sample of blood from either, 1) the container from which the initial test sample was taken, 2) the residual cells or plasma from that blood, or 3) two different containers of blood, each 18 to 24 days old, and each tested separately. The formula for fluid thioglycollate medium shall be as prescribed in § 73.73 (e) (1) and the formula for thioglycollate broth medium shall be as prescribed in § 73.73 (f) (5). Media and design of container shall meet the requirements prescribed in § 73.73 (e) (2) (i). In lieu of performing one test using an incubation temperature of 30° to 32° C., two tests may be performed, each in all respects as prescribed in this paragraph, one at an incubation temperature of 18° to 22° C. and one at an incubation temperature of 35° to 37° C.

8. Amend § 73.304(d) by deleting the numeral "4" and substituting therefor the numeral "1". As thus amended paragraph (d) would read as follows:

(d) *Shipment of Whole Blood (Human).* Whole Blood (Human) shall be maintained continuously at 1° to 10° C. during shipment.

9. Amend § 73.304(e) (2) by changing the first word "The" to the word "An" and as thus amended subparagraph (2) of paragraph (e) shall read as follows:

(2) An original pilot sample is properly attached and has not been removed, except that blood lacking a pilot sample may be reissued in an emergency provided it is accompanied by instructions for sampling and for use within six hours after entering the container for sampling;

10. Amend § 73.304(e) (3) by deleting the numeral "4" and substituting therefor the numeral "1", and as thus amended subparagraph (3) of paragraph (e) shall read as follows:

(3) The blood has been maintained continuously at 1° to 10° C.;

11. Amend § 73.305(b) by adding the words "and the result" immediately after the word "used", and as thus amended paragraph (b) shall read as follows:

(b) *Serological test.* The serological test for syphilis used and the result.

12. Amend § 73.305 by adding a new paragraph (e) to read as follows:

(e) *Additional labelling for Heparinized Whole Blood (Human).* Each unit of Heparinized Whole Blood (Human) shall be labelled with the following additional information:

(1) The hour and date beyond which the product cannot be expected beyond reasonable doubt to yield its specific results.

(2) A recommendation to maintain a temperature during shipment of 1° to 10° C.

13. Amend § 73.305 by adding a new paragraph (f) to read as follows:

(f) *Test for irregular antibodies.* The label shall state the extent of testing, the method used and the results of all tests performed for irregular antibodies, or, if such tests were not performed, the label shall bear a statement to that effect.

14. Amend the first sentence of § 73.306 by inserting the words "Acid Citrate Dextrose" immediately following the word "anticoagulant", by substituting the phrase "one of the" for the phrase "either of the two", and by substituting the word "solutions" for the word "formulae", and further amend § 73.306 by inserting a new sentence immediately after the first sentence, and as thus amended § 73.306 shall read as follows:

§ 73.306 *Expiration date.*

The expiration date for Citrated Whole Blood (Human) using one of the anticoagulant Acid Citrate Dextrose solutions specified in § 73.302(d) shall not exceed 21 days after the date of bleeding the donor. Heparinized Whole Blood (Human) cannot be expected beyond reasonable doubt to yield its specific results more than 48 hours after the hour of bleeding the donor. The expiration date for Whole Blood (Human) using any other anticoagulant found acceptable under such section shall be determined by the Surgeon General on the basis of length of red blood cell survival.

(Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216. Interpret or apply Sec. 351, 58 Stat. 702, as amended; 42 U.S.C. 262)

Dated: September 1, 1960.

[SEAL]

L. E. BURNETT,
Surgeon General.

Approved: September 12, 1960.

BERTHA S. ADKINS,
Acting Secretary.

[F.R. Doc. 60-8672; Filed, Sept. 16, 1960;
8:51 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 600, 601]

[Airspace Docket No. 60-WA-212]

FEDERAL AIRWAYS AND CONTROL AREAS

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

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.12, 601.12, 601.4012, and 601.1001 of the regulations of the Administrator, the substance of which is stated below.

In a Notice of Proposed Rule Making published in the FEDERAL REGISTER as Airspace Docket No. 59-WA-4 on November 10, 1959 (24 F.R. 9167), the Federal Aviation Agency proposed to revoke the segment of Green Federal airway No. 2 between Seattle, Wash., and Detroit, Mich. This Notice was withdrawn in a Notice of Withdrawal published in the FEDERAL REGISTER on March 2, 1960 (25 F.R. 1839). This action was taken to permit further evaluation of the proposal to revoke Green 2. Further study was deemed necessary in light of comments received in response to the Notice.

The Federal Aviation Agency has completed the first phase of this comprehensive reevaluation and is now considering revoking the segment of Green 2 and its associated control areas from Seattle to Miles City, Mont. It is the policy of this Agency to revoke L/MF airways wherever adequate VOR airways are available, and it appears that the route from Seattle to Miles City is adequately served by VOR Federal airway No. 2. In addition, the Federal Aviation Agency IFR peak-day airway traffic survey for the period July 1, 1959, through June 30, 1960, shows a maximum of two aircraft movements between any two reporting points on this segment of Green 2. Therefore, it appears that the retention of this airway segment and its associated control areas is unjustified as an assignment of airspace. Accordingly, the Federal Aviation Agency proposes to revoke the segment of Green 2 from Seattle to Miles City. Adoption of this proposal would not necessarily result in discontinuance of the low frequency navigational aids associated with this segment of Green 2. Any proposals to discontinue one or more of these aids would be processed in accordance with current Agency procedures.

Concurrently with this action, the Moses Lake, Wash., control area extension (§ 601.1001) would be amended to substitute Victor 2 for Green 2 in its description. This modification would not alter the extent of presently designated control area in the vicinity of Moses Lake. In addition, the designated reporting points, listed in § 601.4012, from the Seattle radio range to but not including the Miles City, radio range would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 45, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before 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 Air Traffic Management Field Division Chief, 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 Air Traffic Management Field Division Chief.

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).

Issued in Washington, D.C., on September 12, 1960.

J. R. BAILEY,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc. 60-8632; Filed, Sept. 16, 1960;
8:45 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 294]

[Docket Nos. 11659, 11731; Order No. E-15768]

CLASSIFICATION AND EXEMPTION OF AIR CARRIERS WHILE CONDUCT- ING CERTAIN OPERATIONS FOR THE MILITARY ESTABLISHMENT

Proposed Revocation; Order and Notice of Hearing

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 14th day of September 1960.

Notice of proposed rule making, EDR-16, proposed repeal of Part 294 of the

Economic Regulations, Docket 11659; in the matter of the joint applications of AAXICO Airlines, Inc.; Capitol Airways, Inc.; President Airlines, Inc.; and World Airways, Inc., for an exemption pursuant to section 416 from certain provisions of Title IV of the Federal Aviation Act of 1958, Docket 11731.

On July 28, 1960, the Board issued a notice of proposed rule making, EDR-16, 25 F.R. 7261, in which it proposed to repeal Part 294 of the Economic Regulations, entitled "Classification and Exemption of Air Carriers While Conducting Certain Operations for the Military Establishment."

Numerous comments were received. Those in favor of the proposal assert, among other things, that most of the MATS business should move over the routes of the certificated route air carriers which now have sufficient capacity to carry it, so that there is no longer any military necessity for the blanket exemption contained in Part 294, and that blanket exemptions have resulted in an unsound rate level. The comments in opposition, among other matters discussed therein, express concern of exclusion of the supplemental air carriers from military business and assert that this would destroy these carriers. It is contended that repeal of Part 294 cannot legally be accomplished without a full evidentiary hearing. In addition, on August 22, 1960, four air carriers filed an application, Docket 11731, with attached motion for evidentiary hearing on (among other matters) the proposed repeal of Part 294.

The Board has given careful consideration to these and all other pertinent matters contained in the comments and has concluded that it is in the public interest to hold a hearing at which evidence to establish facts material to the policy issue of continuation or repeal of Part 294 may be introduced. Accordingly, it has granted the request for an evidentiary hearing to this extent.

Other matters contained in the application in Docket 11731 will be disposed of by other Board action.

Accordingly, it is ordered, That:

1. The proceeding in Docket 11659 is assigned for pre-hearing conference on September 23, 1960, at 10:00 a.m., e.d.s.t., in Room 911 in the Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

2. All air carriers whose economic operating authority includes the right to operate aircraft of a maximum take-off weight of more than 12,500 pounds (those eligible to become Military Operations Carriers, as defined in § 294.2 of Part 294) are made parties to this proceeding. Those parties who fail to enter an appearance at the pre-hearing conference provided for herein shall be deemed to lack any interest in the subject matter of this proceeding and therefore will no longer be considered as parties.

3. Only evidence to prove or disprove facts material to the issues of law and policy involved in the question of whether or not to repeal Part 294 shall be received.

4. This hearing shall be governed by the pertinent provisions of Parts 300 and

302 of the procedural regulations of the Board and shall be expedited as much as possible. At the conclusion of the hearing, the examiner, unless otherwise directed by the Board, shall promptly certify the record to the Board.

5. Leave is hereby granted to Attorney Clayton C. Burwell, an officer of the Independent Airlines Association, to participate in this proceeding as the representative of Aviation Corporation of Seattle, dba Westair Transport; Central Air Transport, Inc.; Coastal Air Lines; Imperial Airlines, Inc.; Johnson Flying Service, Inc.; Modern Air Transport, Inc.; Sourdough Air Transport; and Southern Air Transport, Inc., pursuant to § 263.3(3) of Part 263 of the Board's Economic Regulations.

6. This order shall be served upon all air carriers whose economic operating authority includes the right to operate aircraft of a maximum take-off weight of more than 12,500 pounds.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL]

ROBERT C. LESTER,
Secretary.

[F.R. Doc. 60-8690; Filed, Sept. 16, 1960;
8:53 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 207]

[Ex Parte No. MC-43]

LEASE AND INTERCHANGE OF VE- HICLES BY MOTOR CARRIERS

Notice of Proposed Rule Making

SEPTEMBER 6, 1960.

There is reason to believe that it may be advisable to revise the regulations governing the lease and interchange of vehicles by motor carriers (49 CFR 207.1 through 207.10) so as to provide for more adequate evidence of responsibility where vehicles are leased by one authorized carrier to another such carrier for use in the direction of a point which the lessor is authorized to serve. At present the exemption in § 207.3(a) of the regulations relieves such leasing from all of the requirements relating to the augmenting of equipment except those concerned with inspection and identification. It is proposed to change this and to make leasing of this kind subject to all of the augmenting of equipment requirements in § 207.4 of the regulations except the 30-day minimum period.

Accordingly, pursuant to section 4(a) of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1003) notice is hereby given of the Commission's proposal to vacate and set aside § 207.3(a) *Return of equipment by authorized carriers now in effect*, and to add a new subdivision to § 207.4(a) (3) *Minimum duration of 30 days when operated by lessor*, as follows:

(iii) *Use in the direction of a point lessor is authorized to serve.* That such 30-day minimum period shall not apply to equipment owned or held under a

lease of 30 days or more by an authorized carrier and regularly used by it in the service authorized, and leased by it to another authorized carrier for transportation in the direction of a point which lessor is authorized to serve.

(Sec. 204, 49 Stat. 546, as amended; 49 U.S.C. 304)

Interested persons may on or before November 1, 1960, submit written statements containing data, views, or arguments, verified under oath by a person having knowledge of such data, views, or arguments, and that thereafter consideration will be given to the proposed

changes, or some revision thereof, in the light of the statements which may be submitted.

One signed copy and 14 additional copies of such statements shall be furnished for the use of the Commission by mailing to the Secretary of the Interstate Commerce Commission, Washington, D.C. No oral hearing is contemplated, but any request for such hearing shall be supported by an explanation as to why the evidence to be presented cannot reasonably be submitted in the form heretofore provided. The Commission thereafter will determine whether or not assignment of the matter for oral hearing is necessary or desirable.

Notice of this proposed rule modification shall be given to motor carriers, other persons of interest, and to the general public by depositing a copy thereof in the Office of the Secretary of the Interstate Commerce Commission, Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 60-8654; Filed, Sept. 16, 1960;
8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[1960 Department Circular No. 1050]

3½ PERCENT TREASURY BONDS OF 1980

Offering of Bonds

SEPTEMBER 12, 1960.

I. Offering of bonds. 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for bonds of the United States, designated 3½ percent Treasury Bonds of 1980, in exchange for 2½ percent Treasury Bonds of 1962-67, dated May 5, 1942, due June 15, 1967, in amounts of \$500 or multiples thereof. Exchanges will be made at par with an adjustment of interest as of October 3, 1960, as set forth in Section IV hereof. The amount of the offering under this circular will be limited to the amount of the eligible bonds tendered in exchange and accepted. The books will be open only on September 12 through September 20, 1960, for the receipt of subscriptions for this issue.

2. **Nonrecognition of gain or loss for Federal income tax purposes.** Pursuant to the provisions of section 1037(a) of the Internal Revenue Code of 1954 as added by Public Law 86-346 (approved September 22, 1959), the Secretary of the Treasury hereby declares that no gain or loss shall be recognized for Federal income tax purposes upon the exchange with the United States of the 2½ percent Treasury Bonds of 1962-67, due June 15, 1967, solely for the 3½ percent Treasury Bonds of 1980. Gain or loss, if any, upon the obligations surrendered in exchange will be taken into account upon the disposition or redemption of the new obligations.

II. Description of bonds. 1. The bonds will be dated October 3, 1960, and will bear interest from that date at the rate of 3½ percent per annum, payable on a semiannual basis on May 15 and November 15, 1961, and thereafter on May 15 and November 15 in each year until the principal amount becomes payable. They will mature November 15, 1980, and will not be subject to call for redemption prior to maturity.

2. The income derived from the bonds is subject to all taxes imposed under the Internal Revenue Code of 1954. The bonds are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment: ¹ *Provided:*

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the District Director of Internal Revenue at _____ for credit on Federal estate taxes due from estate of _____." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date; ² bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the re-opening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782, ³ properly completed, signed and certified, and by proof of the representatives' authority in the form of a court certificate or a certified copy of the representatives' letters of appointment issued by the court. The certificate, or the certification to the letters, must be under the seal of the court, and except in the case of a corporate representative, must contain a statement that

¹ An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

² The transfer books are closed from April 16 to May 15, and from October 16 to November 15 (both dates inclusive) in each year.

³ Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D.C.

the appointment is in full force and be dated within six months prior to the submission of the bonds, unless the certificate or letters show that the appointment was made within one year immediately prior to such submission. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the District Director of Internal Revenue.

6. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. Subscription and allotment. 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington, D.C. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to allot less than the amount of bonds applied for; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. Payment. 1. Payment at par for bonds allotted hereunder must be made on or before October 3, 1960, or on later allotment, and may be made only in 2½ percent Treasury Bonds of 1962-67, due June 15, 1967, which will be accepted at par, and should accompany the subscription. Coupons dated December 15, 1960, and all subsequent coupons, must be attached to the bonds in coupon form when surrendered. Accrued interest from June 15, 1960, to October 3, 1960 (\$7.51366 per \$1,000) will be paid subscribers, in the case of bearer bonds following their acceptance, and in the case of registered bonds following discharge of registration. In the case of registered bonds, the accrued interest will be paid by check drawn in accordance with the assignments on the bonds surrendered, or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District.

V. Assignment of registered bonds.

1. Treasury Bonds of 1962-67 in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be surrendered to a Federal Reserve Bank or Branch or to the Office of the Treasurer of the United States, Washington, D.C. If the new bonds are desired registered in the same name as the bonds surrendered in exchange, the

assignment should be to "The Secretary of the Treasury for exchange for 3½ percent Treasury Bonds of 1980"; if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 3½ percent Treasury Bonds of 1980 in the name of -----"; if new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 3½ percent Treasury Bonds of 1980 in coupon form to be delivered to -----".

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 60-8677; Filed, Sept. 16, 1960;
8:52 a.m.]

[1960 Department Circular No. 1051]

3½ PERCENT TREASURY BONDS OF 1990

Offering of Bonds

SEPTEMBER 12, 1960.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par and accrued interest, from the people of the United States for bonds of the United States, designated 3½ percent Treasury Bonds of 1990, in exchange for 2½ percent Treasury Bonds of 1963-68, dated December 1, 1942, due December 15, 1968. Exchanges will be made at par with adjustment of interest as provided in Section IV hereof. Subscriptions to the offering under this circular and the offering of 3½ percent Treasury Bonds of 1998 under Department Circular No. 1052, issued simultaneously with this circular are invited up to a combined amount not to exceed \$4,500,000,000, or thereabouts. If subscriptions exceed this amount they will be subject to allotment on the same basis for each of the two issues. In addition to the amount offered for public subscription, the Secretary of the Treasury reserves the right to issue in exchange to Government Investment Accounts an aggregate amount not to exceed \$550,000,000 of the bonds offered hereunder and the bonds offered simultaneously under Department Circular No. 1052. The books will be open only on September 12 through September 20, 1960, for the receipt of subscriptions for this issue.

2. *Nonrecognition of gain or loss for Federal income tax purposes.* Pursuant to the provisions of section 1037(a) of the Internal Revenue Code of 1954 as added by Public Law 86-346 (approved September 22, 1959), the Secretary of the Treasury hereby declares that no gain or loss shall be recognized for Federal income tax purposes upon the exchange with the United States of the 2½ percent Treasury Bonds of 1963-68, due December 15, 1968, solely for the 3½ percent Treasury Bonds of 1990. Gain or loss, if any, upon the obligations surrendered in exchange will be taken into account upon the disposition or redemption of the new obligations.

II. *Description of bonds.* 1. The bonds now offered will be an addition to and will form a part of the series of 3½ percent Treasury Bonds of 1990 issued pursuant to Department Circular No. 1005, dated February 3, 1958, will be freely interchangeable therewith, and are identical in all respects therewith except that interest on the bonds to be issued under this circular will accrue from October 3, 1960. Subject to the provision for the accrual of interest from October 3, 1960, on the bonds now offered, the bonds are described in the following quotation from Department Circular No. 1005:

1. The bonds will be dated February 14, 1958, and will bear interest from that date at the rate of 3½ percent per annum, payable on a semi-annual basis on August 15, 1958, and thereafter on February 15 and August 15 in each year until the principal amount becomes payable. They will mature February 15, 1990, and will not be subject to call for redemption prior to maturity.

2. The income derived from the bonds is subject to all taxes imposed under the Internal Revenue Code of 1954. The bonds are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment.¹

Provided:

(a) That the bonds were actually owned by the decedent at the time of his death; and
(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The

¹ An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

Secretary of the Treasury for redemption, the proceeds to be paid to the District Director of Internal Revenue at ----- for credit on Federal estate taxes due from estate of -----." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;² bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,³ properly completed, signed and certified, and by proof of the representatives' authority in the form of a court certificate or a certified copy of the representatives' letters of appointment issued by the court. The certificate, or the certification to the letters, must be under the seal of the court, and except in the case of a corporate representative, must contain a statement that the appointment is in full force and be dated within six months prior to the submission of the bonds, unless the certificate or letters show that the appointment was made within one year immediately prior to such submission. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the District Director of Internal Revenue.

6. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington, D.C. Only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Banking institutions generally may submit subscriptions for account of customers. Subscriptions from banking institutions for their own account, Federally insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, Federal Reserve Banks, and Government Investment Accounts will be received without deposit. Subscriptions from all others must be accompanied by the deposit of 2½ percent Treasury Bonds of 1963-68, due December 15, 1968, in the face amount of not less than 10 percent of the amount of bonds applied for, not subject to withdrawal until after allotment. Registered bonds submitted as deposits should not be assigned. After allotment detached assignment forms may be used as provided in Section V hereof.

² The transfer books are closed from January 16 to February 15, and from July 16 to August 15 (both dates inclusive) in each year.

³ Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D.C.

2. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to allot less than the amount of bonds applied for, and to make different percentage allotments to various classes of subscribers; and any action he may take in these respects shall be final. The basis of the allotment will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for bonds allotted hereunder must be made on or before October 3, 1960, or on later allotment, and may be made only in 2½ percent Treasury Bonds of 1963-68, due December 15, 1968, which will be accepted at par. Coupons dated December 15, 1960, and all subsequent coupons, must be attached to the bonds in coupon form when surrendered. Accrued interest from June 15, 1960, to October 3, 1960 (\$7.51366 per \$1,000) on the bonds surrendered will be credited, and accrued interest from August 15, 1960, to October 3, 1960 (\$4.66033 per \$1,000) on the bonds to be issued will be charged, and the difference (\$2.85333 per \$1,000) will be paid subscribers, in the case of bearer bonds following their acceptance, and in the case of registered bonds following discharge of registration. In the case of registered bonds, the payment will be made by check drawn in accordance with the assignments on the bonds surrendered, or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District.

V. *Assignment of registered bonds.* 1. After allotment the 2½ percent Treasury Bonds of 1963-68 in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be surrendered to a Federal Reserve Bank or Branch or to the Office of the Treasurer of the United States, Washington, D.C. If the new bonds are desired registered in the same name as the bonds surrendered in exchange, the assignment should be to "The Secretary of the Treasury for exchange for 3½ percent Treasury Bonds of 1990"; if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 3½ percent Treasury Bonds of 1990 in the name of _____"; if new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 3½ percent Treasury Bonds of 1990 in coupon form to be delivered to _____". Detached assignment forms may be used for the convenience of subscribers.

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and

they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 60-8678; Filed, Sept. 16, 1960;
8:52 a.m.]

[1960 Department Circular No. 1052]

3½ PERCENT TREASURY BONDS OF 1998

Offering of Bonds

SEPTEMBER 12, 1960.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for bonds of the United States, designated 3½ percent Treasury Bonds of 1998, in exchange for:

2½ percent Treasury Bonds of 1964-69, dated April 15, 1943, due June 15, 1969.

2½ percent Treasury Bonds of 1964-69, dated September 15, 1943, due December 15, 1969.

Exchanges will be made at par with an adjustment of interest as provided in Section IV hereof. Subscriptions to the offering under this circular and the offering of 3½ percent Treasury Bonds of 1990 under Department Circular No. 1051, issued simultaneously with this circular are invited up to a combined amount not to exceed \$4,500,000,000, or thereabouts. If subscriptions exceed this amount they will be subject to allotment on the same basis for each of the two issues. In addition to the amount offered for public subscription, the Secretary of the Treasury reserves the right to issue in exchange to Government Investment Accounts an aggregate amount not to exceed \$550,000,000 of the bonds offered hereunder and the bonds offered simultaneously under Department Circular No. 1051. The books will be open only on September 12 through September 20, 1960, for the receipt of subscriptions for this issue.

2. *Nonrecognition of gain or loss for Federal income tax purposes.* Pursuant to the provisions of section 1037(a) of the Internal Revenue Code of 1954 as added by Public Law 86-346 (approved September 22, 1959), the Secretary of the Treasury hereby declares that no gain or loss shall be recognized for Federal income tax purposes upon the exchange with the United States of the two eligible issues of 2½ percent bonds enumerated in paragraph one of this section solely for the 3½ percent Treasury Bonds of 1998. Gain or loss, if any, upon the obligations surrendered in exchange will be taken into account upon the disposition or redemption of the new obligations.

II. *Description of bonds.* 1. The bonds will be dated October 3, 1960, and will bear interest from that date at the rate of 3½ percent per annum, payable on

a semiannual basis on May 15 and November 15, 1961, and thereafter on May 15 and November 15 in each year until the principal amount becomes payable. They will mature November 15, 1998, and will not be subject to call for redemption prior to maturity.

2. The income derived from the bonds is subject to all taxes imposed under the Internal Revenue Code of 1954. The bonds are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment,¹ *Provided:*

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the District Director of Internal Revenue at _____ for credit on Federal estate taxes due from estate of _____." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;² bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form

¹ An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

² The transfer books are closed from April 16 to May 15, and October 16 to November 15 (both dates inclusive) in each year.

PD 1782,³ properly completed, signed and certified, and by proof of the representatives' authority in the form of a court certificate or a certified copy of the representatives' letters of appointment issued by the court. The certificate, or the certification to the letters, must be under the seal of the court, and except in the case of a corporate representative, must contain a statement that the appointment is in full force and be dated within six months prior to the submission of the bonds, unless the certificate or letters show that the appointment was made within one year immediately prior to such submission. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the District Director of Internal Revenue.

6. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington, D.C. Only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Banking institutions generally may submit subscriptions for account of customers. Subscriptions from banking institutions for their own account, Federally insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, Federal Reserve Banks, and Government Investment Accounts will be received without deposit. Subscriptions from all others must be accompanied by the deposit of any of the two eligible issues of 2½ percent bonds enumerated in paragraph one of section I hereof, in the face amount of not less than 10 percent of the amount of bonds applied for, not subject to withdrawal until after allotment. Registered bonds submitted as deposits should not be assigned. After allotment detached assignment forms may be used as provided in section V hereof.

2. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to allot less than the amount of bonds applied for, and to make different percentage allotments to various classes of subscribers; and any action he may take in these respects shall be final. The basis of the allotment will be publicly announced, and allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for bonds allotted hereunder must be made

on or before October 3, 1960, or on later allotment, and may be made only in the bonds of the two issues enumerated in paragraph one of Section I hereof, which will be accepted at par. Coupons dated December 15, 1960, and all subsequent coupons, must be attached to the bonds in coupon form when surrendered. Accrued interest from June 15, 1960, to October 3, 1960 (\$7.51366 per \$1,000) will be paid subscribers, in the case of bearer bonds following their acceptance, and in the case of registered bonds following discharge of registration. In the case of registered bonds, the payment will be made by check drawn in accordance with the assignments on the bonds surrendered, or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District.

V. *Assignment of registered bonds.*

1. After allotment Treasury bonds of the two eligible issues in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be surrendered to a Federal Reserve Bank or Branch or to the Office of the Treasurer of the United States, Washington, D.C. If the new bonds are desired registered in the same name as the bonds surrendered in exchange, the assignment should be to "The Secretary of the Treasury for exchange for 3½ percent Treasury Bonds of 1998"; if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 3½ percent Treasury Bonds of 1998 in the name of -----"; if new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 3½ percent Treasury Bonds of 1998 in coupon form to be delivered to -----". Detached assignment forms may be used for the convenience of subscribers.

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL]

JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 60-8679; Filed, Sept. 16, 1960; 8:52 a.m.]

DEPARTMENT OF JUSTICE

Office of the Attorney General

[Order 211-60]

ORGANIZATION

Miscellaneous Amendments of Order 175-59

By virtue of the authority vested in me by section 161 of the Revised Statutes (5 U.S.C. 22) and section 2 of Reorganization Plan No. 2 of 1950 (64 Stat. 1261), Order No. 175-59 of January 19, 1959 (effective April 1, 1959), relating to the organization of the Department of Justice, is hereby amended as follows:

1. Section 1 is amended by deleting therefrom the words "Office of Alien Property".

2. A new subsection is added to section 2 reading:

(h) *Office of Alien Property.* The Office of Alien Property shall be a part of the Office of the Attorney General and shall be in charge of the Director, Office of Alien Property.

(1) Subject to the general supervision and direction of the Attorney General, the following-described matters are assigned to, and shall be conducted, handled, or supervised by, the Director of the Office of Alien Property:

(i) Exercising or performing all the authority, rights, privileges, powers, duties, and functions delegated to or vested in the Attorney General under the Trading With the Enemy Act, as amended, Title II of the International Claims Settlement Act of 1949, as amended, the act of September 28, 1950, 64 Stat. 1079 (50 U.S.C. App. 40), the Philippine Property Act of 1946, as amended, and the Executive orders relating to such acts, including, but not limited to, vesting, supervising, controlling, administering, liquidating, selling, paying debt claims out of, returning, and settling of inter-custodial disputes relating to, property subject to one or more of such acts.

(ii) Conducting and directing all civil litigation with respect to the Trading With the Enemy Act, except as provided in section 9(a)(2) of this order, Title II of the International Claims Settlement Act, the Foreign Funds Control Program and the Foreign Assets Control Program.

(iii) Designating within the Office of Alien Property a certifying officer, and an alternate, to certify copies of documents issued by the Director, or his designee, which are required to be filed with the Office of the Federal Register.

(2) The Director of the Office of Alien Property shall act for and on behalf of the Attorney General.

(3) All the authority, rights, privileges, powers, duties, and functions of the Director of the Office of Alien Property may be exercised or performed by any agencies, instrumentalities, agents, delegates, or other personnel designated by him.

³ Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington, D.C.

3. Paragraph (3) of subsection (a) of section 5 is amended to read:

(3) Approving proposed orders of the Attorney General, and orders which require the approval of the Attorney General, as to form and legality and as to consistency and conformity with existing orders and memoranda.

4. Paragraph (4) of subsection (a) of section 5 is amended to read:

(4) Handling matters arising out of devices and bequests and inter vivos gifts to the United States, except determinations as to the validity of title to any lands involved and litigation pertaining to such determinations.

