

FEDERAL REGISTER

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Announcing: Volume 75**UNITED STATES
STATUTES AT LARGE**

[87th Cong., 1st Sess.]

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 27—EXCLUSION FROM PROVISIONS OF FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED, AND CLASSIFICATION ACT OF 1949, AS AMENDED, AND ESTABLISHMENT OF MAXIMUM STIPENDS FOR POSITIONS IN GOVERNMENT HOSPITALS FILLED BY STUDENT OR RESIDENT TRAINEES

Hospital Administration Residents

Effective December 23, 1962, the item under § 27.2 for Hospital administration resident, second year approved postgraduate training ---- \$3,000, is amended as set out below.

§ 27.2 Maximum stipends prescribed.

* * * * *

Hospital administration residents, second year approved postgraduate training----- \$3,400

(61 Stat. 727, 728, as amended; 5 U.S.C. 1051-1058)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] DAVID F. WILLIAMS,
Director, Bureau of
Management Services.

[F.R. Doc. 62-12627; Filed, Dec. 21, 1962; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR FLAX CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for flax crop insurance for the 1963 crop year.

MINNESOTA

Becker.
Big Stone.
Brown.
Chippewa.
Clay.
Cottonwood.
Grant.
Jackson.
Kittson.
Lac Qui Parle.
Lincoln.
Lyon.
Mahnoman.
Marshall.
Martin.
Murray.
Nobles.
Norman.
Pennington.
Pipestone.
Polk, East.
Polk, West.
Pope.
Red Lake.
Redwood.
Renville.
Rock.
Roseau.

Adair.
Boone.
Bremer.
Buena Vista.
Calhoun.
Cass.
Cherokee.
Chickasaw.
Clayton.
Crawford.
Delaware.
Dickinson.
Emmet.
Fayette.

IOWA

Floyd.
Greene.
Hardin.
Howard.
Humboldt.
Ida.
Johnson.
Lyons.
Madison.
Mitchell.
Osceola.
Sac.
Shelby.
Sioux.

MINNESOTA—Continued

Stevens.
Swift.
Traverse.

Wilkin.
Yellow Medicine.

NORTH DAKOTA

Barnes.
Benson.
Bottineau.
Burleigh.
Cass.
Cavalier.
Dickey.
Eddy.
Emmons.
Foster.
Grand Forks.
Griggs.
Kidder.
La Moure.
Logan.
McHenry.
McIntosh.

McLean.
Nelson.
Pembina.
Pierce.
Ramsey.
Ramson.
Richland.
Rolette.
Sargent.
Sheridan.
Steele.
Stutsman.
Towner.
Traill.
Walsh.
Ward.
Wells.

SOUTH DAKOTA

Brookings.
Brown.
Campbell.
Clark.
Codington.
Day.
Deuel.
Edmunds.
Grant.

Hamlin.
Kingsbury.
Lake.
McPherson.
Marshall.
Miner.
Moody.
Roberts.
Walworth.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12659; Filed, Dec. 21, 1962; 8:50 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR OAT CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for oat crop insurance for the 1963 crop year.

IDAHO

Canyon

ILLINOIS

Ogle.
Stephenson.

Carroll.
Jo Daviess.

IOWA—Continued

Story.
Tama.
Union.
Webster.

Winneshiek.
Worth.
Wright.

MICHIGAN

Jackson.

MINNESOTA

Becker.
Big Stone.
Blue Earth.
Brown.
Chippewa.
Clay.
Cottonwood.
Dakota.
Dodge.
East Polk.
Faribault.
Fillmore.
Freeborn.
Goodhue.
Grant.
Jackson.
Kandiyohi.
Kittson.
Lac Qui Parle.
Le Sueur.
Lincoln.
Lyon.
McLeod.
Marshall.
Martin.
Meeker.

Mower.
Murray.
Nicollet.
Nobles.
Norman.
Olmsted.
Pipestone.
Pope.
Redwood.
Renville.
Rice.
Rock.
Sibley.
Stearns.
Steele.
Stevens.
Swift.
Traverse.
Wabasha.
Waseca.
Watsonwan.
W. Ottertail.
W. Polk.
Wilkin.
Yellow Medicine.

NORTH DAKOTA

Barnes.
Benson.
Burleigh.
Cass.
Cavalier.
Dickey.
Eddy.
Foster.
Grand Forks.
Griggs.
Kidder.
La Moure.
Logan.

Morton.
Nelson.
Pembina.
Ramsey.
Ransom.
Richland.
Sargent.
Stark.
Steele.
Stutsman.
Towner.
Traill.
Walsh.

PENNSYLVANIA

Dauphin.

SOUTH DAKOTA

Beadle.
Bon Homme.
Brookings.
Brown.
Clark.
Clay.
Codington.
Day.
Deuel.
Grant.
Hamlin.
Hutchinson.
Kingsbury.

Lake.
Lincoln.
McCook.
Marshall.
Minnehaha.
Miner.
Moody.
Roberts.
Spink.
Turner.
Union.
Yankton.

WISCONSIN

Dane.
Dodge.
Fond du Lac.
Grant.
Green.
Iowa.
Jefferson.
Kenosha.
Lafayette.

Pierce.
Racine.
Rock.
Sauk.
St. Croix.
Trempealeau.
Vernon.
Walworth.
Waukesha.

RULES AND REGULATIONS

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12660; Filed, Dec. 21, 1962;
8:50 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTY DESIGNATED FOR ORANGE CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following county has been designated for orange crop insurance for the 1963 crop year.

CALIFORNIA

Tulare.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12661; Filed, Dec. 21, 1962;
8:50 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR PEA (CANNING AND FREEZING) CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby designated for pea (canning and freezing) crop insurance for the 1963 crop year.

IDAHO

Nez Perce.

OREGON

Umatilla. Union.

WASHINGTON

Columbia. Walla Walla.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12662; Filed, Dec. 21, 1962;
8:50 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR PEA (DRY) CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regula-

tions, as amended, the following counties are hereby designated for pea (dry) crop insurance for the 1963 crop year.

OREGON

Umatilla. Union.

IDAHO

Benewah. Latah.
Kootenai. Nez Perce.

WASHINGTON

Grant. Walla Walla.
Spokane. Whitman.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12663; Filed, Dec. 21, 1962;
8:50 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR PEANUT CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby designated for peanut crop insurance for the 1963 crop year. The type(s) of peanuts on which insurance is offered in each county is shown opposite the county name.

ALABAMA

Coffee—Runner, Spanish.
Covington—Runner, Spanish.
Geneva—Runner, Spanish.
Henry—Runner, Spanish.
Houston—Runner, Spanish.

FLORIDA

Jackson—Runner, Spanish.

GEORGIA

Early—Runner, Spanish.
Baker—Runner, Spanish.
Bulloch—Runner, Spanish.
Lee—Runner, Spanish.
Colquitt—Runner, Spanish.
Miller—Runner, Spanish.
Terrell—Runner, Spanish.
Randolph—Runner, Spanish.
Mitchell—Runner, Spanish.
Tift—Runner, Spanish.
Worth—Runner, Spanish.

NORTH CAROLINA

Bertie—Virginia Type.
Bladen—Virginia Type.
Edgecombe—Virginia Type.
Halifax—Virginia Type.
Hertford—Virginia Type.
Martin—Virginia Type.
Northampton—Virginia Type.

OKLAHOMA

Caddo—Spanish.

VIRGINIA

Dinwiddie—Virginia Type.
Greensville—Virginia Type.
Isle of Wight—Virginia Type.
Nansemond—Virginia Type.
Southampton—Virginia Type.
Surry—Virginia Type.
Sussex—Virginia Type.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12665; Filed, Dec. 21, 1962;
8:50 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR POTATO CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties are hereby designated for potato crop insurance for the 1963 crop year.

IDAHO

Bingham. Cassia.
Bonneville. Minidoka.

MINNESOTA

Clay. West Polk.

NORTH DAKOTA

Walsh.

OREGON

Malheur.

WASHINGTON

Grant.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

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8:50 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR RICE CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for rice crop insurance for the 1963 crop year.

ARKANSAS

Arkansas. Monroe.
Craighead. Poinsett.
Cross. St. Francis.
Jackson.

LOUISIANA

Evangeline. St. Landry.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12668; Filed, Dec. 21, 1962;
8:50 a.m.]

PART 401—FEDERAL CROP
INSURANCESubpart—Regulations for the 1961
and Succeeding Crop YearsAPPENDIX; COUNTIES DESIGNATED FOR
SOYBEAN CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for soybean crop insurance for the 1963 crop year.

ALABAMA

Baldwin. Madison.
Jackson.

ARKANSAS

Arkansas. Lincoln.
Craighead. Mississippi.
Crittenden. Monroe.
Cross. Phillips.
Jackson. Poinsett.
Jefferson. St. Francis.
Lee.

FLORIDA

Escambia.

ILLINOIS

Adams. McDonough.
Bond. McLean.
Cass. Macoupin.
Christian. Madison.
Clinton. Mason.
Coles. Menard.
Douglas. Monroe.
Edgar. Montgomery.
Effingham. Morgan.
Fayette. Ogle.
Ford. Pike.
Fulton. St. Clair.
Greene. Sangamon.
Grundy. Schuyler.
Hancock. Scott.
Iroquois. Shelby.
Jasper. Tazewell.
Jersey. Vermilion.
Livingston. Washington.
Logan. Winnebago.

INDIANA

Allen. Madison.
Blackford. Marshall.
Boone. Miami.
Cass. Montgomery.
Clay. Morgan.
Carroll. Noble.
Clinton. Pulaski.
Decatur. Putnam.
De Kalb. Randolph.
Delaware. Ripley.
Fountain. Rush.
Fulton. Shelby.
Henry. Sullivan.
Howard. Vigo.
Huntington. Wabash.
Jackson. Wayne.
Johnson. Wells.
Kosciusko. Whitley.

IOWA

Adair. Delaware.
Audubon. Dickinson.
Boone. Emmett.
Bremer. Fayette.
Buena Vista. Floyd.
Buchanan. Franklin.
Calhoun. Fremont.
Carroll. Greene.
Cass. Guthrie.
Cerro Gordo. Hancock.
Cherokee. Hardin.
Chickasaw. Howard.
Clay. Humboldt.
Crawford. Ida.

Jasper.
Johnson.
Jones.
Kossuth.
Linn.
Lyon.
Madison.
Mahaska.
Mitchell.
O'Brien.
Osceola.
Page.
Palo Alto.
Pocahontas.
Polk.
Pottawattamie, East.

IOWA—Continued

Pottawattamie, West
Poweshiek. —
Sac.
Shelby.
Sioux.
Story.
Tama.
Union.
Warren.
Washington.
Webster.
Winnebago.
Winnesiek.
Worth.
Wright.

KANSAS

Anderson.
Bourbon.
Cherokee.
Coffey.
Crawford.
Franklin.
Labette.
Linn.
Lyon.
Osage.

KENTUCKY

Daviess. Fulton.

LOUISIANA

Avoyelles.
East Carroll.
Franklin.
Madison.
Morehouse.
Richland.
Tensas.
West Carroll.

MARYLAND

Kent. Queen Annes.

MICHIGAN

Clinton.
Gratiot.
Lenawee.
Monroe.
Saginaw.
St. Joseph.
Shiawassee.
Washtenaw.

MINNESOTA

Big Stone.
Blue Earth.
Brown.
Chippewa.
Clay.
Cottonwood.
Dakota.
Dodge.
Faribault.
Fillmore.
Freeborn.
Goodhue.
Grant.
Jackson.
Kandiyohi.
Lac Qui Parle.
Le Sueur.
Lincoln.
Lyon.
McLeod.
Martin.
Meeker.
Mower.
Murray.
Nicollet.
Nobles.
Norman.
Olmsted.
Pipestone.
Pope.
Redwood.
Renville.
Rice.
Rock.
Sibley.
Stearns.
Steele.
Stevens.
Swift.
Traverse.
Wabasha.
Waseca.
Watsonwan.
Wilkin.
Yellow Medicine.

MISSISSIPPI

Bolivar.
Coahoma.
De Soto.
Holmes.
Humphreys.
Lee.
Leflore.
Panola.
Prentiss.
Quitman.
Sharkey.
Sunflower.
Tallahatchie.
Tunica.
Union.
Washington.
Yazoo.

MISSOURI

Andrew.
Audrain.
Barton.
Bates.
Buchanan.
Caldwell.
Callaway.
Carroll.
Cass.
Chariton.
Clark.
Cooper.
Davies.
De Kalb.
Gentry.
Harrison.

MISSOURI—Continued

Henry.
Holt.
Howard.
Jasper.
Johnson.
Knox.
Lafayette.
Lewis.
Lincoln.
Livingston.
Macon.
Marion.
Monroe.
Montgomery.
Nodaway.
Pettis.
Pike.
Ralls.
Ray.
St. Charles.
Saline.
Shelby.
Vernon.
Worth.

NEBRASKA

Dodge. Washington.
Saunders.

NORTH CAROLINA

Beaufort. Craven.

NORTH DAKOTA

Cass. Traill.
Richland.

OHIO

Allen. Madison.
Ashland. Marion.
Auglaize. Medina.
Clark. Mercer.
Clinton. Montgomery.
Crawford. Morrow.
Defiance. Paulding.
Delaware. Pickaway.
Erie. Putnam.
Fayette. Sandusky.
Fulton. Seneca.
Greene. Union.
Hancock. Van Wert.
Hardin. Wayne.
Henry. Williams.
Huron. Wood.
Knox. Wyandot.
Licking.

OKLAHOMA

Craig. Ottawa.

SOUTH CAROLINA

Allendale. Hampton.
Barnwell. Lee.
Calhoun. Marlboro.
Clarendon. Orangeburg.
Darlington. Sumter.
Florence.

SOUTH DAKOTA

Brookings. Minnehaha.
Clay. Moody.
Deuel. Roberts.
Grant. Turner.
Hamlin. Union.
Lincoln. Yankton.

TENNESSEE

Dyer. Obion.
Gibson. Shelby.
Lake. Tipton.
Lauderdale. Weakley.

VIRGINIA

Nansemond. Southampton.

WISCONSIN

Jefferson. Rock.
Kenosha. St. Croix.
Pierce. Trempealeau.
Racine. Walworth.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12669; Filed, Dec. 21, 1962;
8:51 a.m.]

RULES AND REGULATIONS

PART 401—FEDERAL CROP
INSURANCESubpart—Regulations for the 1961
and Succeeding Crop YearsAPPENDIX; COUNTIES DESIGNATED FOR
TOBACCO CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for tobacco crop insurance for the 1962 crop year. The type(s) of tobacco on which insurance is offered in each county is shown opposite the county name.

CONNECTICUT
Hartford ----- 51, 52

FLORIDA

Alachua ----- 14 Madison ----- 14
Columbia ----- 14 Suwannee ----- 14
Hamilton ----- 14

GEORGIA

Appling ----- 14 Jeff Davis ----- 14
Atkinson ----- 14 Lanier ----- 14
Bacon ----- 14 Lowndes ----- 14
Berrien ----- 14 Mitchell ----- 14
Brooks ----- 14 Pierce ----- 14
Bulloch ----- 14 Tattnall ----- 14
Candler ----- 14 Tift ----- 14
Coffee ----- 14 Toombs ----- 14
Colquitt ----- 14 Ware ----- 14
Cook ----- 14 Wayne ----- 14
Evans ----- 14 Worth ----- 14
Irwin ----- 14

KENTUCKY

Adair ----- 31 Lincoln ----- 31
Allen ----- 31, 35 Logan ----- 22, 31, 35
Anderson ----- 31 Madison ----- 31
Barren ----- 31 Mason ----- 31
Bath ----- 31 Mercer ----- 31
Bourbon ----- 31 Metcalfe ----- 31
Bracken ----- 31 Montgomery ----- 31
Breckinridge ----- 31 Nelson ----- 31
Caldwell ----- 22, 31, 35 Nicholas ----- 31
Calloway ----- 23, 35 Ohio ----- 31, 36
Casey ----- 31 Owen ----- 31
Christian ----- 22, 31, 35 Pendleton ----- 31
Clark ----- 31 Pulaski ----- 31
Davies ----- 31, 36 Robertson ----- 31
Fleming ----- 31 Russell ----- 31
Franklin ----- 31 Scott ----- 31
Garrard ----- 31 Shelby ----- 31
Grant ----- 31 Simpson ----- 31, 35
Graves ----- 23, 31, 35 Spencer ----- 31
Green ----- 31 Todd ----- 22, 31, 35
Harrison ----- 31 Warren ----- 31, 35
Hart ----- 31 Washington ----- 31
Henry ----- 31 Wayne ----- 31
Larue ----- 31 Woodford ----- 31

MARYLAND

Charles ----- 32 Prince Georges ----- 32
Calvert ----- 32 St. Marys ----- 32

MASSACHUSETTS

Hampshire ----- 52

NORTH CAROLINA

Alamance ----- 11a Forsyth ----- 11a
Beaufort ----- 12 Franklin ----- 11b
Bertie ----- 12 Granville ----- 11b
Bladen ----- 13 Greene ----- 12
Brunswick ----- 13 Guilford ----- 11a
Buncombe ----- 31 Halifax ----- 12
Carteret ----- 12 Harnett ----- 11b
Caswell ----- 11a Haywood ----- 31
Columbus ----- 13 Hertford ----- 12
Craven ----- 12 Hoke ----- 13
Cumberland ----- 13 Iredell ----- 11a
Davidson ----- 11a Jones ----- 12
Duplin ----- 12 Johnston ----- 12
Edgecombe ----- 12 Lee ----- 11b

NORTH CAROLINA—Continued

Lenoir ----- 12 Rockingham ----- 11a
Madison ----- 31 Sampson ----- 12
Martin ----- 12 Stokes ----- 11a
Moore ----- 11b Surry ----- 11a
Nash ----- 12 Vance ----- 11b
Northampton ----- 12 Wake ----- 11b
Onslow ----- 12 Warren ----- 11b
Person ----- 11a Wayne ----- 12
Pender ----- 12 Wilson ----- 12
Pitt ----- 12 Yadkin ----- 11a
Robeson ----- 13 Yancey ----- 31

OHIO

Adams ----- 31 Highland ----- 31
Brown ----- 31

PENNSYLVANIA

Lancaster ----- 41 York ----- 41
Lebanon ----- 41

SOUTH CAROLINA

Chesterfield ----- 13 Lee ----- 13
Clarendon ----- 13 Marion ----- 13
Darlington ----- 13 Marlboro ----- 13
Dillon ----- 13 Sumter ----- 13
Florence ----- 13 Williams-
Horry ----- 13 burg ----- 13

TENNESSEE

Clairborne ----- 31 Monroe ----- 31
Cocke ----- 31 Montgomery ----- 22, 31
De Kalb ----- 31 Obion ----- 23, 35
Dickson ----- 22 Putnam ----- 31
Franklin ----- 31 Robertson ----- 22, 31, 35
Grainger ----- 31 Sevier ----- 31
Greene ----- 31 Smith ----- 31
Hamblen ----- 31 Stewart ----- 22, 31
Hawkins ----- 31 Sullivan ----- 31
Jackson ----- 31 Sumner ----- 22, 31, 35
Jefferson ----- 31 Trousdale ----- 31
Johnson ----- 31 Unicoi ----- 31
Loudon ----- 31 Washington ----- 31
Marshall ----- 31 Weakley ----- 23, 35
McMinn ----- 31 Williamson ----- 31
Maury ----- 31 Wilson ----- 31

VIRGINIA

Appomattox ----- 11a, 21 Mecklenburg ----- 11a
Brunswick ----- 11a, 21 Nottoway ----- 11a, 21
Campbell ----- 11a, 21 Pittsylvania ----- 11a
Charlotte ----- 11a, 21 Prince
Cumber-
land ----- 11a, 21, 37 Russell ----- 31
Dinwiddie ----- 11a, 21 Scott ----- 31
Halifax ----- 11a Smyth ----- 31
Lee ----- 31 Washington ----- 31
Greensville ----- 11a Sussex ----- 11a
Lunenburg ----- 11a

WISCONSIN

Dane ----- 54
Vernon ----- 55
(Secs. 506, 516, 52 Stat. 73, as amended, 77,
as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-1260; Filed, Dec. 21, 1962;
8:51 a.m.]

PART 401—FEDERAL CROP
INSURANCESubpart—Regulations for the 1961
and Succeeding Crop YearsAPPENDIX; COUNTIES DESIGNATED FOR
CITRUS CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for citrus crop insurance for the 1963 crop year.

FLORIDA

Brevard. Lake.
Hardee. Orange.
Highlands. Pasco.
Hillsborough. Polk.
Indian River. St. Lucie.
(Secs. 506, 516, 52 Stat. 73, as amended, 77,
as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.
[F.R. Doc. 62-12563; Filed, Dec. 21, 1962;
8:48 a.m.]

PART 401—FEDERAL CROP
INSURANCESubpart—Regulations for the 1961
and Succeeding Crop YearsAPPENDIX; COUNTIES DESIGNATED FOR
COMBINED CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for combined crop insurance for the 1963 crop year. The crops on which insurance is offered are shown opposite the name of the county.

IOWA

Ida—Corn, Oats, Soybeans.

MINNESOTA

Dakota—Corn, Oats, Soybeans.
Goodhue—Corn, Oats, Soybeans.
Kandiyohi—Corn, Oats, Soybeans.
McLeod—Corn, Oats, Soybeans.
Stearns—Barley, Corn, Oats, Soybeans.
Stevens—Barley, Corn, Flax, Oats, Soybeans.
Swift—Corn, Soybeans, Flax, Oats.

NORTH DAKOTA

Barnes—Barley, Flax, Oats, Rye, Wheat.
Dickey—Barley, Flax, Oats, Wheat.
Grand Forks—Barley, Flax, Oats, Wheat.
La Moure—Barley, Flax, Oats, Wheat.
Pierce—Barley, Flax, Oats, Rye, Wheat.
Ransom—Barley, Flax, Oats, Wheat, Corn.
Richland—Barley, Corn, Flax, Oats, Rye,
Soybeans, Wheat.
Sargent—Barley, Corn, Flax, Oats, Wheat.
Steele—Barley, Flax, Oats, Wheat.

SOUTH DAKOTA

Bon Homme—Barley, Corn, Oats, Rye,
Wheat.
Day—Barley, Corn, Flax, Oats, Rye, Wheat.
Deuel—Barley, Corn, Flax, Oats, Rye,
Soybeans, Wheat.
Hamlin—Barley, Corn, Flax, Oats, Rye,
Soybeans, Wheat.
Hutchinson—Barley, Corn, Oats, Rye, Soybeans, Wheat.
Kingsbury—Barley, Corn, Flax, Oats, Wheat.
Lake—Barley, Corn, Flax, Oats, Rye, Soybeans, Wheat.
McCook—Barley, Corn, Flax, Oats, Rye, Soybeans, Wheat.
Miner—Barley, Corn, Flax, Oats, Rye, Wheat.

(Secs. 506, 516, 52 Stat. 73, as amended, 77,
as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.
[F.R. Doc. 62-12654; Filed, Dec. 21, 1962;
8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE**Subpart—Regulations for the 1961 and Succeeding Crop Years****APPENDIX; COUNTIES DESIGNATED FOR CORN CROP INSURANCE**

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for corn crop insurance for the 1963 crop year.

COLORADO

Boulder. Morgan.
Larimer. Weld.
Logan. Sedgwick.

ILLINOIS

Adams. McDonough.
Bond. McLean.
Carroll. Macoupin.
Cass. Madison.
Christian. Mason.
Clinton. Menard.
Coles. Monroe.
Douglas. Montgomery.
Edgar. Morgan.
Effingham. Ogle.
Fayette. Pike.
Ford. St. Clair.
Fulton. Sangamon.
Greene. Schuyler.
Grundy. Scott.
Hancock. Shelby.
Iroquois. Stephenson.
Jasper. Tazewell.
Jersey. Vermilion.
Jo Daviess. Washington.
Livingston. Winnebago.
Logan.

INDIANA

Allen. Madison.
Blackford. Marshall.
Boone. Miami.
Carroll. Montgomery.
Cass. Morgan.
Clinton. Noble.
Clay. Pulaski.
Decatur. Putnam.
De Kalb. Randolph.
Delaware. Ripley.
Fountain. Rush.
Fulton. Shelby.
Henry. Sullivan.
Howard. Vigo.
Huntington. Wabash.
Jackson. Wayne.
Johnson. Wells.
Kosciusko. Whitley.

IOWA

Adair. Hardin.
Audubon. Howard.
Boone. Humboldt.
Bremer. Ida.
Buchanan. Johnson.
Buena Vista. Jones.
Calhoun. Kossuth.
Carroll. Linn.
Cass. Lyon.
Cerro Gordo. Madison.
Cherokee. Mahaska.
Chickasaw. Mitchell.
Clay. O'Brien.
Clayton. Osceola.
Crawford. Palo Alto.
Delaware. Page.
Dickinson. Pocahontas.
Emmet. Polk.
Fayette. Pottawattamie E.
Floyd. Pottawattamie W.
Franklin. Poweshiek.
Fremont. Sac.
Greene. Shelby.
Guthrie. Sioux.
Hancock. Story.

Tama.
Union.
Warren.
Washington.
Webster.

Atchison.
Bourbon.
Brown.
Crawford.
Doniphan.
Douglas.
Franklin.
Jackson.

Daviess.

Kent.

Branch.
Calhoun.
Clinton.
Eaton.
Gratiot.
Hillsdale.
Ingham.
Ionia.
Jackson.

Big Stone.
Blue Earth.
Brown.
Chippewa.
Cottonwood.
Dakota.
Dodge.
Faribault.
Fillmore.
Freeborn.
Goodhue.
Grant.
Jackson.
Kandiyohti.
Lac qui Parle.
Le Sueur.
Lincoln.
Lyon.
McLeod.
Martin.
Meeker.

Andrew.
Atchison.
Audrain.
Barton.
Bates.
Buchanan.
Caldwell.
Callaway.
Carroll.
Cass.
Chariton.
Cooper.
Daviess.
De Kalb.
Franklin.
Gentry.
Harrison.
Henry.
Holt.
Howard.
Jasper.
Johnson.

Antelope.
Boone.
Burt.
Butler.
Cass.
Cedar.
Colfax.
Cuming.

Iowa—Continued

Winnebago.
Winneshiek.
Worth.
Wright.

KANSAS

Jefferson.
Linn.
Marshall.
Miami.
Nemaha.
Osage.
Shawnee.
Washington.

KENTUCKY

McLean.

MARYLAND

Queen Annes.

MICHIGAN

Kalamazoo.
Lenawee.
Monroe.
Saginaw.
St. Clair.
St. Joseph.
Shiawassee.
Tuscola.
Washtenaw.

MINNESOTA

Mower.
Murray.
Nicollet.
Nobles.
Olmsted.
Pipestone.
Redwood.
Renville.
Rice.
Rock.
Sibley.
Stearns.
Steele.
Stevens.
Swift.
Traverse.
Wabasha.
Waseca.
Watsonwan.
Yellow Medicine.

MISSOURI

Knox.
Lafayette.
Lawrence.
Lewis.
Lincoln.
Livingston.
Macon.
Marion.
Monroe.
Montgomery.
Nodaway.
Pettis.
Pike.
Ralls.
Ray.
St. Charles.
Saline.
Shelby.
Stoddard.
Vernon.
Worth.

NEBRASKA

Dixon.
Dodge.
Gage.
Johnson.
Lancaster.
Madison.
Nemaha.
Otoe.

NEBRASKA—Continued

Pawnee.
Pierce.
Richardson.
Saunders.

Stanton.
Washington.
Wayne.
York.

NORTH DAKOTA

Richland.

OHIO

Allen.
Ashland.
Auglaize.
Clark.
Clinton.
Crawford.
Defiance.
Delaware.
Erie.
Fayette.
Fulton.
Greene.
Hancock.
Hardin.
Henry.
Huron.
Knox.
Licking.
Madison.
Marion.
Medina.
Mercer.
Montgomery.
Morrow.
Paulding.
Pickaway.
Preble.
Putnam.
Sandusky.
Seneca.
Stark.
Tuscarawas.
Union.
Van Wert.
Wayne.
Williams.
Wood.
Wyandot.

PENNSYLVANIA

Chester.
Cumberland.
Dauphin.
Lancaster.
Lebanon.
York.

SOUTH DAKOTA

Bon Homme.
Brookings.
Clay.
Codington.
Deuel.
Grant.
Hamlin.
Hutchinson.
Kingsbury.
Lake.
Lincoln.
McCook.
Miner.
Minnehaha.
Moody.
Roberts.
Turner.
Union.
Yankton.