5. Paragraph (5) of subsection (a) of section 5 is amended to read:

(5) Except as to proposed legislation, acting in a liaison capacity for cooperation with the Council of State Governments.

6. The text of section 6 is deleted; the section number is reserved for future use.

7. A new subsection is added to section 8 reading:

(d) *Authority to furnish certain reports relating to proposed mergers of banks.* The Assistant Attorney General in charge of the Antitrust Division is authorized to exercise the authority vested in the Attorney General by subsection (c) of section 18 of the Federal Deposit Insurance Act (64 Stat. 892; 12 U.S.C. 1828(c)) as amended by the act of May 13, 1960, 74 Stat. 129, relating to the furnishing of reports, and summaries thereof, with respect to the competitive factors involved in proposed mergers or consolidations of insured banks.

8. Paragraph (6) of subsection (a) of section 9 is amended to read:

(6) Patent and Allied Cases and other patent matters—patent, copyright, and trademark litigation (except matters assigned to the Office of Alien Property by section 2(h) of this order) before United States courts and the Patent Office, including patent infringement suits in the Court of Claims, interference proceedings, defense of the Register of Copyrights in his administrative acts, and civil patent-fraud cases; participation in the administration of the Patent Interchange Agreement; and representation of the Department of Justice on the Government Patents Board.

9. The text following the last semicolon in paragraph (9) of subsection (a) of section 9 is amended to read: "suits to set aside orders of State regulatory agencies (49 U.S.C. 13(4)); and civil matters, except those required to be handled by the Board of Parole, under section 504(a) of the Labor-Management Reporting and Disclosure Act of 1959 (73 Stat. 536)."

10. Paragraph (7) of subsection (a) of section 10 is amended to read:

(7) Resolving questions that arise as to Federal prisoners held in custody by Federal officers or in Federal prisons, commitments of mentally defective defendants and juvenile delinquents, va-

lidity and construction of sentences, probation, and parole.

11. A new paragraph is added to subsection (a) of section 10 reading:

(9) Supervision of matters arising under the Escape and Rescue Act (18 U.S.C. 751, 752), the Fugitive Felon Act (18 U.S.C. 1072, 1073), and the Obstruction of Justice Statute (18 U.S.C. 1503), except as to obstructions which occur in connection with cases within the jurisdiction of the Criminal Division and the Internal Security Division.

12. A new subsection is added to section 10 reading:

(c) *Delegation respecting authorization to institute criminal prosecution against a juvenile.* The Assistant Attorney General in charge of the Civil Rights Division is authorized to exercise the power and authority vested in the Attorney General by section 5032 of title 18 of the United States Code, to direct that criminal prosecution be instituted against a juvenile alleged to have committed one or more acts in violation of a law of the United States not punishable by death or life imprisonment.

13. A new paragraph is added to subsection (a) of section 11 reading:

(13) Except as provided in section 12(a) (9) of this order, all criminal matters arising under the Labor-Management Reporting and Disclosure Act of 1959 (73 Stat. 519).

14. A new subsection is added to section 11 reading:

(c) *Representation on Interdepartmental Committee on Narcotics.* The Assistant Attorney General in charge of the Criminal Division is designated as a member of the Interdepartmental Committee on Narcotics representing the Department of Justice (E.O. No. 10302 of November 2, 1951).

15. Paragraph (1) of subsection (a) of section 12 is amended to read:

(1) Enforcement of all criminal laws relating to subversive activities and kindred offenses directed against the internal security of the United States, including the laws relating to treason, sabotage, espionage, and sedition; enforcement of the Foreign Assets Control Regulations issued under the Trading With the Enemy Act (31 CFR 500.101 et seq.); criminal prosecutions under the Atomic Energy Act, the Smith Act, the neutrality laws, the Munitions Control Act, and section 799 of title 18 of the United States Code; and criminal prosecutions for offenses, such as perjury and false statements, relating to subversive activities or involving individuals with a subversive background.

16. Two new paragraphs are added to subsection (a) of section 12 reading:

(8) Libels and civil penalty actions (including petitions for remission or mitigation of civil penalties and forfeitures, offers in compromise and related proceedings) arising out of violations of the Trading With the Enemy Act, the neutrality statutes, and the Mutual Security Act of 1954, as amended.

(9) All criminal matters involving members and former members of the Communist Party referred to in section 504 of the Labor-Management Reporting and Disclosure Act of 1959 (73 Stat. 536).

17. A new subsection is added to section 12 reading:

(c) *Delegation respecting admission of certain aliens.* The Assistant Attorney General in charge of the Internal Security Division is authorized to exercise the power and authority vested in the Attorney General by section 7 of the Central Intelligence Agency Act of 1949, as amended (50 U.S.C. 403h), with respect to entry of certain aliens into the United States for permanent residence.

18. Paragraph 1 of subsection (a) of section 15 is amended to read:

(1) Budget, financial, and fiscal matters; allotment of funds under regulations prescribed by the Attorney General with the approval of the Director of the Bureau of the Budget; appropriations, and control of expenditures; accounting and auditing; examination of contracts; examination and inspection of judicial offices; inspection and review of administrative operations; forms, reports, and directives programs; collection and compilation of statistics; transcription and reproduction; supplies; printing and procurement; property accountability; custody and maintenance of departmental mail, files, and records (including administration of the departmental document system described in section 24 of this order); buildings and space; telephone and other necessary services; payrolls, overtime pay, vouchers, and transportation requests; personnel matters and transactions; garage and automotive equipment; health services; official bond program, legal and legislative matters pertaining to administrative operations of the Department; arranging for foreign and military witnesses, and payment of expert witness fees; and generally the administration of similar staff services.

19. Subsection (g) of Section 15 is amended to read:

(g) *Selection and assignment of employees for training.* The Administrative Assistant Attorney General is authorized as to all organizational units of the Department (including United States Attorneys and Marshals) to exercise the authority vested in the Attorney General by sections 10 and 18 of the Government Employees Training Act (72 Stat. 332, 335) with respect to the selection and assignment of employees for training by, in, or through non-Government facilities under that act, the payment of the expenses of such training or the reimbursement of employees therefor, and the preparation and submission of the annual report to the Civil Service Commission required by the act.

20. A new subsection is substituted for subsection (h) of section 15 reading:

(h) *Appointment of grievance committees.* The Administrative Assistant Attorney General is authorized to appoint grievance committees to consider

decisions relating to employee grievances of employees in the competitive service, including probationary and temporary employees, appealed to the Attorney General, and to notify the employees concerned of the Attorney General's decision with respect thereto.

21. A new paragraph is added to subsection (a) of section 16 reading:

(9) Investigate alleged fraudulent conduct in connection with operations of the Federal Housing Administration and other alleged violations of the criminal provisions of the National Housing Act, including section 1010 of title 18 of the United States Code.

22. Two new subsections are added to section 16 reading:

(e) *Authority to seize arms and munitions of war.* The Director of the Federal Bureau of Investigation is authorized to exercise the authority conferred upon the Attorney General by section 1 of Executive Order No. 10863 of February 18, 1960 (25 F.R. 1507), relating to the seizure of arms and munitions of war, and other articles, pursuant to section 1 of Title VI of the act of June 15, 1917, 40 Stat. 223, as amended by section 1 of the act of August 13, 1953, 67 Stat. 577 (22 U.S.C. 401).

(f) *Authority to renew certain leases.* The Director of the Federal Bureau of Investigation, and the Assistant Directors of the Federal Bureau of Investigation, are authorized to exercise the authority delegated to the Attorney General by the Administrator of General Services (by Delegation of Authority No. 380 of April 11, 1960) to renew certain leases for the rental of property in Fauquier County, Virginia.

23. Paragraph (5) of subsection (a) of section 17 is amended to read:

(5) Payment of rewards with respect to escaped Federal prisoners (18 U.S.C. 3059).

24. Paragraphs (1), (3), and (4) of subsection (a) of section 20 are amended to read:

(1) Sole authority to grant, modify, or revoke paroles of all United States prisoners (18 U.S.C. 4203, 4207).

(3) Sole authority to issue warrants for violation of parole or mandatory release (18 U.S.C. 4205).

(4) Sole authority to re-parole or re-release on mandatory release (18 U.S.C. 4207, 4164).

25. Three new paragraphs are added to subsection (a) of section 20 reading:

(5) Sole authority to determine the date the prisoner shall become eligible for parole in any case in which the committing court specifies that such eligibility date shall be that determined by the board of Parole (18 U.S.C. 3208(a)).

(6) Sole authority to promulgate rules and regulations for the supervision, discharge from supervision, or recommitment of paroled prisoners (18 U.S.C. 4208(d)).

(7) The authority to determine, in accordance with the provisions of section 504(a) of the Labor-Management Re-

porting and Disclosure Act of 1959, whether the services of certain persons in any capacity referred to in clause (1) or clause (2) of that section would be contrary to the purposes of that act (sec. 504(a) of the Labor-Management Reporting and Disclosure Act of 1959, 73 Stat. 536).

26. Subsection (a) of section 22 is amended to read:

(a) *Deputy Attorney General.* The Deputy Attorney General is authorized to exercise the power and authority vested in the Attorney General by law to take final action in matters pertaining to the employment, separation, and general administration of attorneys in the Department of Justice in all Classification Act grades up to and including GS-14, and to review any personnel action taken by any officer of the Department of Justice; and to appoint Assistant United States Attorneys and other attorneys to assist United States Attorneys when the public interest so requires, and to fix their salaries.

27. Subsection (b) of section 22 is amended to read:

(b) *Administrative Assistant Attorney General.* Except for the authority conferred by subsections (c) and (d) of this section, the Administrative Assistant Attorney General is authorized to exercise the power and authority vested in the Attorney General by law to take final action on matters pertaining to the employment, separation, and general administration of personnel, except attorneys, in the Department of Justice in Classification Act grades GS-1 through GS-14, and in wage board positions, and to classify positions in the Department under the Classification Act and wage board systems regardless of grade. He shall also have authority to postaudit and correct any personnel actions throughout the Department, and to inspect at any time any personnel operations of the Federal Bureau of Investigation, the Bureau of Prisons, the Federal Prison Industries, and the Immigration and Naturalization Service.

28. Subsection (e) of section 22 is amended to read:

(e) *Procurement matters.* The following provisions shall control as to procurement matters:

(1) Except as to those matters designated by the Administrative Assistant Attorney General, to whom the responsibility for control of expenditures is assigned by section 15(a) of this order, the Director of the Federal Bureau of Investigation, the Director of the Bureau of Prisons, the Commissioner of Federal Prison Industries, and the Commissioner of Immigration and Naturalization are, as to their respective jurisdictions, authorized to exercise the authority vested in the Attorney General by law with respect to procurement matters.

(2) The Administrative Assistant Attorney General is authorized to postaudit and correct any procurement transactions throughout the Department, and to inspect at any time the

procurement operations of the Federal Bureau of Investigation, the Bureau of Prisons, the Federal Prison Industries, and the Immigration and Naturalization Service.

29. Subsection (n) of section 22 is amended to read:

(n) *Certifying officers.* The following-named officials are authorized to designate employees to certify vouchers under section 1 of the act of December 29, 1941, 55 Stat. 875 (31 U.S.C. 82b), and to certify that such persons are bonded pursuant to the act of August 9, 1955, 69 Stat. 618: for the Federal Bureau of Investigation, the Director; for the Bureau of Prisons, the Director, and the Associate Commissioner, Federal Prison Industries; for the Federal Prison Industries, the Associate Commissioner, and the Director, Bureau of Prisons; for the Immigration and Naturalization Service, the Commissioner; and for all other organizational units of the Department (including United States Attorneys and Marshals), the Administrative Assistant Attorney General.

30. Subsection (o) of section 22 is amended to read:

(o) *Disbursing employees.* The Director of the Federal Bureau of Investigation, the Director of the Bureau of Prisons, the Commissioner of Federal Prison Industries, and the Commissioner of Immigration and Naturalization, as to their respective jurisdictions, and the Administrative Assistant Attorney General as to all other organizational units of the Department (including United States Attorneys and Marshals) are authorized to request Treasury Department designation of disbursing employees (including cashiers), and to certify that such employees are bonded pursuant to the act of August 9, 1955, 69 Stat. 618. Existing authorizations to request designations and approve bonds shall remain in effect until terminated by the official who by this subsection is authorized to request such designations.

31. Subsection (t) of section 22 is amended by inserting a comma after the word "limitation" in the second sentence thereof and by deleting the word "in" from that sentence.

32. The phrases "the Director of the Office of Alien Property," and "for the Office of Alien Property, the Administrative Officer;" are deleted wherever they occur in subsections (f), (g), (h), (m), (q), and (r) of section 22.

33. The following paragraph is substituted for paragraphs (2) and (3) of subsection (e) of section 23:

(2) When the Assistant Attorney General concerned is of the opinion that because of a question of law or policy presented, or because of opposition to the proposed closing by the agency or agencies involved, or for any other reason, the proposed closing should receive the personal attention of the Attorney General.

34. The introductory part of subsection (h) of section 23, following the headnote and preceding paragraph (1), is amended to read: "In addition to the matters which he is required to submit to the

Attorney General under preceding subsections of this section, the Director of the Office of Alien Property shall submit to the Attorney General for such review as he may desire to make the following:"

35. Subsection (h) of section 23 is amended by substituting the numeral (4) for the numeral (iv) designating the last item of the proviso in paragraph (3).

36. Subsection (b) of section 24 is amended to read:

(b) *Department memoranda.* All documents issued by the Administrative Assistant Attorney General relating to administrative matters which affect the Department as a whole or the field shall hereafter be designated as memoranda. All documents redelegating authority to United States Attorneys or Marshals and all documents relating to policies, procedures, regulations, or instructions issued to the United States Attorneys and Marshals by the head of any organizational unit, over the signature of the head of such unit shall likewise be designated as memoranda. The memoranda described in this subsection shall be in a separate numbered series, and they shall be numbered by the Administrative Assistant Attorney General. Documents amending, modifying, or revoking such memoranda, in whole or in part, shall likewise be designated as memoranda within such numbered series, and no other designation of such documents shall be used.

37. Subsection (d) of section 24 is amended to read:

(d) *Documents of a temporary nature or limited effect.* Documents which are of a temporary nature or of limited effect (e.g., announcements, notices, bulletins, or letters) shall not be issued as orders, memoranda, or directives within the numbered series referred to in subsection (a), (b), or (g) of this section.