TENNESSEE

Obion.

VIRGINIA

Southampton.

WISCONSIN

Columbia.
Dane.
Dodge.
Fond du Lac.
Grant.
Green.
Iowa.
Jefferson.
Kenosha.
Lafayette.
Pierce.
Racine.
Rock.
St. Croix.
Sauk.
Trempealeau.
Vernon.
Walworth.
Waukesha.

WYOMING

Goshen.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL]

JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12655; Filed, Dec. 21, 1962; 8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE**Subpart—Regulations for the 1961 and Succeeding Crop Years****APPENDIX; COUNTIES DESIGNATED FOR COTTON CROP INSURANCE**

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following coun-

RULES AND REGULATIONS

ties have been designated for cotton crop insurance for the 1963 crop year.

ALABAMA

Blount. Henry.
Cherokee. Houston.
Chilton. Jackson.
Coffee. Lawrence.
Colbert. Limestone.
Covington. Madison.
Cullman. Marshall.
De Kalb. Morgan.
Etowah. Pickens.
Geneva. Tuscaloosa.
Hale.

ARKANSAS

Arkansas. Lincoln.
Craighead. Mississippi.
Crittenden. Monroe.
Cross. Phillips.
Jackson. Poinsett.
Jefferson. St. Francis.
Lee.

FLORIDA

Jackson.

GEORGIA

Baker. Lee.
Brooks. Miller.
Bullock. Randolph.
Candler. Terrell.
Colquitt. Tift.
Early. Worth.

KENTUCKY

Fulton.

LOUISIANA

Avoyelles. Natchitoches.
Bossier. Rapides.
Caddo. Red River.
East Carroll. Richland.
Evangeline. Saint Landry.
Franklin. Tensas.
Madison. West Carroll.
Morehouse.

MISSISSIPPI

Alcorn. Panola.
Bolivar. Pontotoc.
Coahoma. Prentiss.
De Soto. Quitman.
Hinds. Sharkey.
Holmes. Sunflower.
Humphreys. Tallahatchie.
Jefferson Davis. Tunica.
Lee. Union.
Leflore. Washington.
Madison. Yazoo.
Monroe.

NEW MEXICO

Chaves. Eddy.
Dona Ana. Lea.

NORTH CAROLINA

Bertie. Mecklenburg.
Cleveland. Moore.
Cumberland. Nash.
Edgecombe. Northampton.
Franklin. Richmond.
Halifax. Robeson.
Harnett. Rutherford.
Hertford. Sampson.
Hoke. Warren.
Iredell. Wayne.
Johnston. Wilson.
Lincoln.

OKLAHOMA

Beckham. Tillman.
Caddo. Washita.

SOUTH CAROLINA

Allendale. Chester.
Anderson. Chesterfield.
Barnwell. Clarendon.
Calhoun. Darlington.

SOUTH CAROLINA—Continued

Dillon. Marlboro.
Florence. Orangeburg.
Greenville. Spartanburg.
Hampton. Sumter.
Laurens. Williamsburg.
Lee. York.
Marion.

TENNESSEE

Carroll. Lauderdale.
Dyer. Lincoln.
Fayette. McNairy.
Franklin. Madison.
Gibson. Obion.
Giles. Shelby.
Hardeman. Tipton.
Haywood. Weakley.
Lake.

TEXAS

Bailey. Lamar.
Bell. Lamb.
Castro. Limestone.
Collin. Lubbock.
Crosby. Lynn.
Dawson. McLennan.
Denton. Milam.
Ellis. Navarro.
Falls. Nueces.
Fannin. Parmer.
Floyd. Refugio.
Fort Bend. San Patricio.
Garza. Swisher.
Grayson. Terry.
Hale. Travis.
Hill. Wharton.
Hockley. Wilbarger.
Hunt. Williamson.
Jackson.

VIRGINIA

Greensville. Southampton.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12656; Filed, Dec. 21, 1962;
8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR DRY BEAN CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for dry bean crop insurance for the 1963 crop year. The class(es) of beans on which insurance is offered is shown opposite the name of the county.

State, county, and class(es) of dry beans insured

COLORADO

Boulder—Pinto.
Larimer—Pinto.
Logan—Pinto.
Morgan—Pinto.
Sedgwick—Pinto.
Weld—Pinto.

IDAHO

Cassia—Great Northern, Pinto, Small Red.¹
Canyon—Great Northern, Pinto, Small Red.¹

¹ Insurance is also provided on bush varieties of garden seed beans.

Gooding—Great Northern, Pinto, Small Red.¹
Jerome—Great Northern, Pinto, Small Red.¹
Lincoln—Great Northern, Pinto, Small Red.
Minidoka—Great Northern, Pinto, Small Red.¹
Twin Falls—Great Northern, Pinto, Small Red.¹

MICHIGAN

Bay—Pea and Medium White.
Gratiot—Pea and Medium White.
Huron—Pea and Medium White.
Saginaw—Pea and Medium White.
St. Clair—Pea and Medium White.
Sanilac—Pea and Medium White.
Shiawassee—Pea and Medium White.
Tuscola—Pea and Medium White.

NEBRASKA

Box Butte—Great Northern, Pinto.
Morrill—Great Northern, Pinto.
Scotts Bluff—Great Northern, Pinto.

WASHINGTON

Grant—Great Northern, Pinto, Small Red, Flat Small White.

WYOMING

Goshen—Great Northern, Pinto.
(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.
[F.R. Doc. 62-12657; Filed, Dec. 21, 1962;
8:49 a.m.]

PART 401—FEDERAL CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR GRAIN SORGHUM CROP INSURANCE

Pursuant to authority contained in § 401.1 of the above-identified regulations, as amended, the following counties have been designated for grain sorghum crop insurance for the 1963 crop year.

KANSAS

Brown. Rice.
Butler. Scott.
Cowley. Sedgwick.
Dickinson. Seward.
Finney. Stafford.
Grant. Stanton.
Haskell. Stevens.
Kearny. Sumner.
Marion. Washington.
McPherson. Wichita.
Reno. Meade.
Republic.

NEBRASKA

Adams. Gage.
Clay. Lancaster.
Fillmore. Thayer.

OKLAHOMA

Alfalfa. Grant.
Blaine. Kay.
Canadian. Texas.
Caddo. Tillman.
Grady. Washita.
Garfield.

TEXAS

Bailey. Crosby.
Bell. Dawson.
Castro. Denton.
Collin. Ellis.

TEXAS—Continued

Falls.	McLennan.
Floyd.	Milam.
Garza.	Navarro.
Grayson.	Nueces.
Hale.	Parmer.
Hill.	Refugio.
Hockley.	San Patricio.
Hunt.	Swisher.
Jackson.	Terry.
Lamb.	Travis.
Lubbock.	Wilbarger.
Lynn.	Williamson.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12658; Filed, Dec. 21, 1962;
8:49 a.m.]

PART 402—RAISIN CROP INSURANCE

Subpart—Regulations for the 1961 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR RAISIN CROP INSURANCE

Pursuant to authority contained in § 402.1 of the above-identified regulations, the following counties have been designated for raisin crop insurance for the 1963 crop year:

CALIFORNIA

Fresno.	Merced.
Kern.	Stanislaus.
Kings.	Tulare.
Madera.	

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12667; Filed, Dec. 21, 1962;
8:50 a.m.]

PART 403—PEACH CROP INSURANCE

Subpart—Regulations for the 1962 and Succeeding Crop Years

APPENDIX; COUNTIES DESIGNATED FOR PEACH CROP INSURANCE

Pursuant to authority contained in § 403.20 of the above-identified regulations, as amended, the following counties have been designated for peach crop insurance for the 1963 crop year.

ALABAMA

Chilton.

ARKANSAS

Johnson.
St. Francis.

GEORGIA

Peach.

NORTH CAROLINA

Rutherford.

SOUTH CAROLINA

Laurens.
Lexington.
Spartanburg.
York.

Cross.
Howard.

Moore.
Richmond.

Allendale.
Barnwell.
Chesterfield.
Edgefield.
Greenville.

(Secs. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U.S.C. 1506, 1516)

[SEAL] JACK H. MORRISON,
Acting Manager,
Federal Crop Insurance Corporation.

[F.R. Doc. 62-12664; Filed, Dec. 21, 1962;
8:50 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER G—DETERMINATION OF PROPORTIONATE SHARES

[Sugar Determination 851.1, Amdt. 1]

PART 851—COMMITMENT OF NATIONAL SUGARBEET ACREAGE RESERVE, 1962 AND SUBSEQUENT CROPS

Commitments of Sugarbeet Acreage From National Reserve

Pursuant to the provisions of section 302 of the Sugar Act of 1948, as amended, § 851.1 (27 F.R. 10745) is amended by adding the following paragraph (f).

§ 851.1 Commitments of sugarbeet acreage from the national reserve.

(f) *Commitment of acreage to farms growing sugarbeets for proposed beet sugar facility near Hereford, Texas, and conditions of commitment—(1) Amount of commitment.* A commitment of 24,730 acres, estimated to yield about 50,000 short tons, raw value, of sugar is made available to farms in counties of New Mexico and Texas (including at least Castro, Deaf Smith and Parmer Counties, Texas and Curry County, New Mexico) for the 1964 crop for the purpose of growing sugarbeets for delivery to the factory of the Holly Sugar Corporation proposed for erection near Hereford, Texas: *Provided*, That net less than 2,500 acres of the total acreage committed is made available to farms in counties in New Mexico, including Curry County.

(2) *Conditions of commitment.* The Commitment of acreage made pursuant to subparagraph (1) of this paragraph shall be subject to the following conditions:

(i) *Eligible farms.* The acreage committed will be available to farms on which sugarbeets were not grown for delivery to a processor for the extraction of sugar in any of the three crop years 1961, 1962 or 1963: *Provided*, That any farm on which sugarbeets were grown for the extraction of sugar during any of such three years shall be eligible for an acreage from the reserve representing the deficit between the maximum acreage that may be committed pursuant to subdivision (ii) of this subparagraph and any lesser acreage of sugarbeets last grown on such farm during the period 1961 through 1963.

(ii) *Limits of commitment to individual farm.* The maximum commitment to any farm shall be the smaller of 75 acres or the acreage on the farm which is suitable for the production of sugarbeets in consideration of sound rotation and other cultural practices,

subject to the further limitation set forth in subdivision (i) of this subparagraph for farms on which sugarbeets were grown in any of the years 1961 through 1963.

(iii) *Proportionate share protection to be accorded farms utilizing committed acreage.* If proportionate shares are in effect in the two years immediately following the year for which an acreage is committed for a locality under this paragraph (f), the proportionate share for any farm in such locality in each of such two years shall not be less than the acreage committed pursuant to this paragraph (f) to such farm and utilized for the production of sugarbeets for the extraction of sugar.

STATEMENT OF BASES AND CONSIDERATIONS

This amendment to the original determination of Commitment of National Sugarbeet Acreage Reserve provides for a commitment of 24,730 acres for use on farms in the locality to be served by a new beet sugar plant proposed for erection near Hereford, Texas. Based upon reliable estimates, this acreage should result in the production of about 50,000 short tons, raw value, of sugar.

An acreage (33,129) which would produce 65,000 short tons of sugar was requested for the proposed new facility. In view of the numerous proposed projects, it is not considered advisable to attempt to allocate such acreage and tonnage to any one proposed new plant at this time. Moreover, the industry itself had arrived at the 50,000 ton figure on the basis that such quantity would support a plant.

In the presentation of this case, the processor also stated that the project is dependent upon a capital contribution of \$5,000,000 by farmers. This contribution, which has been agreed to by farmers hoping to supply sugarbeets to the new plant, would be in the form of a deduction of \$1.00 per ton from the price that would otherwise be paid for sugarbeets delivered to the processor. Based upon the yields expected from the acreage equivalent of 65,000 tons of sugar, the processor estimated that such contribution would be made over a ten-year period. It appears that prospective growers have agreed to the contribution and it appears, also, that the estimated returns to growers per ton, after the deduction will approximate the returns growers receive on beets shipped currently to a Colorado factory for processing. The commitment of acreage provided for under this amendment should not be construed as an approval of this plan of deduction from the price paid for sugarbeets in future years. Such plan will be reviewed and considered at the time fair prices for sugarbeets are determined annually by the Secretary.

In the main, only those growers who did not grow sugarbeets during the years 1961 and 1962 and who do not grow beets in 1963 will be eligible for reserve acreage committed under this action. However, some growers in this area have grown the crop for many years for delivery to a processor in southern Colorado. In those cases wherein the past acreages have been inadequate to

RULES AND REGULATIONS

support economic sugarbeet operations in light of recognized rotation and other accepted cultural practices, reserve acreage is committed to the extent necessary to bring the acreages for such farms up to a stated maximum level. This maximum level, established at the smaller of 75 acres or the acreage on the farm suitable for production of sugarbeets in accordance with sound rotation and other cultural practices, is applicable to all such farms. The limitation on the commitment of reserve acreage to any farm will permit a more wide-spread distribution of the acreage available. It is hoped that the eligibility for reserve acreage of farms with previous production records will result in the processor continuing to contract for sugarbeets with as many of such farms as feasible from the standpoint of the interests of both parties.

Although this determination specifically enumerates three counties in Texas and one county in New Mexico wherein farms are eligible for reserve acreage, farms in other counties in these States from which sugarbeets are delivered to the Hereford facility in 1964, from an acreage within the total commitment, are also eligible.

It is also hoped that the processor will select new growers on a fair and equitable basis by taking into consideration the availability and suitability of land and generally conduct his contracting operations in a manner that will result in the widest possible distribution of the reserve acreage consistent with the economic interests of the growers and the processor.

Other requests for acreage for new facilities which are proposed for 1964 or 1965 and for expanded facilities are under study. In all there have been seven requests for acreage for 1964 and fifteen requests for new facilities to begin operation in 1965. There have been nine requests for expansion of existing plants.

On the basis of all relevant information, the distribution of acreage to the locality to be served by the proposed new beet sugar factory near Hereford, Texas, is deemed to be fair and reasonable and in accordance with the provisions of the Sugar Act.

Accordingly, I hereby find and conclude that the foregoing amendment will effectuate the applicable provisions of the act.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Supp. 1153. Interprets or applies sec. 301, 302, 61 Stat. 929, 930, as amended; 7 U.S.C. Supp. 1131, 1132, Pub. Law 87-535 approved July 13, 1962)

Effective date: Date of publication.

Signed at Washington, D.C., on December 18, 1962.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 62-12640; Filed, Dec. 21, 1962; 8:46 a.m.]

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

[Navel Orange Reg. 19]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.319 Navel Orange Regulation 19.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907; 27 F.R. 10087), regulating the handling of navel 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 Navel Orange 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 navel oranges 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 (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 navel 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 navel 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 December 20, 1962.

(b) *Order.* (1) The respective quantities of navel 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., December 23, 1962, and ending at 12:01 a.m., P.s.t., December 30, 1962, are hereby fixed as follows:

- (i) District 1: 500,000 cartons;
 - (ii) District 2: 84,754 cartons;
 - (iii) District 3: 50,000 cartons;
 - (iv) District 4: Unlimited movement.
- (2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: December 20, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and
Vegetable Division, Agricultural
Marketing Service.

[F.R. Doc. 62-12774; Filed, Dec. 21, 1962; 11:34 a.m.]

PART 990—CENTRAL CALIFORNIA GRAPES FOR CRUSHING

Subpart—Administrative Rules and Regulations

The provisions of Subpart—Administrative Rules and Regulations (27 F.R. 3158, 7539, 9248, 10249, 11494, 11756, 12344, 12576), issued pursuant to the marketing agreement and Order No. 990 (7 CFR Part 990), regulating the handling of Central California grapes for crushing, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), are hereby restated, for convenient reference, in the FEDERAL REGISTER in the form of a compilation.

The restatement is without substantive changes. However, there is included a new § 990.101 defining the term "Committee" to mean the Grape Crush Administrative Committee established pursuant to § 990.29. In order to conform the restatement herein with the new definition of "Committee", all references to "Grape Crush Administrative Committee" in this subpart are hereby changed to "Committee".

As revised and restated, the compilation of the codified text of the Subpart—Administrative Rules and Regulations is as follows:

DEFINITIONS

Sec.	Committee.
990.101	Committee.
990.105	Brix.
RECEIVING REGULATION	
990.150	Raisin residual material.
VOLUME REGULATION	
990.154	Setaside.

DISPOSITION

Sec.
990.162 Disposition.

REPORTS AND RECORDS

990.165 Reports.

AUTHORITY: §§ 990.101 to 990.165 issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

DEFINITIONS

§ 990.101 Committee.

"Committee" means the Grape Crush Administrative Committee established pursuant to § 990.29.

§ 990.105 Brix.

"Brix" is the percent by weight of the soluble solids in solution expressed in terms of sucrose equivalent. For the purposes of Order No. 990 and this subpart, the terms "Brix" and "Balling" shall have the same meaning.

RECEIVING REGULATIONS

§ 990.150 Raisin residual material.

(a) *General.* In accordance with § 990.50, a handler may receive and use sweepings or other residual material from raisin processing (referred to collectively as "residual material") from a raisin packer, or from a person (referred to herein as an "intermediary") receiving residual material directly from a raisin packer: *Provided*, That the usage is in accordance with the conditions established in this section to restrict this usage to the approximate raisin weight of the industry-wide normal residual material from processing standard raisins. The definition of the term "raisin packer" is synonymous with the definition of "packer" in § 989.14 of this chapter (Order No. 989, as amended).

(b) *Limitation on handler receipts of residual material as grapes for crushing.* No handler shall receive and use residual material as grapes for crushing except that received from authorized raisin packers, or authorized intermediaries, so designated by the Committee. Any raisin packer or intermediary may be so designated by executing an agreement with the Committee that he will: (1) Certify to the Secretary and the Committee the source and eligibility of each delivery of residual material on forms and in a manner prescribed by the Committee; (2) submit one copy of each completed certification to the Committee on Form GCAC-5 "Raisin Packer's Report of Delivery of Raisin Residual Material from Standard Raisins", Form GCAC-5A "Raisin Packer's Report of Delivery of Raisin Residual Material from Reconditioning", or Form GCAC-6 "Report of Indirect Delivery of Raisin Residual Material", as applicable, and, where an authorized packer (in accordance with paragraph (c) (1) of this section) adds certifications to weight certificates for use in lieu of Form GCAC-5, collectively report such weight certificates for each calendar week on Form GCAC-5; (3) afford the Secretary and the Committee, through their authorized representatives, access to any premises where the person executing the certification stores, reconditions, or processes raisins or residual material, including premises where ap-

plicable records are maintained, to observe the storage, reconditioning, and processing, as the case may be, and to examine these records; (4) retain records applicable to the disposition of residual material and off-grade raisins (as defined in § 989.24(b) of this chapter Order No. 989, as amended) for at least two years after the close of the crop year to which these records relate; and (5) in the case of authorized intermediaries, submit completed Form GCAC-6 only if he has received from the appropriate raisin packer completed Form GCAC-5 or Form GCAC-5A, or weight certificates containing certifications as to source, and eligibility, of such residual material. The Committee shall make available to all handlers a list of all authorized raisin packers and intermediaries.

(c) *Limitations on usage.*—(1) *Residual material from processing.* No handler shall use residual material from processing standard natural condition raisins unless he has in his possession, upon such use, the original of the completed certification of the delivering raisin packer. The certification shall be (as to source and identifying information) as set forth on Form GCAC-5, or as such may be added to the weight certificate for each delivery which includes the identifying information required by Form GCAC-5.

(2) *Residual material from reconditioning.* No handler shall use residual material obtained from reconditioning off-grade raisins unless he has in his possession, upon such use, the original of the delivering raisin packer's certification. This certification shall be as to source, identifying information, and eligibility as set forth on Form GCAC-5A. The certification as to eligibility shall be that the residual material does not exceed the packer's "eligible quantity" of residual material from reconditioning operations. The "eligible quantity" shall include not less than 20 percent, by weight, of stem material. The "eligible quantity" shall be the lesser of either (i) the actual quantities of residual material obtained from the successful reconditioning of off-grade lots, or (ii) the standard natural condition equivalent weight (hereinafter referred to as the "standard natural condition equivalent") of the packed raisins obtained from the successful reconditioning of off-grade lots multiplied by the applicable factor prescribed by paragraph (e) of this section. The standard natural condition equivalent shall be computed by dividing the net weight of the packed raisins obtained from such successful reconditioning by the applicable factor prescribed by paragraph (d) of this section.

(3) *Receipts from intermediaries.* The limitations in subparagraphs (1) and (2) of this paragraph on the usage of residual material received from raisin packers shall also apply to receipts from intermediaries except that the required certification shall be on Form GCAC-6 and the certification shall state that the intermediary has in his possession the appropriate raisin packer certifications covering the total of such residual material on either Form GCAC-5 or Form GCAC-5A or the weight certificate.

(d) *Factors for computing standard natural condition equivalent.* In accordance with the provisions of subparagraph (2) of paragraph (c) of this section, the factors to be used in computing the standard natural condition equivalent of successfully reconditioned off-grade raisins, depending on the variety of raisins and the degree of processing used for such reconditioning, shall be those factors established, pursuant to § 989.58(e) of this chapter Order No. 989, as amended) in § 989.601 of this chapter (27 F.R. 3120) and as from time to time thereafter amended and applicable to the raisins being reconditioned.

(e) *Factors for computing "eligible quantity".* In accordance with the provisions of subparagraph (2) of paragraph (c) of this section, the several factors to be used in computing the "eligible quantity" of residual material referable to the successful reconditioning of off-grade raisins, depending upon the variety of raisins and the degree of processing used, shall be obtained by subtracting each factor specified in paragraph (d) of this section from "1.00".

VOLUME REGULATION

§ 990.154 Setaside.

(a) *Factors for converting grapes for crushing to proof gallon or concentrate equivalents.* For the purpose of determining handlers' setaside obligations and for such other purposes as the Committee may deem to be appropriate, the conversion factors for converting grapes for crushing received by handlers to proof gallons of products shall be: (1) For other than raisin residual material, 2.0 proof gallons per ton per degree Balling; and (2) for raisin residual material, 2.0 proof gallons per ton per percent reducing sugar. The conversion factor for converting grapes for crushing other than raisin residual material to concentrate at 68 degrees Brix shall be 2.0 gallons per ton per degree Balling.

(b) *Conversion of setaside products to proof gallon equivalents.*—(1) *Dessert wine.* The conversion factors to be used in determining the proof gallon equivalents of various dessert wines shall be those in the "Table of Proof Gallon Equivalents Per Gallon", prepared by Professor B. L. Marsh, Division of Food Technology, University of California, and commonly referred to in the industry as the "Marsh Tables".

(2) *High proof.* The conversion factor to be used in determining the proof gallon equivalent per gallon of high proof shall be obtained by dividing the proof number by 100.

(3) *Concentrate.* The proof gallon equivalent per gallon of concentrate shall be determined by dividing the weight of the solids per gallon of the concentrate by 7.568, with the weight of such solids determined by multiplying the degrees Brix of such concentrate by the weight in pounds (specified in Table 117 of "Circular of the National Bureau of Standards C440", issued May 1, 1942) of one gallon in air of such concentrate. For the purposes of this part, one gallon of concentrate at 68 degrees Brix shall be equivalent to one proof gallon.

(c) *Allowance for normal shrinkage or loss.* Each handler's setaside obligation resulting from the final surplus percentage established for a crop year shall be reduced, as hereinafter provided, to allow for normal shrinkage or loss (hereinafter referred to as the "allowance") of setaside items held for the account of the Committee. The allowance shall be made so as to cause an annual reduction of each handler's setaside obligation, except as hereinafter provided, of four percent on a proof gallon basis. The reduction shall be made as follows: On setaside obligation incurred before January 1 of each crop year, an allowance of two percent shall be made on the subsequent June 30 and December 31. On these same dates, on setaside obligation arising on or after January 1, and excluding the quarter of the year wherein the obligation arises, an allowance of one percent shall be made for each subsequent full quarter of a year preceding such June 30 or December 31. In the succeeding years, an allowance of two percent shall be made on June 30 and December 31 on the setaside obligation as reduced by the allowances applicable through each December 31. If prior to maturation of an allowance, a portion or all of a handler's setaside obligation is released from storage, the allowance shall be that applicable to any residual storage obligation plus one-third of one percent per month on the withdrawn quantity for those eligible months not included in a prior allowance and including the month of withdrawal: *Provided*, That the allowance applicable to the release of all or the balance of an obligation shall be made at the time of such release.

(d) *Identification of setaside*—(1) *During the crop year.* Each handler who, on January 31 of a crop year that is subsequent to the 1961-62 crop year, is holding setaside of such subsequent crop year for the account of the Committee shall designate each specific setaside item so held by entering, on such date, in his records (that are required to be maintained pursuant to § 990.66) the information prescribed by § 990.65(c). Each handler shall submit to the Committee by the following February 10 a certified report on Form GCAC-10 including but not limited to the information required to be entered in his records on the preceding January 31. Subsequent certified reports, each on Form GCAC-10, shall be submitted as of, and at, such other times as may be requested by the Committee.

(2) *Following the crop year*—(i) *Setaside tank card.* Each handler who holds setaside of a particular crop year shall identify the setaside by completing and attaching a "Setaside Tank Card", furnished by the Committee, to each container of setaside near the tank outlet, or in any other appropriate and conspicuous location on the container, and setting forth the number of wine gallons of setaside in the container on the date the tank card is attached. Each handler shall keep such tank card identification current. With respect to any setaside of the 1961-62 crop year that is held on the effective date of this

paragraph, such card shall be attached no later than five days thereafter; and with respect to setaside of any crop year subsequent to the 1961-62 crop year, such card shall be attached no later than July 15 of the following crop year. With respect to eligible items of the applicable crop year setaside and held for the account of the Committee subsequent to the aforesaid effective date of this paragraph or July 15, as applicable, the requisite tank card shall be attached no later than five days after such item is so set aside.

(ii) *Samples of wine.* Each handler shall complete the drawing of samples from each container of setaside wine from the 1961-62 crop year no later than five days after the effective date of this paragraph and, for setaside of all subsequent crop years, no later than 15 days after the end of each of those crop years. Two one-fifth ($\frac{1}{5}$) gallon representative samples shall be drawn consecutively through the top of each container of setaside wine in a manner to avoid contamination. Metal sampling devices, other than stainless steel, shall not be used. Sample bottles shall be clean, filled, and tightly closed with a screw cap. Each sample bottle shall be labeled with a "GCAC Setaside Sample Label" furnished by the Committee, and the handler shall show at least the following on such label:

- (a) The name of the handler;
- (b) bonded premise number;
- (c) location of bonded premise;
- (d) container number;
- (e) type of wine;
- (f) Brix of wine;
- (g) alcohol content of wine;
- (h) date sample taken; and
- (i) crop year of crush of the wine.

Samples shall be submitted to the Committee within three days after being drawn.

(iii) *Reports.* Each handler holding setaside of the prior crop year for the account of the Committee shall submit a certified report of that setaside on Form GCAC-12 to the Committee showing, for each item so held, at least the number of wine gallons and the equivalent number of proof gallons. A completed "Setaside Location Schedule" on Form GCAC-12A shall accompany each Form GCAC-12 and shall show the container number and location of each container holding the setaside. Each such report and related location schedule shall be as of July 1 following the crop year and shall be submitted to the Committee no later than the following July 15 unless otherwise specified by the Committee.

(3) *Resampling.* Whenever setaside wine in a container is commingled with other like wine after samples have been drawn from the setaside, the commingled wine shall be sampled in accordance with subparagraph (2) (ii) of this paragraph and the samples submitted to the Committee within three days following the commingling.

(4) *Transfer of setaside.* Whenever a handler intends to transfer setaside of a crop year to a different tank after the crop year has ended, he shall notify the Committee of this intention, prior to the

transfer, on a form furnished by the Committee showing at least the two container numbers involved.

(e) *Substitution*—(1) *Notice to the Committee.* Pursuant to § 990.54, each handler holding setaside may substitute therefor only items of the same crop year eligible for setaside. If such substitution is to be made during that crop year, the handler shall submit a certified "Report of Substitution of Setaside Held for the Account of the Committee" on Form GCAC-11 to the Committee so as to be received by it prior to the reported effective date of the substitution. If the substitution is to be made after that crop year has ended, the handler shall notify the Committee of his intention to substitute eligible items for setaside by completing a certified "Notice of Intention to Substitute Setaside Held for the Account of the Grape Crush Administrative Committee" on Form GCAC-13 showing at least the number of gallons of each item to be withdrawn from setaside and the number of gallons of each eligible item to be substituted therefor. Such notice shall be received by the Committee at least seven days prior to the proposed date of the substitution. If more than three items are to be withdrawn or placed in the setaside, the additional items shall be listed on a "Setaside Substitution Schedule" on Form GCAC-13A and this form shall accompany the appropriate Form GCAC-13. Unless the Committee determines that the item to be substituted is ineligible for substitution, it shall approve such substitution within seven days after receipt of the handler's notice of intent to transfer and, when applicable, the samples required in subparagraph (2) of this paragraph. After the crop year has ended, no substitution shall be made by a handler prior to the receipt of written approval from the Committee. Upon substitution, regardless of when made, the handler shall complete and attach, in the manner prescribed in paragraph (d) (2) (i) of this section, a new "Setaside Tank Card" to the container holding the setaside.

(2) *Sampling.* Whenever a handler intends to substitute wine for setaside of the same crop year's crush after the crop year has ended, he shall draw two one-fifth ($\frac{1}{5}$) gallon samples in accordance with paragraph (d) (2) (ii) of this section from each container of wine and submit these samples with the notice of intention to substitute. Each sample bottle shall be labeled with the appropriate label furnished by the Committee. Such labels shall show in addition to the information required in (a) through (i), inclusive, in paragraph (d) (2) (ii) of this section, at least the number of wine gallons and the number of proof gallons of the type of wine proposed to be held for the account of the Committee.

(3) *Verification of eligibility.* The Committee shall have access to all relevant handler records and premises in order to verify the eligibility of the material substituted or offered for substitution. The handler substituting one setaside item for another shall furnish such evidence bearing on the eligibility of the material to be substituted as the Committee may request.

(f) *Storage of high proof in the same container*—(1) *Simultaneous storage*. No handler shall store setaside high proof from grapes for crushing of any crop year in the same container with other high proof, whether or not set aside pursuant to § 990.54, from grapes for crushing of any other crop year(s) except in accordance with the requirements of § 990.54 and the following: Such handler (i) stores in such container only marketable high proof of not less than 185 degrees proof or only high proof within the lesser range of alcohol at which setaside storage is permitted by the Committee pursuant to § 990.54; (ii) stores all high proof in such container to preserve the quality of the setaside high proof and maintain its condition as required by § 990.54; (iii) attaches a tank car, as prescribed in paragraph (d) (2) (i) of this section, showing, in addition to the information required to be shown thereon, the number of proof gallons, by crop year, of the setaside high proof being held in such container for the account of the Committee; and (iv) makes no withdrawal from such container below the handler's then effective aggregate setaside therein.

(2) *Substitution*. Each handler holding setaside high proof may make substitutions therefor in accordance with paragraph (e) of this section. If such setaside high proof of a particular crop year is in the same container with other high proof, the handler may, upon the setting aside of the requisite proof gallons of eligible product(s) of that crop year, withdraw the applicable proof gallon quantity of high proof.

(3) *Disposition*. Whenever setaside high proof in simultaneous storage is included in a disposition of the Committee, pursuant to § 990.62, the withdrawal gallonage shall be deemed to be from the setaside of the crop year specified by the Committee in its disposition action.

DISPOSITION

§ 990.162 Disposition.

(a) *Shares of setaside for release into normal outlets*. Whenever, pursuant to § 990.62(b), the Committee offers to sell setaside of a particular crop year for resale into normal outlets, handlers shall have the first option to purchase their pro rata shares, with adjustments caused by removals pursuant to § 990.57, of such offer. Each handler's pro rata share shall be proportional to the holdings necessary to meet the handler's setaside obligation for such crop year. However, in computing the shares of any offer to be reserved to handlers, such holdings shall reflect all quantities of setaside removed from or added to their setaside storage pursuant to § 990.57. In the event the physical holdings of any handler are less than the quantity so allocated, and the difference is at least the equivalent of 100 proof gallons, the Committee shall transfer sufficient setaside, to the extent practicable, from handlers with physical holdings exceeding their shares, to satisfy the deficit in the quantity which said handler chooses to purchase. Any handler desiring to purchase quantities in excess of his re-

served share may, during the period of such reservation and with the approval of the Committee, negotiate directly with another handler for any unpurchased portion of his reserved share but any transfer of gallonage incident thereto shall be at no cost to the Committee.

(b) *Normal outlets*—(1) *Concentrate*. The established trade channels (i.e., normal outlets) for concentrate mean the use, or sale for use, within Canada or Mexico, the United States, the Canal Zone, or outlying areas under the sovereignty of the United States, of concentrate in the production of wine, high proof, brandy, wine vinegar, grape beverages, jams, or jellies.

(2) *High proof*. The established trade channels (i.e., normal outlets) for high proof mean the use, or sale for use, within Canada or Mexico, the United States, the Canal Zone, or outlying areas under the sovereignty of the United States, of high proof in the production of wine or other alcoholic beverage.

(3) *Dessert wine*. The established trade channels (i.e., normal outlets) for dessert wine mean the (i) use, or sale for use, of dessert wine as a beverage within Canada or Mexico, the United States, the Canal Zone, or outlying areas under the sovereignty of the United States, or on ships or other carriers porting thereon, (ii) disposition to United States armed forces or diplomatic, trade or aid missions, and (iii) use, or sale for use, within the United States, the Canal Zone, or outlying areas under the sovereignty of the United States, of dessert wine in pharmaceuticals, tobacco products, flavorings, distillation, or the production of wine vinegar, or as a blending agent in alcoholic beverages.

(c) *Non-normal outlets*. Non-normal outlets for the purpose of disposition of setaside concentrate, high proof, and dessert wine, respectively, mean all outlets not specifically set forth in paragraph (b) of this section as normal outlets for the purpose of disposition of the particular setaside item.

REPORTS AND RECORDS

§ 990.165 Reports.

(a) *Receipts by handlers*—(1) *General*. Each handler shall submit a certified report to the Committee (on the applicable forms specified in subparagraphs (2) and (3) of this paragraph and furnished by the Committee) for each calendar week of operation of the total quantity of grapes for crushing (exclusive of residual material) received by the handler during the reporting week; and another certified report for each calendar month of operation of the total quantity of residual material received by the handler during the reporting month. Each such report shall be submitted to the Committee not later than the second Monday following the reporting period and each report form shall be completed by the handler in accordance with the provisions of subparagraph (2) or (3) of this paragraph, as applicable.

(2) *Receipts of grapes for crushing, other than residual material*. Receipts of grapes for crushing, other than residual material, shall be reported on Form GCAC-1 (Fresh), "Weekly Report of Re-

ceipts—Grapes for Crushing in Fresh Form". A separate report shall be submitted for each crushing plant location. Each such report shall show at least the following:

- (i) The name and address of the reporting handler;
- (ii) the reporting period (i.e., the calendar week involved) and the date the report is submitted;
- (iii) the total quantity of exempt varieties received during the reporting period;
- (iv) the total quantity of non-exempt varieties received during the reporting period;
- (v) the respective cumulative quantities of exempt and non-exempt varieties as shown on the report of receipts for the previous reporting period; and
- (vi) the respective cumulative quantities of exempt and non-exempt varieties received from the beginning of the crop year through the reporting period.

(3) *Receipts of raisin residual material*. Receipts of residual material shall be reported on Form GCAC-2 (Dried), "Monthly Report of Receipts—Grapes for Crushing in Dried Form". Such report shall show at least the following:

- (i) The name and address of the reporting handler;
- (ii) the reporting period (i.e., the calendar month involved) and the date the report is submitted;
- (iii) the total quantity of residual material received during the reporting period;
- (iv) the total quantity of such residual material disposed of during such reporting period other than for distillation by the reporting handler;
- (v) the net quantity of such residual material received and used for distillation; and
- (vi) the cumulative net quantity of residual material received and used for distillation from the beginning of the crop year through the reporting period.

(b) *Deliveries to handlers*—(1) *General*. During each crop year, each handler shall submit to the Committee, for such reporting periods and not later than such times as are specified by the Committee, certified reports (by loads, varieties, and persons delivering): (i) Of grapes for crushing (other than residual material) delivered to the handler by producers or successors in interest; and (ii) of residual material delivered to the handler by authorized raisin packers and by authorized intermediaries.

(2) *Content*. Each such report (referred to as a "Producer Delivery Report") shall show for each load of grapes for crushing delivered at least the following information:

- (i) Name and address of the person delivering the grapes for crushing (i.e., producer or successor in interest, authorized raisin packer or authorized intermediary);
- (ii) The date of the delivery;
- (iii) Where possible, the district where the grapes were produced;
- (iv) Location where the grapes are crushing were crushed or otherwise prepared for fermentation or the production of grape juice or concentrate;
- (v) Weight certificate number;

(vi) Net weight of the load;
 (vii) Net sugar weight of the load.
 (c) *Exemption from filing report.* A handler may be relieved by the Committee of submitting any of the reports required pursuant to paragraphs (a) and (b) of this section upon written application to the Committee stating that no transactions subject to such reports are contemplated for the balance of the crop year: *Provided*, That the exemption shall remain in effect only so long as the handler has no transactions subject to these reports.

Dated: December 19, 1962.

FLOYD F. HEDLUND,
*Director, Fruit and Vegetable
 Division, Agricultural Market-
 ing Service.*

[F.R. Doc. 62-12649; Filed, Dec. 21, 1962;
 8:48 a.m.]

Title 12—BANKS AND BANKING

Chapter I—Bureau of the Comptroller of the Currency, Department of the Treasury

PART 9—TRUST POWERS OF NATIONAL BANKS

Investment of Trust Funds

This amendment, issued pursuant to the authority conferred in section 1(j) of Public Law 87-722, 76 Stat. 668, revises section 10(c) of the trust regulations to permit the collective investment of trust funds of pension and profit sharing plans established by the self-employed, thus facilitating the effectuation of the Self-Employed Individuals Tax Retirement Act of 1962, Public Law 87-792, 76 Stat. 809. It permits the investment of the funds of separate trusts in a bank fiduciary fund, and incorporates into the text of the regulation material formerly found in footnotes 8 and 9. Notice of the proposed revision was published in the FEDERAL REGISTER on November 7, 1962 (27 F.R. 10836). Since this revision differs therefrom only in a technical alteration of the language of the first sentence and involves no substantive variation, it will become effective upon publication.

Part 9, Chapter I, Title 12, of the Code of Federal Regulations is amended by revising paragraph (c) of § 9.10 to read as follows:

§ 9.10 Investment of trust funds.

(c) *Collective investment of trust funds.* Except as prohibited by the law of the jurisdiction governing the fiduciary relationship, funds held by a national bank as fiduciary may be invested collectively as follows:

(1) Collective investments may be made in accordance with § 9.17;

⁷ Unless the context otherwise indicates, the term "trust," as used in this section or in any other part of this regulation, refers to any fiduciary relationship which a national bank is authorized to enter into under the provisions of Public Law 87-722, 76 Stat. 668.

(2) Funds of retirement, pension, profit-sharing, stock bonus, self-employed or other trusts which are exempt from Federal income taxes under the Internal Revenue Code of 1954 may be invested collectively when held by the bank as trustee or agent for such trusts;

(3) Investments of separate trusts in shares of a mutual trust investment company, organized and operated pursuant to a statute that specifically authorizes the organization of such companies exclusively for the investment of funds held by fiduciaries, may be represented by a single certificate; and

(4) Funds of separate trusts may be invested collectively in a single real estate loan or a direct or fully guaranteed obligation of the United States if the bank owns no participation in the loan or obligation and has no interest therein except in its capacity as fiduciary.

Section 584 of the Internal Revenue Code of 1954 provides that a common trust fund maintained in conformity with the rules and regulations of the Comptroller of the Currency "pertaining to the collective investment of trust funds by national banks" and meeting certain other requirements shall not be subject to Federal income taxation. The rules and regulations of the Comptroller for the purposes of section 584 are contained solely in § 9.17; and the permission contained in this subsection is not intended to confer exemption from Federal income taxation under section 584.

Dated: December 18, 1962.

JAMES J. SAXON,
Comptroller of the Currency.

[F.R. Doc. 62-12646; Filed, Dec. 21, 1962;
 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 62-WE-74]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Federal Airway

VOR Federal airway No. 810 is designated in part from the San Francisco/Oakland, Calif., metropolitan area to Elko, Nev., via the alignment of VOR Federal airway Nos. 195, 200, 6 and 32, as an eastbound preferred route. The purpose of this amendment to Part 71 [New] of the Federal Aviation Regulations is to redesignate this segment of Victor 810 via the alignment of VOR Federal airway Nos. 28 and 494. This will provide dual preferred routes between the San Francisco/Oakland metropolitan area and Fort Bridger, Wyo., with westbound Victor 854. Victor 810 as realigned will traverse R-4802 and R-4803. Since the ceiling of these restricted areas is lower than the minimum en route altitude of this segment of Victor 810, the airspace

within the restricted areas is deleted from the airway.

Part 71 [New] was published in the FEDERAL REGISTER on October 24, 1962, as a part of the Agency's recodification program (27 F.R. 10352, 220-2, effective December 12, 1962). This new part contains the regulatory material formerly found in Parts 600 and 601 of the regulations of the Administrator.

Since this amendment imposes no additional burden on any person, notice and public procedure hereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment 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 (25 F.R. 12582) the following action is taken:

Section 71.123 (27 F.R. 220-6, November 10, 1962) is amended as follows: In V-810 all before "Elko, Nev.," is deleted and "Linden, Calif., via INT of Linden 046° and Reno, Nev., 208° radials; INT of Reno 208° and Lake Tahoe, Calif., 078° radials; INT of Lake Tahoe 078° and Hazen, Nev., 244° radials; Hazen; Mount Moses, Nev.," is substituted therefor. At the end of the description, "is excluded." is deleted and "and the airspace within R-4802 and R-4803 is excluded." is added.

This action shall become effective 0001 e.s.t., February 7, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on December 17, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-12631; Filed, Dec. 21, 1962;
 8:46 a.m.]

[Airspace Dockets Nos. 62-EA-38, 62-EA-67]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Designation, Alteration and Revocation of Federal Airways, Alteration of Control Area Extension

On October 30, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 10552) stating that the Federal Aviation Agency proposed to extend VOR Federal airway No. 471 from the Bangor, Maine, VOR to the intersection of the Bangor VOR 132° and the Princeton, Maine, VOR 208° True radials; designate VOR Federal airway No. 302 from the Augusta, Maine, VOR to the intersection of the Augusta VOR 123° and the Bangor VOR 192° True radials; revoke Blue Federal airway No. 84 from Augusta to Bangor; and alter the Brunswick, Maine, control area extension by substituting Victor 302 for Blue 84 in the description.

Parts 600 and 601 of the regulations of the Administrator have been consolidated and recodified into a new Part 71 of the Federal Aviation Regulations (27

F.R. 10352, 220-2). The actions taken herein reflect the new format and numbering system adopted for these parts.

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 (25 F.R. 12582) and for the reasons stated in the notice, the following actions are taken:

1. § 71.123 (27 F.R. 220-6, November 10, 1962) is amended as follows:

a. In V-471 "From Bangor, Maine, via" is deleted and "From INT of Princeton, Maine, 208° and Bangor, Maine, 132° radials via Bangor;" is substituted therefor.

b. V-302 is added as follows:

V-302 From Augusta, Maine, to INT of Augusta 123° and Bangor, Maine, 192° radials.

2. In § 71.109 (27 F.R. 220-5, November 10, 1962) B-84 is revoked.

3. In § 71.165 (27 F.R. 220-59, November 10, 1962), the Brunswick, Maine, control area extension is amended to read as follows:

Brunswick, Maine

That airspace bounded on the NW by V-3, on the NE by V-302, on the E by longitude 69°15'00" W., on the S by W-103, and on the SW by a line 5 miles NE of and parallel to the 132° bearing from the Portland Municipal Airport, Maine (latitude 43°38'50" N., longitude 70°18'28" W.); the airspace SW of Augusta, Maine, from 5 miles NW to 7 miles NW of the Augusta VOR 239° radial extending from the Augusta VOR 329° radial to 20 miles SW, and the airspace N of Augusta from 5 miles W to 10 miles W of the Augusta VOR 025° radial extending from the Augusta VOR 295° radial to 20 miles NE, excluding the portion within C-516.

These amendments shall become effective 0001 e.s.t., February 7, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on December 17, 1962.

CLIFFORD P. BURTON,

Chief,

Airspace Utilization Division.

[F.R. Doc. 62-12632; Filed, Dec. 21, 1962; 8:46 a.m.]

[Airspace Docket No. 62-WA-135]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Federal Airway; Correction

Parts 600 and 601 of the regulations of the Administrator were consolidated and recodified into a new Part 71 of the Federal Aviation Regulations effective December 12, 1962 (27 F.R. 10352, 220-2). Subsequent to the publication of this new Part 71, it has been noted that in the description of VOR Federal airway No. 266 the eastern terminus is shown as Franklin, Va. This terminus point should have been Norfolk, Va.

Also, the VOR Federal airway from Dunkirk, N.Y., to Geneseo, N.Y., is incorrectly shown as V-463. It should have been listed as V-464. Action is taken herein to correct these discrepancies.

Since these alterations are editorial in nature and impose no additional burden on any person, compliance with section 4 of the Administrative Procedure Act is unnecessary and they may be made effective immediately.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), effective immediately, the following actions are taken:

In § 71.123 (27 F.R. 220-6, November 10, 1962), the following changes are made:

1. In V-266 "to Franklin, Va." is deleted and "Franklin, Va.; to Norfolk, Va." is substituted therefor.

2. "V-463 From Dunkirk, N.Y., to Geneseo, N.Y." is deleted and "V-464 From Dunkirk, N.Y., to Geneseo, N.Y." is substituted therefor.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on December 17, 1962.

CLIFFORD P. BURTON,

Chief,

Airspace Utilization Division.

[F.R. Doc. 62-12633; Filed, Dec. 21, 1962; 8:46 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

PART 235—TRANSCRIPT SERVICES

The following supersedes Part 235 of Title 15 of the Code of Federal Regulations which appeared in 26 F.R. 4424, dated May 23, 1961.

Sec.

235.1 Motion pictures.

235.2 Charges for certification.

235.3 Charges for searching records and for copying records and documents.

AUTHORITY: §§ 235.1 to 235.3 issued under R.S. 161; 5 U.S.C. 22; 56 Stat. 1067, 5 U.S.C. 606. Interpret or apply 49 Stat. 292; 15 U.S.C. 189a.

§ 235.1 Motion pictures.

(a) The following films are available on loan by writing to the Office of Technical Information, National Bureau of Standards, Washington 25, D.C. The cost for this service is the payment of return parcel post and insurance charges.

(b) Also, prints may be purchased by writing to the above address for "authorization to purchase" forms and instructions. Completed forms, upon approval by the National Bureau of Standards, authorize duplication of the film by a commercial firm who will ship the film and bill the purchaser direct.

(c) All films are 16mm sound and color.

Item and Description

- 34-1.1 "Trapping of Free Radicals at Low Temperatures," 1960; 510 feet; running time 13½ minutes
- 34-1.2 "Understanding the Physical World Through Measurement," 1957; 1120 feet; running time 33 minutes
- 34-1.3 "Assignment—Weights and Measures," 1957; 674 feet; running time 18 minutes
- 34-1.4 "Testing Mass Standards by Substitution," 1956; 809 feet; running time 22 minutes
- 34-1.5 "A True Standard," 1954; 438 feet; running time 12 minutes
- 34-1.6 "Four Experiments in Hydraulics," 1953; 607 feet; running time 16½ minutes
- 34-1.7 "Dental X-Ray Equipment: Alteration for Modern Radiation Hygiene," 1959; 629 feet; running time 18 minutes
- 34-1.8 "Dental Materials: Specification and Certification," 1955; 766 feet; running time 21 minutes
- 34-1.9 "A Porcelain Jacket Crown Technique," 1955; 856 feet; running time 23 minutes
- 34-1.10 "Dental Burs in Action," 1955; 365 feet; running time 10 minutes
- 34-1.11 "Hazards of Dental Radiography," 1954; 505 feet; running time 13 minutes
- 34-1.12 "A Method of Mixing Silicate Cement," 1953; 329 feet; running time 8½ minutes
- 34-1.13 "The Casting of Dental Gold Alloys: Thermal Expansion Technique," 1951; 632 feet; running time 16½ minutes
- 34-1.14 "Denture Resin," 1949; 657 feet; running time 18 minutes
- 34-1.15 "Dental Amalgam: Failure Caused by Moisture Contamination," 1948; 502 feet; running time 15 minutes
- 34-1.16 "Silicate Cement," 1947; 657 feet; running time 18 minutes
- 34-1.17 "Dental Roentgenographic Film: Characteristics and Use in Radiation Hygiene," 1962; 754 feet; running time 20 minutes

§ 235.2 Charges for certifications.

(a) The charge for each certification as to the official nature of copies of correspondence and records from the files, publications and other documents of the National Bureau of Standards, including the affixing of the Department of Commerce seal, is 50 cents.

(b) For information concerning titles and prices of Bureau publications, address inquiries to the Office of Technical Information, National Bureau of Standards, Washington 25, D.C.

§ 235.3 Charges for searching records and for copying records and documents.

The charge for photocopies of records and documents is 25 cents a copy. This charge does not apply to copies of data and reports or certificates relating to tests performed by the National Bureau of Standards. Charges for documents relating to tests are published in Part 200 of this chapter.

[SEAL]

R. D. HUNTOON,

Deputy Director.

[F.R. Doc. 62-12647; Filed, Dec. 21, 1962; 8:48 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

Subpart A—Organization and Program Management

Pursuant to the provisions of Section 3 of the Administrative Procedure Act (5 U.S.C. 1002), the Securities and Exchange Commission has revised its statement of organization and program management, to show pertinent changes in its organization and assignment of responsibilities effected since Subpart A was published in the FEDERAL REGISTER of July 15, 1960 (25 F.R. 6719). Accordingly, Subpart A of Part 200 is hereby revised to read as follows:

- Sec.
- 200.1 General statement and statutory authority.
 - 200.2 Statutory functions.
- GENERAL ORGANIZATION
- 200.10 The Commission.
 - 200.11 Headquarters Office—Regional Office relationship.
 - 200.12 Functional responsibilities.
 - 200.13 The Secretary of the Commission.
 - 200.14 Hearing Examiners.
 - 200.15 Director of the Office of Opinion Writing.
 - 200.16 Executive Assistant to the Chairman.
 - 200.17 Chief Management Analyst.
 - 200.18 Director of the Division of Corporation Finance.
 - 200.19 Director of the Division of Trading and Exchanges.
 - 200.20 Director of the Division of Corporate Regulation.
 - 200.21 The General Counsel.
 - 200.22 The Chief Accountant.
 - 200.23 Special Study of Securities Markets.
 - 200.24 Office of the Comptroller.
 - 200.25 Office of Personnel.
 - 200.26 Office of Records and Service.
 - 200.27 The Regional Administrators.
 - 200.28 Issuance of instructions.
 - 200.29 Rules.

AUTHORITY: §§ 200.1 to 200.29 issued under secs. 19, 23, 48 Stat. 85, 901, as amended, sec. 20, 49 Stat. 833, 53 Stat. 1173, secs. 38, 211, 54 Stat. 841, 855; 15 U.S.C. 77s, 77sss, 78w, 79t, 80a-37, 80b-11.

§ 200.1 General statement and statutory authority.

The Securities and Exchange Commission was created in 1934 under the Securities Exchange Act. That Act transferred to the Commission the administration of the Securities Act of 1933, formerly administered by the Federal Trade Commission. Subsequent laws assigned to the Securities and Exchange Commission for administration are: Public Utility Holding Company Act of 1935, Trust Indenture Act of 1939, Investment Company Act of 1940, and Investment Advisers Act of 1940. By the terms of Chapter X of the Bankruptcy Act, as amended in 1938, the Commission also serves as adviser to United States District Courts in connection with certain proceedings for the reorganization

of debtor corporations. Considered together, the laws administered by the Commission proved for the following.

(a) Public disclosure of pertinent facts concerning public offerings of securities and securities listed on national securities exchanges and certain securities traded in the over-the-counter markets.

(b) Enforcement of disclosure requirements in the soliciting of proxies for meetings of security holders by companies whose securities are listed on exchange, public utility holding companies, and their subsidiaries and investment companies.

(c) Regulation of the trading in securities on national securities exchanges and in the over-the-counter markets.

(d) Investigation of securities frauds, manipulations, and other violations, and the imposition and enforcement of legal sanctions therefor.

(e) Registration, and the regulation of certain activities, of brokers, dealers and investment advisers.

(f) Supervision of the activities of mutual funds and other investment companies.

(g) Administration of statutory standards governing protective and other provisions of trust indentures under which debt securities are sold to the public.

(h) Regulation of the purchase and sale of securities, utility properties, and other assets by registered public utility holding companies and their electric and gas utility subsidiaries; enforcement of statutory standards for public utility holding company system simplification and integration; and approval of their reorganization, mergers and consolidations.

(i) Performance of advisory services to Federal courts in corporate reorganization proceedings under Chapter X of the Bankruptcy Act.

(j) Administrative sanctions, injunctive remedies and criminal prosecution. There are also private rights of action for investors injured by violations of the Acts.

§ 200.2 Statutory functions.

Following are brief descriptions of the Commission's functions under each of the statutes it administers:

(a) *Securities Act of 1933.* (1) Issuers of securities making public offerings for sale in interstate commerce or through the mails, directly or by others on their behalf, are required to file with the Commission registration statements containing financial and other pertinent data about the issuer and the offering. A similar requirement is provided with respect to such public offerings on behalf of a controlling person of the issuer. Unless a registration statement is in effect with respect to such securities, it is unlawful to sell the securities in interstate commerce or through the mails. (There are certain limited exemptions, such as government securities, non-public offerings, and intrastate offerings.) The effectiveness of a registration statement may be refused or suspended after a hearing if the statement contains material misstatements or omissions, thus

barring sale of the securities until it is appropriately amended. Registration is not a finding by the Commission as to the accuracy of the facts disclosed; and it is unlawful so to represent. Moreover, registration of securities does not imply approval of the issue by the Commission or insure investors against loss in their purchase, but serves rather to provide information upon which investors may make an informed and realistic evaluation of the worth of the securities.

(2) Persons responsible for filing false information with the Commission subject themselves to the risk of fine or imprisonment or both; and the issuing company, its directors, officers, and the underwriters and dealers and others may be liable in damages to purchasers of registered securities if the disclosures in the registration statements and prospectus are materially defective. Also the statute contains antifraud provisions which apply generally to the sale of securities, whether or not registered.

(b) *Securities Exchange Act of 1934.* This Act requires the filing of registration applications and annual and other reports with national securities exchanges and the Commission, by companies whose securities are listed upon the exchanges. Annual and other reports must be filed also by certain companies whose securities are traded in the over-the-counter markets. These must contain financial and other data prescribed by the Commission for the information of investors. Material misstatements or omissions are grounds for suspension or withdrawal of the security from exchange trading. This Act makes unlawful solicitations of proxies, authorizations or consents from holders of listed securities in contravention of rules prescribed by the Commission. These rules provide for disclosures to securities holders of information relevant to the matters which are the subject of solicitations. The Act also requires disclosure of the holdings and the transactions by officers, directors and large (10%) holders of equity securities of companies having such securities listed on a national securities exchange. The Act also provides for registration with the Commission and for regulation by the Commission of national securities exchanges, brokers and dealers engaged in an over-the-counter securities business, and national associations of such dealers. It gives the Commission rule making power with respect to short sales, stabilizing, floor trading, activities of specialists and odd-lot dealers, and such matters as excessive trading by the exchange members. The Act empowers the Board of Governors of the Federal Reserve System to prescribe minimum margin requirements with respect to listed securities.

(c) *Public Utility Holding Company Act of 1935.* This Act provides for regulation by the Commission of the purchase and sale of securities, properties, and other assets by companies comprised within electric and gas utility holding company systems, their intrasystem transactions and service and management arrangements. It further provides for limitation of system operations to

physically integrated and coordinated properties, and simplification of complex corporate and capital structures and elimination of unfair distribution of voting power. The issuance and sale of securities by holding companies and their subsidiaries, unless exempt (subject to conditions and terms which the Commission is empowered to impose) as an issue expressly authorized by the state commission in the state in which the issuer is incorporated, must be found by the Commission to meet statutory standards, namely: that the new security is reasonably adapted to the security structure and earning power of the issuer; that the proposed financing is necessary and appropriate to the economical and efficient operation of the company's business; that the consideration received, and fees, commissions, and other remuneration paid are fair; and that the terms and conditions of the sale are not detrimental to investors, consumers, or the public. The purchase and sale of utility properties and other assets may not be made in contravention of rules, regulations, or orders of the Commission regarding the consideration to be received, maintenance of competitive conditions, fees and commissions, accounts, disclosure of interest, and similar matters. In passing upon proposals for reorganization, merger, or consolidation, the Commission must be satisfied that the objectives of the act generally are complied with and that the terms of the proposals are fair and equitable to all classes of security holders affected.