38. Subsection (g) of section 24 is amended to read:

(g) *Documents issued by heads of organizational units.* Documents issued by the head of any organizational unit which contain delegations of authority to his subordinates or which relate to the organization, functions, policies, or procedures of the organizational unit of which he is the head shall be numbered and designated as directives (e.g., Tax Division Directive No. 1), and shall be clearly distinguishable in description and designation from the documents referred to in subsections (a), (b), and (d) of this section. Documents issued within the numbered series of any organizational unit shall bear the signature of the head of the unit.

39. Subsection (h) of section 24 is amended to read:

(h) *Permanent record and file of certain documents.* Two copies of each directive issued pursuant to subsection (g) of this section shall, promptly upon is-

suance, be furnished the Administrative Assistant Attorney General, who shall maintain a permanent record and file thereof.

40. The following-described orders are hereby superseded:

(a) No. 62-54 of October 18, 1954, authorizing investigation of certain housing frauds.

(b) No. 97-55 of September 13, 1955, authorizing expenditures of funds for unforeseen emergencies.

(c) No. 190-59 of September 15, 1959, providing for certain appointments by the Deputy Attorney General.

(d) No. 198-59 of November 12, 1959, delegating authority in proceedings against juveniles.

(e) No. 199-60 of February 16, 1960, assigning functions under the Labor-Management Reporting and Disclosure Act of 1959.

(f) No. 200-60 of February 24, 1960, delegating authority to seize arms and munitions.

(g) No. 203-60 of May 13, 1960, redelegating certain authority to the Director of the Federal Bureau of Investigation.

(h) No. 204-60 of June 16, 1960, delegating authority with respect to proposed merger of insured banks.

(i) No. 207-60 of July 22, 1960, placing the Office of Alien Property in the Office of the Attorney General.

Dated: September 12, 1960.

WILLIAM P. ROGERS,
Attorney General.

[F.R. Doc. 60-8673; Filed, Sept. 16, 1960;
8:51 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-169]

AMERICAN RADIATOR & STANDARD SANITARY CORP.

Notice of Issuance of Utilization Facility Export License

Please take notice that no request for a formal hearing having been filed following filing of a notice of receipt of the application with the Office of the Federal Register, the Atomic Energy Commission has issued License No. X-R-39 to American Radiator & Standard Sanitary Corporation represented by Advanced Technology Laboratories, A Division of American-Standard authorizing export of a nuclear reactor to the Australian Atomic Energy Research Establishment, New Illawarra Road, Lucas Heights, New South Wales, Australia. The notice of receipt of the application, published in the FEDERAL REGISTER on June 30, 1960 (25 FR 6148), described the reactor as a 10 kilowatt (thermal) water-moderated, graphite-reflected, Model UTR-10 teaching and research reactor.

Dated at Germantown, Md., this 12th day of September 1960.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director Division of
Licensing & Regulation.

[F.R. Doc. 60-8631; Filed, Sept. 16, 1960;
8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

September 1960 Monthly Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F.R. 6669) and subject to the conditions stated therein, as well as herein, the commodities listed below are available for sale on the price basis set forth.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Price Division, Commodity Stabilization Service, U.S. Department of Agriculture, Washington 25, D.C.

All commodities (except oats) currently offered for sale by CCC, plus tobacco from CCC loan stocks, are eligible for export sale under the CCC Export Credit Sales Program. The following commodities are currently eligible for barter: Nonfat dry milk, butter, cotton, tobacco, rice (milled), wheat, corn, barley, rye, and grain sorghums. This list is subject to change from time to time.

Interest rates per annum under the CCC Export Credit Sales Program for September 1960 are 3½ percent for periods up to six months, 4½ percent for periods from over six and up to 18 months, and 4¾ percent for periods from over 18 months up to a maximum of 36 months.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity, and the conditions require removal of the commodity from CCC storage within a reasonable period of time. Where conditions of sale for export differ from those for domestic sale, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not

constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Commodity Stabilization Service, USDA, Washington 25, D.C., with respect to all commodities or—for specified commodities—with the designated CSS Commodity Office.

Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

If CCC does not have adequate information as to the financial responsibility of a prospective buyer to meet all contract obligations that might arise by acceptance of an offer or if CCC deems such buyer's financial responsibility to be inadequate CCC reserves the right (i) to refuse to consider the offer, (ii) to accept the offer only after submission by the buyer of a certified or cashier's check, bond, letter of credit or other security acceptable to CCC assuring that the buyer will discharge the responsibility under the contract, or (iii) to accept the offer upon condition that the buyer promptly submit to CCC such of the aforementioned security as CCC may direct. If a prospective buyer is in doubt as to whether CCC is acquainted with his financial responsibility he should communicate with the CSS Office at which the offer is to be placed to determine whether a financial statement or advance financial arrangement will be necessary in his case.

Disposals and other handling of inventory items often result in small quantities at given locations or in qualities not up to specifications. These lots are offered by the appropriate CSS Office promptly upon appearance and therefore generally they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions, and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor exceptions, will constitute a domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sale, to define or limit export areas.

Commodity	Sales price or method of sale
Dairy products.....	Sales are in carlots only in store at storage location of products. Submission of offers: For products in Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington, submit offers to the Portland CSS Commodity Office. For products in other States and the District of Columbia, submit offers to the Cincinnati CSS Commodity Office.
Butter.....	Domestic, unrestricted use: 66.5 cents per pound New York, Pa., N.J., New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 65.75 cents per pound Washington, Oregon, and California. All other States 65.5 cents per pound. Export: Competitive bid under LD-33 pursuant to invitations to bid issued by Cincinnati CSS Commodity Office (may be applied to arrangements for barter and approved credit sales).
Nonfat dry milk (bags and drums) as available.	Domestic, unrestricted use; announced prices, under LD-29 as amended: Spray process, U.S. extra grade, 15.00 cents per pound. Roller process, U.S. extra grade, 13.00 cents per pound. Export: Competitive bid under LD-33 pursuant to invitations to bid to be issued by Cincinnati and Portland CSS Commodity Offices (may be applied to arrangements for barter or approved credit sales).
Cotton, upland.....	Domestic or export, unrestricted use: Competitive bid and under the terms and conditions of Announcement CN-A (revised) (sales by local sales agencies of 1960-crop Choice (A) cotton for unrestricted use), Announcement NO-C-14 (sale of 1959 and prior crops cotton for unrestricted use), and Announcement NO-C-15 (sale of 1960-crop Choice (A) cotton for unrestricted use). Under CN-A (revised), cotton to be sold at highest price offered but in no event at less than 110 percent of the applicable 1960 Choice (B) support price plus carrying charges. Under NO-C-14, cotton to be sold at highest price offered but in no event at less than the higher of (1) the market price as determined by CCC, or (2) 115 percent of the applicable Choice (B) support price plus carrying charges. Under NO-C-15, cotton to be sold at highest price offered but in no event at less than the higher of (1) the market price as determined by CCC, or (2) 110 percent of the applicable Choice (B) support price plus carrying charges.
Cotton, extra long staple.....	Domestic or export, unrestricted use: Competitive bid and under the terms and conditions of Announcements NO-C-6 (revised), and NO-C-10, as amended, but not less than the higher of (1) 105 percent of the current support price plus reasonable carrying charges, or (2) the domestic market price as determined by CCC.
Catalogs.....	Catalogs for upland cotton (except cotton offered under CN-A) and extra long staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from the New Orleans CSS Commodity Office. Catalogs or lists of cotton offered under CN-A may be obtained from local sales agencies.
Wheat, bulk.....	Domestic, unrestricted use; Commercial wheat-producing area: Market price basis in store but not less than the 1960 applicable loan rate plus (1) 16 cents per bushel if received by truck or (2) 13 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Examples of the foregoing minimum price per bushel (exrail or barge): Chicago, No. 1 RW..... \$2.21 Minneapolis, No. 1 DNS..... 2.28 Kansas City, No. 1 HW..... 2.21 Portland, No. 1 SW..... 2.12 Noncommercial wheat-producing area: Same basis as in commercial area except 133 percent of applicable support rate. Export: (1) As wheat under Announcement GR-261 revised, as amended, or as flour under Announcement GR-262 revised, as amended, for application under arrangements for barter which permits exportation of wheat as flour and approved credit sales only at prices determined daily (2) under Announcement GR-212 revised, amended, for specific offerings as announced and (3) under Announcement GR-345 for redemption of certificates under Payment-in-Kind Program. Available Evanston, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices.
Corn, bulk.....	Domestic, unrestricted use: Market price, basis in store, ¹ but not less than the 1959 applicable loan rate plus (1) a markup of 19 cents per bushel for corn in storage at point of production or (2) a markup of 21 cents per bushel and the rail freight from point of production to the present point of storage for corn in storage at other than the point of production. Examples of the foregoing minimum price per bushel for No. 2 yellow corn, 13.3 percent moisture and 1.4 percent foreign material including average paid-in freight from Woodford County, Ill., to Chicago and Redwood County, Minnesota, to Minneapolis, respectively: Chicago..... \$1.53¼ Minneapolis..... 1.36¼ Nonstorable corn, unrestricted use (as available): At not less than market price as determined by CCC. At bin sites, through ASC County Offices. At other locations through the Commodity Offices indicated below. Export: Under Announcement GR-212, revised, amended, for application to arrangements for barter and approved credit and emergency sales and under Announcement GR-368 for Feed Grain Payment-in-Kind Program. Available Evanston, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices.
Oats, bulk.....	Domestic, unrestricted use: Market price, basis in store, ¹ but not less than the 1960 applicable loan rate, plus (1) a markup of 8 cents per bushel for oats in storage at point of production and (2) a markup of 10 cents per bushel and the rail freight from point of production to present point of storage for oats in storage at other than the point of production. Examples of the foregoing minimum price per bushel including average paid-in freight from Woodford County, Ill., to Chicago and Redwood County, Minn., to Minneapolis respectively: Chicago, No. 3 oats..... \$0.68¼ Minneapolis, No. 3 oats..... .59¼ Export: Under Announcement GR-212, revised, amended, for application to approved emergency sales and under Announcement GR-368 for Feed Grain Payment-in-Kind Program (certificate redemption purposes only). Available Minneapolis, Evanston, Kansas City, Portland, and Dallas CSS Commodity Offices.

¹ In those counties in which grain is stored in CCC bin sites delivery will be made f.o.b. buyer's conveyance at bin sites without additional cost; sales will also be made in store approved warehouses in such county and adjacent counties at the same price, provided the buyer makes arrangements.

Commodity	Sales price or method of sale
Barley, bulk.....	Domestic, unrestricted use: Market price basis in store but not less than 1960 applicable loan rate plus (1) 10 cents per bushel if received by truck or (2) 8 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per bushel (exrail or barge): Minneapolis, No. 2 or better..... \$1.08 Export: Under Announcement GR-212, revised, amended, for application to arrangements for barter and approved credit and emergency sales, and under Announcement GR-368 for Feed Grain Payment-in-Kind Program. Available Minneapolis, Evanston, Kansas City, Portland, and Dallas CSS Commodity Offices.
Rye, bulk.....	Domestic, unrestricted use: Market price basis in store but not less than the 1960 applicable loan rate plus (1) 12 cents per bushel if received by truck or (2) 9 cents per bushel if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per bushel, (exrail or barge): Minneapolis, No. 2 or better (or No. 3 on TW only)..... \$1.21 Export: Under Announcement GR-212 revised, amended, for application to arrangements for barter and approved credit and emergency sales and under Announcement GR-368 for Feed Grain Payment-in-Kind Program. Available Minneapolis, Evanston, Dallas, Portland, and Kansas City CSS Commodity Offices.
Grain sorghums, bulk.....	Domestic, unrestricted use: Market price basis in store but not less than the 1960 applicable loan rate plus (1) 21 cents per hundredweight if received by truck or (2) 15 cents per hundredweight if received by rail or barge. If delivery is outside the area of production, applicable freight will be added to the above. Example of the foregoing minimum price per hundredweight (exrail or barge): Kansas City, No. 2 or better..... \$2.02 Export: Under Announcement GR-212, revised, amended, for application to arrangements for barter and approved credit and emergency sales, and under Announcement GR-368 for Feed Grain Payment-in-Kind Program. Available Evanston, Dallas, Kansas City, Minneapolis, and Portland CSS Commodity Offices.
Rice, milled (as available).....	Domestic, unrestricted use: Market price but not less than the equivalent 1960 loan rate for rough rice, by varieties and grades, plus 5 percent, adjusted for milling, plus 14 cents per hundredweight, basis in store. Export: Under GR-379 for application to arrangements for barter and approved credit sales. Available Dallas CSS Commodity Office.
Rice, broken (as available).....	Domestic or export, unrestricted use: Competitive bid but not less than \$4.78 per hundredweight in bags (\$4.63 bulk) basis U.S. No. 4 brewers rice (o.b. mills and warehouses). Prices and quantities of milled rice including broken available by varieties and grades may be obtained from Dallas and Portland CSS Commodity Offices.
Rice, rough (as available).....	Domestic, unrestricted use: Market price but not less than the applicable 1960 loan rate plus 5 percent, plus 16 cents per hundredweight, basis in store. Export: As milled or brown under Announcement GR-369, Rice Export Program Payment-in-Kind, and under GR-379 for approved credit sales. Prices, quantities, and varieties of rough rice available from Dallas and Portland CSS Commodity Offices.
Soybeans, bulk (as available).....	Domestic or export: Market price basis in store but not less than the 1959 basic loan rate for No. 2 grade, basis point of storage, plus 20 cents per bushel, plus the value of billing, if any, as determined by the CSS Commodity Office. Market discounts for quality factors will be applied to the basic price to determine the actual sales price. Available Dallas, Evanston, Kansas City, and Minneapolis CSS Commodity Offices.
Peanuts, shelled, all types (as available).	Domestic, unrestricted use: 1960 support price plus 5 percent, adjusted for milling, plus reasonable carrying charges under Peanut Announcement 3, but not less than the following or market prices: No. 1's..... Cents per pound Virginia..... 20.05 S. E. Spanish..... 19.91 S. W. Spanish..... 20.19 S. E. Runners..... 19.53 Domestic for crushing or export: Competitive bid under CCC Peanut Announcement 1, as amended.
Tung oil.....	Export: Competitive bid on limited quantities under Announcement DL-OP-10 by Dallas CSS Commodity Office.
Gum turpentine (bulk in tanks)...	Domestic—unrestricted use: Offer and acceptance basis in the stated quantities and in the designated storage tanks and subject to the prices, terms and conditions of Announcement TB-21-60 and supplements thereto which will be issued monthly. Available through ATFA, Valdosta, Georgia. Export: Competitive bid for turpentine, bulk in storage tanks, subject to Announcement TB-21-60 and supplements thereto. Available through Naval Stores Branch, Tobacco Division, CSS, U.S. Department of Agriculture.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1055; 7 U.S.C. 1427, sec. 208, 63 Stat. 901)

Issued: September 12, 1960.

CLARENCE D. PALMBY,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 60-8609; Filed, Sept. 16, 1960; 8:45 a.m.]

Office of the Secretary

HUNTER-LIGGETT MILITARY RESERVATION, LOS PADRES NATIONAL FOREST, CALIFORNIA

Order Interchanging Administrative Jurisdiction of Military and National Forest Lands; Correction

The order of the Secretary of the Army and the Assistant Secretary of Agriculture appearing as F.R. Document 57-4504 of the issue for June 4, 1957, at pages 3901-3902, is hereby corrected in the following particulars:

1. Because of an ambiguity in the description, within the final paragraph of part (1) of the order after the words "Santa Lucia Creek" add "(Also known as Sycamore Creek)", and following the description "Section 15, T 21 S., R 5 E." delete the words "on the boundary of the Los Padres National Forest."

2. In Part (2) add the following additional parcels of land which were omitted through inadvertence:

a. T 23 S., R 5 E., those parts of Section 24 lying in the drainage area of San Miguel Creek.

b. T 22 S., R 6 E., Section 33, Lots 3 and 4.

Dated: August 26, 1960.

WILBER M. BRUCKER,
Secretary of the Army.

Dated: July 11, 1960.

MARVIN L. McLAIN,
Acting Secretary of Agriculture.

[F.R. Doc. 60-8695; Filed, Sept. 16, 1960; 8:54 a.m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[Docket No. 881]

GENERAL INCREASES IN ALASKAN RATES AND CHARGES

Notice of Supplemental Order

The Federal Maritime Board, on September 6, 1960, entered the following Eighth Supplemental Order, to the original order in this proceeding dated, January 7, 1960, which appeared in the FEDERAL REGISTER of January 15, 1960 (25 F.R. 364):

It appearing that the Original Order, as amended, in Docket No. 881 dated January 7, 1960, the Board instituted an investigation into and concerning the reasonableness of the rates, charges, rules, regulations and practices stated in certain schedules between Pacific Coast ports on the one hand, and ports and points in Alaska on the other; and

It further appearing that said Original Order provides in part that "no change shall be made in the rates or other matters which were changed by said tariff schedules, until this investigation has been terminated by final order

of the Board, unless otherwise authorized by special permission of the Board;" and

It further appearing that on August 29, 1960, Alaska Freight Lines, Inc., filed Application No. 13 seeking authority to publish, post and file, on not less than ten days' notice, consecutively numbered revised Pages Nos. 47 and 48 to Freight Tariff F.M.B.-F. No. 1 (Alaska Northern Express, Inc., series) in order to publish reduced rates on "Groceries," "Liquors, Alcoholic," and "Liquor Malt" in Item Nos. 585, 620, and 625; and

It further appearing, that the Board having found good cause therefore has on September 6, 1960, granted special permission to publish such changes on not less than ten days' notice under Special Permission No. 3870.

It is ordered, That the Original Order herein is modified to the extent necessary to permit publication and filing of the change covered by such Special Permission No. 3870; and

It is further ordered, That any rates, charges, rules, regulations and practices set forth in the schedules filed pursuant to such special permission shall be subject to the investigation and hearing herein to the same extent as the rates, charges, rules, regulations and practices under schedules cancelled thereby, and that the special permission granted hereby shall be without prejudice to the Board's determination as to the lawfulness of the rates established pursuant hereto; and

It is further ordered, That copies of this Order shall be filed with said tariff schedules in the Office of the Federal Maritime Board; and

It is further ordered, That a copy of this Order shall be forthwith served upon all respondents and protestants herein; and that this Order be published in the FEDERAL REGISTER.

By order of the Federal Maritime Board.

Dated: September 14, 1960.

JAMES L. PIMPER,
Secretary.

[F.R. Doc. 60-8659; Filed, Sept. 16, 1960;
8:48 a.m.]

Office of the Secretary

LOUIS F. FRAZZA

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months.

- A. Deletions: No change.
- B. Additions: No change.

This statement is made as of September 5, 1960.

LOUIS F. FRAZZA.

SEPTEMBER 6, 1960.

[F.R. Doc. 60-8652; Filed, Sept. 16, 1960;
8:48 a.m.]

AL SERAFIN MINETTI

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months.

- A. Deletions: No change.
- B. Additions: No change.

This statement is made as of September 1, 1960.

AL SERAFIN MINETTI.

[F.R. Doc. 60-8653; Filed, Sept. 16, 1960;
8:48 a.m.]

HAROLD L. GRAHAM, JR.

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 in the last six months.

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

This statement is made as of August 1, 1960.

HAROLD L. GRAHAM, Jr.

[F.R. Doc. 60-8657; Filed, Sept. 16, 1960;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 13605-13607; FCC 60M-1516]

ABILENE RADIO AND TELEVISION CO. ET AL.

Order Continuing Hearing

In re applications of Abilene Radio and Television Company, San Angelo, Texas, Docket No. 13605, File No. BPCT-2639; E. C. Gunter, San Angelo, Texas, Docket No. 13606, File No. BPCT-2663; Dornita Investment Corp., San Angelo, Texas, Docket No. 13607, File No. BPCT-2714; for construction permits for new television broadcast stations (Channel 3).

Pursuant to agreement of counsel arrived at during the prehearing conference in the above-entitled proceeding held on this date: *It is ordered*, This 12th day of September 1960, that the following schedule of dates shall govern:

Exchange of exhibits, November 14, 1960.
Further prehearing conference, November 21, 1960.

It is further ordered, That the hearing presently scheduled to commence on September 27, 1960, is continued to a

date to be fixed at the further prehearing conference.

Released: September 13, 1960.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-8682; Filed, Sept. 16, 1960;
8:53 a.m.]

[Docket Nos. 13676-13681; FCC 60M-1519]

CIRCLE L, INC., ET AL.

Order Continuing Hearing Conference

In re applications of Circle L, Inc., Reno, Nevada, Docket No. 13676, File No. BPCT-2656; Electron Corporation tr/as Reno Telecasting Co., Reno, Nevada, Docket No. 13677, File No. BPCT-2662; Sierra Television Co., Reno, Nevada, Docket No. 13678, File No. BPCT-2698; Harriscope, Inc., Irving B. Harris, Donald P. Nathanson and Benjamin Berger, d/b as Rocky Mountain Tele Stations, Reno, Nevada, Docket No. 13679, File No. BPCT-2750; Nevada Broadcasters' Fund, Inc., Reno, Nevada, Docket No. 13680, File No. BPCT-2753; Comstock Telecasting Corporation, Reno, Nevada, Docket No. 13681, File No. BPCT-2754; for construction permits for new television broadcast stations (Channel 4).

The Hearing Examiner having under consideration a petition filed September 8, 1960, on behalf of the Chief, Broadcast Bureau, Federal Communications Commission, requesting that the prehearing conference now scheduled for September 19, 1960, be continued to September 20, 1960; and

It appearing that the reason for the requested continuance is the fact that counsel for the Broadcast Bureau will be unable to be in Washington on September 19, 1960; and

It further appearing that counsel for all the parties, with the exception of Electron Corporation, tr/as Reno Telecasting Co., which is not represented by Washington counsel, have consented to the grant of this petition and that good cause for the requested continuance having been shown;

It is ordered, This the 12th day of September 1960, that the petition for continuance is GRANTED and the prehearing conference in this proceeding now scheduled for September 19, 1960 is continued to September 20, 1960, at 10:00 a.m. in the offices of the Commission, Washington, D.C.

Released: September 13, 1960.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-8683; Filed, Sept. 16, 1960;
8:53 a.m.]

[Docket No. 13762; FCC 60M-1522]

CYNWYD TAXI SERVICE

Order Scheduling Hearing

In the matter of Anthony DiLouis, d/b as CYNWYD Taxi Service, 244 Iona

Avenue, Narberth, Pennsylvania, Docket No. 13762; Order to show cause why there should not be revoked the License for Taxicab Radio Station KGA-381.

It is ordered, This 12th day of September 1960, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on November 3, 1960, in Washington, D.C.

Released: September 13, 1960.

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

[F.R. Doc. 60-8684; Filed, Sept. 16, 1960;
8:53 a.m.]

[Docket Nos. 13692, 13693; FCC 60M-1520]

EMPIRE COMMUNICATIONS CO. AND TELEPHONE ANSWERING SERVICE

Order Cancelling Hearing and Scheduling Conference

In re applications of Leslie F. Smith, Jr., d/b as Empire Communications Company, Docket No. 13692, File Nos. 2233-C2-P-59, 2234-C1-P/L-59; for construction permits to establish a new two-way communication service in the Domestic Public Land Mobile Radio Service at Salem, Oregon; Vincent W. Elliott, d/b as Telephone Answering Service, Docket No. 13693, File Nos. 2639-C2-P-59, 1530-C1-P/L-60; for construction permits to establish a new two-way communication service in the Domestic Public Land Mobile Radio Service at Salem, Oregon.

It appearing that this matter is currently scheduled for hearing on October 19, 1960; and

It further appearing that an informal request has been made to the Hearing Examiner to hold a prehearing conference on that date;

It is ordered, This 12th day of September, 1960, that the hearing date of October 19, 1960, is cancelled and a prehearing conference will convene on that date at 10:00 a.m. in Washington, D.C.

Released: September 13, 1960.

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

[F.R. Doc. 60-8685; Filed, Sept. 16, 1960;
8:53 a.m.]

[Docket No. 13759; FCC 60M-1521]

FLORIDA MARINE CORP.

Order Scheduling Hearing

In the matter of Florida Marine Corporation, P.O. Box 91, 704 North Jefferson Street, Perry, Florida and 233 East Brooks Street, Fort Walton Beach, Florida, Docket No. 13759; Order to show cause why there should not be revoked the Licenses for Citizens Radio Stations 7W1133 at Perry, Florida and 7W1443 at Fort Walton Beach, Florida.

It is ordered, This 12th day of September 1960, that Isadore A. Honig will preside at the hearing in the above-entitled

proceeding which is hereby scheduled to commence on November 3, 1960, in Washington, D.C.

Released: September 13, 1960.

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

[F.R. Doc. 60-8686; Filed, Sept. 16, 1960;
8:53 a.m.]

[Docket Nos. 13673-13675; FCC 60M-1517]

HENNEPIN BROADCASTING ASSOCIATES ET AL.

Order Continuing Hearing

In re applications of Albert S. Tedesco and Patricia W. Tedesco, d/b as Hennepin Broadcasting Associates, Minneapolis, Minnesota, Docket No. 13673, File No. BP-12416; Robert E. Smith, River Falls, Wisconsin, Docket No. 13674, File No. BP-13339; Jack I. Moore, James L. Magner, Ray Ekberg, Ingvald C. Ryan, Donald E. Nebelung, Post Publishing Company, Inc., and Carl Bloomquist, d/b as Crystal Broadcasting Company, Crystal, Minnesota, Docket No. 13675, File No. BP-13750; for construction permits.

The Hearing Examiner having under consideration the proceedings during a prehearing conference held in the above-entitled case on September 9, 1960 and the desirability of setting forth in a formal order the agreements of counsel reached with the approval of the Examiner;

It Appearing that all counsel came to the said prehearing conference with an agreed upon schedule of dates in accordance with the Examiner's request in the order scheduling the prehearing conference; that in view of the procedural agreements reached which look forward to the simplification of the hearing process and the need of all counsel for additional time properly to prepare in accordance therewith; and of the conflicting commitments of counsel, especially counsel for the Commission's Broadcast Bureau and of the Bureau's engineer, the extensions of deadline dates herein provided are not unreasonable;

It is ordered, This 12th day of September 1960, that the hearing previously scheduled to commence on October 5, 1960, at the Commission's offices, Washington, D.C., at 10:00 a.m., is continued to November 21, 1960 at the same time and place;

It is ordered further, That a second prehearing conference for the purposes specified in the transcript of the first prehearing conference is scheduled for 10:00 a.m., November 7, 1960, at the Commission's offices, Washington, D.C.; and that all exhibits in support of the direct cases or cases-in-chief of the applicants are to be exchanged not later than October 24, 1960 and rebuttal engineering exhibits are to be exchanged by November 17, with one copy of each such exhibit supplied to the Hearing Examiner;

It is ordered further, That the transcript of the prehearing conference is hereby incorporated by reference herein

and shall serve as a guide upon all matters therein discussed.

Released: September 13, 1960.

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

[F.R. Doc. 60-8687; Filed, Sept. 16, 1960;
8:53 a.m.]

[Docket No. 13410; FCC 60M-1526]

IDAHO MICROWAVE, INC.

Order Scheduling Prehearing Conference

In re applications of Idaho Microwave, Inc., Docket No. 13410, File No. 2672-C1-P-58, for construction permit for new fixed radio station at Kimport Peak, Idaho (KPL 24); File No. 2673-C1-P-58, for construction permit for new fixed radio station at Rock Creek, Idaho (KPL 25); File No. 2674-C1-P-58, for construction permit for new fixed radio station at Jerome, Idaho (KPL 26).

It is ordered, This 12th day of September 1960, that a prehearing conference, pursuant to § 1.111 of the Commission's rules, will be held in the above-entitled matter at 10:00 a.m., September 26, 1960, in the Commission's offices in Washington, D.C.

Released: September 14, 1960.

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

[F.R. Doc. 60-8688; Filed, Sept. 16, 1960;
8:53 a.m.]

[Docket Nos. 13749-13753; FCC 60M-1531]

ROLLINS BROADCASTING, INC., ET AL.

Order Setting Prehearing Conference

In re applications of Rollins Broadcasting, Inc., Wilmington, Delaware, Docket No. 13749, File No. BPCT-2583; The Wilmington Television Co., Inc., Wilmington, Delaware, Docket No. 13750, File No. BPCT-2603; WHYY, Inc., Wilmington, Delaware, Docket No. 13751, File No. BPCT-2634; Metropolitan Broadcasting Corporation, Wilmington, Delaware, Docket No. 13752, File No. BPCT-2715; National Telefilm Associates, Inc., Wilmington, Delaware, Docket No. 13753, File No. BPCT-2769; for construction permits for new television broadcast stations (Channel 12).

It is ordered, This 13th day of September 1960, on the Hearing Examiner's own motion, that all parties or their counsel who desire to participate in the above-captioned proceeding are directed to appear for a prehearing conference, pursuant to the provisions of 47 CFR 1.111, at the offices of the Commission in Washington, D.C., at 2:00 p.m., September 28, 1960.