(d) *Trust Indenture Act of 1939.* This Act is designed to safeguard the interests of purchasers of publicly offered debt securities issued under trust indentures through provisions requiring in such indentures the elimination of certain types of exculpatory clauses and the inclusion of certain protective provisions. The act also requires that the indenture trustee, who is a representative of the debt holders, shall be "independent" by proscribing certain relationships which might conflict with the proper exercise of his duties.

(e) *Investment Company Act of 1940.* This Act provides for the registration with the Commission of investment companies and subjects their activities to regulation in accordance with standards prescribed in the interests of protecting investors. Various transactions of investment companies, including transactions with affiliated interests, are prohibited unless exempted by the Commission. The Commission is authorized to prepare reports to security holders on the fairness of plans of reorganization, merger or consolidation; it may institute court action to enjoin the consummation of plans considered grossly unfair to security holders, or to enjoin acts and practices of management involving gross misconduct or gross abuse of trust and to disqualify from office officials responsible therefor.

(f) *Investment Advisers Act of 1940.* Persons who, for compensation, engage in the business of advising others with respect to their security transactions must register with the Commission. Their activities in the conduct of such

business are subject to standards of the act which make unlawful those practices which constitute fraud or deceit and which require, among other things, disclosure of any interests they may have in transactions executed for clients. The Act grants to the Commission rule-making power with respect to fraudulent and other activities of investment advisers.

(g) *Chapter X of the Bankruptcy Act.* Chapter X of the Bankruptcy Act provides for certain mandatory and certain discretionary activities of the Commission to aid the federal courts in the administration of the affairs of debtor corporations being reorganized under that chapter. The Commission may participate as a party and it may advise the court with respect to the feasibility and fairness of proposed plans of reorganization.

(h) *Special Study of Securities Markets.* (Temporary—Expires April 3, 1963.) Public Law 87-196 of September 5, 1961, directs the Commission to conduct a study and investigation of the securities markets; and to report the results thereof to the Congress on or before April 3, 1963, together with such recommendations for legislation as it deems advisable.

GENERAL ORGANIZATION

§ 200.10 The Commission.

The Commission is composed of five members, not more than three of whom may be members of the same political party. The members are appointed by the President, with the advice and consent of the Senate, for 5-year terms, one term ending each year. The Chairman is designated by the President pursuant to the provisions of section 3 of Reorganization Plan No. 10 of 1950 (3 CFR, 1949-1953 Comp., p. 1006). The Commission is assisted by a staff which includes lawyers, accountants, engineers, financial security analysts, investigators and examiners, as well as administrative and clerical employees.

§ 200.11 Headquarters Office—Regional Office relationship.

(a) (1) Division and Office Heads in the Headquarters Office have Commission-wide responsibility to the Commission for the over-all development, policy and technical guidance, and policy direction of the operating programs under their jurisdiction.

(2) Each Regional Administrator is responsible for the direction and supervision of his work force and for the execution of all programs in his region as shown in paragraph (b) of this section, in accordance with established policy.

(b) Regional Administrators of the Commission.

Region 1. New York, New Jersey.—Llewellyn P. Young; John J. Devaney, Jr., Associate Regional Administrator, 225 Broadway, New York 7, N.Y.

Region 2. Massachusetts, Connecticut, Rhode Island, Vermont, New Hampshire, Maine.—Philip E. Kendrick, Federal Building, Post Office Square, Boston 9, Mass.

Region 3. Tennessee, Virgin Islands, Puerto Rico, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Florida, and that part of Louisiana lying east of the Atcha-

falaya River.—William Green, Suite 138, 1371 Peachtree Street NE., Atlanta 9, Ga.

Region 4. Illinois, Indiana, Iowa, Kansas City (Kan.), Kentucky, Michigan, Minnesota, Missouri, Ohio, Wisconsin.—Thomas B. Hart, Bankers Building (Room 630), 105 West Adams Street, Chicago 3, Ill.

Region 5. Oklahoma, Arkansas, Texas, that part of Louisiana lying west of the Atchafalaya River, and Kansas (except Kansas City).—Oran H. Alfred, United States Courthouse (Room 301), 10th and Lamar Streets, Fort Worth 2, Tex.

Region 6. Wyoming, Colorado, New Mexico, Nebraska, North Dakota, South Dakota, Utah.—Donald J. Stocking, 802 Midland Savings Building, 444 17th Street, Denver 2, Colo.

Region 7. California, Nevada, Arizona, Hawaii, Guam.—Arthur E. Pennekamp, Pacific Building, 821 Market Street, San Francisco 3, Calif.

Region 8. Washington, Oregon, Idaho, Montana, Alaska.—James E. Newton, Hoge Building (9th floor), 705 Second Avenue, Seattle 4, Wash.

Region 9. Pennsylvania, Maryland, Virginia, West Virginia, Delaware, District of Columbia.—Alexander J. Brown, Jr., Courts Building, 310 6th Street NW., Washington 25, D.C.

§ 200.12 Functional responsibilities.

This section sets forth the administrative and substantive responsibilities of the Division Directors, Office Heads, Regional Administrators, and certain other Commission officers. All Commission officers and other staff members, except Hearing Examiners, shall perform, in addition to the duties herein set forth, such additional duties as the Chairman of the Commission may assign from time to time. These officers also serve as liaison with government and other agencies concerning matters within their respective functional responsibilities.

§ 200.13 The Secretary of the Commission.

(a) The Secretary of the Commission is responsible to the Commission for the preparation and maintenance of the Minute Record of all official actions of the Commission. As custodian of the official seal of the Commission, he also has the responsibility for authenticating documents. In addition, he is the press and information officer, and is responsible for the preparation and distribution of releases announcing the various actions of the Commission.

(b) In addition, the Secretary is responsible to the Commission for the scheduling of oral arguments before the Commission and of administrative hearings before Hearing Examiners, as well as the related function of designating Examiners to preside at such hearings. He also performs various functions under the Commission's Rules of Practice, particularly with respect to procedural matters arising during the course of administrative proceedings.

§ 200.14 Hearing Examiners.

Hearings for the purpose of developing the evidentiary record in the Commission's administrative proceedings are conducted before its Hearing Examiners. They rule on the admissibility of evidence and on legal and other issues which arise during the course of such proceedings. Unless waived by the parties, a recom-

mended decision is prepared by the Hearing Examiner in each case containing his conclusions as to the factual and legal issues presented and his recommendation as to the decision to be rendered by the Commission.

§ 200.15 Director of the Office of Opinion Writing.

The Director of the Office of Opinion Writing is responsible for assisting Members of the Commission in the preparation of the opinions of the Commission, and to the Commission for the preparation of opinions and decisions on motions and certifications of questions and rulings by Hearing Examiners in the course of administrative proceedings, except in cases where, pursuant to a waiver by the parties of separation of function requirements, another Division or Office of the Commission's staff undertakes to prepare such Findings and Opinion, in which cases the Director may assist in such preparation. He has responsibility for the preparation of the Commission's Annual Report to the Congress, including the editing of material submitted by various staff units, and joint responsibility with the General Counsel in dealing with general problems arising under the Administrative Procedure Act, including the revision or adoption of rules of practice.

§ 200.16 Executive Assistant to the Chairman.

The Executive Assistant to the Chairman assists the Chairman in consideration of legal, financial and economic problems encountered in the administration of the Commission's statutes. He arranges for and conducts conferences with officials of the Commission, members of the staff, and/or representatives of the public on matters arising with regard to general programs or specific matters. Acting for the Chairman, he furnishes the initiative, executive direction, and authority for staff studies and reports bearing on the Commission's administration of the laws, its relations with the public, industry, and the Congress.

§ 200.17 Chief Management Analyst.

The Chief Management Analyst is responsible to the Chairman for the analysis, evaluation, development, promotion of, and advice on, improvement in management policies, practices, methods, procedures and organizational structures, including: distribution and assignment of functions and responsibilities; work methods and procedures; management control systems, and similar aspects of management for the purpose of improving the efficiency and effectiveness of the Commission.

§ 200.18 Director of the Division of Corporation Finance.

The Director of the Division of Corporation Finance is responsible to the Commission for the administration and enforcement of all matters relating to establishing and requiring adherence to standards of economic and financial reporting and disclosure with respect to securities traded on national securities exchanges or offered for public sale pursuant to registration or exemptive regu-

lations, establishing and requiring adherence to standards of fair disclosure in the solicitation of proxies for election of directors and other corporate actions, enforcement of the standards set forth in the Trust Indenture Act of 1939 regarding indentures covering debt securities, and enforcement of financial reporting and disclosure provisions applicable to investment companies and reviewing their sales literature. These duties shall include the responsibility to the Commission for the administration and enforcement of disclosure and related requirements of the Securities Act of 1933, the Securities Exchange Act of 1934, the Public Utility Holding Company Act of 1935, the Trust Indenture Act of 1939, and the Investment Company Act of 1940, as listed below:

(a) All matters under the Securities Act of 1933 arising from or pertaining to material filed pursuant to the requirements of that Act.

(b) All matters arising under the Securities Exchange Act of 1934 in connection with:

(1) The registration of securities on national securities exchanges pursuant to section 12.

(2) The examination and processing of periodic reports filed pursuant to sections 13 and 15(d).

(3) The examination and processing of proxy soliciting material pursuant to section 14.

(4) The examination and processing of ownership reports filed under section 16(a).

(5) The denial or suspension of registration of securities listed on national securities exchanges, pursuant to section 19(a) (2), arising from failure to comply with the reporting provisions of the Act.

(c) The examination and processing of proxy material filed under the Public Utility Holding Company Act of 1935 and subject to §§ 240.14a-1 to 240.14a-11 of this chapter issued under the Securities Exchange Act of 1934, and the examination of reports filed under section 17(a) of the Public Utility Holding Company Act of 1935.

(d) All matters arising under the Trust Indenture Act of 1939.

(e) All matters relating to disclosure, reporting and the enforcement thereof under the following sections of the Investment Company Act of 1940:

(1) Sections 8(a) through 8(e), relating to the registration of investment companies.

(2) Section 14(a), insofar as it relates to notice of disclosure with respect to dividends.

(3) Section 19, insofar as it relates to notice of and disclosure with respect to dividends.

(4) Section 20(a) and any other sections, insofar as they relate to proxy solicitation material.

(5) Section 24, relating to registration under the Securities Act of 1933 and to disclosure in sales literature. (The Directors of the Divisions of Corporation Finance and Corporate Regulation have joint responsibility to the Commission with respect to the content of the Statement of Policy Relating to Investment Company Sales Literature.)

(6) Section 30, insofar as it relates to periodic and ownership reports.

§ 200.19 Director of the Division of Trading and Exchanges.

The Director of the Division of Trading and Exchanges is responsible to the Commission for the administration and enforcement of all matters relating to the regulation of exchanges, national securities associations, brokers, dealers and investment advisers; the institution and conduct of proceedings to revoke or deny the registration of brokers and dealers; the prevention of fraudulent trading practices and market manipulations; the supervision of investigation and enforcement activities, except as assigned to other operating divisions or offices in the Headquarters Office; and the conduct of statistical functions. These duties include the responsibility to the Commission for the administration and enforcement of matters arising under the Securities Act of 1933, the Securities Exchange Act of 1934, and the Investment Advisers Act of 1940, as specified below:

(a) Investigations of violations or suspected violations of sections 5 and 17 of the Securities Act of 1933, except those arising from or pertaining to material filed pursuant to the provisions of that Act.

(b) Administration, investigation and enforcement of all matters arising under the Securities Exchange Act of 1934, except:

(1) The examination and processing of applications for registration of securities on national securities exchanges pursuant to section 12.

(2) The examination and processing of periodic reports filed pursuant to sections 13 and 15(d).

(3) The examination and processing of proxy soliciting material pursuant to regulations adopted under section 14.

(4) The examination and processing of ownership reports filed under section 16(a).

(5) The denial or suspension of registration of securities listed on national securities exchanges, pursuant to section 19(a) (2) by reason of failure to comply with the reporting requirements of that Act.

(c) Administration and enforcement of all matters arising under the Investment Advisers Act of 1940.

(d) The Director is responsible for the institution of administrative and injunctive actions arising out of the above listed matters and for the determination of whether the available evidence supports the allegations in the proposed complaint. The Director is also responsible, in collaboration with the General Counsel, for the review of cases to be referred to the Department of Justice with a recommendation for criminal prosecution.

§ 200.20 Director of the Division of Corporate Regulation.

The Director of the Division of Corporate Regulation is responsible to the Commission for the administration and enforcement of all matters arising under the Public Utility Holding Company Act of 1935, the regulatory provisions of the

Investment Company Act of 1940, and the Commission's responsibilities under Chapter X and XI of the Bankruptcy Act, as listed below:

(a) The administration and enforcement of all matters arising under the Public Utility Holding Company Act of 1935, except:

(1) The examination and processing of proxy solicitation material which is subject to §§ 240.14a-1 to 240.14a-11 of this chapter adopted under the Securities Exchange Act of 1934.

(2) The examination and processing of ownership reports filed under section 17(a).

(b) The administration and enforcement of all matters arising under the Investment Company Act of 1940, except matters relating to disclosure and reporting and enforcement thereof under the following sections:

(1) Sections 8(a) through 8(e), relating to the registration of investment companies.

(2) Section 14(a), insofar as it relates to registration under the Securities Act of 1933.

(3) Section 19, insofar as it relates to notice of and disclosure with respect to dividends.

(4) Section 20(a) and any other sections insofar as they relate to proxy solicitation material.

(5) Section 24, relating to registration under the Securities Act of 1933 and to disclosure in sales literature. (The Directors of the Divisions of Corporation Finance and Corporate Regulation shall have joint responsibility to the Commission with respect to the content of the Statement of Policy Relating to Investment Company Sales Literature.)

(6) Section 30, relating to periodic and ownership reports.

(c) All matters relating to the Commission's responsibilities under Chapters X and XI of the Bankruptcy Act, including representation of the Commission in the United States District Courts in cases involving those chapters.

§ 200.21 The General Counsel.

The General Counsel is the chief legal officer of the Commission and is responsible to the Commission for the representation of the Commission in judicial proceedings in which it is involved as a party or as amicus curiae, directing and supervising all civil litigation in the United States District Courts (except District Court proceedings under Chapter X of the Bankruptcy Act), and representing the Commission in all cases in Appellate Courts. He is responsible, in collaboration with the Director of the Division of Trading and Exchanges, for the review of cases to be referred to the Department of Justice with a recommendation for criminal prosecution. In addition, in appropriate cases he is responsible for advising the Commission at its request or at the request of any Division Director or Office Head, or on his own motion, with respect to interpretations involving novel questions of law; for the conduct of administrative proceedings relating to the disqualification of professional persons from practice before the Commission; and for the

preparation of Commission comments to the Congress upon pending legislation. He also is responsible for the review and clearance of the form and content of articles, treatises, and prepared speeches and addresses by members of the staff relating to the Commission or to the statutes and rules administered by the Commission. He also has responsibility with the Director of the Office of Opinion Writing in dealing with general problems arising under the Administrative Procedure Act, including the revision or adoption of rules of practice, and with the Director of Personnel with respect to the administration of Rule 6 of the Regulation Regarding Conduct of Members and Employees and Former Members and Employees.

§ 200.22 The Chief Accountant.

The Chief Accountant of the Commission is the chief accounting officer of the Commission and is responsible to the Commission for all accounting and auditing matters arising in the administration of the Acts administered by the Commission, particularly with respect to new accounting policy determinations, the form and content of financial statements to be filed with the Commission, and the supervision of procedures to be followed in audit or accounting investigations conducted by the Commission staff. He is responsible for recommending the institution of administrative proceedings relating to the disqualification of accountants to practice before the Commission, and for assisting counsel in the conduct of such proceedings, and, in appropriate cases, for consultation and advice in the preparation of formal Commission opinions involving accounting and auditing matters.

§ 200.23 Special Study of Securities Markets.

The Director of the Special Study of Securities Markets is responsible to the Commission for (a) the study and investigation of the securities markets pursuant to Public Law 87-196 of September 5, 1961, and (b) the preparation of its report to the Congress, together with such recommendations for legislation as the Commission may deem necessary.

§ 200.24 Office of the Comptroller.

The Comptroller is responsible to the Chairman and/or the Commission for the financial management and programming functions of the Commission, including: budgeting, accounting, machine tabulation and certain program management areas. He serves as liaison with the Bureau of the Budget, Appropriations Committees, Treasury Department and General Accounting Office on all financial and programming matters.

§ 200.25 Office of Personnel.

This Office is under the supervision of the Director of Personnel, who is responsible to the Chairman for the development and execution of the personnel programs of the Commission. These programs include recruitment, placement and staffing; position classification and wage administration; employee

development and training; employee-management relations; health; and incentive awards. He also is the Commission's liaison officer with the Civil Service Commission, professional organizations and other governmental agencies on personnel matters. He is responsible for the administration of the Regulation Regarding Conduct of Members and Employees and Former Members and Employees, except that with respect to Rule 6 thereof he has joint responsibility with the General Counsel.

§ 200.26 Office of Records and Service.

This Office is under the supervision of the Records and Service Officer, who is responsible to the Chairman for the development and execution of the Commission's records management and office services programs. He is the official custodian of all documents originated or received by the Commission and he is responsible for the authentication of all documents and for responding to requests for the production of records at administrative or judicial proceedings. He also serves as the Custodial Security Officer responsible for the protection of all security material made or received by the Commission; the Safety Officer responsible for the protection of Commission property and personnel; and the Civil Defense Coordinator responsible for planning for the Commission's functions and relocation under emergency conditions. He serves as the Commission's liaison officer with the General Services Administration, the Government Printing Office, the Joint Committee on Printing, the Office of Emergency Planning and other federal and local government agencies in matters under his jurisdiction.

§ 200.27 The Regional Administrators.

Each Regional Administrator is responsible for executing the Commission's programs within his geographic region as set forth below (except as specified below with regard to matters arising under Chapters X and XI of the Bankruptcy Act), subject to policy direction and review by the Division Directors, the General Counsel and the Chief Accountant. The Regional Administrator's responsibilities include particularly the investigation of transactions in securities on national securities exchanges, in the over-the-counter market, and in distribution to the public; the examination of members of national securities exchanges and registered brokers and dealers, investment advisers and investment companies including the examination of reports filed under § 240.17a-5 of this chapter; the examination and processing of filings under §§ 230.251 to 230.262 of this chapter issued pursuant to section 3(b) of the Securities Act of 1933; the prosecution of injunctive actions in United States District Courts and administrative proceedings before Hearing Examiners; the rendering of assistance to United States Attorneys in criminal cases; and the making of the Commission's facilities more readily available to the public in that region. In addition, the New York Regional Administrator is responsible for the participation in proceedings under Chapters

X and XI of the Bankruptcy Act in the New York and Boston Regions, and in the State of Pennsylvania; the Chicago Regional Administrator in Chicago, Fort Worth and Denver Regions, except for the State of Utah; and the San Francisco Regional Administrator in the San Francisco and Seattle Regions, plus the State of Utah.

§ 200.28 Issuance of instructions.

(a) Within the spheres of responsibilities heretofore set forth, Division and Office Heads, and all Regional Administrators may issue such definitive instructions as may be necessary pursuant to this section.

(b) All existing procedures and authorizations not inconsistent with this section shall continue in effect until and unless modified by definitive instructions issued pursuant to this paragraph.

§ 200.29 Rules.

The individual operating divisions shall have the initial responsibility for proposing amendments to existing rules or new rules under the statutory provisions within the jurisdiction of the particular division. Where any such proposal presents a legal problem or is a matter of first impression, or involves a matter of enforcement policy or questions involving statutes other than those administered by the Commission, or may have an effect on prior judicial precedent or pending litigation, submission of the proposal should be made to the Office of the General Counsel for an expression of opinion prior to presentation of the matter to the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

DECEMBER 13, 1962.

[F.R. Doc. 62-12695; Filed, Dec. 21, 1962;
8:52 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 610—CHILDREN'S DRESS AND RELATED PRODUCTS INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), and by means of Administrative Order No. 568 (27 F.R. 9332), the Secretary of Labor appointed and convened Industry Committee No. 58-B. Administrative Order No. 568 referred to Industry Committee No. 58-B the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the children's dress and related products industry in Puerto Rico, as defined in that Order, and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its find-

ings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 58-B are hereinafter published in this revision of 29 CFR Part 610.

Effective January 7, 1963, 29 CFR Part 610 is hereby revised to read as follows:

Sec.	Definition.
610.1	Wage rates.
610.2	Wage rates.
610.3	Notices.

AUTHORITY: §§ 610.1 to 610.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

§ 610.1 Definition.

The children's dress and related products industry in Puerto Rico is defined as follows: The manufacture from woven or knit fabric or from waterproof materials of the following garments: Dresses, blouses, shirts, and similar garments for girls; shirts and blouses for boys, size 6X and under; dresses, creepers, rompers, waterproof pants, diaper covers, bibs, sportswear, and play apparel for infants three years of age or under; and clothing and accessories for dolls: *Provided, however,* That the industry shall not include products manufactured by heat sealing, cementing, vulcanizing, or any operation similar thereto; or the outlining or embroidery of lace by machine, or the embroidery of any article or trimming by a crochet beading process or with bullion thread.

§ 610. Wage rates.

The children's dress and related products industry in Puerto Rico is divided into three classifications. Wages at rates not less than those prescribed below shall be paid under section 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the industry who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce. Such classifications and minimum rates shall be:

(a) (1) Hand-embroidery classification: 75 cents an hour.

(2) This classification is defined as the operations of hand-embroidering, hand-embellishing, ornamental stitching, and other hand-sewing operations involving decorative effects.

(b) (1) Other operations classification: 92.5 cents an hour.

(2) This classification is defined as all operations in the children's dress and related products industry in Puerto Rico, other than those operations included in paragraphs (a) and (c) of this section.

(c) (1) New coverage classification: \$1.00 an hour.

(2) This classification is defined as all activities of employees covered by section 6 of the Act, only by reason of the

Fair Labor Standards Amendments of 1961 in the industry in Puerto Rico.

§ 610.3 Notices.

Every employer subject to the provision of § 610.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 610.2 are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 18th day of December 1962.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 62-12652; Filed, Dec. 21, 1962;
8:48 am.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 62-1339]

PART 0—COMMISSION ORGANIZATION

Office of Executive Director

At a session of the Federal Communications Commission held at its office in Washington, D.C., on the 17th of December 1962;

The Commission having under consideration the Report dated March 23, 1962, to the Bureau of the Budget, by Booz, Allen, and Hamilton, concerning its management survey of the Federal Communications Commission, the evaluation report by the Civil Service Commission of Personnel Management in the Federal Communications Commission, July 1962, and the order of the Commission November 28, 1962, abolishing the Office of Administration and creating the position of Executive Director; and

Also having under consideration the directives from the President to departments and agencies of the Executive Branch of the Government dated October 26, 1961, November 13, 1961, and October 11, 1962, calling for strong efforts to increase the degree of utilization of manpower resources of government, to increase productivity and efficiency of operations, to use better techniques of management and production, and to employ the minimum number of employees consistent with effective and efficient conduct of the Commission's programs; and

Also having under consideration the requirements of Budget Circular A-44 for improved utilization of manpower, and the requirement of Public Law 87-793 calling for absorption of all possible additional costs of the Postal Service and Federal Employees Salary Act of 1962; and

It appearing that greater efficiency in the Commission's operation would be promoted and the public interest would

be served by organizational and functional changes in administrative operations which are ordered herein; and

It further appearing, that authority for the internal organizational and functional changes herein ordered is contained in section 4(i) and 5 of the Communications Act of 1934, as amended, and that such changes are not subject to the prior notice and effective date provisions of Section 4 of the Administrative Procedure Act;

It is ordered, That, effective January 1, 1963, there is created within the Office of Executive Director a new division entitled the Manpower Utilization and Survey Division, with functions herein assigned, and that within said division there are established the Management Analysis Branch, the Classification Branch, the Staffing and Employee Management Branch, the Manpower Development and Utilization Branch, the Office of Recruitment Planning and Employee Services, and the Office of Coordinator of Surveys; and

It is further ordered, That the Organization and Methods Division is abolished, and the functions, personnel, equipment, and records are transferred to the Management Analysis Branch of the Manpower Utilization and Survey Division, except that the functions relating to Office Space and Records Management are transferred to the immediate office of the Executive Director, and the functions relating to the Commission's Forms Control Program under the Federal Reports Act of 1942 are transferred to the Data Processing Division established herein; and

It is further ordered, That the Personnel Division is abolished and the functions, personnel equipment and records thereof are transferred as follows: (a) The Classification Branch is transferred to the Classification Branch of the new division, (b) the Placement Branch is transferred to the Staffing and Employee Management Branch of the new Division, except those functions falling within the Office of Recruitment Planning and Employee Services and the Manpower Development and Utilization Branch; and

It is further ordered, That there is created within the Office of Executive Director a new division entitled the Data Processing Division with functions herein assigned, and that within said Division there are established the Systems Analysis Branch, the Programming Branch, and the Operations Branch; and

It is further ordered, That there is hereby established a Chairman's Committee on Personnel Management, composed of the Executive Director and three members from top program levels to be appointed by the Chairman for terms of six months, to advise and assist in decision making and personnel policy development and implementation of the highest order, with continuing respon-

sibility to evaluate and recommend changes and improvements in personnel policy and personnel management; and

It is further ordered, That, effective January 1, 1963, Part O—Commission Organization is amended as set forth below to reflect the changes ordered herein; and

It is further ordered, That the Executive Director is authorized to organize and change subsidiary units within the various Divisions of the Office of Executive Director, and to transfer such positions, personnel, equipment, and records within the Office as he deems necessary to effectuate the changes ordered herein.

It is further ordered, That the Commission's order of May 16, 1956 (FCC 56-461) is rescinded.

(Sec. 4, 48 Stat. 1068, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: December 19, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

1. Section 0.3(a)(4) is amended to read as follows:

§ 0.3 Chairman.

(a) * * *

(4) To coordinate and organize the work of the Commission in such a manner as to promote prompt and efficient disposition of all matters within the jurisdiction of the Commission. The Executive Director, under the supervision of the Chairman, assists him in carrying out these duties and responsibilities.

2. Section 0.92 is amended, § 0.93 is amended and redesignated as § 0.97, and new §§ 0.93—0.96 are added, to read as follows:

§ 0.92 Units in the Office.

- (a) Office of the Executive Director.
- (b) Budget and Fiscal Division.
- (c) Manpower Utilization and Survey Division.
- (d) Data Processing Division.
- (e) Office Services Division.
- (f) Defense Coordination Division.

§ 0.93 Budget and Fiscal Division.

The Budget and Fiscal Division develops and recommends to the Executive Director, Chairman, and Commission policies and procedures governing administration of the budget and fiscal activities of the Commission; issues suitable instructions and provides advice and assistance to the constituent units of the Commission concerning preparation of budget estimates, supporting data, systems of records and reports, and workload data; develops, recommends and maintains formalized instructions such as the Budget, Finance, and Travel Manuals; coordinates budgets and justifications for presentation to the Bureau of the Budget and Congressional appro-

priations committees; prepares and recommends to the Executive Director, Chairman, and the Commission proposed allotments and apportionments of the Commission's appropriations, and maintains prescribed fiscal controls; audits obligations and authorizes by certification expenditures of Commission funds, maintains its central fiscal and leave records, prepares financial reports and performs the payroll functions of the Commission.

§ 0.94 Manpower Utilization and Survey Division.

The Manpower Utilization and Survey Division advises, assists and makes recommendations to the Executive Director, Chairman, and Commission on matters dealing with personnel management, manpower utilization, and management analysis; administers all phases of the personnel program including recruitment, placement, classification, compensation, training, employee utilization, employee services and similar programs; develops, recommends and implements policies and programs; develops, and recommends to the Executive Director, Chairman, and Commission a program of manpower utilization and control; provides advice and assistance to the operating bureaus on personnel management and techniques for improving management and manpower utilization; develops and recommends to the Executive Director, Chairman, and Commission a program of management analysis and administers such segments thereof as organization analysis, general management studies, systems and procedures studies, and management control programs in such areas as directives, reports, correspondence and communications, and organization; provides advice and assistance to the operating bureaus on organizational and functional arrangements.

§ 0.95 Data Processing Division.

The Data Processing Division reviews and analyzes the data processing system requirements of the Commission; develops and recommends electronic or other data processing systems needed to fulfill the objectives of the Commission; operates the computer installation and associated peripheral and tabulating equipment in accordance with approved systems and manuals of procedure; measures the effectiveness of the installed systems against anticipated results; continuously re-evaluates changing Commission responsibilities and information needs to determine the data processing systems most advantageous for the Commission's use; conducts the Commission's Forms Control program contemplated by the Federal Reports Act of 1942.

§ 0.96 Office Services Division.

The Office Services Division acts for the Commission in the procurement,

maintenance, disposal, and administration of supplies, equipment, real and personal property, contractual services, and printed matter; develops, recommends and maintains the Service, Supplies and Property Manual; establishes and maintains duplicating facilities and performs or secures all duplicating required for Commission activities; determines the need for, acquires and maintains telephone facilities and service; provides building management services and related facilities at the seat of Government.

§ 0.97 Defense Coordination Division.

The Defense Coordination Division, under the direction of the Defense Coordinator who is designated by the Commission to serve under the general direction of the Executive Director, coordinates the formulation, revision and activation of plans for emergency mobilization of the Commission's personnel and other resources, for assurance of the continuity of the Commission's essential functions in the event of disaster, for protection of personnel, property, and essential records of the Commission, for training FCC personnel in self preservation and Civil Defense procedures, and the training and emergency utilization by other agencies of FCC personnel not immediately required by the Commission in the event of disaster; selects and recommends to the Commission emergency relocation sites, determines and directs the procurement of supporting equipment and supplies for such sites, formulates criteria for the selection of personnel and arranges for the assignment of such personnel to emergency duties at and arranges for the appropriate manning of such sites; serves as representative of the Commission for liaison and coordination of defense activities (other than CONELRAD and radio frequency management activities of the Chief Engineer) at interagency committee meetings and with staff representatives of the Office of Emergency Planning, other federal agencies, and local civil defense authorities; arranges for the assignment of appropriate personnel of the Commission to advise and assist other agencies in defense problems of mutual concern; coordinates and directs the activities of the Commission's Damage Assessment Unit and coordinates the activities of the Commission's Damage Assessment Officer assigned to the Office of Emergency Plan-

ning; arranges for the selection, designation and training of members of the FCC Unit of the National Defense Executive Reserve and keeps them informed as to policy actions of the Commission with respect to mobilization readiness; plans for periodic exercises and tests to determine the state of operational readiness of the Commission to execute its essential functions in the event of disaster; and performs such other duties related to the Commission's defense activities as may be assigned.

§ 0.301 [Deletion]

3. Section 0.301 and the undesignated center "Office of Administration" are deleted.

[F.R. Doc. 62-12678; Filed, Dec. 21, 1962; 8:52 a.m.]

[Docket 14690]

PART 1—PRACTICE AND PROCEDURE

Revision of Forms for Noncommercial Educational TV and FM Stations Operating on Reserved Channels

The Commission's Report and Order FCC 62-1219 in the above entitled matter, adopted November 21, 1962 and published December 4, 1962, 27 F.R. 11948, is corrected as follows:

1. The text of § 1.343(e) (3) (iv) is deleted, and the text of § 1.343(e) (1) (iv) is corrected, as follows:

§ 1.343 Ownership Reports.

* * * * *

(e) * * *

(1) * * *

(iv) Any interest which the licensee or permittee or any of its officers, members of the governing board, and holders of 1 percent or more ownership interest (if any) hold in any other broadcast station.

2. The text of § 1.343 attached to FCC Form 323E is corrected to conform to § 1.343, as amended.

(Sec. 4, 48 Stat. 1066 as amended; 47 U.S.C. 154. Interpret or apply secs. 303, 308, 319, 48 Stat. 1082, 1085, 1089; 47 U.S.C. 302, 308, 319)

Released: December 19, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-12679; Filed, Dec. 21, 1962; 8:52 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Rev. S. O. 939, Amdt. 1]

PART 95—CAR SERVICE

Utilization of Fifty-Foot Long or Longer Plain Box Cars and Plain Box Cars Forty-Foot Long or Longer With Side Door Openings Eight-Foot Wide or Wider

At a session of the Interstate Commerce Commission, Safety and Service Board No. 1, held in Washington, D.C., on the 17th day of December, A.D. 1962,

Upon further consideration of Revised Service Order No. 939 (27 F.R. 4975, 5141, 5399) and good cause appearing therefore: *It is ordered*, That:

Section 95.939 Utilization of fifty-foot long or longer plain box cars and plain box cars forty-foot long or longer with side door openings eight-foot wide or wider, of Revised Service Order No. 939 be, and it is hereby, amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This section shall expire at 11:59 P.M., April 30, 1963, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date. This amendment shall become effective at 11:59 P.M., December 31, 1962.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies Sec. 1(10-17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

It is further ordered, That a copy of this amendment shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and filing it with the Director, Office of the Federal Register.

By the Commission, Safety and Service Board No. 1.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-12642; Filed, Dec. 21, 1962; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Part 1]

INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Notice of Hearing on Proposed Regulations

Proposed regulations under sections 61 and 451 of the Code, relating to interest on unwithdrawn insurance policy dividends and constructive receipt of bonus income were published in the FEDERAL REGISTER for November 15, 1962.

A public hearing on the provisions of these proposed regulations will be held on Friday, January 4, 1963, at 10 a.m., e.s.t., in Room 3313, Internal Revenue Building, Twelfth and Constitution Avenue NW., Washington, D.C.

Persons who plan to attend the hearing are requested to notify the Commissioner of Internal Revenue, Attention: T:P, Washington 25, D.C., by January 2, 1963.

[SEAL]

MAURICE LEWIS,
Director, Technical Planning
Division, Internal Revenue
Service.

[F.R. Doc. 62-12641; Filed, Dec. 21, 1962;
8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

[9 CFR Part 74]

SCABIES IN SHEEP

Proposed Additions to Eradication Areas

Notice is hereby given in accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003) that, pursuant to the provisions of the Act of May 29, 1884, as amended, the Act of February 2, 1903, as amended, and the Act of March 3, 1905, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126), it is proposed to amend § 74.3(a) of Part 74, Subchapter C, Chapter I, Title 9, Code of Federal Regulations, by adding Berkeley, Fayette, Grant, Greenbrier, Hampshire, Hardy, Jefferson, Mercer, Mineral, Monroe, Morgan, Nicholas, Pendleton, Pocahontas, Raleigh, Randolph, Summers, Tucker, Upshur, and Webster Counties in the State of West Virginia to the list of areas therein designated as eradication areas since the cooperative sheep scabies eradication program is now being conducted in such Counties. The entire State of West Virginia is presently included in the infected areas as sheep scabies is known to exist in such State.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them with the Director, Animal Disease Eradication Division, Agricultural Research Service, United States Department of Agriculture, Washington 25, D.C., within 45 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 19th day of December 1962.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 62-12650; Filed, Dec. 21, 1962;
8:48 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

[29 CFR Part 4]

OCCUPATIONS PARTICULARLY HAZARDOUS FOR EMPLOYMENT OF MINORS IN EXCAVATION OPERATIONS

Excavation Operations

In accordance with the procedure governing determinations of hazardous occupations (29 CFR Part 4, Subpart D), an investigation has been conducted for the purpose of ascertaining which, if any, occupations in excavation operations are particularly hazardous for the employment of persons between 16 and 18 years of age or detrimental to their health or well-being and thus should be found and by order declared to constitute oppressive child labor as defined in section 3(1) of the Fair Labor Standards Act of 1938 (52 Stat. 1061, as amended; 29 U.S.C. 203).

A report of investigation entitled "Occupational Hazards to Young Workers, Report No. 17—Excavation Operations" has been submitted by the Bureau of Labor Standards. The report recommends that most occupations involved in excavation operations be declared particularly hazardous for the employment of such young persons. Copies of this report are available upon request to the Director of the Bureau of Labor Standards, United States Department of Labor, Washington 25, D.C.

On the basis of the recommendations of the Bureau and pursuant to authority in section 3(1) of the Fair Labor Standards Act of 1938 and Reorganization Plan No. 2 of 1946 (3 CFR, 1943-1948 Comp., p. 1064), and in accordance with 29 CFR Part 4, Subpart D, I hereby propose to amend 29 CFR Part 4, Subpart E, by issuing a finding and order in the form set forth below.

Accordingly, notice is hereby given of public proceedings to be held on February 5, 1963, commencing at 10:00 a.m., in Room 2325 of the United States Department of Labor, Constitution Avenue and

14th Street NW., Washington, D.C., to be conducted in accordance with the procedure prescribed in 29 CFR 4.45, at which time interested persons are invited to appear and present data, views, and arguments with respect to this proposal. Persons desiring to appear are requested to notify the Director of the Bureau of Labor Standards prior to the date of the proceedings. Written data, views, and arguments submitted to the Director of the Bureau of Labor Standards on or prior to the date of the proceedings will be made part of the record.

The proposed order reads as follows:

§ 4.68 Occupations in excavation operations.

(a) *Finding and declaration of fact.* The following occupations in excavation operations are particularly hazardous for the employment of persons between 16 and 18 years of age or detrimental to their health:

(1) Excavating, working in, or back-filling (refilling) trenches, except (i) manually excavating or manually back-filling trenches that do not exceed four feet in depth at any point, or (ii) working in trenches that do not exceed four feet in depth at any point.

(2) Excavating for buildings or other structures, except excavating manually to a depth not exceeding four feet below any ground surface adjoining the excavation.

(3) Working within tunnels prior to the completion of all driving and shoring operations.

(4) Working within shafts prior to the completion of all sinking and shoring operations.

(b) *Exceptions*—(1) *Apprentices.* This section shall not apply to the employment of an apprentice in the occupations declared particularly hazardous in paragraph (a) of this section: *Provided, however,* That (i) the apprentice is employed in a craft recognized as an apprenticeable trade; (ii) the work of the apprentice in the occupations declared particularly hazardous in paragraph (a) of this section is incidental to the apprentice training; such work is intermittent and for short periods of time, and such work is under the direct and close supervision of a journeyman as a necessary part of such apprentice training; and (iii) the apprentice is registered by the Bureau of Apprenticeship and Training of the United States Department of Labor as employed in accordance with the standards established by that Bureau, or is registered by a State agency as employed in accordance with the standards of the State apprenticeship agency recognized by the Bureau of Apprenticeship and Training, or is employed under a written apprenticeship agreement under conditions which are found by the Secretary of Labor to conform substantially with such Federal or State standards.

(2) *Student-learners.* This section shall not apply to the employment of a student-learner in the occupations declared particularly hazardous in paragraph (a) of this section: *Provided, however,* That such a student-learner is enrolled in a course of study and training in a cooperative vocational training program under a recognized State or local educational authority or in a course of study in a substantially similar program conducted by a private school: *Provided further,* That such a student-learner be employed under a written agreement which shall provide: (i) That the work of the student-learner in the occupations declared particularly hazardous in paragraph (a) of this section shall be incidental to his training, that such work shall be intermittent and for short periods of time, and that such work shall be under the direct and close supervision of a qualified and experienced person; (ii) that safety instruction shall be given by the school and correlated by the employer with on-the-job training; and (iii) that a schedule of organized and progressive work processes to be performed on the job shall have been prepared. Such a written agreement shall contain the name of the student-learner, and shall be signed by the employer and the school coordinator or principal. Copies of the agreement shall be kept on file by both the school and the employer. This exemption for the employment of student-learners may be revoked in any individual situation wherein it is found that reasonable precautions have not been observed for the safety of minors employed thereunder.

(c) *Higher standards.* This section shall not justify noncompliance with any Federal or State law, or municipal ordinance, or any other section of this subpart (hazardous-occupations order) establishing a higher standard than the standards established herein.

(Sec. 3(1), 52 Stat. 1061, as amended; 29 U.S.C. 203(1)).

Signed at Washington, D.C., this 12th day of December 1962.

JOHN F. HENNING,
Acting Secretary of Labor.

[F.R. Doc. 62-12635; Filed, Dec. 21, 1962;
8:46 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Parts 1, 43]

[Reg. Docket No. 1528; Draft Release No. 62-55]

EFFECTIVENESS OF AIRWORTHINESS CERTIFICATES

Notice of Proposed Rule Making

Pursuant to the authority delegated to me by the Administrator (§ 11.45, 27 F.R. 9585), notice is hereby given that there is under consideration a proposal to amend Parts 1 and 43 of the Civil Air Regulations. These proposed rules would clarify the conditions under which airworthiness certificates remain effective and specify the information to be included on revised certificates consist-

ent with the provisions of the Federal Aviation Act of 1958 and the Chicago Convention on International Civil Aviation.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room A-103, 1711 New York Avenue N.W., Washington 25, D.C. All communications received on or before February 25, 1963, will be considered by the Administrator before taking action upon the proposed rules. The proposals contained in this notice may be changed in the light of the comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time.

Under Article 33 of the Convention on International Civil Aviation, a certificate of airworthiness issued by the contracting State in which the aircraft is registered is recognized as valid by other contracting States if the requirements under which such certificate was issued are equal to or above the minimum standards established pursuant to the Convention. Paragraph 2.2 of Part II of Annex 8 to the Convention establishes such minimum standards by providing, among other things, that an aircraft must comply with a comprehensive and detailed national airworthiness code established by the State of Registry, if the contracting State intends to claim recognition under Article 33.¹

Article 39 of the Convention further provides that any aircraft with respect to which there exists an international standard of airworthiness, which failed to satisfy that standard at the time of certification, shall have endorsed or attached to its airworthiness certificate a complete enumeration of the details in respect of which it so failed.

The format of the current airworthiness certificate issued by the Federal Aviation Agency specifies the aircraft airworthiness classification of the aircraft identified thereon; i.e., standard, limited, restricted, experimental. However, it does not expressly state that such aircraft meets the requirements of our comprehensive and detailed airworthiness code prescribed in the Civil Air Regulations. Moreover, aircraft certi-

¹ Paragraph 2.2 provides as follows: "A Contracting State shall not issue or render valid a Certificate of Airworthiness for which it intends to claim recognition pursuant to Article 33 of the Convention on International Civil Aviation, unless the aircraft complies with a comprehensive and detailed national airworthiness code established for that class of aircraft by the State of Registry or by any other Contracting State. This national code shall be such that compliance with it will ensure compliance with:

"(a) the Standards of Part II of this Annex; and

"(b) where applicable, with the Standards of Part III of this Annex.

"Where the design features of a particular aircraft render any of the standards in Part III inapplicable or inadequate, variations therefrom that are considered by the State of Registry to give at least an equivalent level of safety, may be made."

cated under the comprehensive and detailed airworthiness code set forth in the Civil Air Regulations are, in some instances, granted exemptions from one or more of the requirements contained in such code.

In order to comply fully with our obligations under ICAO, the airworthiness certificate should be revised to specifically provide for the enumeration of any exceptions to full compliance with the requirements of a comprehensive and detailed airworthiness code (i.e. Part 3, 4b, 6, 7, etc.).

In addition to the foregoing, the following changes to the airworthiness certificate requirements are also proposed:

1. Section 1.64 now provides that an airworthiness certificate shall remain in effect as long as the maintenance requirements of Part 43 are complied with. A similar provision also appears on the current airworthiness certificate form. In this respect, the provisions of § 43.20 require, among other things, that maintenance must be performed in accordance with Part 18. However, the definition of maintenance² does not include alterations. Nevertheless, the continued validity of an airworthiness certificate is also dependent upon the proper performance of alterations to the aircraft. For this reason, it is proposed to amend §§ 1.64 and 43.20 to expressly require alterations as well as maintenance to be accomplished in accordance with the applicable Civil Air Regulations. In addition, the proposed amendment to § 1.64 specifically provides that an airworthiness certificate remains in effect as long as all inspections are performed in accordance with Parts 18 and 43.

2. Under the provisions of the Civil Air Regulations, airworthiness certificates are issued only for U.S. registered aircraft. Therefore, the airworthiness certificate for an aircraft ceases to be effective after the transfer of ownership of such aircraft to a person who is not a citizen of the United States or the registration of the aircraft under the laws of a foreign country. It is proposed to clearly state this condition in an amendment to § 1.64 and by a revision to the certificate.

3. The provisions of § 43.10(a) prohibit the operation of an aircraft unless an "appropriate and valid airworthiness certificate or special flight permit * * *" is carried in the aircraft. However, the Federal Aviation Act refers to an "airworthiness certificate" and makes no provision for the issuance of other types of airworthiness permits for the operation of the aircraft. Therefore, the reference in section 43.10(a) to either an "appropriate airworthiness certificate or special flight permit" is misleading. Since a special flight permit is a form of an airworthiness certificate it is proposed to correct the language of that section to indicate that an airworthiness certificate includes a special flight permit. In addition, since the Act requires a

² Maintenance is defined in Parts 18 and 43 to mean "the inspection, overhaul, repair, upkeep, and preservation of airframes, powerplants, propellers and appliances, including the replacement of parts."

"currently effective" airworthiness certificate, it is proposed to change the provisions of § 43.10(a) to include such language.

4. Finally, the provisions of § 43.10(b) prohibit the operation of an aircraft except in accordance with the operating limitations for such aircraft prescribed by the certificating authority of the country of registry. For aircraft of United States registry, such operating limitations are set forth in the Aircraft Flight Manual or on placards, listings, instrument markings or in any combination thereof. Since the operation of an aircraft beyond certain of the approved operating limitations under which it is certificated can affect the airworthiness of such aircraft, it is proposed to amend § 43.20 to expressly require an inspection after such an operation prior to the next takeoff. The type of inspection which would be necessary under this provision depends upon the particular operating limitation exceeded and the extent to which such limitation is exceeded. As the rule states, however, the inspection must be sufficient to determine that the aircraft is in a condition for safe operation.

Upon adoption of these amendments it is proposed to issue the revised certificates to provide for the various changes required by the rules. It is planned to issue such revised certificates for all aircraft certificated subsequent to the date that the revised certificates become available. The present airworthiness certificates for other aircraft would be replaced with the revised certificates at periodic inspections, or whenever renewing or reissuing certificates.

This proposal is subject to the FAA Recodification Program. The final rules, if adopted, may be in a recodified form; however, the recodification itself will not alter the substantive contents proposed herein.

In consideration of the foregoing, it is proposed to amend Parts 1 and 43 of the Civil Air Regulations as follows:

1. By amending § 1.64 of Part 1 to read as follows:

§ 1.64 Duration and reinspection.

(a) *Duration.* An airworthiness certificate for an aircraft shall remain in effect as long as the aircraft for which it is issued is in a condition for safe operation and all maintenance, alterations and inspections are accomplished in accordance with Parts 18 and 43 of this subchapter (Civil Air Regulations). However, it shall not be in effect:

(1) After its surrender or revocation, or during the period of its suspension;

(2) After the expiration date specified thereon, in the case of a special flight permit or experimental certificate; or

(3) After the transfer of the ownership of the aircraft to a person who is not a citizen of the United States, or the registration of the aircraft under the laws of a foreign country.

(b) *Return of certificate.* If an airworthiness certificate is suspended, revoked, or otherwise terminated, the owner, operator, or bailee of the aircraft shall, upon request, return the certifi-

cate to an authorized representative of the Administrator.

(c) *Reinspection.* The owner, operator, or bailee of an aircraft shall, upon request of an authorized representative of the Administrator, make the aircraft or any part thereof available for such reinspection as the representative finds necessary to determine that it is in a condition for safe operation.

2. By amending § 1.67 by adding a note at the end thereof to read as follows:

§ 1.67 Airworthiness certificates for normal, utility, acrobatic, and transport category aircraft; requirement for issuance.

* * * * *

NOTE: If an aircraft does not meet any of the airworthiness requirements of this subchapter, and the Administrator has granted an exemption from such requirements, the airworthiness certificate for the aircraft will identify the exemption.

3. By amending § 43.10(a) of Part 43 to read as follows:

§ 43.10 Aircraft requirements.

(a) No aircraft shall be operated unless a currently effective airworthiness certificate (which includes a special flight permit) and a registration certificate are issued for, and are carried in the aircraft.

4. By amending § 43.20 to read as follows:

§ 43.20 General.

No person shall operate an aircraft unless it is in a condition for safe operation. All maintenance and alterations shall be accomplished in accordance with Part 18 of this subchapter. Whenever an aircraft is operated in a manner which causes it to exceed any of the approved operating limitations governing the airworthiness of the aircraft, it shall, prior to the next takeoff, be inspected and found in a condition for safe operation by a person authorized under Part 18 to approve maintenance.

These amendments are proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354, 1421, 1423).

Issued in Washington, D.C., on December 17, 1962.

G. S. MOORE,
Acting Director,

Flight Standards Service.

[F.R. Doc. 62-12630; Filed, Dec. 21, 1962; 8:45 a.m.]

[14 CFR Part 75 [New]]

[Airspace Docket No. 62-SW-43]

JET ROUTES AND JET ADVISORY AREAS

Proposed Designation of Jet Route and Jet Advisory Area

Pursuant to the authority delegated to me by the Administrator (14 CFR 11.65), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 75 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The FAA has under consideration the designation of a jet route from the Dallas, Tex., VORTAC via the intersection of the Dallas VORTAC 062° and the Little Rock, Ark., VORTAC 252° True radials to the Little Rock VORTAC. In addition, it is proposed to designate a radar jet advisory area within 16 miles either side of the proposed jet route from flight level 240 to flight level 390 inclusive. The jet route as proposed herein would provide a second route for civil turbojet aircraft operating between Dallas and Memphis, Tenn., facilitating eastbound and westbound traffic. The radar jet advisory area proposed herein would provide a defined area along the route wherein jet advisory service would be available.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. 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 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 A-103, 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 Division Chief.

This amendment is proposed under sec. 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on December 17, 1962.

CLIFFORD P. BURTON,
Chief,

Airspace Utilization Division.

[F.R. Doc. 62-12629; Filed, Dec. 21, 1962; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 9]

[Docket No. 14452]

FREQUENCIES, FREQUENCY STABILITY AND DEFINITIONS

Order Extending Time for Filing Comments

In the matter of amendment of Part 9 of the Commission's rules relative to im-

plementation of certain requirements of the Geneva Radio Regulations (1959) regarding frequencies, frequency stability and definitions.

The Commission has before it the requests of the Aircraft Owners and Pilots Association (AOPA) and the National Business Aircraft Association, Inc. (NBAA) that the time in which comments may be filed in this proceeding be extended 60 days:

It appearing, that in support of their requests, the petitioners state that extensive research and evaluation is necessary before a position can be formed, especially with regard to the economic impact of .003 percent frequency stability on aircraft radio equipment costs; and

It further appearing, that the original comment period included Christmas and New Year holidays; and

It further appearing, that in light of these considerations, an extension of the comment period would be in the public interest;

It is ordered, This 18th day of December 1962, pursuant to section 0.291 (b) (4) of the Commission's Statement of Delegations of Authority, that the above-described requests of AOPA and NBAA are granted, and the time for filing original comments is extended from January 2, 1963 to March 4, 1963, and the time for filing reply comments to March 15, 1963.

Released: December 19, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-12677; Filed, Dec. 21, 1962;
8:52 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 300]

RULES AND REGULATIONS OF WOOL PRODUCTS LABELING ACT OF 1939

Notice of Proposed Rule Making

Notice is given to all interested parties that the Federal Trade Commission on the 30th day of January 1963, beginning at 10:00 a.m., e.s.t., at its offices in the City of Washington, District of Columbia, will hold a public hearing on proposed amendments to §§ 300.1, 300.3, 300.4, 300.8, 300.9, 300.10, 300.12, 300.13, 300.16, 300.18, 300.19, 300.20, 300.21, 300.23, 300.24, 300.25, 300.27, 300.28, 300.31, 300.32 and 300.33 (Rules 1, 3, 4, 8, 9, 10, 12, 13, 16, 18, 19, 20, 21, 23, 24, 25, 27, 28, 31, 32, and 33) of the rules and regulations promulgated under the Wool Products Labeling Act of 1939.

Interested parties may participate by submitting in writing to the Commission on or before such date, their views, arguments, or other pertinent data, or they may be heard orally at such time. Any party wishing to submit further views, arguments, or data in response to that submitted as a result of this notice or at the hearing may do so in writing at any time within 15 days after such hearing is closed.

Such action is taken pursuant to the authority given to the Federal Trade Commission under section 6(a) of the Wool Products Labeling Act of 1939 (54 Stat. 1128; 15 U.S.C. 68) "to make rules and regulations for the manner and form of disclosing information required by this Act, and for segregation of such information for different portions of a wool product as may be necessary to avoid deception or confusion, and to make such further rules and regulations under and in pursuance of the terms of this Act as may be necessary and proper for administration and enforcement".

The matters to be considered are the proposed amendments of the rules and regulations as set out below, together with such pertinent revisions, deletions, and additions thereto as may be proposed. The proposed amendments are as follows:

1. An amendment of § 300.1 (Rule 1) which would hereinafter read:

§ 300.1 Terms defined.

(a) The term "Act" means the Wool Products Labeling Act of 1939 (approved October 14, 1940, Public No. 850, 76th Congress, Third Session, 15 U.S.C. 68, 54 Stat. 1128).

(b) The terms "rule", "rules", "regulations" and "rules and regulations" mean the rules and regulations prescribed by the Commission pursuant to the Act.

(c) The term "ornamentation" means any fibers or yarns imparting a visibly discernible pattern or design to a yarn or fabric.

(d) The term "fiber trademark" means a word or words used by a person to identify a particular fiber produced or sold by him and to distinguish it from fibers of the same generic class produced or sold by others. Such term shall not include any trademark, product mark, house mark, trade name or other name which does not identify a particular fiber.

(e) The terms "required information" or "information required" mean such information as is required to be disclosed on the required stamp, tag, label or other means of identification under the Act and regulations.

(f) The definitions of terms contained in section 2 of the Act shall be applicable also to such terms when used in rules promulgated under the Act.

2. An amendment of § 300.3 (Rule 3) would hereinafter read:

§ 300.3 Required label information.

(a) The marking of wool products under the Act shall be in the form of a stamp, tag, label or other means of identification, showing and displaying upon the product the required information legibly, conspicuously, and non-deceptively. The information required to be shown and displayed upon the product in the stamp, tag, label, or other mark of identification, shall be that which is required by the Act and the rules and regulations thereunder, including the following:

(1) The fiber content of the product specified in section 4(a)(2)(A) of the Act. The generic names and percentages

by weight of the constituent fibers present in the wool product, exclusive of permissive ornamentation, shall appear in order of predominance by weight with any percentage of fiber or fibers designated as "other fiber" or "other fibers" as provided by section 4(a)(2)(A)(5) of the Act and paragraph (b) of this section appearing last.

(2) The maximum percentage of the total weight of the wool product of any non-fibrous loading, filling or adulterating matter as prescribed by section 4(a)(2)(B) of the Act.

(3) The name or registered identification number issued by the Commission of the manufacturer of the wool product or the name or registered identification number of one or more persons subject to section 3 of the Act with respect to such wool product.

(b) In disclosing the constituent fibers in information required by the Act and regulations or in any nonrequired information, no fiber present in the amount of less than five per centum shall be designated by its generic name or fiber trademark but shall be designated as "other fiber", except that the percentage of wool, reprocessed wool, or reused wool shall always be stated, in accordance with section 4(a)(2)(A) of the Act. Where more than one of such fibers, other than wool, reprocessed wool, or reused wool, are present in amounts of less than five per centum, they shall be designated in the aggregate as "other fibers".

3. An amendment of § 300.4 (Rule 4) which would hereinafter read:

§ 300.4 Registered identification number.

(a) A registered identification number assigned by the Federal Trade Commission under and in accordance with the provisions of this section may be used upon the stamp, tag, label or other mark of identification required under the Act to be affixed to a wool product, as and for the name of the person to whom such number has been assigned.

(b) Any manufacturer of a wool product or person subject to section 3 of the Act with respect to such wool product, residing in the United States, may make application to the Federal Trade Commission for a registered identification number, or such numbers as the Commission may deem appropriate, for use by the applicant on the required stamp, tag, label or other mark of identification under the Act, as and for his name with fully as binding effect.

(c) Registered identification numbers shall be used only by the person or concern to whom they are issued, and such numbers are not transferable or assignable. Registered identification numbers shall be subject to cancellation whenever any such number was procured or has been used improperly or contrary to the requirement of the Acts administered by the Federal Trade Commission, and regulations promulgated thereunder, or when otherwise deemed necessary in the public interest.