Released: September 14, 1960.

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

[F.R. Doc. 60-8689; Filed, Sept. 16, 1960;
8:53 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 11779; Order No. E-15763]

DELTA AIR LINES, INC.**Coach Fares; Order of Investigation and Suspension**

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of September 1960:

By tariff filed to become effective September 15, 1960, Delta Air Lines, Inc. has proposed to establish new coach fares over various segments on its lines. On six of these segments Delta's proposed fares exceed the coach fare ceiling of 75 percent of the corresponding first-class fare as provided in the Board's domestic coach policy and would effect a significant increase in the level of coach fares.¹ We therefore find that such fares may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial and should be investigated.²

The tariff proposals herein ordered investigated would establish coach fares ranging as high as ten dollars in excess of the coach fare ceiling on the New Orleans-West Palm Beach segment, and result in disproportionately high coach fares in relation to corresponding first-class fares. We will therefore suspend the operation of these tariff provisions (except the proposed night coach fare on the Charlotte-Jacksonville Segment which effects a reduction) pending investigation thereof.

The Board finds that its action herein is necessary and appropriate to carry out the provisions and objectives of the Federal Aviation Act of 1958, and particularly sections 204(a), 403, 404, and 1002 thereof.

Accordingly, it is ordered that:

1. An investigation is hereby instituted to determine whether the fares and provisions appearing in Agent C. C. Squire's Tariff C.A.B. No. 44, between Charlotte and Jacksonville, between Dallas and Louisville, between Fort Worth and Louisville, between Houston and St. Petersburg, between Houston and Tampa, between Miami and New

Orleans, and between New Orleans and West Palm Beach on 14th and 15th Revised Pages 121 and 30th Revised Page 122; between Charlotte and Jacksonville on 15th Revised Page 122-A; between Charlotte and Jacksonville on 30th Revised Page 157; between Houston and Tampa and between Miami and New Orleans on 12th Revised Page 192-A are or will be unjust or unreasonable, or unjustly discriminatory, unduly preferential, unduly prejudicial or otherwise unlawful, and, if found to be unlawful, to determine and prescribe the lawful fares and provisions.

2. Pending investigation, hearing, and decision by the Board, the fares and provisions appearing in Agent C. C. Squire's C.A.B. No. 44 between Charlotte and Jacksonville, between Dallas and Louisville, between Fort Worth and Louisville, between Houston and St. Petersburg, between Houston and Tampa, between Miami and New Orleans and between New Orleans and West Palm Beach on 14th and 15th Revised Pages 121 and 30th Revised Page 122 be and hereby are suspended and their use deferred to and including December 13, 1960, unless otherwise ordered by the Board and that no changes be made therein during the period of suspension except by order or special permission by the Board.

3. The proceeding ordered herein be assigned for hearing before an examiner of the Board at a time and place hereafter to be designated.

4. A copy of this order be filed with the aforesaid tariff and a copy be served upon Delta Air Lines, Inc., Eastern Air Lines, Inc., and National Airlines, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] ROBERT C. LESTER,
Secretary.

[F.R. Doc. 60-8691; Filed, Sept. 16, 1960; 8:53 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File 7-2079]

COLLINS RADIO CO.**Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing**

SEPTEMBER 13, 1960.

In the matter of application of the Boston Stock Exchange for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges: Collins Radio Company, File 7-2079.

Upon receipt of a request, on or before September 30, 1960, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 60-8648; Filed, Sept. 16, 1960; 8:47 a.m.]

[File Nos. 7-2080, 7-2081]

COLLINS RADIO CO. AND PAN AMERICAN SULPHUR CO.**Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing**

SEPTEMBER 13, 1960.

In the matter of applications of the Philadelphia-Baltimore Stock Exchange for unlisted trading privileges in certain securities.

The above-named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the common stocks of the following companies, which securities are listed and registered on one or more other national securities exchanges: Collins Radio Company, File 7-2080; Pan American Sulphur Company, File 7-2081.

Upon receipt of a request, on or before September 30, 1960, from any interested person, the Commission will determine whether the application with respect to any of the companies named shall be set down for hearing. Any such request should state briefly the title of the security in which he is interested, the nature of the interest of the person making the request, and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained

¹ 14 CFR 399.19(d).

The relationship between first-class and coach fares has been changed due to the three increases of \$1.00 per ticket each authorized by the Board in recent years and the meal charge made in many coach services. In computing the first-class coach relationship for purposes of applying the domestic coach policy, we have made compensating adjustments so that all coach fares which met the 75 percent standard before the addition of \$3.00 per ticket and the meal charge would still be considered within the ceiling. In the case of Delta's fares, the ceiling was computed by multiplying by 75 percent the first-class fare minus \$3.00, and adding to the result \$3.00 (representing the three \$1.00 fare increases) plus \$1.00 for a meal charge.

² Delta's proposed coach fares on three other segments are in excess of the 75 percent fare ceiling and are equal to coach fares in effect by competitors. The omission of these fares from this order of investigation and suspension does not indicate Board approval of such fares by Delta or its competitors. The Board is deferring action thereon pending further analysis.

in the official files of the Commission pertaining thereto.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 60-8649; Filed, Sept. 16, 1960;
8:47 a.m.]

[File No. 70-3744]

WHEELING ELECTRIC CO.

Notice of Amendment Proposing Renewal of Short-Term Notes to Banks

SEPTEMBER 12, 1960.

Notice is hereby given that Wheeling Electric Company ("Wheeling"), a public-utility subsidiary of American Electric Power Company, Inc. ("American"), a registered holding company, has filed an amendment to its declaration, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), seeking authority to extend to September 30, 1960, the time within which Wheeling may issue to banks, notes in renewal of notes maturing on September 26, 1960, and issued with Commission authorization by order dated December 24, 1958 (Holding Company Act Release No. 13898). Such renewal notes in the aggregate amount of \$4,250,000 will be issued and sold to Mellon National Bank & Trust Company, Pittsburgh, Pa.; First National City Bank of New York, N.Y.; Manufacturers Trust Company, New York, N.Y.; Guaranty Trust Company of New York, New York, N.Y.; and Bankers Trust Company, New York, N.Y.; will become due not more than 270 days from the dates of issuance; will bear interest at the prime credit rate then in effect; and will be prepayable from time to time, in whole or in part, without premium.

In said amendment Wheeling states that it contemplates that in 1961 it will be feasible either (a) to enter into a Bank Loan Agreement generally similar to the Bank Loan Agreement under which it now has outstanding \$7,000,000 of notes which mature December 1, 1965, or (b) to issue and sell first mortgage bonds in an amount sufficient to refund its then outstanding indebtedness.

Notice is further given that any interested person may, not later than September 22, 1960, at 5:30 p.m., request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said amended declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date the amended declaration, as filed or as it may be further amended, may be permitted to become effective as provided in Rule 23 of the rules and regulations promulgated under the Act, or the Com-

mission may exempt such transaction as provided in Rules 20(a) and 100 thereof.

By the Commission.

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 60-8650; Filed, Sept. 16, 1960;
8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management ALASKA

Notice of Termination of Proposed Withdrawal and Reservation of Lands

SEPTEMBER 12, 1960.

Notice of an application Serial No. A.026736, for withdrawal and reservation of lands was published as Federal Register Document No. 55-10118 on page 9496 of the issue for December 17, 1955. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR, Part 295, such lands will be at 12:01 a.m. on October 24, 1960 relieved of the segregative effect of the above-mentioned application.

The State of Alaska filed application to select all of the subject lands under section 6(g) of the Statehood Act. The State selection will be subject to any valid prior existing claims on the land.

The lands involved are:

SEWARD MERIDIAN

- T. 22 N., R. 2 W., unsurveyed:
Secs. 5, 6, 7, 8.
- T. 22 N., R. 3 W., unsurveyed:
Secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 21, 22, 23, 28.
- T. 23 N., R. 3 W., unsurveyed:
Secs. 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33.
- T. 28 N., R. 4 W., surveyed:
Secs. 1, 2, 11, 12, 13, 14, SE $\frac{1}{4}$;
Sec. 19;
Secs. 20, 21, 22, 23, 24.
- T. 24 N., R. 3 W., unsurveyed:
Secs. 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33.
- T. 24 N., R. 4 W., surveyed:
Secs. 3, 10, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 17; lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$ (less S $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$), NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 18;
Secs. 15, 22, 23, 26, 35.
- T. 24 N., R. 5 W., surveyed:
Secs. 12, 13, 14; lots 1, 2, 3, 4, 5, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 15; lots 1, 2, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 22; lots 1, 2, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 23; N $\frac{1}{2}$;
Sec. 24.
- T. 25 N., R. 3 W., unsurveyed:
Secs. 6, 7, 18, 19, 28, 29, 30, 31, 32, 33.
- T. 25 N., R. 4 W., surveyed:
Secs. 5, 6, 7, 8, 17; lots 3, 7, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 18; E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 19;
Secs. 20, 21, 28, 29; NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 30;
Secs. 31, 32, and 33.
- T. 26 N., R. 3 W., unsurveyed:
Sec. 6; S $\frac{1}{2}$;
Secs. 7, 18, 19, 30, 31.

T. 26 N., R. 4 W., surveyed:
Sec. 20; lots 5, 6, E $\frac{1}{2}$;
Sec. 29; lot 5, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 30;
Secs. 31, 32.
Unsurveyed: S $\frac{1}{2}$ Sec. 1; SE $\frac{1}{4}$ Sec. 2;
Secs. 10, 11, 12, 13, 14, 15, S $\frac{1}{2}$;
Sec. 16; S $\frac{1}{2}$;
Sec. 17;
Secs. 21, 22, 23, 24, 25, 26, 27, 28, 33, 34, 35, 36.

Aggregating approximately 104,559 acres.

JAMES W. SCOTT,
Acting Operations Supervisor.

[F.R. Doc. 60-8680; Filed, Sept. 16, 1960;
8:52 a.m.]

[Small Tract Classification Order 105]

ALASKA

Cancellation

SEPTEMBER 16, 1960.

Effective September 16, 1960, Small Tract Classification Order Number 105, dated August 18, 1955, Fairbanks Land District, Alaska, embracing the following described public lands is cancelled:

FAIRBANKS MERIDIAN

T. 1 S., R. 2 W.
Sec. 20; N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$.

Containing 160 acres.

RICHARD L. QUINTUS,
Operations Supervisor, Fairbanks.

[F.R. Doc. 60-8681; Filed, Sept. 16, 1960;
8:52 a.m.]

Office of the Secretary

GLENN J. HALL

Report of Appointment and Statement of Financial Interests

AUGUST 19, 1960.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Glenn J. Hall.

Name of employing agency: Department of the Interior Office of Assistant Secretary for Water and Power Development.

The title of the appointee's position: Director, Defense Electric Power Area 14.

The name of the appointee's private employer or employers: Idaho Power Company, 1220 Idaho Street, Boise, Idaho.

The statement of "financial interests" for the above appointee is set forth below.

FRED A. SEATON,
Secretary of the Interior.

Appointee's Statement of Financial Interests

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on August 19, 1960, as Director DEP Area 14, Office of Asst. Sec'y.-Water & Power Development an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

Idaho Power Co.
Morrison-Knudsen Co.
Howe Sound Corp.
Food Machinery & Chemical Corp.
General Electric Co.
Amalgamated Sugar Co.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

GLENN J. HALL.

AUGUST 26, 1960.

[F.R. Doc. 60-8660; Filed, Sept. 16, 1960; 8:49 a.m.]

ROBERT R. REND

Report of Appointment and Statement of Financial Interests

AUGUST 19, 1960.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Robert R. Rend.
Name of employing agency: Department of the Interior, Office of Assistant Secretary for Water and Power Development.

The title of the appointee's position: Deputy Director, Defense Electric Power Area 14.

The name of the appointee's private employer or employers: The Montana Power Company, 40 East Broadway, Butte, Montana.

The statement of "financial interests" for the above appointee is set forth below.

FRED A. SEATON,
Secretary of the Interior.

Appointee's Statement of Financial Interests

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on August 19, 1960, as Deputy Director, Defense Electric Power Area 14, Office of Asst. Sec'y.-Water & Power Development an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

The Montana Power Co.
American Telephone & Telegraph Co.
Investors Mutual Inc.
New York Life Insurance Co.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

ROBERT R. REND.

AUGUST 29, 1960.

[F.R. Doc. 60-8646; Filed, Sept. 16, 1960; 8:47 a.m.]

RAYMOND V. SELANDER

Report of Appointment and Statement of Financial Interests

AUGUST 19, 1960.

Pursuant to section 302(a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the FEDERAL REGISTER:

Name of appointee: Raymond V. Selander.

Name of employing agency: Department of the Interior, Office of Assistant Secretary for Water and Power Development.

The title of the appointee's position: Alternate Deputy Director, Defense Electric Power Area 14.

The name of the appointee's private employer or employers: Utah Power & Light Company, 1407 West North Temple, Salt Lake City, Utah.

The statement of "financial interests" for the above appointee is set forth below.

FRED A. SEATON,
Secretary of the Interior.

Appointee's Statement of Financial Interests

In accordance with the requirements of section 302(b) of Executive Order 10647, I am filing the following statement for publication in the FEDERAL REGISTER:

(1) Names of any corporations of which I am, or had been within 60 days preceding my appointment, on Aug. 19, 1960, as Alternate Deputy Director, DEPA Area 14, Dept. of Interior, Office of Asst. Sec'y.-Water & Power Development, an officer or director:

None.

(2) Names of any corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds, or other financial interests:

Utah Power & Light Co.
Financial Industrial Fund.

(3) Names of any partnerships in which I am associated, or had been associated within 60 days preceding my appointment:

None.

(4) Names of any other businesses which I own, or owned within 60 days preceding my appointment:

None.

RAYMOND V. SELANDER.

AUGUST 26, 1960.

[F.R. Doc. 60-8647; Filed, Sept. 16, 1960; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP61-16]

COLORADO-WYOMING GAS CO.

Notice of Application and Date of Hearing

SEPTEMBER 12, 1960.