(d) Registered identification numbers assigned under this rule may be used on labels required in labeling products subject to the provisions of the Fur

Products Labeling Act and Textile Fiber Products Identification Act, and numbers previously assigned by the Commission under such Acts may be used as and for the required name in labeling under this Act. When so used by the person or firm to whom assigned, the use of the numbers shall be construed as identifying and binding the applicant as fully and in all respects as though assigned under the specific Act for which it is used.

(e) Form of application for registered identification numbers. (Form to be used by all applicants.)

APPLICATION FOR REGISTERED IDENTIFICATION NUMBER

To the Federal Trade Commission,
Washington 25, D.C.

The undersigned _____
(Full legal name of applicant)

a _____
(Form of business organization)
residing in the United States and having
principal office and place of business at

(Street and number) (City)
_____, being engaged in the
(State or Territory)

manufacture of a wool product as such term is defined in section 2(e) of the Wool Products Labeling Act of 1939, or subject to section 3 of the Act with respect to such wool product (i.e., one manufacturing for introduction or introducing into commerce, or selling, transporting, distributing, delivering for shipment, shipping, or offering for sale in commerce such wool product) hereby makes application to the Federal Trade Commission for the assignment of a registered identification number for use on its stamp, tag, label, or other mark of identification required under the Act.

The undersigned understands and hereby agrees that when used on its stamp, tag, label, or other mark of identification required by the Act such registered identification number as may be assigned it by the Federal Trade Commission shall be construed as identifying and binding the applicant as fully and in all respects as though its name appeared thereon.

The undersigned is engaged in the _____
(Type of operation) of the following wool
products _____

(List products)

Dated, signed, and executed this _____
day of _____, 19____, at _____
(City)

(State or Territory)

(Name under which business is conducted)

(Signature of proprietor, partner, or authorized official of corporation)

(If firm is a partnership list partners below:)

(Impression of corporate seal, if corporation)

EXECUTION

State of _____
County of _____, ss:

On this _____ day of _____, 19____,
before me personally appeared the said

(Proprietor, partner)

(Strike non-applicable words)

(If corporation, give title of authorized official)

of _____, to
(Name of company)

me personally known, and acknowledged the execution of the foregoing instrument on behalf of the firm, for the uses and purposes therein stated.

Notary Public in and for
County of _____,
State of _____.

My commission expires _____

(Impression of Notary seal required here)

4. An amendment of § 300.8 (Rule 8) which would hereinafter read:

§ 300.8 Use of fiber trademarks and generic names.

(a) Except where another name is required or permitted under the Act or regulations, the respective common generic name of the fiber shall be used when naming fibers in the required information; as for example, "wool", "reprocessed wool", "reused wool", "cotton", "rayon", "silk", "linen", "acetate", "nylon", "polyester".

(b) The generic names of manufactured fibers as heretofore or hereafter established in § 300.7 (Rule 7 of the regulations promulgated under the Textile Fiber Products Identification Act (72 Stat. 1717; 15 U.S.C. 70)) shall be used in setting forth the required fiber content information as to wool products.

(c) A none-deceptive fiber trademark may be used on a label in conjunction with the generic name of the fiber to which it relates. Where such a trademark is placed on a label in conjunction with the required information, the generic name of the fiber must appear in immediate conjunction therewith, and such trade mark and generic name must appear in type or lettering of equal size and conspicuousness.

(d) Where a generic name or a fiber trademark is used on any label, whether required or non-required, a full and complete fiber content disclosure with percentages shall be made on such label in accordance with the Act and regulations.

(e) If a fiber trademark is not used in the required information, but is used elsewhere on the label as non-required information, the generic name of the fiber shall accompany the fiber trademark in legible and conspicuous type or lettering the first time the trademark is used.

(f) No fiber trademark or generic name shall be used on any label or elsewhere on the product in such a manner as to be false, deceptive, or misleading as to fiber content, or to indicate directly or indirectly that a wool product is composed wholly or in part of a particular fiber, when such is not the case.

(g) The term "fur fiber" may be used to describe the hair or fur fiber or mixtures thereof of any animal or animals other than the sheep, lamb, Angora goat, Cashmere goat, camel, alpaca, llama and vicuña. If the name, symbol, or depiction of any animal producing the hair or fur fiber is used on the stamp,

tag, label, or other means of identification applied or affixed to the wool product, the percentage by weight of such hair or fur fiber in the total fiber weight of the wool product shall be separately stated in the required fiber content disclosure, provided that no such name, symbol or depiction shall be used when such hair or fur fiber is present in the amount of less than five per centum of the total fiber weight. The following are examples of fiber content disclosures under this paragraph:

60% Wool
40% Fur Fiber
or
60% Wool
30% Fur Fiber
10% Angora Rabbit

5. An amendment of § 300.9 (Rule 9), which would hereinafter read:

§ 300.9 Abbreviations, ditto marks, and asterisks.

(a) In disclosing required information, words or terms shall not be designated by ditto marks or appear in footnotes referred to by asterisks or other symbols in required information, and shall not be abbreviated.

(b) Where the generic name of a textile fiber is required to appear in immediate conjunction with a fiber trademark, a disclosure of the generic name by means of a footnote, to which reference is made by use of an asterisk or other symbol placed next to the fiber trademark, shall not be sufficient in itself to constitute compliance with the Act and regulations.

6. An amendment of § 300.10 (Rule 10) which would hereinafter read:

§ 300.10 Arrangement of label information.

(a) All items or parts of the required information to be shown and displayed in the stamp, tag, label, or other mark of identification of the product, shall be set forth consecutively and separately on the outer surface of the label, in immediate conjunction with each other, and in type of lettering plainly legible and conspicuous, and all parts of the required fiber content information shall appear in type or lettering of equal size and conspicuousness; such as for example:

Distributed by:
John Q. Doe Co., Inc.,
New York, N.Y.

Made of

60% WOOL

40% REUSED WOOL

Exclusive of Ornamentation.

Provided, however, That the required name or registered identification number may appear on the reverse side of the label if it is conspicuous and accessible. On products as to which sectional disclosure is used, an additional non-deceptive label may be used showing the complete fiber content information with percentages as to a particular section or area of the product and specifying the section or area referred to.

(b) Subject to the provisions of § 300.8, if non-required information or representations are placed on the label or elsewhere on the product, such non-

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required information or representations shall be set forth separate and apart from the required information and shall not interfere with, minimize, detract from, or conflict with such required information, nor shall such non-required information in any way be false, deceptive or misleading.

7. An amendment of § 300.12 (Rule 12) which would hereinafter read:

§ 300.12 Labeling of pairs or products containing two or more units.

(a) Where a wool product consists of two or more parts, units, or items of different fiber content, a separate label containing the required information shall be affixed to each of such parts, units, or items showing the required information as to such part, unit, or item, provided that where such parts, units, or items, are marketed or handled as a single product or ensemble and are sold and delivered to the ultimate consumer as a single product or ensemble, the required information may be set out on a single label in such a manner as to separately show the fiber composition of each part, unit, or item.

(b) Where garments, wearing apparel, or other wool products are marketed or handled in pairs or ensembles of the same fiber content, only one unit of the pair or ensemble need be labeled with the required information when sold and delivered to the ultimate consumer.

(c) Where parts or units of wool products of the types referred to in paragraphs (a) and (b) of this section are sold separately, such parts or units shall be labeled with the information required by the Act and regulations.

8. An amendment of § 300.13 (Rule 13) which would hereinafter read:

§ 300.13 Name or other identification required to appear on labels.

(a) The name required by the Act to be used on labels shall be the name under which the manufacturer of the wool product or other person subject to section 3 of the Act with respect to such product is doing business. Trade names, trade marks or other names which do not constitute the name under which such person is doing business shall not be used for required identification purposes.

(b) Registered identification numbers, as provided for in § 300.4, may be used for identification purposes in lieu of the required name.

9. An amendment of § 300.16 (Rule 16) which would hereinafter read:

§ 300.16 Ornamentation.

(a) Where the wool product contains fiber ornamentation not exceeding 5 percent of the total fiber weight of the product and the stated percentages of fiber content of the product are exclusive of such ornamentation, the stamp, tag, label, or other means of identification shall contain a phrase or statement showing such fact; as for example:

50% Wool
25% Reused Wool
25% Cotton
Exclusive of Ornamentation.

The fiber content of such ornamentation may be disclosed where the percentage of the ornamentation in relation to the total fiber weight of the principal fiber or blend of fibers is shown; as for example:

70% Reused Wool
30% Acetate
Exclusive of 4% Metallic Ornamentation.

(b) Where the fiber ornamentation exceeds five per centum it shall be included in the statement of required percentages of fiber content.

(c) Where the ornamentation constitutes a distinct section of the product, sectional disclosure may be made in accordance with § 300.23.

10. An amendment of § 300.18 (Rule 18) which would hereinafter read:

§ 300.18 Use of name of specialty fiber.

(a) In setting forth the required fiber content of a product containing any of the specialty fibers named in section 2(b) of the Act, the name of the specialty fiber present may be used in lieu of the word "wool", provided the percentage of each named specialty fiber is given and provided further that the name of the specialty fiber so used is qualified by the word "reprocessed" or "reused" when the fiber referred to is "reprocessed wool" or "reused wool", as defined in the Act. The following are examples of fiber content designation permitted under this section:

55% Alpaca
45% Camel Hair
50% Reused Camel Hair
50% Wool
60% Reprocessed Alpaca
40% Rayon
35% Reused Llama
35% Reprocessed Vicuna
30% Cotton
60% Cotton
40% Reused Llama.

(b) Where an election is made to use the name of a specialty fiber in lieu of the word "wool" in describing such specialty fiber, such name shall be used at any time reference is made to the specialty fiber either in required or non-required information. The name of the specialty fiber or any word, coined word, symbol or depiction connoting or implying the presence of such specialty fiber shall not be used in non-required information on the required label or on any secondary or auxiliary label attached to the wool product if the name of such specialty fiber does not appear in the required fiber content disclosure.

11. An amendment of § 300.19 (Rule 19) which would hereinafter read:

§ 300.19 Use of terms "mohair" and "cashmere".

(a) In setting forth the required fiber content of a product containing hair of the Angora goat known as mohair or containing hair or fleece of the Cashmere goat known as cashmere, the term "mohair" or "cashmere", respectively, may be used for such fiber in lieu of the word "wool", provided the respective percentage of each such fiber designated

as "mohair" or "cashmere" is given, and provided further that such term "mohair" or "cashmere" where used is qualified by the word "reprocessed" or "reused" when the fiber referred to is "reprocessed wool" or "reused wool", as defined in the Act. The following are examples of fiber content designation permitted under this section:

50% Mohair
50% Wool
60% Reprocessed Mohair
40% Cashmere
60% Cotton
40% Reused Cashmere.

(b) Where an election is made to use the term "mohair" or "cashmere" in lieu of the term "wool" as permitted by this section, the appropriate designation of "mohair" or "cashmere" shall be used at any time reference is made to such fiber in either required or nonrequired information. The term "mohair" or "cashmere" or any words, coined words, symbols or depictions connoting or implying the presence of such fibers shall not be used in non-required information on the required label or on any secondary or auxiliary label attached to the wool product if the term "mohair" or "cashmere" as the case may be does not appear in required fiber content disclosure.

12. An amendment of § 300.20 (Rule 20) which would hereinafter read:

§ 300.20 Use of the terms "virgin" or "new".

The terms "virgin" or "new" or words or terms of similar import as descriptive of a wool product, or any fiber or part thereof, shall not be used when the product or part so described is not composed wholly of new or virgin fiber which has never been reclaimed from any spun, woven, knitted, felted, braided, bonded, or otherwise manufactured or used product.

13. An amendment of § 300.21 (Rule 21) which would hereinafter read:

§ 300.21 Use of separate label for name or registered identification number.

The name or registered identification number of the manufacturer or person subject to section 3 of the Act with respect to the wool product may be set forth on a label or mark separate from that which contains the statement of fiber and material content of the product provided that the label or mark bearing said name or registered identification number and the name or registered identification number itself are prominently and conspicuously displayed either in immediate conjunction with, or in close proximity to, such other label or mark and in such manner as will fully inform purchasers and purchaser-consumers of the required information.

14. An amendment of § 300.23 (Rule 23) which would hereinafter read:

§ 300.23 Sectional disclosure of content.

(a) *Permissive.* Where a wool product is composed of two or more sections which are of different fiber composition, the required information as to fiber con-

tent may be separated on the same label in such manner as to show the fiber composition of each section.

(b) *Mandatory.* The disclosure as above provided shall be made in all instances where such form of marking is necessary to avoid deception.

15. An amendment of § 300.24 (Rule 24) so as to specifically designate those linings, paddings, stiffenings, trimmings, and facings as to which fiber content disclosure is required.

§ 300.24 Linings, paddings, stiffening, trimmings and facings.

(a) In labeling or marking garments or articles of apparel which are wool products, the fiber content of any linings, paddings, stiffening, trimmings or facings of such garments or articles of apparel shall be given and shall be set forth separately and distinctly in the stamp, tag, label, or other mark of identification of the products,

(1) If such linings, trimmings or facings contain, purport to contain or are represented as containing wool, reprocessed wool or reused wool; or

(2) If such linings are metallically coated, or coated or laminated with any substance for warmth, or if such linings are composed of pile fabrics or any fabrics incorporated for warmth or represented directly or by implication as being incorporated for warmth; or

(3) If any express or implied representations of fiber content of any of such linings, paddings, stiffening, trimmings of facings are actually or customarily made.

(b) In the case of garments which contain interlinings, the fiber content of such interlinings shall be set forth separately and distinctly as part of the required information on the stamp, tag, label, or other mark of identification of such garment. For purposes of this paragraph (b) the term "interlining" means any fabric or fibers incorporated into a garment or article of wearing apparel as a layer between an outershell and an inner lining.

(c) In the case of wool products which are not garments or articles of apparel, but which contain linings, paddings, stiffenings, trimmings, or facings, the stamp, tag, label or other mark of identification of the product shall show the fiber content of such linings, paddings, stiffening, trimmings or facings, set forth separately and distinctly in such stamp, tag, label, or other mark of identification.

(d) Wool products which are or have been manufactured for sale or sold for use as linings, interlinings, paddings, stiffening, trimmings or facings, but not contained in a garment, article of apparel, or other product, shall be labeled or marked with the required information as in the case of other wool products.

16. An amendment of § 300.25 (Rule 25) which would hereinafter read:

§ 300.25 Representations as to fiber content or country of origin.

(a) Words, coined words, symbols or depictions which constitute or imply the name or designation of a fiber which is not present in the product shall not

appear on labels. Any word or coined word which is phonetically similar to the name or designation of a fiber or which is only a slight variation in spelling from the name or designation of a fiber shall be subject to this paragraph.

(b) Where a word, coined word, symbol or depiction which connotes or implies the presence of a fiber is used on any label, whether required or non-required, a full and complete fiber content disclosure with percentages shall be made on such label in accordance with the Act and regulations.

(c) When any representation is made on a stamp, tag, label, or other means of identification on or attached to a wool product that the fabric contained therein is imported, the name of the country where the fabric was woven, knitted, felted, bonded, or otherwise manufactured shall be set forth on the stamp, tag, label, or other means of identification.

17. An amendment of § 300.27 (Rule 27) which would hereinafter read:

§ 300.27 Wool products containing superimposed or added fibers.

Where a wool product is made wholly of one fiber or a blend of fibers with the exception of an additional fiber in minor proportion superimposed or added in certain separate and distinct areas or sections for reinforcing of other useful purposes, the product may be designated according to the fiber content of the principal fiber or blend of fibers, with an exception naming the superimposed or added fiber, giving the percentage thereof in relation to the total fiber weight of the principal fiber or blend of fibers, and indicating the area or section which contains the superimposed or added fiber. An example of this type of fiber content disclosure, as applied to products having reinforcing fibers added to a particular area or section, is as follows:

55% Reprocessed Wool
45% Rayon

Except 5% Nylon added to toe and heel.

18. An amendment of § 300.28 (Rule 28) which would hereinafter read:

§ 300.28 Undetermined quantities of reclaimed fibers.

(a) Where a wool product is composed in part of various man-made fibers recovered from textile products containing undetermined quantities of such fibers, the percentage content of the respective fibers recovered from such products may be disclosed on the required stamp, tag or label in aggregate form as "man-made fibers" followed by the naming of such fibers in the order of their predominance by weight, as for example:

60% Wool
40% Man-made fibers:
Rayon
Acetate
Nylon.

(b) (1) Where a wool product is composed in part of reprocessed wool and in part of unknown fibers which have been reclaimed from a woven or felted textile product that was never utilized in manner by the ultimate consumer and which was not composed of reused fibers

and the percentage of reprocessed wool is undetermined but the product is known to contain a minimum percentage of reprocessed wool, the required fiber content disclosure may be made by stating the minimum percentage for the reprocessed wool and designating the other reclaimed fibers as "Unknown Reprocessed Fibres" and stating the percentage, as for example:

50% Reprocessed Wool
50% Unknown Reprocessed Fibers.

(2) Where such wool product contains a known percentage of specific non-woolen fibers or is known to contain a minimum percentage of specific non-woolen fibers, the known or minimum percentage of such non-woolen fibers shall be set out in the required fiber content disclosure, as for example:

35% Reprocessed Wool,
25% Acetate
20% Cotton
20% Unknown Reprocessed Fibers.

(c) (1) Where a wool product is composed in part of reused wool and in part of other unknown fibers which have been reclaimed in whole or in part from a textile product which was previously utilized in any way by the ultimate consumer and the exact percentage of reused wool is undetermined but the product is known to contain a minimum percentage of reused wool, the required fiber content disclosure may be made by stating the minimum percentage for the reused wool and designating other reclaimed fibers as "Unknown Reused Fibers" as for example:

65% Reused Wool
35% Unknown Reused Fibers.

(2) Where such wool product contains a known percentage of specific non-woolen fibers or is known to contain a minimum percentage of specific non-woolen fibers, the known or minimum percentage of such non-woolen fibers shall be set out in the required fiber content disclosure, as for example:

50% Reused Wool
25% Rayon
10% Cotton
15% Unknown Reused Fibers.

(d) For purposes of this section undetermined or unascertained amounts of wool or reprocessed wool may be classified and designated as reused wool.

(e) Nothing contained in this section shall excuse a full disclosure of fiber content if the same is known or practically ascertainable or to permit a higher classification of wool, reprocessed wool or reused wool than that provided by section 2 of the Act.

19. An amendment of § 300.31 (Rule 31) which would hereinafter read:

§ 300.31 Maintenance of records.

Pursuant to the provisions of section 6 of the Act, every manufacturer of a wool product subject to the Act, irrespective of whether any guaranty has been given or received, shall maintain written records showing the fiber content as required by the Act of all such wool products made by such manufacturer. The records so maintained shall show:

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(a) The percentage by weight of wool, reprocessed wool, and reused wool, and of each fiber other than wool, placed in the respective wool products of such manufacturer in the form of fiber, yarn, fabric or other form;

(b) The date, source and quantity of all raw material purchases;

(c) The date and quantity of each batch, blend, lot, stock, kettle, dye, weaving specifications, or cutting record as applicable to all raw material used, relating each to the purchase records of such raw material by appropriate lot or stock numbers, letters, or symbols; and

(d) The date and quantity of each sale or delivery of wool products manufactured, relating each sale or delivery to the manufacturing or processing record required in paragraph (c) of this section by appropriate lot or stock numbers, letters, or symbols and such numbers, information, marks or other means of identification as will identify the said records with the respective wool products to which they relate and the said wool products with the respective records.

The purpose of such records shall be to establish a line of continuity from each purchase or acquisition of raw material through all processes of manufacture to the sale or delivery of all finished or semi-finished wool products and to establish a line of continuity from such finished or semi-finished wool products and the sale or delivery of the same through all processes of manufacture to the purchase or acquisition of the raw materials. Manufacturers shall also keep and maintain as records under the Act all purchase and sales invoices, purchase and sales contracts, labels, manufacturing contracts, orders or duplicate copies thereof, business correspondence, factory records, inventories, and other pertinent documents and data showing or tending to show the purchase, receipt, use, and disposition of or accounting for all raw stocks, fiber, yarn, fabric or other manufactured materials obtained by the manufacturer.

20. An amendment of § 300.32 (Rule 32) which would hereinafter read:

§ 300.32 Form of separate guaranty.

(a) The following are suggested forms of separate guaranties under section 9 of the Act which may be used by a guarantor residing in the United States on or as part of an invoice or other paper relating to the marketing or handling of any wool products listed and designated therein and showing the date of such invoice or other paper and the signature and address of the guarantor:

(1) *General form.* "We guarantee that the wool products specified herein are not misbranded under the provisions of the Wool Products Labeling Act and rules and regulations thereunder".

(2) *Guaranty based on guaranty.* "Based upon a guaranty received, we guarantee that the wool products specified herein are not misbranded under the provisions of the Wool Products Labeling Act and rules and regulations thereunder".

NOTE: The printed name and address on the invoice or other paper will suffice to meet the signature and address requirements.

(b) The mere disclosure of required information including the fiber content of wool product on a label or on an invoice or other paper relating to its marketing or handling shall not be considered a form of separate guaranty.

21. An amendment of § 300.33 (Rule 33) which would hereinafter read:

§ 300.33 Continuing guaranty filed with Federal Trade Commission.

(a) (1) Under section 9 of the Act any person residing in the United States and marketing or handling wool products may file a continuing guaranty with the Federal Trade Commission.

(2) When filed with the Commission a continuing guaranty shall be fully executed in duplicate and execution of each copy shall be acknowledged before a notary public. Forms for use in preparing continuing guaranties will be supplied by the Commission upon request.

(3) Continuing guaranties filed with the Commission shall continue in effect until revoked. The guarantor shall promptly report any change in business status to the Commission.

(b) Prescribed form of continuing guaranty:

CONTINUING GUARANTY

The undersigned, _____
(Full name of guarantor)

a _____
(Corporation, partnership, or proprietorship)
residing in the United States, and having principal office and place of business at _____
(Street and number) (City)
_____, and engaged in manu-
(State or Territory)
facturing, marketing or handling wool products, hereby guarantees that every such wool product contained in each shipment, or other delivery, made by the guarantor will not be misbranded within the meaning of the Wool Products Labeling Act and the rules and regulations thereunder.

Dated, signed, and executed this _____
day of _____ 19____, at _____,
(City)

(State or Territory)

(Name under which business is conducted)

(Impression of corporate seal, if corporation)

(Signature of proprietor, partner, or authorized official of corporation)

EXECUTION

State of _____
County of _____, ss:
On this _____ day of _____, 19____,
before me personally appeared the said _____

(Proprietor, partner)
(Strike non-applicable words)

(If corporation, give title of authorized official)

of _____, to me personally known, and acknowledged the execution of the foregoing instrument on behalf of the firm, for the uses and purposes therein stated.

Notary Public in and for
County of _____,
State of _____

My commission expires _____
(Impression of Notary seal required here.)

(c) Any person who has a continuing guaranty on file with the Commission may, during the effective dates of the guaranty, give notice of such fact by setting forth on the invoice or other paper covering the marketing or handling of the product guaranteed the following:

Continuing Guaranty under the Wool Products Labeling Act filed with the Federal Trade Commission.

(d) Any person who falsely represents in writing that he has a continuing guaranty on file with the Federal Trade Commission shall be deemed to have furnished a false guaranty under section 9(b) of the Act.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-12644; Filed, Dec. 21, 1962;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 200]

[Release 33-4562]

GENERAL ORGANIZATION

Proposed Delegation of Commission's Functions to Certain Staff Officials

Notice is hereby given that the Securities and Exchange Commission has under consideration the adoption of rules (§§ 200.30-1 to 200.30-6 of Subpart A of 17 CFR Part 200) which would provide for delegation by the Commission, to certain of its staff officials, of various functions which experience has demonstrated to be of a routine or non-controversial nature. Congress has authorized such delegation by Public Law No. 87-592, 76 Stat. 394, which provides that " * * * in addition to its existing authority, the Securities and Exchange Commission * * * shall have the authority to delegate, by published rule or order, any of its functions to a division of the Commission, an individual Commissioner, a hearing examiner, or an employee or employee board, including functions with respect to hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business or matter * * * "

By these rules the Commission would delegate, until it orders otherwise, various functions to Division Directors, Regional Administrators, and the Secretary to be performed by them or under their direction by such persons as might be designated from time to time by the Chairman.

To the Director of the Division of Corporation Finance would be delegated certain limited functions under the Securities Act of 1933 and Regulations B, C and E thereunder (§§ 230.300 to 230.610a of this chapter), the Securities Exchange Act of 1934, the Trust Indenture Act of 1939 and the Investment Company Act of 1940 respecting such matters as granting accelerations, consenting to withdrawals, granting confi-

dential treatment, permitting omission or substitution of financial statements, designating investigator officers, granting requests for transcripts of testimony, issuing notices of suspensions and terminating temporary suspension orders, declaring exemptions, and determining qualification of indenture trustees.

To the Director of the Division of Corporate Regulation would be delegated certain limited functions under the Public Utility Holding Company Act of 1935 and the Investment Company Act of 1940 respecting such matters as issuance of notices and orders regarding certain applications and declarations, permitting withdrawals, granting time extensions, and designating investigatory officers.

To the Director of the Division of Trading and Exchanges would be delegated certain limited functions under the Securities Exchange Act of 1934 and the Investment Advisers Act of 1940 respecting such matters as designating investigatory officers, granting requests for transcripts of testimony, permitting withdrawals or strikings from listing and registration, extending unlisted trading privileges, granting acceleration, postponing effectiveness of broker-dealer registrations where consented to, approving applications for national securities association membership, and directing cancellation of broker-dealer and investment adviser registrations where no longer in business.

To the Regional Administrators would be delegated certain limited functions under the Securities Act of 1933 and Regulations A and F thereunder and certain functions under the Securities Exchange Act of 1934 respecting such matters as granting acceleration, permitting non-current financial statements and determining applications for time extensions for broker-dealer reports.

To the Secretary of the Commission would be delegated certain limited functions under the several Acts and the Rules of Practice respecting such matters as fixing times and places for hearings and arguments, granting time extensions, designating hearing examiners, adjusting hearing dates, approving length of briefs, and certifying records of proceedings the subjects of judicial review.

Notwithstanding any delegation a delegate could submit to the Commission any matter he believed appropriate.

These rules are essentially housekeeping matters. Because of their nature and a desire to have them effective as soon as possible, the Commission is providing only a limited time for public comment. However, experience under the rules may render advisable their modification or supplementation and comments subsequent to adoption will be welcome.

All interested persons are invited to file, in triplicate, views and comments with respect to the proposed new rules. To be considered prior to the effectiveness of the proposed rules, they should be submitted to the Securities and Exchange Commission, Washington 25, D.C., on or before December 31, 1962. All such communications will be available for public inspection.

The text of the proposed sections follow:

§ 200.30-1 Delegation of authority to Director of Division of Corporation Finance.

Pursuant to the provisions of Public Law No. 87-592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to the Director of the Division of Corporation Finance, to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) With respect to registration of securities pursuant to the Securities Act of 1933, 15 U.S.C. 77a et seq., and Regulation C thereunder, § 230.400 et seq., of this chapter:

(1) To determine the effective dates of amendments to registration statements filed pursuant to section 8(c) of the Act, 15 U.S.C. 77b(c);

(2) To consent to the withdrawal of registration statements or amendments or exhibits thereto, pursuant to Rule 477, § 230.477 of this chapter;

(3) To authorize the issuance of orders granting confidential treatment to material submitted in accordance with Rule 485, § 230.485 of this chapter, but only when the Commission has previously by order granted confidential treatment to the same information;

(4) To accelerate the use or publication of any summary prospectus filed with the Commission pursuant to section 10(b) of the Act, 15 U.S.C. 77j(b), and Rule 434a(g) thereunder, § 230.434a(g) of this chapter;

(5) Pursuant to section 8(a) of the Act, 15 U.S.C. 77h(a), regarding the following types of registration statements:

(i) Statements filed on Form S-8, § 239.16b of this chapter;

(ii) Statements filed on Form S-9, § 239.22 of this chapter;

(iii) Statements filed on Form S-12, § 239.19 of this chapter;

(iv) Statements filed on Form S-14, § 239.23 of this chapter;

(v) Statements filed on Form F-1, § 239.9 of this chapter;

(vi) Statements filed in situations involving competitive bidding subject to Rule 415, § 230.415 of this chapter; and

(vii) Statements filed on any form subsequent to the effectiveness of another registration statement covering the securities of the same issuer where the issuer is subject to and is filing reports in compliance with the reporting requirements of section 13 or section 15 (d) of the Securities Exchange Act of 1934, 15 U.S.C. 78m and 78o(d), or section 30 of the Investment Company Act of 1940, 15 U.S.C. 80a-29;

(a) To determine such registration statements to be effective within shorter periods of time than twenty days after filing thereof;

(b) To consent to the filing of amendments prior to the effective dates of such registration statements as parts thereof, or to determine that amendments filed prior to the effective dates of such registration statements have been filed pur-

suant to orders of the Commission, so as to be treated as parts of the registration statements for the purpose of section 8(a) of the Act;

(c) To determine to be effective applications for qualification of trust indentures filed therewith.

(6) Pursuant to Instruction 13 of the Instructions as to Financial Statements in Form S-1, § 239.11 of this chapter, item 13(b) of Form S-2, § 239.12 of this chapter, Item 12(b) of Form S-3, § 239.13 of this chapter, and Instruction 8 of the Instruction as to Financial Statements in Form S-11, § 239.18 of this chapter.

(i) To permit the omission of one or more financial statements therein required or the filing in substitution therefor of appropriate statements of comparable character, or

(ii) To require the filing of other financial statements in addition to, or in substitution for, the statements therein required.

(b) With respect to the Securities Act of 1933, 15 U.S.C. 77a et seq. and Regulation E thereunder, § 230.601 et seq. of this chapter:

(1) To authorize the offering of securities:

(i) Less than ten days subsequent to the filing with the Commission of a notification on Form 1-E, pursuant to Rule 604(a), § 230.604(a) of this chapter;

(ii) Less than ten days subsequent to the filing of an amendment to a notification on Form 1-E, pursuant to Rule 604(c), § 230.604(c) of this chapter;

(2) To authorize the use of a revised or amended offering circular less than ten days subsequent to the filing thereof pursuant to Rule 605(e), § 230.605(e) of this chapter;

(3) To authorize the use of communications specified in subsections (a), (b) and (c) of Rule 607, § 230.607 of this chapter less than five days subsequent to the filing thereof;

(4) To permit the withdrawal of any notification, or any exhibit or other documents filed as a part thereof, pursuant to Rule 604(d), § 230.604(d) of this chapter.

(c)(1) To designate officers empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, or other documents in the course of any examination or investigation instituted by the Commission pursuant to section 19(b) of the Securities Act of 1933, 15 U.S.C. 77s(b), and section 21(b) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(b), and section 8(e) of the Securities Act of 1933, 15 U.S.C. 77h(e);

(2) To grant requests of persons submitting data or evidence in nonpublic investigatory proceedings under any statute administered by the Commission to retain or procure copies of their data or transcripts of their testimony, pursuant to Rule 3(b) of the Commission's rules of practice, § 201.3(b) of this chapter.

(d) With respect to the Securities Act of 1933, 15 U.S.C. 77a et seq. and Regulation B thereunder, § 230.300 et seq. of this chapter:

(1) To authorize the issuance of orders temporarily suspending the effectiveness of offering sheets in the manner prescribed in Rule 340(a) thereunder, § 230.340(a) of this chapter;

(2) To issue notices of suspension of offering sheets and of opportunity for hearing thereon, in the manner prescribed in Rule 340(a), § 230.340(a) of this chapter;

(3) To terminate temporary suspension orders issued by the Commission under Rule 340(a), § 230.340(a) of this chapter, and proceedings under Rule 340(b), § 230.340(b) of this chapter, prior to taking any evidence at any such hearing thereon when, as set forth in Rule 340(c), § 230.340(c) of this chapter, it appears that the offering sheet has been amended to cure the objections specified in the temporary suspension order or the notice instituting the proceeding;

(4) To authorize the issuance of orders granting requests for withdrawal of offering sheets, pursuant to Rule 350, § 230.350 of this chapter, when it appears that no sales of the securities described in said offering sheets have, in fact, been made;

(5) To authorize the issuance of orders declaring effective amendments to offering sheets filed in accordance with the provisions in Rule 352, § 230.352 of this chapter, and Rule 354, § 230.354 of this chapter;

(6) To authorize the issuance of orders terminating the effectiveness of offering sheets upon application of persons filing them in compliance with the provisions of Rule 356, § 230.356 of this chapter.

(c) With respect to the Trust Indenture Act of 1939, 15 U.S.C. 77aaa et seq.:

(1) To determine to be effective prior to the twentieth day after filing thereof applications for qualification of indentures filed on Form T-3 pursuant to section 307 of the Act, 15 U.S.C. 77ggg, and Rule 7a-1 thereunder, § 260.7a-1 of this chapter;

(2) To authorize the issuance of orders exempting certain securities from the provisions of the Act pursuant to sections 304 (c) and (d) thereof; 15 U.S.C. 77ddd (c) and (d) and Rule 4(c)-1 thereunder, § 260.4(c)-1 of this chapter;

(3) In cases in which opportunity for hearing and other procedure are waived, to authorize the issuance of orders determining whether a trusteeship under an indenture to be qualified and another indenture is so likely to involve a material conflict of interest as to make it necessary to disqualify the trustee pursuant to section 310(b)(1)(ii) of the Act, 15 U.S.C. 77jjj(b)(1)(ii) and Rule 10b-2 thereunder, § 260.10b-2 of this chapter.

(f) With respect to the Securities Exchange Act of 1934, 15 U.S.C. 78a et seq.:

(1) To determine to be effective applications for registration of securities on a national securities exchange prior to thirty days after receipt of a certification pursuant to section 12(d) of the Act, 15 U.S.C. 78l(d);

(2) Pursuant to Instruction 15 of the Instruction as to Financial Statements in Form 10, § 249.210 of this chapter, Instruction 4 of the Instruction as to Fi-

nancial Statements in Form 8-K, § 249.308 of this chapter, and Instruction 9 of the Instruction as to Financial Statements in Form 10-K, § 249.310 of this chapter:

(i) To permit the omission of one or more financial statements therein required or the filing in substitution therefor of appropriate statements of comparable character;

(ii) To require the filing of other financial statements in addition to, or in substitution for, the statements therein required.

(3) To accord confidential treatment to material filed pursuant to section 24 (b) of the Act, 15 U.S.C. 78x(b), and Rule 24b-2 thereunder, § 240.24b-2 of this chapter, but only when the Commission has previously by order granted confidential treatment to the same information;

(4) To authorize the use of forms of proxies, proxy statements or other soliciting material within periods of time less than that prescribed in Rule 14a-6, § 240.14a-6, of this chapter, Rule 14a-8(d), § 240.14a-8(d) of this chapter and Rule 14a-11, § 240.14a-11 of this chapter;

(5) To grant or deny applications for exemptions from the operation of section 15(d) of the Act, 15 U.S.C. 78o(d), pursuant to Rule 15d-20, § 240.15d-20 of this chapter, except when a hearing is requested.

(g) With respect to the Investment Company Act of 1940, 15 U.S.C. 80a-1 et seq.:

To permit, pursuant to Rule 20a-2(a) (9), 17 CFR 270.20a-2(a) (9), the omission from a proxy statement of a registered investment company of the certification of the balance sheet of the investment adviser of such investment company and, if the investment adviser is primarily engaged in a business other than the underwriting or distribution of investment company securities or the performance of advisory services for registered investment companies, to permit the summarization or omission of such balance sheet.

(h) Notwithstanding anything in the foregoing, in any case in which the Director of the Division of Corporation Finance believes it appropriate, he may submit the matter to the Commission.

§ 200.30-2 Delegation of authority to Director of Division of Corporate Regulation.

Pursuant to the provisions of Public Law No. 87-592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to the Director of the Division of Corporate Regulation, to be performed by him and under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) With respect to the Public Utility Holding Company Act of 1935, 15 U.S.C. 79a, et seq.:

(1) To issue notices with respect to applications or declarations under the following sections of the Act and the rules and regulations promulgated thereunder where, upon examination, the application or declaration does not

appear to present issues not previously settled by the Commission or to raise questions of fact or policy indicating that the public interest or the interest of investors or consumers requires that a hearing be held:

(i) Section 2(a)(3), 15 U.S.C. 79b(a)(3);

(ii) Section 2(a)(4), 15 U.S.C. 79b(a)(4);

(iii) Section 2(a)(7), 15 U.S.C. 79b(a)(7);

(iv) Section 2(a)(8), 15 U.S.C. 79b(a)(8);

(v) Section 3(a), 15 U.S.C. 79c(a);

(vi) Section 3(b), 15 U.S.C. 79c(b);

(vii) Section 5(d), 15 U.S.C. 79e(d);

(viii) Section 6(b), 15 U.S.C. 79f(b);

(ix) Section 7, 15 U.S.C. 79g;

(x) Section 9(c)(3), 15 U.S.C. 79i

(c)(3);

(xi) Section 10, 15 U.S.C. 79j;

(xii) Section 12(b), 15 U.S.C. 79l(b);

(xiii) Section 12(c), 15 U.S.C. 79l(c);

(xiv) Section 12(d), 15 U.S.C. 79l(d);

(xv) Section 12(e), 15 U.S.C. 79l(e);

(xvi) Section 12(f), 15 U.S.C. 79l(f);

(xvii) Section 12(g), 15 U.S.C. 79l(g);

(xviii) Section 13(b), 15 U.S.C. 79m

(b);

(xix) Section 13(c), 15 U.S.C. 79m(c);

(xx) Section 13(d), 15 U.S.C. 79m(d);

(xxi) Section 13(e), 15 U.S.C. 79m(e);

(xxii) Section 13(f), 15 U.S.C. 79m(f).

(2) To authorize the issuance of orders where a notice has been issued and no request for a hearing has been received from any interested person within the period specified in the notice and the matter involved presents no issue not previously settled by the Commission and it does not appear to be necessary in the public interest or the interest of investors or consumers that a hearing be held; section 20(c), 15 U.S.C. 79t(c);

(3) To permit the withdrawal of applications or declarations filed pursuant to the Act, 15 U.S.C. 79a, et seq.;

(4) Upon a showing of good cause and that it would not be contrary to the public interest or inconsistent with the protection of investors or consumers, to grant reasonable extensions of time with respect to the time for the filing with the Commission of registration statements and of reports pursuant to section 20(a), 15 U.S.C. 79t(a), and Rules 1(b), 1(c), 2, 24 and 29; §§ 250.1 (b) and (c), 250.2, 250.24 and 250.29 of this chapter;

(5) To designate officers empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records in the course of investigations instituted by the Commission pursuant to section 18(c), 15 U.S.C. 79r(c);

(b) With respect to the Investment Company Act of 1940, 15 U.S.C. 80a-1, et seq.:

(1) To issue notices, pursuant to Rule O-5(a), § 270.05(a) of this chapter, with respect to applications for orders under the following sections of the Act and the rules and regulations promulgated thereunder where, upon examination, the application does not appear to present issues not previously settled by the Commission or to raise questions of fact

or policy indicating that the public interest or the interest of investors requires that a hearing be held:

- (i) Section 6(b), 15 U.S.C. 80a-6(b);
- (ii) Section 6(c), 15 U.S.C. 80a-6(c);
- (iii) Section 6(d), 15 U.S.C. 80a-6(d);
- (iv) Section 6(e), 15 U.S.C. 80a-6(e);
- (v) Section 7(d), 15 U.S.C. 80a-7(d);
- (vi) Section 8(f), 15 U.S.C. 80a-8(f);
- (vii) Section 10(e), 15 U.S.C. 80a-10(e);
- (viii) Section 10(f), 15 U.S.C. 80a-10(f);
- (ix) Section 11(a), 15 U.S.C. 80a-11(a);
- (x) Section 12(g), 15 U.S.C. 80a-12(g);
- (xi) Section 16(a), 15 U.S.C. 80a-16(a);
- (xii) Section 17(b), 15 U.S.C. 80a-17(b);
- (xiii) Section 17(d), 15 U.S.C. 80a-17(d);
- (xiv) Section 17(e), 15 U.S.C. 80a-17(e);
- (xv) Section 17(f), 15 U.S.C. 80a-17(f);
- (xvi) Section 17(g), 15 U.S.C. 80a-17(g);
- (xvii) Section 18(j), 15 U.S.C. 80a-18(j);
- (xviii) Section 23(b), 15 U.S.C. 80a-23(b);
- (xix) Section 23(c), 15 U.S.C. 80a-23(c);
- (xx) Section 28(c), 15 U.S.C. 80a-28(c);
- (xxi) Section 31(d), 15 U.S.C. 80a-31(d);
- (xxii) Section 32(c), 15 U.S.C. 80a-32(c);
- (xxiii) Section 45(a), 15 U.S.C. 80a-45(a).

(2) To authorize the issuance of orders where a notice, pursuant to Rule 0-5(a), § 270.05(a) of this chapter, has been issued and no request has been received from any interested person within the period specified in the notice and the matter involved presents no issue not previously settled by the Commission and it is not necessary in the public interest or the interest of investors that a hearing be held; section 40(a), 15 U.S.C. 30a-39(a);

(3) To permit the withdrawal of applications pursuant to the Act, 15 U.S.C. 80a-1, et seq.;

(4) Upon a showing of good cause and that it would not be contrary to the public interest or inconsistent with the protection of investors, to grant reasonable extensions of time with respect to the time for (i) the mailing of reports to the stockholders and (ii) the filing with the Commission of registration statements and of reports; section 38(a), 15 U.S.C. 80a-37(a);

(5) To designate officers empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records in the course of investigations instituted by the Commission pursuant to section 42(b), 15 U.S.C. 80a-41(b);

(6) Notwithstanding anything in the foregoing, in any case in which the Di-

rector of the Division of Corporate Regulation believes it appropriate he may submit the matter to the Commission.

§ 200.30-3 Delegation of authority to Director of Division of Trading and Exchanges.

Pursuant to the provisions of Public Law No. 87-592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to the Director of the Division of Trading and Exchanges, to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) (1) To designate officers empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, or other documents in the course of investigations instituted by the Commission pursuant to section 19(b) of the Securities Act of 1933, 15 U.S.C. 77s(b), section 21(b) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(b), and section 209(b) of the Investment Advisers Act of 1940, 15 U.S.C. 80b-9;

(2) To grant requests of persons submitting data or evidence in nonpublic investigatory proceedings under any statute administered by the Commission to retain or procure copies of their data or transcripts of their testimony, pursuant to Rule 3(b) of the Commission's rules of practice, § 201.3(b) of this chapter.

(b) With respect to the Securities Exchange Act of 1934, 15 U.S.C. 78 et seq.:

(1) To approve the withdrawal or striking from listing and registration of securities registered on any national securities exchange pursuant to Section 12(d) of the Act, 15 U.S.C. 78l(d) and Rules 12d-2-1 and 12d-2-2 thereunder, §§ 240.12d-2-1 and 240.12d-2-2 of this chapter;

(2) To extend unlisted trading privileges pursuant to Section 12(f) (2) of the Act, 15 U.S.C. 78l(f) (2), and Rule 12f-1 thereunder, § 240.12f-1 of this chapter;

(3) Pursuant to section 15(b) of the Act, 15 U.S.C. 78o(b):

(i) To determine registrations of brokers or dealers to be effective within any shorter period of time than thirty days after receipt of applications for registration;

(ii) To authorize the issuance of orders postponing the effective date of registrations of brokers or dealers, provided that without the consent of the applicant for registration no order shall be entered postponing the effective date of any registration pending final determination of whether such registration should be denied;

(iii) To authorize the issuance of orders canceling registrations of brokers or dealers, or pending applications for registration, if such brokers or dealers or applicants for registration are no longer in existence or have ceased to do business as brokers or dealers;

(4) Pursuant to rule 15ab-1, 17 CFR 240.15ab-1, to approve applications under section 15A(b) (4) of the Act, 15 U.S.C. 78o-3(b) (4), for admission to, or con-

tinuance of, membership in national securities associations of brokers or dealers who would otherwise be disqualified from membership where such associations have approved the applications.

(c) With respect to the Investment Advisers Act of 1940, 15 U.S.C. 80b-1 et seq.:

(1) Pursuant to section 203(c) of the Act, 15 U.S.C. 80b-3(c) of the Act:

(i) To determine whether registrations of investment advisers shall be effective within shorter periods of time than thirty days after receipt by the Commission of applications for registration;

(ii) To authorize the issuance of orders declaring whether amendments filed with the Commission after an application has become effective shall be effective within shorter periods of time than thirty days after the filing of such amendments.

(2) Pursuant to section 203(g) of the Act, 15 U.S.C. 80b-3(g), to authorize the issuance of orders canceling the registrations of investment advisers, or applications for registration, if such investment advisers or applicants for registration are no longer in existence or are not engaged in business as investment advisers.

(d) Notwithstanding anything in the foregoing, in any case in which the Director of the Division of Trading and Exchanges believes it appropriate, he may submit the matter to the Commission.

§ 200.30-4 Delegation of authority to Regional Administrators.

Pursuant to the provisions of Public Law No. 87-592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to each Regional Administrator, to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) With respect to the Securities Act of 1933, 15 U.S.C. 77a et seq. and Regulation A thereunder, § 230.251 et seq. of this chapter:

(1) To authorize the offering of securities:

(i) Less than ten days subsequent to the filing with the Regional Office of notification on Form 1-A, pursuant to Rule 255(a), § 230.255(a) of this chapter, or

(ii) Less than ten days subsequent to the filing of an amendment to a notification on Form 1-A, pursuant to Rule 255(d), § 230.255(d) of this chapter or Rule 256(f), § 230.256(f) of this chapter;

(2) To authorize the use of sales material less than five days subsequent to its filing with the Regional Office pursuant to Rule 258, § 230.258 of this chapter;

(3) To permit the furnishing of financial statements as of dates earlier than 90 days prior to the filing of notifications, but not exceeding six months, pursuant to Item 11(a) (1) of Schedule I and Rule 256 and Rule 257, §§ 230.256 and 230.257 of this chapter;

(b) With respect to the Securities Act of 1933, 15 U.S.C. 77a et seq. and Regulation F thereunder, § 230.652, et seq. of this chapter:

PROPOSED RULE MAKING

(1) To authorize the offering of securities less than ten days subsequent to the filing with the Regional Office of notification on Form 1-F, pursuant to Rule 652, § 230.652 of this chapter;

(2) To authorize the use of sales material less than ten days subsequent to its filing with the Regional Office pursuant to Rule 654, § 230.654 of this chapter;

(c) With respect to the Securities Exchange Act of 1934, 15 U.S.C. 78a et seq.: Pursuant to Rule 17a-5(d), § 240.17a-5(d) of this chapter, to consider applications by brokers and dealers for extensions of time within which to file reports required by Rule 17a-5, § 240.17a-5 of this chapter, and to grant, and to authorize the issuance of orders denying, such applications.

(d) Notwithstanding anything in the foregoing, in any case in which the Regional Administrator believes it appropriate, he may submit the matter to the Commission.

§ 200.30-5 Delegation of authority to Secretary of the Commission.

Pursuant to the provisions of Public Law No. 87-592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to the Secretary of the Commission to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) With respect to proceedings conducted pursuant to the Securities Act of 1933, 15 U.S.C. 77a et seq., the Securities Exchange Act of 1934, 15 U.S.C. 78a et seq., the Public Utility Holding Company Act of 1935, 15 U.S.C. 79(a) et seq., the Trust Indenture Act of 1939, 15 U.S.C. 77aaa et seq., the Investment Company Act of 1940, 15 U.S.C. 80a-1 et seq., and

the Investment Advisers Act of 1940, 15 U.S.C. 80b-1 et seq.:

(1) After a proceeding has been authorized, to fix the time and place for hearing pursuant to Rule 6(b) of the Commission's rules of practice, § 201.6(b) of this chapter, and Rule 11(a) of the Commission's rules of practice, § 201.11(a) of this chapter;

(2) To fix the time and place for hearings and oral arguments before the Commission pursuant to Rule 2(a) of the Commission's rules of practice, § 201.21(a) of this chapter;

(3) In appropriate cases to extend and reallocate the time prescribed in Rule 21(b) of the Commission's rules of practice, § 201.21(b) of this chapter;

(4) To designate hearing examiners pursuant to Rule 11(b) of the Commission's rules of practice, § 201.11(b) of this chapter;

(5) To postpone or adjourn hearings or otherwise adjust the date for commencement of hearings pursuant to Rule 13 of the Commission's rules of practice, § 201.13 of this chapter, and to advance such hearings;

(6) To grant extensions of time within which to file papers pursuant to Rule 13 of the Commission's rules of practice, § 201.13 of this chapter;

(7) To permit the filing of briefs exceeding 60 pages in length, pursuant to Rule 22(d) of the Commission's rules of practice, § 201.22(d) of this chapter;

(8) To certify records of proceedings upon which are entered orders the subject to review in courts of appeals pursuant to Section 9 of the Securities Act of 1933, 15 U.S.C. 77i, section 25 of the Securities Exchange Act of 1934, 15 U.S.C. 78y, section 24 of the Public Utility Holding Company Act of 1935, 15 U.S.C. 79x, section 322(a) of the Trust Indenture Act of 1939, 15 U.S.C. 77vvv, section 43 of the Investment Company

Act of 1940, 15 U.S.C. 80a-42, and section 213 of the Investment Advisers Act of 1940, 15 U.S.C. 80b-13.

(b) Notwithstanding anything in the foregoing, in any case in which the Secretary of the Commission believes it appropriate he may submit the matter to the Commission.

§ 200.30-6 Regulation governing review by the Commission of delegated action.

Any person adversely affected by a determination at a delegated level may petition for review of such determination by the Commission. A petition for review shall contain a clear and concise statement of the issues to be reviewed and the reasons review is appropriate. Such petition shall be communicated by telegram or otherwise to the Secretary of the Commission within twenty-four hours (excluding days when the Commission's offices are not open) after receipt of actual notice of the determination complained of, or within forty-eight hours after notice has been mailed to the person's last address listed with the Commission, whichever is shorter, unless the Commission determines otherwise. If the Commission grants a petition for review (or where a petitioner is entitled to review under paragraph (b) of Public Law No. 87-592, 76 Stat. 394) the Commission shall by order set forth the procedure to be followed including whether the determination being reviewed should be stayed and whether oral argument will be heard.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

DECEMBER 14, 1962.

[F.R. Doc. 62-12694; Filed, Dec. 21, 1962; 8:52 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Foreign Assets Control

HAIR OF CERTAIN ANIMALS, COTTON AND SILK WASTE AND CARPET WOOL

Importation From Countries Not in Authorized Trade Territory; Applications for Licenses

Notice is hereby given that the Treasury Department is now prepared to consider applications for licenses under the Foreign Assets Control Regulations (31 CFR 500.101 to 500.808) for the importation during 1963 of limited quantities of the following commodities from countries (other than Communist China and North Korea) not in the authorized trade territory:

Badger hair;
Camel hair;
Carpet wool;
Cotton waste;
Goat hair;
Horse mane hair, horse tail hair and other horse hair;
Silk waste;
Yak hair.

Applications must be filed on or before January 10, 1963.

Any person interested in importing any of the above-named commodities from a country (other than Communist China and North Korea) not in the authorized trade territory may obtain additional information and license application forms from the Foreign Assets Control, Treasury Department, Washington 25, D.C.

Attention is directed to the fact that the term "authorized trade territory" is defined in § 500.322 of the Foreign Assets Control Regulations and that the term "countries (other than Communist China and North Korea) not in the authorized trade territory" as used herein includes Albania, Bulgaria, Czechoslovakia, the Eastern Zone of Germany, the Eastern Sector of Berlin, Estonia, Hungary, Latvia, Lithuania, Outer Mongolia, Poland, Rumania, the Union of Soviet Socialist Republics, and Viet-Nam (only those areas under Communist control).

[SEAL] MARGARET W. SCHWARTZ,

Director,

Foreign Assets Control.

[F.R. Doc. 62-12645; Filed, Dec. 21, 1962; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

The Department of the Army has filed an application, Serial Number F-030553

for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for use as a supply dispersal site.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Cordova Building, 555 Cordova Street, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

HARDING LAKE AREA

T. 6 S., R. 4 E., F.M.,
Section 12: N $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Containing 20 acres, more or less.

VERNON B. DALE,
Acting Chief, Division of
Lands and Minerals Management.

[F.R. Doc. 62-12634; Filed, Dec. 21, 1962; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[P. & S. Docket No. 425]

SIOUX CITY STOCK YARDS CO.

Notice of Petition for Modification of Rate Order

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.), an order was issued on December 6, 1961 (20 A.D. 1216), continuing in effect to and including December 31, 1963, an order issued on December 30, 1957 (16 A.D. 1241), as modified by an order issued on March 24, 1961 (20 A.D. 217). The order of December 30, 1957, was further modified by an order issued on March 22, 1962 (21 A.D. 262). Under such orders the respondent, Sioux City Stock Yards Company, Sioux City, Iowa, is authorized to assess the current temporary schedule of rates and charges.

On November 27, 1962, a petition was filed on behalf of the respondent requesting authority to modify, as soon as possible, the current temporary schedule of rates and charges as indicated below, and requesting that the current schedule, as so modified, be continued in effect to and including December 31, 1964.

1. In Item 1, amend basic yardage charges, per head, for cattle and calves as follows:

	Present	Proposed
Cattle (except bulls 700 lbs. or over)-----	\$0.83	\$0.86
Calves (400 lbs. or under)---	.49	.50

2. In Item 2, amend yardage charges, per head, for cattle consigned direct to packers, as follows:

	Present	Proposed
Cattle (except bulls 700 lbs. or over)-----	\$0.42	\$0.43

3. In Item 3, Column 1, amend charges, per head, for resales of cattle and calves as follows:

	Present	Proposed
Cattle (except bulls 700 lbs. or over)-----	\$0.83	\$0.86
Calves (400 lbs. or under)---	.49	.50

4. In Item 4(b), amend feed margin for oats, per bushel, as follows:

	Present	Proposed
Oats-----	\$0.35	\$0.50

The modifications, if authorized, will produce additional revenue for the respondent and increase the cost of marketing livestock. Accordingly, it appears that this public notice of the filing of the petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D.C., within 15 days after the publication of this notice.

Done at Washington, D.C., this 18th day of December 1962.

DONALD A. CAMPBELL,
Director, Packers and Stock-
yards Division, Agricultural
Marketing Service.

[F.R. Doc. 62-12648; Filed, Dec. 21, 1962; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket M-91]

WARSAW LUMBER & TRADING CO.

Notice of Application

Notice is hereby given that Warsaw Lumber & Trading Company has requested that a determination be made pursuant to section 4 of Public Law 87-877 that there is no domestic vessel reasonably available to provide service from Savannah, Georgia, to ports in Puerto Rico for the transportation of lumber.

Any person, firm or corporation having any interest in such application and desiring a hearing as provided by said Public Law 87-877 should by the close of business on December 31, 1962, notify the Secretary, Maritime Administration, in writing, in triplicate, and file a petition for leave to intervene in accordance with the rules of practice and pro-

cedure of the Maritime Administration. Such petition should be accompanied by written testimony setting forth in detail the support for the position asserted and by a statement of the legal grounds supporting the requested leave to intervene, and shall be served upon the applicant, Warsaw Lumber & Trading Company, at its legal address, 1102 Savannah Bank Bldg., Savannah, Georgia, and upon the Hearing Counsel Branch, Division of Operating Subsidy Contracts, Office of the General Counsel, Maritime Administration/Maritime Subsidy Board, Room 4063 of G.A.O. Building, Washington 25, D.C.

In the event that a hearing is ordered to be held on the applications such will be held on January 7, 1963, at a place to be announced before a Hearing Examiner of the Maritime Administration/Maritime Subsidy Board.

The purpose of the hearing will be to receive evidence on the question of whether there are no domestic vessels reasonably available for use in the carriage of lumber as indicated above. Time being of the essence in order to meet the statutory time period for determining this matter, all parties are advised that any hearing ordered will be completed in the shortest practicable time and no extensions of time will be granted to any party.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Administrator determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Administrator will take such action as may be deemed appropriate.

Public Law 87-877 provides that a determination shall be made by the Secretary of Commerce within 45 days after application for suspension of the provisions of section 27 of the Merchant Marine Act, 1920.

Notwithstanding section 5(n) of the rules of practice and procedure petitions for leave to intervene received after 5 p.m. on December 31, 1962, will not be granted in this proceeding.

The above application is on file in Room 3095, New G.A.O. Building, Washington, D.C.

Dated: December 19, 1962.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 62-12680; Filed, Dec. 21, 1962;
8:52 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-97]

CORNELL UNIVERSITY

Notice of Issuance of Utilization Facility License

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on November 24, 1962, 27 F.R. 11566, the Atomic Energy Commission has issued

Utilization Facility License No. R-89 which authorizes Cornell University to operate the facility which is designated as the "Zero Power Reactor" and which is situated on the licensee's campus at Ithaca, New York. The license is substantially as published except that the description of the reactor has been changed to authorize removal of a one-half inch transfer pipe line connecting the reactor source shield tank to the standpipe that constitutes part of the water level indicating system, and its replacement by a shorter two-inch pipe line. The one-half-inch line, because of its high fluid friction, had caused the water level telemetering system to act sluggishly.