Take notice that on July 22, 1960, Colorado-Wyoming Gas Company (Applicant) filed in Docket No. CP61-16 an application pursuant to section 7 of the Natural Gas Act for permission and approval to abandon by sale to Public Service Company of Colorado (Public Service) the existing town border meter station at Loveland, Larimer County, Colorado, and 2,832 feet of 4-inch lateral pipeline leading to said meter station from Applicant's 8-inch main transmission pipeline between Boulder Junction and Fort Collins, Colorado; and for a certificate of public convenience and necessity authorizing the enlargement and revision of Applicant's existing meter station at West Loveland to serve certain new facilities proposed to be constructed by Public Service, and the construction and operation of a new meter station at South Loveland to provide an additional delivery point for Public Service, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of the proposed abandonment by sale, with the concurrent revision and enlargement of the West Loveland meter station and related construction by Public Service, and the proposed new meter station at South Loveland, is to provide better planning and control of its distribution functions by Public Service and to facilitate the handling of present and future load growth.

Service through the new delivery point will be under the existing service agreement between Applicant and Public Service. No substantial change in Applicant's gas supply is involved.

The total estimated cost of the facilities proposed to be constructed hereunder is \$5,511 for enlarging the West Loveland station, and \$12,000 for the new South Loveland station. The total depreciated original cost of the facilities to be abandoned by sale is \$4,640, and the selling price of such facilities is \$3,500.

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 11, 1960, 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 30, 1960. 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 inter-

mediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 60-8642; Filed, Sept. 16, 1960;
8:46 a.m.]

[Project No. 1971]

IDAHO POWER CO.

Notice of Application for Amendment of License

SEPTEMBER 8, 1960.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by Idaho Power Company, Boise, Idaho, licensee for Project No. 1971, for amendment of its license for the project to include therein a 230-kilovolt single-circuit transmission line extending between the licensee's Boise Bench transmission substation and licensee's Brady transmission substation near American Falls, a distance of about 186.6 miles.

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 31, 1960.

The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 60-8643; Filed, Sept. 16, 1960;
8:46 a.m.]

[Docket RI61-66—RI61-71]

REEF CORP. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates and Allowing Increased Rates To Become Effective Subject to Refund¹

SEPTEMBER 9, 1960.

In the matter of Reef Corporation (Operator), et al., Docket No. RI61-66; The Superior Oil Company, Docket No. RI61-67; Shell Oil Company (Operator), Docket No. RI61-68; Harkins & Company (Operator), et al., Docket No. RI61-69; K. S. Adams, Jr., Docket No. RI61-70; Paul R. Turnbull, et al., Docket No. RI61-71.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. In each filing the pressure base is 14.65 psia. The proposed changes are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Notice of change dated—	Date tendered	Effective date ¹ unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in Docket Nos.
									Rate in effect	Proposed increased rate	
RI61-66....	Reef Corp. (Operator), et al.	1	10	El Paso Natural Gas Co. (East Vealmoor Field, Howard County, Tex.) (R.R. District No. 8).	8-10-60	8-10-60	9-10-60	2-10-61	10.135	16.216	-----
RI61-67....	The Superior Oil Co.	72	1	Northern Natural Gas Co. (West Perryton Field, Ochiltree County, Tex.) (R.R. District No. 10).	8-9-60	8-11-60	9-11-60	2-11-61	15.5	16.5	-----
RI61-68....	Shell Oil Co. (Operator).	60	2	Lone Star Gas Co. (Dillard Gas Plant, Carter County, Okla.).	8-8-60	8-11-60	9-11-60	2-11-61	11.0	16.8	-----
RI61-69....	Harkins & Co. (Operator), et al.	3	2	United Gas Pipe Line Co. (Cabeza Creek Field, Goliad County, Tex.) (R.R. District No. 2).	8-5-60	8-11-60	10-1-60	3-1-61	7.596	14.5	-----
RI61-70....	K. S. Adams, Jr.	1 2	5 5	Phillips Petroleum Co. (West Panhandle Field, Moore, and Hartley Counties, Tex.) (R.R. District No. 10).	8-5-60	8-11-60	9-11-60	9-12-60	² 8.76236 ³ 7.84	² 9.49839 ³ 8.49856	G-19150
RI61-71....	Paul R. Turnbull, et al.	1	7	Tennessee Gas Transmission Co. (Santellana Field, Hidalgo County, Tex.) (R.R. District No. 4).	Undated	8-10-60	9-10-60	2-10-61	12.12268	15.0952	-----

¹ The stated effective date is either the first day after the required thirty days' notice or the date requested by respondent.

² The rate stated is for the sale of sweet gas, which is applicable to both of respondent's rate schedules.

³ The rate stated is for the sale of sour gas, which is applicable to both of respondent's rate schedules.

The proposed increased rate tendered by Reef is one of numerous increases resulting from El Paso's contract renegotiation program in the Permian Basin area. It is provided by an October 26, 1959 contract amendment which deletes the favored-nation clause from the original contract and substitutes a schedule of 1.0 cents per Mcf periodic increases at five-year intervals.

In support of its proposed increased rate, Reef states that, in consideration of the higher rate, it gave up the favored-nation provision of the contract; that the increased rate will not create a new price plateau for the area; and that such rate compares favorably with the rate certificated by the Commission in its Opinion No. 328. Reef requests that, in the event the Commission should suspend

its proposed rate, the suspension period be for one day because Reef has foregone filing for numerous contract increases under the favored-nation provision of its contract.

The increase in rate proposed by Superior is provided by an amendatory agreement dated April 12, 1960, wherein Northern Natural agrees to increase the contract price by 1.0 cents per Mcf in consideration of seller's relinquishing its rights to construct plants and process the gas for the removal of liquid hydrocarbons. In support, Superior states that the processing right was deemed valuable by both buyer and seller and that the 1.0 cents per Mcf increase in price therefor was arrived at after arm's-length negotiations.

In support of its proposed favored-nation rate increase, Shell states that the favored-nation clause of the subject contract was triggered by a 16.8 cents per Mcf rate paid by Lone Star for gas purchased from Gulf Oil Corporation in the Knox Field, Crosby and Stephens Counties, Oklahoma; that such pricing clause was negotiated at arm's-length; and that by such clause Shell seeks to receive the fair value of its gas.

The increase in rate proposed by Harkins is provided by letter agreement dated June 14, 1960 for the five-year period commencing July 1, 1960. In support, Harkins states that the price

¹ This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

redetermination provision of the contract is customary in the industry and is necessary to protect seller against the constantly increasing costs of exploration, lease acquisition and development.

In support of its proposed increased rates, Adams cites the contractual provision and states that the proposed rates are just and reasonable and are well below the average market price for gas sold in the area. Adams requests that the proposed rates become effective as of August 25, 1960.

The increase in rate proposed by Turnbull is provided by a letter dated April 16, 1959 for the five-year period commencing November 1, 1959 pursuant to the price redetermination provisions of the contract. In support, Turnbull states that the contract was a result of arm's-length bargaining; that the proposed rate is less than the current market price for gas in the area; and that costs of development, operation and maintenance have been increasing. Because the subject filing has been delayed for more than a year, Turnbull requests that any suspension be limited to one day.

The increased rates and charges so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) 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 hearing concerning the lawfulness of the several proposed changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that Supplement No. 5 to Adams' FPC Gas Rate Schedule Nos. 1 and 2, respectively, be allowed to take effect as of September 12, 1960, subject to refund upon the timely filing of his agreement and undertaking, 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 Ch. I), public hearing shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearing and decision thereon, each of the above-designated supplements is hereby suspended and the use thereof deferred until the date indicated in the above "Rate Suspended Until" column, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the period of suspension have expired, unless otherwise ordered by the Commission.

(D) Supplement No. 5 to Adams' FPC Gas Rate Schedule Nos. 1 and 2 respec-

tively, shall be effective as of September 12, 1960: *Provided, however*, That within 20 days from the date of the issuance of this order, Adams shall execute and file under Docket No. RI61-70 with the Secretary of the Commission agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder (prescribed by Order No. 215 and Order No. 215A), accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedules involved. Unless Adams is advised to the contrary within 15 days after the filing of such agreement and undertaking his agreement and undertaking shall be deemed to have been accepted.

(E) Notices of intervention 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 and 1.37(f)) on or before October 25, 1960.

By the Commission.²

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 60-8644; Filed, Sept. 16, 1960;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 292]

PUERTO RICO

Declaration of Disaster Area

Whereas, it has been reported that during the month of September 1960, because of the effects of certain disasters, damage resulted to residences and business property located in certain areas in the Commonwealth of Puerto Rico;

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

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

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

1. Applications for disaster loans under the provisions of section 7(b) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property situated in the following Districts (including any areas adjacent to said Districts) suffered damage or destruction as a result of the catastrophe hereinafter referred to:

Districts: Guayama, Humacao, and Bayamon (torrential rains, wind, and flood as a result of tropical storm occurring on or about September 6, 1960).

Offices:

Small Business Administration Regional Office, 90 Fairlie Street, NW., Atlanta 3, Ga.
Small Business Administration Branch Of-

² Acting Chairman Kline would reject the filing suspended in Docket No. RI61-68.

fice, P.O. Box 9442, 1064 Ponce de Leon Avenue, Santurce, P.R.

2. A temporary field office will be established at Humacao, Puerto Rico, address to be announced locally.

3. Applications for disaster loans under the Authority of this Declaration will not be accepted subsequent to March 31, 1961.

Dated: September 8, 1960.

PHILIP MCCALLUM,
Administrator.

[F.R. Doc. 60-8651; Filed, Sept. 16, 1960;
8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 14, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36561: *Substituted service—C&NW for Allied Van Lines, Inc.* Filed by Household Goods Carriers' Bureau, Agent (No. 25), for interested carriers. Rates on property loaded in highway trailers or containers and transported on railroad flat cars between Chicago, Ill., on the one hand, and specified points in Iowa, Minnesota, South Dakota, Wisconsin, and Wyoming, on the other, also between St. Paul, Minn., on the one hand, and Casper, Wyo., and Council Bluffs, Iowa, on the other.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 6 to Household Goods Carriers' Bureau tariff MF-I.C.C. 91.

FSA No. 36562: *Substituted service—PRR for Fernstrom Storage and Van Co.* Filed by Household Goods Carriers' Bureau, Agent (No. 26), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars between Chicago, Ill., and Kearny, N.J., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 6 to Household Goods Carriers' Bureau tariff MF-I.C.C. 90.

FSA No. 36563: *Substituted service—IC for Allied Van Lines, Inc., et al.* Filed by Household Goods Carriers' Bureau, Agent (No. 27), for interested carriers. Rates on property loaded in highway trailers and transported on railroad flat cars between Chicago, E. St. Louis, Ill., and Memphis, Tenn., on the one hand, and Birmingham, Ala., Jackson, Miss., and New Orleans, La., on the other, between Chicago and E. St. Louis, Ill., on the one hand, and Memphis, Tenn., on the other, between Chicago, Ill., and

E. St. Louis, Ill., also between Jackson, Miss., and New Orleans, La.

Grounds for relief: Motor-truck competition.

Tariffs: Supplements 6 to Household Goods Carriers' Bureau tariffs MF-I.C.C. 90 and 91.

FSA No. 36564: *Insulation material—Corsicana, Tex., to New Orleans, La.* Filed by Southwestern Freight Bureau, Agent (No. B-7895), for interested rail carriers. Rates on mineral wool, rock wool, slag or glass wool, in carloads, as described in the application, from Corsicana, Tex., to New Orleans, La.

Grounds for relief: Market competition.

Tariff: Supplement 28 to Southwestern Freight Bureau tariff I.C.C. 4342.

FSA No. 36565: *Bituminous coal—N&W Mines to Marietta, Ohio.* Filed by the Norfolk and Western Railway Company (No. 27-B), for itself and The Baltimore and Ohio Railroad Company. Rates on bituminous coal and coal briquets, in carloads, from N&W mines in southeastern Kentucky, southwest Virginia and southern West Virginia, to Marietta, Ohio.

Grounds for relief: Rail-water competition.

Tariff: Supplement 74 to Norfolk and Western Railway Company's tariff I.C.C. 3379-B.

FSA No. 36566: *Soda ash—Texas and Louisiana points to Tennessee points.* Filed by Southwestern Freight Bureau, Agent (No. B-7890), for interested rail carriers. Rates on soda ash, in bulk, in carloads, from Lake Charles and West Lake Charles, La., Corpus Christi and Freeport, Tex., to Memphis, Capleville and Forsythe, Tenn.

Grounds for relief: Market competition.

Tariffs: Supplements 463 and 1 to Southwestern Freight Bureau tariffs I.C.C. 4087 and 4370, respectively.

FSA No. 36567: *T.O.F.C. service between Texas points and official, southwestern, and WTL territories.* Filed by Southwestern Freight Bureau, Agent (No. B-7894), for interested rail carriers. Rates on various commodities moving on class rates loaded in trailers and transported on railroad flat cars between Doud, Hurlwood, and Levelland, Tex., on the one hand, and points in official, southwestern and western trunk line territories, on the other.

Grounds for relief: Motor-truck competition.

Tariffs: Supplement 73 to Southwestern Freight Bureau tariff I.C.C. 4335, and 3 other schedules named in the application.

FSA No. 36568: *Bituminous coal—Illinois, Indiana, and western Kentucky to Penn. Ind.* Filed by Illinois Freight Association, Agent (No. 112), for interested rail carriers. Rates on bituminous coal, in carloads, in multiple-car lots, from mines in Illinois, Indiana, and western Kentucky, in groups described in the application to Penn. Ind.

Grounds for relief: Maintain relationships with Indiana intrastate rates.

Tariffs: Supplement 290 to Chicago & Eastern Illinois Railroad Company's

tariff I.C.C. 2, and other schedules named in the application.

FSA No. 36569: *Sugar from California and Washington to Texas points.* Filed by Trans-Continental Freight Bureau, Agent (No. 372), for interested rail carriers. Rates on sugar, beet or cane, dry or liquid, in carloads or tank-car loads, from points in California and Washington, to Fort Worth, Garland, and Great Southwest, Tex.

Grounds for relief: Market competition.

Tariff: Supplement 28 to Trans-Continental Freight Bureau tariff I.C.C. 1628.

FSA No. 36570: *Substituted service—SAL for Central Truck Lines, Inc.* Filed by Southern Motor Carriers Rate Conference, Agent (No. 36), for interested carriers. Rates on property loaded in trailers and transported on railroad flat cars between Jacksonville, Fla., on the one hand, and Miami and Tampa, Fla., on the other, on traffic originating at or destined to such points of points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 13 to Southern Motor Carriers Rate Conference tariff MF-I.C.C. 1071.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 60-8655; Filed, Sept. 16, 1960;
8:48 a.m.]

[Notice 380]

MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 14, 1960.

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 63094. By order of September 12, 1960, The Transfer Board approved the transfer to Artus Trucking Company, Inc., Maspeth, N.Y.; of Permit in No. MC 43734, issued July 29, 1958, to Joseph Artus, doing business as Artus Trucking Co., Maspeth, N.Y.; authorizing the transportation of: paper and paper bags, between New York, N.Y., on the one hand, and, on the other, points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia within 250 miles of New York, N.Y. Morris Ehrlich, 26

Court Street, Brooklyn 1, N.Y., for applicants.

No. MC-FC 63282. By order of September 12, 1960, The Transfer Board approved the transfer to Frederick Phillips, doing business as Spotswood Trail Furniture Express, McGaheysville, Va.; of Certificate in No. MC 111402 Sub 6, issued February 2, 1950, to Fawley Motor Lines, Incorporated, Broadway, Va.; authorizing the transportation of: prefabricated houses and parts thereof and new furniture, from McGaheysville, Va., to points in Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, West Virginia, North Carolina, South Carolina, Ohio, Tennessee, Michigan, and the District of Columbia, furniture parts, from Lexington, N.C., and Darlington, S.C., to McGaheysville, empty shipping cartons from Brooklyn, N.Y., to McGaheysville, Va., and damaged or rejected shipments of the above-specified commodities, from the above-specified destination points to the respective origin points. Glenn F. Morgan, 925 Whitfield Avenue, Sarasota, Fla., for applicants.

No. MC-FC 63302. By order of September 12, 1960, The Transfer Board approved the transfer to Floyd Teigh, Winner, S. Dak., of Certificate in No. MC 81119, issued July 6, 1955, to Lena B. Wergin, doing business as Wergin Truck Service, Winner, S. Dak., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities between Winner, S. Dak., and Mission, S. Dak., serving the intermediate points of Carter and Okreek, S. Dak. William F. Day, Jr., Attorney, Winner, S. Dak., for applicants.

No. MC-FC 63307. By order of September 12, 1960, The Transfer Board approved the transfer to Ward Roadcap, Jr., Inc., Spring Glen, Pa., of Certificates in Nos. MC 112212, MC 112212 Sub 1, and MC 112212, Sub 2, issued March 9, 1955, October 19, 1950 and October 19, 1950, respectively, to Ward Roadcap, Jr., Spring Glen, Pa., authorizing the transportation of: Lumber, from Baltimore, Md., to points in Pa., feed, fertilizer and fertilizer materials from Harrison, N.J., and Baltimore, Md., to Elizabethtown, Pa., and points within ten miles of Elizabethtown, Pa., flour from Elizabethtown, Pa., and points within ten miles of Elizabethtown, to New York, N.Y., and Baltimore, Md., fertilizer from Baltimore, Md., to points in Pennsylvania within 20 miles of Hebe, Pa., rock wool from Stanhope, N.J., to Millersburg and Lewisburg, Pa., spray materials and insecticides from Irvington and Newark, N.J., to points in Pennsylvania, empty containers for spray materials and insecticides from the immediate above-specified destination points to the designated origin points, and rock wool from Wharton, N.J., and points within one mile thereof to Millersburg and Lewisburg, Pa. John P. McCord, Attorney, Masonic Building, Pottsville, Pa., for applicants.

No. MC-FC 63416. By order of September 12, 1960, The Transfer Board

approved the transfer to Edward F. Clark Trucking Corporation, Bayonne, N.J., of Certificate in No. MC 5728, issued January 25, 1944, to Edward F. Clark, doing business as Edward F. Clark, Trucking, Bayonne, N.J., authorizing the transportation of: Petroleum and petroleum products, anti-freeze compounds, dry or liquid cleaning compounds, liquid buffing or polishing compounds, insecticides, liquid or dry paints, in containers, machinery and articles requiring special handling or rigging, household goods, and general commodities with the usual exceptions, from, to, or between, specified points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia. Charles A. Rooney, 921 Bergen Avenue, Jersey City, N.J., for applicants.

No. MC-FC 63451. By order of September 12, 1960, The Transfer Board approved the transfer to Ercil Bane, doing business as Ercil Bane Trucking, Cameron, West Virginia, in Certificate No. MC 94600, issued May 17, 1949, to Paul T. Pavlich, doing business as Pavlich Coal, Bellaire, Ohio, authorizing the transportation, over irregular routes, of sand, gravel, slag, cinders, stone, dirt, bituminous road building materials, from Martins Ferry and Bellaire, Ohio, to points in Pennsylvania and West Virginia, from Benwood and Hollidays Cove, West Virginia, to points in Ohio and Pennsylvania within 50 miles of point of origin, and coal, between Bellaire, Ohio, and points in Ohio within ten miles of Bellaire, on the one hand, and, on the other, Wheeling, W. Va., and points in West Virginia within 10 miles of Wheeling. Ronald W. Kasserman, 900 Riley Law Building, Wheeling, W. Va., for applicants.

No. MC-FC 63453. By order of September 12, 1960, The Transfer Board approved the transfer to Transwestern Express, Inc., Blanding, Utah, of Certificate No. MC 98349 Sub 1, issued March 16, 1960, to Joe C. Hunt, doing business as Hunt Truck Line, Blanding, Utah, authorizing the transportation of: general commodities, excluding household goods, commodities in bulk, and other specified commodities, between Salt Lake City, Utah, and Blanding, Utah, and between Blanding, Utah, and Flagstaff, Ariz., serving intermediate points on specified Arizona highways and off-route points within 5 miles of Arizona highway between the Utah-Arizona State line and U.S. Highway 89, as restricted; the substitution of transferee for transferee in No. MC 98349 Sub 3. Harry D. Pugsley, 721 Continental Bank Building, Salt Lake City, Utah, for applicants.

No. MC-FC 63494. By order of September 12, 1960, The Transfer Board approved the transfer to Francis S. Hunnewell, doing business as Hunnewell Motor Lines, East Bridgewater, Mass., of Certificate in No. MC 115760, issued November 15, 1957, to Mignault Trucking Co., Inc., Abington, Mass., authorizing the transportation of: brick, from Bridgewater, and East Bridgewater, Mass., to points in Rhode Island, with no trans-

portation for compensation on return except as otherwise authorized. Joseph A. Kline, Attorney, 185 Devonshire Street, Boston 10, Mass., for applicants.

No. MC-FC 63513. By order of September 12, 1960, The Transfer Board approved the transfer to George Elton Proctor, doing business as Proctor Truck Line, Braymer, Mo., of Certificate No. MC 1607, issued January 6, 1954, to Kenneth Hatfield, doing business as Braymer Truck Line, Braymer, Mo., authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities, between Ludlow and Kingston, Mo., and Kansas City, Kans., serving the intermediate and off-route points of Polo, Knoxville, Dockery, Braymer and Kansas City, Mo., those within eight miles of Braymer, and those in Wyandotte County, Kans., without restriction, and those within 20 miles of Polo, restricted to livestock; between Polo, Mo., and Kansas City, Kans., serving the intermediate and off-route points of Kansas City, Kingston, Knoxville, Dockery, and Cowgill, Mo., without restriction, and those within 20 miles of Polo, restricted to livestock; and between Ludlow, Mo., and St. Joseph, Mo., serving the intermediate and off-route points of Polo, Kingston, Dockery, Knoxville, and Braymer, Mo., and those within eight miles of Braymer; and household goods, between Polo, Mo., and points within 20 miles of Polo, on the one hand, and, on the other, points in Iowa and Kansas.

No. MC-FC 63528. By order of September 12, 1960, The Transfer Board approved the transfer to Ace Van Lines, Inc., of South Bend, Ind., of Certificate No. MC 2043 issued November 27, 1956, to George A. Cortier, doing business as Ace Van Lines, of South Bend, Ind., authorizing the transportation of household goods over irregular routes, between points in Elkhart and St. Joseph Counties, Ind., on the one hand, and, on the other, points in Indiana, Illinois, Michigan, Ohio, and Pennsylvania, and between points in Kosciusko, Lagrange, La Porte, Marshall, Noble, Porter, and Starke Counties, Ind., on the one hand, and, on the other, points in Indiana, Illinois, Michigan, Ohio, Pennsylvania, and those in that part of West Virginia on and north of a line beginning at the Pennsylvania-West Virginia State line and extending through Belton and St. Joseph, W. Va., to the Ohio River; and meats, meat products, and meat by-products, dairy products, and articles distributed by meat-packing houses, from Hammond and South Bend, Ind., to Porter, St. Joseph, Elkhart, LaGrange, Noble, Kosciusko, Fulton, Pulaski, Starke, Marshall, and La Porte Counties, Ind., and Berrien, Cass, St. Joseph, Branch, Calhoun, Kalamazoo and Van Buren Counties, Mich. William L. Carney, 105 East Jennings Avenue, South Bend, Ind., for applicants.

No. MC-FC 63539. By order of September 12, 1960, The Transfer Board approved the transfer to Lars Fadness and David Fadness, a partnership, doing business as Lars Fadness and Son, Ruth-

ton, Minn., of Certificate No. MC 106422 issued October 30, 1946, to Lars Fadness, Ruthton, Minn., authorizing the transportation over irregular routes of emigrant movables, between Ruthton, Minn., and points within 15 miles of Ruthton, on the one hand, and, on the other, points in Iowa and South Dakota; livestock and grain, between Ruthton, Minn., and points within 15 miles of Ruthton, on the one hand, and, on the other, Sioux City, Iowa, and Sioux Falls, S. Dak.; and animal and poultry feed, seed agricultural machinery and implements and agricultural machinery parts, from Sioux City, Iowa, and Sioux Falls, S. Dak., to Ruthton, Minn., and points within 15 miles of Ruthton. A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn., for applicants.

No. MC-FC 63542. By order of September 12, 1960, The Transfer Board approved the transfer to Jerry Lipps, Inc., Cape Girardeau, Mo., in Certificate No. MC 116651, issued November 7, 1960, to Jerry Lipps Truck Service, a corporation, Cape Girardeau, Mo., authorizing the transportation, over irregular routes, of pottery, from Jackson, Mo., to points in Alabama, Florida, Georgia, Iowa, and Minnesota. A. A. Marshall, I.C.C. Practitioner, 305 Buder Building, St. Louis 1, Mo., for applicants.

No. MC-FC 63546. By order of September 12, 1960, The Transfer Board approved the transfer to Paper Carriers Corp., West Orange, N.J., of a portion of Certificate No. MC 25894 issued April 12, 1960, to Continental Bulk Service, Inc., Newark, N.J., authorizing the transportation over irregular routes of paper, paper products, waste paper, empty skids, empty carboys and cylinders, and machinery, machine parts and equipment used in the manufacture and distribution of paper and paper products, between New York, N.Y., and points in Bergen, Essex, Hudson, Passaic and Union Counties, N.J., on the one hand, and, on the other, Lee, Mass., Cohoes, N.Y., points in Connecticut, those in specified parts of Massachusetts, New York, and Pennsylvania; and between New York, N.Y., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Passaic, and Union Counties, N.J., and scrap tin cans, from New York, N.Y., to Edge Moor, Del. Bowes & Miller, 1060 Broad Street, Newark, N.J., for applicants.

No. MC-FC 63555. By order of September 12, 1960, The Transfer Board approved the transfer to E. V. Fitch, Jr., Scranton, Pa., of Certificates Nos. MC 52776 and MC 52776 Sub 2 issued November 8, 1943 and August 8, 1951, respectively to Transcoal, Inc., Scranton, Pa., authorizing the transportation of coal, over irregular routes, from points in Lackawanna and Luzerne Counties, Pa., to points in Nassau County, N.Y., and that part of New York on and east of New York Highway 14, on and west of U.S. Highway 9, and on and south of New York Highway 12 from Lake Ontario to junction with New York Highway 8, thence over New York Highway 8 to junction with U.S. Highway 9, except

New York City; cullet, in bulk, over irregular routes, from Jersey City, N.J., and points in Pennsylvania to Elmira, N.Y.; and scrap iron, steel, and copper in bulk, over irregular routes, from Dickson City, Pa., to Roebing, Perth Amboy, and Mahwah, N.J. Matthew D. Mackie, 1014 Northeastern National Bank Building, Scranton, Pa., for applicants.

No. MC-FC 63563. By order of September 12, 1960, The Transfer Board approved the transfer to Halfway Garage & Stages, Inc., Halfway, Oregon, of Certificate No. MC 52322 issued February 24, 1960, to M. Cooper, doing business as Halfway Garage & Stages, Halfway, Oregon, authorizing the transportation of general commodities, excluding household goods and various specified commodities, over regular routes between Baker, Oreg., and Halfway, Oreg., serving the intermediate point of Richland, Oreg.; between Brownlee, Oreg., and Cornucopia, Oreg., serving the intermediate point of Halfway, Oreg., and the off-route point of Homestead, Oreg.; and between Brownlee, Oreg., and the Hells Canyon Dam Site (near Homestead, Oreg.), serving all intermediate points, and the off-route points within five miles

each of the Brownlee Dam Site, the Ox Bow Dam Site, and the Hells Canyon Dam Site; and wool, livestock, and mining machinery and supplies, between points in Baker County, Oreg., on the one hand, and, on the other, Baker, Oreg. M. Cooper, DBA Halfway Garage & Stages, Halfway, Oreg., for applicants.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 60-8656; Filed, Sept. 16, 1960;
8:48 a.m.]

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

EDITORIAL NOTE: After the adjournment of the Congress *sine die*, and until all public acts have received final Presidential consideration, a listing of public laws approved by the President will appear in the daily FEDERAL REGISTER under Title 2, *The Congress*. A consolidated listing of the new acts approved by the President will appear in the Daily Digest in the final issue of the Congressional Record covering the 86th Congress, Second Session.

Approved September 15, 1960

H.J. Res. 402..... Public Law 86-794
Joint Resolution granting the consent and approval of Congress for the States of Virginia and Maryland and the District of Columbia to enter into a compact related to the regulation of mass transit in the Washington, District of Columbia metropolitan area, and for other purposes.

H.J. Res. 723..... Public Law 86-796
Joint Resolution extending an invitation to the Federation Aeronautique Internationale to hold the 1962 world sport parachuting championships at Orange, Massachusetts.

H.R. 2565..... Public Law 86-797
An Act to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations.

H.R. 10341..... Public Law 86-798
An Act to amend the Public Health Service Act to authorize grants-in-aid to universities, hospitals, laboratories, and other public or nonprofit institutions to strengthen their programs of research and research training in sciences related to health.

H.R. 12659..... Public Law 86-795
An Act to suspend for a temporary period the import duty on heptanoic acid, and for other purposes.

CUMULATIVE CODIFICATION GUIDE—SEPTEMBER

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