The Commission has reviewed this matter and has concluded that operation of the reactor, changed as proposed, in accordance with the terms and conditions of License No. R-89 will not present an undue hazard to the health and safety of the public and will not be inimical to the common defense and security and does not involve consideration of safety factors significantly different from those previously evaluated.

In view of the change in the license from that which was published on November 24, 1962, the Commission will, in accordance with its rules of practice (10 CFR Part 2), direct the holding of a formal hearing on the matter of the issuance of License No. R-89 upon receipt of a request therefor from the licensee or a petition to intervene within 15 days after the publication of this notice in the FEDERAL REGISTER. Requests for a hearing and petitions to intervene may be filed in accordance with the provisions of the Commission's rules of practice (10 CFR Part 2).

For further details see the letter dated December 3, 1962 submitted by the licensee describing the change. The letter is available for public inspection at the Commission's Public Document Room.

Dated at Germantown, Md., this 11th day of December 1962.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Re-
actor Safety Branch, Divi-
sion of Licensing and Regu-
lation.

[F.R. Doc. 62-12626; Filed, Dec. 21, 1962;
8:45 a.m.]

[Docket No. 115-5]

LA CROSSE BOILING WATER REACTOR PROJECT

Notice of Hearing on a Construction Authorization for a Nuclear Facility

Pursuant to the Atomic Energy Act of 1954, as amended, and the regulations in Part 115, 10 CFR, "Procedures for Review of Certain Nuclear Reactors Exempted from Licensing Rules" and Part 2, 10 CFR, "Rules of Practice", notice is hereby given that a hearing will be held at 10:00 a.m., c.s.t., on January 24, 1963, in the United States District Court Room,

U.S. Post Office and District Court Building, La Crosse, Wisconsin, to consider the issuance of a construction authorization to Allis-Chalmers Manufacturing Company (hereinafter referred to as the "applicant"), 1205 South 70th Street, West Allis, Wisconsin, to construct the La Crosse Boiling Water Reactor. This reactor, to be used by the Dairyland Power Cooperative, of La Crosse, Wisconsin, to produce electricity under contract with the Atomic Energy Commission, is a forced circulation direct cycle boiling water reactor designed to operate at 165 MWT and will be located on the east bank of the Mississippi River in Vernon County, Wisconsin, approximately one mile south of the Village of Genoa, Wisconsin, and approximately nineteen miles south of the City of La Crosse, Wisconsin.

The hearing will be conducted by an atomic safety and licensing board composed of three members who will be selected by the Commission pursuant to section 191 of the Atomic Energy Act of 1954, as amended (Public Law 87-615). The following issues will be considered at the hearing:

(1) Whether the applicant has submitted sufficient information to provide reasonable assurance that a facility of the general type proposed in the application can be constructed and operated at the proposed location without undue risk to the health and safety of the public;

(2) Whether there is reasonable assurance that the technical information omitted from and required to complete the application will be supplied;

(3) Whether the applicant is technically qualified to design and construct the proposed facility; and

(4) Whether the issuance of an authorization for the construction of the facility will be inimical to the common defense and security or to the health and safety of the public.

The application and the reports of the Commission's Advisory Committee on Reactor Safeguards (ACRS) are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Copies of the ACRS reports may be obtained by request to the Director of the Division of Licensing and Regulation, United States Atomic Energy Commission, Washington 25, D.C.

Petitions for leave to intervene pursuant to § 2.714 of the Commission's "Rules of Practice" must be received in the Office of the Secretary, United States Atomic Energy Commission, Germantown, Maryland, or in the Commission's Public Document Room, 1717 H Street NW., Washington 25, D.C., not later than January 14, 1963, or, in the event of a postponement of the hearing date specified, at such time as the licensing board may specify. Answers to this notice pursuant to § 2.705 of the Commission's "Rules of Practice" shall be filed on or before January 14, 1963, by the applicant.

Papers required to be filed with the Commission in this proceeding shall be filed by mail or telegram addressed to the Secretary, United States Atomic Energy Commission, Washington 25, D.C., or

may be filed by delivery to the Office of the Secretary, United States Atomic Energy Commission, Germantown, Maryland, or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. Pending further order of the licensing board, parties shall file pursuant to § 2.708 of the Commission's "Rules of Practice", an original and fifteen conformed copies of each such paper with the Commission.

Dated at Germantown, Md., this 21st day of December 1962.

For the Atomic Energy Commission.

WOODFORD B. McCool,
Secretary to the Commission.

[F.R. Doc. 62-12776; Filed, Dec. 21, 1962;
11:34 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 14214; Order E-19104]

ALLEGHENY AIRLINES, INC.

"Use It or Lose It" Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 17th day of December 1962.

In the past the Board has made extensive awards to local service carriers subject to a "use it or lose it" policy. This policy contemplates an early reassessment of the traffic response to newly authorized services in order to determine whether sufficient use has been made of them to warrant their continuation. The Board specifically set a minimum standard of use which required that each city, whether certificated on a temporary or an indefinite basis, originate an average of five passengers daily for the twelve months following the initial six months of service, and indicated that it would, in the absence of unusual or compelling circumstances, institute a formal investigation to determine whether a city should lose its air service for lack of use in the event it does not meet the standard. Further, the Board stated that it would similarly reassess the traffic results on each route segment for the same twelve-month period. The minimum standard in this regard required an average passenger load of seven passengers per flight during the trial period, and provided that an inadequate traffic response on any segment would result in the institution of appropriate proceedings to determine whether the subject segment should be suspended or deleted. In addition, with respect to those segments experiencing average passenger loads ranging between five and seven passengers per flight, it was provided that formal proceedings looking toward the termination of service would be instituted, except in those situations in which unusual circumstances such as extreme isolation or national defense may dictate the contrary. Seven States Area Investigation, Order E-13254, dated December 8, 1958; Northeastern States Area Case, Order E-14740, dated December 15, 1959.

As indicated in Appendices A and B, attached hereto,¹ segment 8 of Alle-

gheny's Route 97 and all cities served thereon, with the possible exception of Wilmington, Delaware, have met the Board's "use it or lose it" standard. However, in reviewing the service awards made in the Northeastern States Area Case, supra, it was found that two other cities on Allegheny's system and a part of segment 4 have failed to meet the minimum traffic standards² for the 12-month period ended March 31, 1962. It would also appear that Jamestown, New York, which is served as an intermediate point on segments 4 and 7, may have failed to originate a minimum of five passengers daily on segment 4.

Although a portion of segment 4 and the cities of Jamestown, N.Y., and Buffalo, N.Y., have not generated a satisfactory traffic response to the services offered, we have decided to limit the instant investigation initially to a consideration of the future air transportation requirements of Salisbury, Maryland. There is no need for a broader investigation at this time since Allegheny's service and scope of operating authority with respect to the Buffalo-Jamestown-Scranton/Wilkes-Barre area may be affected by our decision in the TWA, Allegheny, Mohawk Route Transfer Case, Docket 13527, et al.³ Accordingly, further action with respect to continued service to this area and Allegheny's authority to provide that service will abide a final decision in Docket 13527, et al.

The analysis of the Wilmington traffic (Appendix C)¹ indicates an apparent imbalance in total originating and deplaning passenger traffic with the volume of deplaning traffic greatly exceeding that of originating traffic. It appears that Wilmington may have failed to satisfy the minimum traffic standards on one, or both, of the segments on which it is served. For further study of the Wilmington traffic response, we will direct Allegheny to submit, within fifteen (15) days from the date of service of this order, the on and off traffic at Wilmington by segment for the latest available 12-month period.

With respect to Salisbury, Md., we do not find such unusual or compelling circumstances as to justify further delay, or deferment of an investigation to determine whether that city should continue to receive service as an intermediate point on Allegheny's segment 2, or should be deleted therefrom. Accordingly, we are going to direct that such an investigation be made at this time.

We will not consider new or previously filed route applications of any carrier or possible certificate modifications, except as contemplated herein, and we intend that this investigation shall proceed promptly and be disposed of in the shortest possible time needed to make an adequate record. For the guidance of the parties, we note that data reflecting traf-

² The terminal point, Buffalo, N.Y., on segment 4, the intermediate point, Salisbury, Md., on segment 2, and that portion of segment 4 extending from Bradford, Pa., to Buffalo, N.Y., via Jamestown, N.Y. These cities and the segments on which they are served were not originally certified for service pursuant to the "use it or lose it" policy.

³ Hearings in this case were held in September 1962.

fic, service, and costs will be of particular significance in reaching our decision in this investigation, and we expect Allegheny to submit as direct exhibits in this case data which reflect the quality, quantity, and other characteristics of service it has provided at the point here in issue.

Accordingly, it is ordered:

1. That an investigation be and hereby is instituted pursuant to section 401(g) of the Federal Aviation Act of 1958, as amended, to determine whether the public convenience and necessity require:

(a) the suspension of Allegheny's certificate insofar as it authorizes the carrier to serve Salisbury, Md.; or

(b) the alteration, amendment or modification of Allegheny's certificate in such a manner as to delete Salisbury, Md.;

2. That Allegheny submit, within fifteen (15) days from the date of service of this order, the on and off traffic at Wilmington, Delaware, by segment for the latest available 12-month period;

3. That a copy of this order shall be served on Allegheny Airlines, Inc., Salisbury, Maryland, and the State Aviation Commission of Maryland, who are hereby made parties to this proceeding;

4. That a copy of this order shall be served on Wilmington, Delaware;

5. That a copy of this order shall be served on: American Airlines, Inc.; Eastern Air Lines, Inc.; and Trans World Airlines, Inc.; and

6. That a copy of this order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62-12628; Filed, Dec. 21, 1962;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[List 43; FCC 62-1325]

CAPITAL BROADCASTING, INC.

Standard Broadcast Application
Ready and Available for Processing

DECEMBER 19, 1962.

In accordance with the Commission's action of December 17, 1962, granting a waiver of § 1.354(c) allowing the below-described application to be placed at the top of the processing line, notice is hereby given that on January 28, 1963, the following application: New, Bismarck-Mandan, North Dakota, Capital Broadcasting, Inc., Req.: 1270 kc, 250 w, 1 kw-LS, U; will be considered as ready and available for processing, and that pursuant to § 1.106(b)(1) and § 1.361(c) of the Commission's rules, an application, in order to be considered with this application or with any other application on file by the close of business on January 25, 1963, which involves a conflict necessitating a hearing with this application, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by

¹ Filed as part of the original document.

whichever date is earlier: (a) the close of business on January 25, 1963, or (b) the earlier effective cut-off date which this application or any other conflicting application may have by virtue of conflicts necessitating a hearing with applications appearing on previous lists.

The Commission hereby waives the provisions of the Interim Criteria to Govern Acceptance of Standard Broadcast Applications adopted May 10, 1962 (see note to § 1.354 of the Commission's rules) to the extent necessary to permit the acceptance of other applications specifying substantially the same facilities requested by Capital Broadcasting, Inc.

The attention of any party in interest desiring to file pleadings concerning the above application pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.359(i) of the Commission's rules for provisions governing the time of filing and other requirements relating to such pleadings.

Adopted: December 17, 1962.

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

[F.R. Doc. 62-12676; Filed, Dec. 21, 1962;
8:52 a.m.]

[Docket No. 14900; FCC 62-1319]

R. M. CHAMBERLIN

Order Designating Application for Hearing on Stated Issues

In re application of R. M. Chamberlin, Docket No. 14900, File No. BR-3023; for renewal of license of Standard Broadcast Station WAXE, Vero Beach, Florida.

At a session of the Federal Communications Commission held at its offices in Washington, D.C. on the 17th day of December, 1962.

The Commission having under consideration the above-captioned and described application;¹

It appearing, that, from March 21, 1960 to July 24, 1962, Station WAXE was inspected on five occasions and that such inspections resulted in the issuance of citations for violations of 21 different sections of the Commission's rules and regulations; and

It further appearing, that, of the 21 different sections of the Commission's rules and regulations found to have been violated, two such sections were found to have been violated during four of the above-mentioned inspections; three other sections were found to have been violated during three inspections; and seven other sections were found to have been violated during two inspections; and

¹ The Commission also has under consideration an application for Commission consent to the assignment of license for Station WAXE to Shargo, Inc. (File No. BAL-4527). However, final consideration of such application must await the conclusion of the hearing ordered herein. See *Broadcasting Service Organization, Inc.*, 3 Pike & Fischer, RR 979.

It further appearing, that, the above-mentioned repetitive violations, particularly those relating to the maintenance of program logs, and the applicant's responses to the citation notices therefor, indicate that the applicant has not exercised the degree of supervision of his employees commensurate with his obligations as a broadcast licensee; and

It further appearing, that several former employees of the applicant have affirmed their allegations that the applicant instructed such employees to falsify transmitter logs with respect to the meter reading entries and the operation of the remote equipment by an unlicensed operator; and

It further appearing, that, the applicant has been afforded an opportunity to reply to the foregoing matters, which replies have not, however, eliminated the questions presented by the foregoing; and

It further appearing, that, after consideration of all the foregoing the Commission is unable to find that a grant of the above-captioned and described application would serve the public interest, convenience and necessity; and that, therefore, said application must be designated for hearing:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned and described application is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine whether, since March 21, 1960, the licensee operated his station contrary to the provisions of the Commission's rules and regulations, with particular regard to §§ 3.111(a), 3.111(a)(1), 3.111(a)(2), 3.111(a)(3), 3.111(b), 3.111(b)(1), 3.111(b)(2), 3.112, 3.113, 3.114, 3.92(b), 3.39(i), 3.931, 3.39(d)(2), 3.56(a), 3.65, 3.47(b), 3.60(a), 17.25(a)(1), 17.38(b), and 17.38(d).

2. To determine whether the licensee maintained adequate control and supervision over the operation of the station during the period of his most recent license renewal period to date.

3. To determine whether the applicant instructed his employees to violate Commission rules and regulations, with particular regard to the maintenance of transmitter logs.

4. To determine whether, in light of the evidence adduced with respect to the foregoing issues, the applicant possesses the requisite qualifications to be a licensee of the Commission.

5. To determine whether, in light of all the evidence adduced with respect to the foregoing issues, a grant of the above-captioned and described application would serve the public interest, convenience and necessity.

It is further ordered, That, to avail himself of the opportunity to be heard, the applicant herein, pursuant to § 1.140 of the Commission's rules and regulations, in person or by attorney, shall within 20 days of the mailing of this Order, file with Commission, in triplicate, a written appearance stating an intent to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That, the applicant herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362 of the Commission's rules and regulations, give notice of the hearing within the time and in the manner prescribed in such Rule, and shall advise the Commission thereof as required by § 1.362(g) of the Commission's rules and regulations.

Released: December 19, 1962.

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

[F.R. Doc. 62-12671; Filed, Dec. 21, 1962;
8:51 a.m.]

[Docket No. 14901; FCC 62-1320]

PAUL DEAN FORD

Order Designating Application for Hearing on Stated Issues

In re application of Paul Dean Ford, Casey, Illinois, Docket No. 14901, File No. BP-14223; requests: 800 kc, 250 w, day, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 17th day of December 1962;

The Commission having under consideration the above-captioned and described application;

It appearing, that, except as indicated by the issues specified below, the instant applicant is legally, technically, financially, and otherwise qualified to construct and operate the instant proposal; and

It further appearing, that the instant proposal would cause objectionable interference to the existing operation of Station KREI, Farmington, Missouri.

It further appearing, that, the operation proposed by Paul Dean Ford meets the criteria of § 1.351 of the Commission rules, as amended January 31, 1962; and

It further appearing, that the antenna system proposed by Paul Dean Ford utilizes top loading (11°) to achieve the minimum efficiency required by § 3.189 of the Commission's rules, and that, accordingly, in the event of a grant of the instant application, the construction permit should be appropriately conditioned; and

It further appearing, that, in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject application would serve the public interest, convenience, and necessity, and is of the opinion that the application must be designated for hearing on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the instant proposal and the availability of other primary service to such areas and populations.

2. To determine whether the instant proposal of Paul Dean Ford would cause objectionable interference to Station KREI, Farmington, Missouri, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience, and necessity.

It is further ordered, That, Cecil W. Roberts and Jane A. Roberts, licensees of Station KREI, Farmington, Missouri, are made parties to the proceeding.

It is further ordered, That, in the event of a grant of the instant application of Paul Dean Ford, the construction permit shall contain the following condition: Before program tests are authorized, the permittee shall establish by a non-directional proof of performance that the proposed antenna system will provide a minimum efficiency of 175 mv/m/kw.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicant and party respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That the applicant herein shall, pursuant to section 311(a) (2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(h) of the rules.

Released: December 19, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-12672; Filed, Dec. 21, 1962;
8:51 a.m.]

[Docket No. 14897]

MAYWOOD GARAGE

Order To Show Cause

In the matter of Merrill Miles, d/b as Maywood Garage, Hammond, Indiana; order to show cause why there should not be revoked the license for radio station 18A6916 in the Citizens Radio Service.

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of certain alleged violations of the Communications Act of 1934, as amended, and the Commission's rules, in connection with the operation of the above-captioned station;

It appearing, that pursuant to section 308(b) of the Communications Act of

1934, as amended, the Commission on March 8, 1962, directed a letter to the above-named licensee requesting that he furnish replies to certain interrogatories relating to the operation of Citizens radio station 18A6916 within ten days of receipt of such letter; and

It further appearing, that although receipt of the Commission's letter of March 8, 1962, was acknowledged by the signature of the licensee's agent, A. Bush, on March 12, 1962, to a Post Office Department return receipt card, no response was made to the Commission's letter; and

It further appearing, that follow-up letters dated May 10, and September 25, 1962, respectively, were sent by the Commission to the above-named licensee, calling his attention to the failure to respond and requesting reply thereto, both of which were received by the licensee, but no response thereto was made; and

It further appearing, that in view of the foregoing, the licensee has repeatedly violated section 308(b) of the Communications Act of 1934, as amended, and § 1.76 of the Commission's rules;

It is ordered. This 17th day of December 1962, pursuant to section 312 (a) (4) and (c) of the Communications Act of 1934, as amended, and section 0.291(b) (8) of Part 0 of the Commission's rules and regulations, that the said licensee show cause why the license for the above-captioned radio station should not be revoked and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Acting Secretary send a copy of this Order by Certified Mail, return receipt requested, to the said licensee at 5818 Columbia Avenue, Hammond, Indiana.

Released: December 19, 1962.

FEDERAL COMMUNICATIONS

COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc 62-12674; Filed, Dec. 21, 1962;
8:51 a.m.]

[Docket No. 14692; FCC 62R-176]

PINELLAS RADIO CO.

Memorandum Opinion and Order Amending Issues

In re application of William D. Mangold, Francis G. Bonsey and Edward P. Landt, d/b as Pinellas Radio Company, Pinellas Park, Florida, Docket No. 14692, File No. BP-14387; for construction permit.

1. The Review Board has the following pleadings under consideration: (a) a Motion of Cherry Broadcasting Company (WDBO) to Enlarge Issues in this proceeding filed November 2, 1962; (b) an Opposition thereto filed by the Broadcast Bureau on November 16, 1962; (c) a Reply to the Opposition of the Broadcast Bureau, filed by Cherry Broadcasting Company on November 21, 1962; (d) Applicant's Opposition to Motion of Cherry Broadcasting Company (WDBO) to Enlarge Issues filed on December 3,

1962;¹ (e) Comments of Teletronics, Inc. With Respect to Opposition to Motion of WDBO to Enlarge Issues, filed December 5, 1962; and (f) Reply of Cherry Broadcasting Company to "Applicant's Opposition to Motion of Cherry Broadcasting Company to Enlarge Issues", filed December 7, 1962.

2. Cherry Broadcasting Company requests an enlargement of issues so as to include issues to determine whether or not the site proposed by the applicant in its application is available; to determine the facts and circumstances concerning the designation of the site in the application; and to determine whether or not the designation of the site in the application reflects adversely upon the character qualifications of the applicant. In support, Cherry Broadcasting Company (WDBO) submits two exhibits, one of which is a plat of the antenna site of Pinellas Radio Company filed with Pinellas' application, and the other is a notarized statement from R. J. Haynsworth, President of Central Title Company. The plat portrays the location of the Pinellas proposed site in relation to certain lots, but the Section in which these are located is not clearly identified. Nor are there any means of correlating the location of these lots with the geographical coordinates of the proposed site specified in Pinellas' application. The notarized statement includes certain entries found in the Public Records of Pinellas County, Florida, which indicate that some of the lots on which Pinellas Radio Company proposes to erect its towers and install its ground system have been deeded to Pinellas County with the condition that such lots be used for park purposes only, and that if used for any other purpose, title to the property shall revert to grantor.

3. Cherry Broadcasting Company in explanation of its tardiness² in filing the motion states it had assumed that since the applicant had designated a site in its application that the site was available; that only recently had it become aware of the problem; and that as soon as it had obtained all the information, it filed the instant motion.

4. The Broadcast Bureau opposes enlargement of issues on the ground that good cause has not been shown for the lateness in filing the motion; and that, as to its merits, the matters raised by petitioner are not so serious and material as to justify abandonment of the procedural rules. In addition, it states that the affidavits filed with the motion are too indefinite and uncertain to support the allegations made or the action requested as required by the provisions of § 1.141(c) of the rules.

5. Cherry Broadcasting Company in its Reply has included an engineering affidavit in which it is stated that the engineer has plotted the geographical

¹ The Review Board granted the request of applicant for an extension of time to December 3, 1962, within which to file its opposition.

² The order of designation was published in the FEDERAL REGISTER on July 7, 1962. Section 1.141(b) of the rules requires that motions to enlarge issues, in the absence of good cause, must be filed not later than 15 days after such publication.

coordinates of the proposed site on a U.S.C. & G.S. Bay Pines, Florida, topographic map and found that the site is in the northwest ¼ Section 26, T 30 S, R 15 E. The engineer further identifies this section as the one portrayed on the plat heretofore mentioned.

6. William D. Mangold, d/b as Pinellas Radio Company opposes the motion for the same reasons as expressed by the Broadcast Bureau. It also submits an affidavit of the applicant in which there is recounted the efforts made by the applicant in selecting a site, and the problems encountered in respect thereto. Also submitted are copies of two letters, one from Mr. Mangold to the Board of County Commissioners, Pinellas County, and a reply thereto from the Vice-Chairman of the Board of County Commissioners. The Vice-Chairman's reply verifies the statement of the applicant that he had made inquiry of the Board in August 1961 about the availability of land at Lake Seminole, states that, when the matter of use of county property at Lake Seminole was discussed by the Board, consideration was not given to the matter of restrictions to the use of the property, and suggests that Mr. Mangold get in touch with the grantors or their successors to determine whether they would be willing to waive the reverter clause. Applicant also states in its opposition that it has conducted a long investigation to determine the extent, if any, to which restrictions may be applicable to any portion of applicant's presently specified site; that it is not yet clear whether any such restrictions would be applicable; and that after consultation with his Washington consulting engineer, there is now under consideration the filing of a purely corrective amendment, which does not change in the slightest degree the engineering in the application or in the direct case already informally exchanged, in order to remove any doubt as to whether the proposed structures will fall on restricted land.

7. The Review Board is of the opinion that the applicant, in its opposition, has effectively answered the allegations made and finds no basis warranting enlargement of issues with respect to two of those requested, viz., (a) to determine the facts and circumstances concerning the designation of the site in the application, and (b) to determine whether or not the designation of the site in the application reflects adversely upon the character qualifications of the applicant. However, facts have been alleged sufficient to raise a substantial question as to whether the proposed site will be available. In addition, the applicant has indicated that consideration is being given to the possibility of filing an amendment to the application because of the questions which have been raised concerning the availability of the proposed site. However, movant has failed to show good cause for filing its motion late, and accordingly, its motion will be denied, but because of the substantive question raised here about the availability of the site, the Review Board will on its own motion enlarge issues as hereinafter ordered.

Accordingly, it is ordered, This 17th day of December 1962, that the motion of Cherry Broadcasting Company (WDBO) to enlarge issues is denied; and

It is further ordered, That the issues in this proceeding are enlarged to include the following: To determine whether or not the site specified by the applicant is available for his proposed operation.

Released: December 19, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-12675; Filed, Dec. 21, 1962;
8:51 a.m.]

[FCC-62-1318]

WHDH, INC. (WHDH-TV)

Application for Renewal of License

In the matter of WHDH, Inc. (WHDH-TV), Boston, Massachusetts; application for renewal of license.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 17th day of December 1962:

The Commission having under consideration its decision in WHDH, Inc., 24 R.R. 255, in which it affirmed, as supplemented and modified, its Decision of April 24, 1957, reinstated its grant for a construction permit for a new television broadcast station to operate on Channel 5, Boston, Massachusetts, to WHDH, Inc., and granted the applications of WHDH, Inc., for licenses to cover construction permits but stated that " * * * the licenses to be issued for a period of four months only"; and

It appearing, that, the Commission in its Decision of September 25, 1962, in granting to WHDH, Inc. a four months license from that date, stated: " * * * Even though the inroads made by WHDH upon the rules governing fair and orderly adjudication have been concluded to result in compromise and impairment of comparative standing only, the Commission's concern with these matters extends to the point that it believes that the public interest would be best served in the circumstances here shown by granting the license application of WHDH, Inc. for a term of four months only."

and

It further appearing, that, the application of WHDH, Inc. for renewal of license of Station WHDH-TV, Boston, Massachusetts, was filed on October 26, 1962; and

It further appearing, that, in order to permit orderly procedure, as was done in similar instances, a definite date should be established within which competing applications for construction permits for new television broadcast stations on Channel 5 may be filed with assurance of comparative consideration.¹

¹ Such date is not a cut-off date after which applications cannot be filed; the date simply delineates the so-called "sure" period within which the prospective applicant need not fear being cut-off by a prior Commission action granting or designating.

It is ordered, That, Channel 5, Boston, Massachusetts, be available for the filing of applications for construction permits for new television broadcast stations beginning January 26, 1963, and ending March 26, 1963, Commission's rules to the contrary, if any, notwithstanding.

Released: December 19, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-12675; Filed, Dec. 21, 1962;
8:51 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-4045]

MISSISSIPPI POWER & LIGHT CO.

Notice of Proposed Acquisition of Common Stock of Industrial Development Corporation

DECEMBER 17, 1962.

Notice is hereby given that Mississippi Power & Light Company ("Mississippi"), Electric Building, Jackson 5, Mississippi, a public-utility subsidiary company of Middle South Utilities, Inc., a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating section 9(c) (3) thereof as applicable to the proposed transaction. All interested persons are referred to said application, on file at the office of the Commission, for a statement of the proposed transaction which is summarized below.

Mississippi proposes to acquire 25,000 shares of the \$1.00 par value Common Stock of Jackson Industrial Development Corporation ("Jackson Corporation") at the subscription price of \$1.00 per share, or for a total consideration of \$25,000.

Jackson Corporation was formed under the sponsorship of the Jackson Chamber of Commerce, Jackson, Mississippi, with the primary purpose of acquiring land in the Jackson area suitable for the location of heavy industry. The application states that it is felt that there is a need for suitable sites in the Jackson area for the location of heavy industry and that the acquisition of such sites by Jackson Corporation would assist in the growth and development of the city by encouraging such industry to consider Jackson in their plans for relocation and expansion. Jackson Corporation is to have broad powers to acquire, sell, lease, and improve real estate; however, it is understood that its principal purpose will be confined to acquiring real estate suitable for the location of heavy industry. Sites so developed would be available for sale or lease to any industry desiring to locate in the Jackson area. The corporation is organized along the lines of any other corporation organized for profit. Land acquired by it will be sold or leased at its market value.

The City of Jackson is the largest municipality served by Mississippi, and

the application states that the company is vitally interested in the city's growth, since a significant percentage of the company's revenue, customers, and facilities are located therein. The company believes that Jackson Corporation's activities will promote the economic development of the City of Jackson, of the State of Mississippi, and of both the company and its customers. The application also states that the proposed investment by the company of \$25,000 in the stock of Jackson Corporation will represent less than 8½ percent of the total amount subscribed at the time of its incorporation (\$300,000) and that it is anticipated that this percentage will be further reduced by the sale of additional stock to other businesses and individuals located in the area.

The application further states that no separable legal fees and no commissions will be paid by the company in the purchase of the Common Stock of the Jackson Corporation, that the total out-of-pocket expenses of the company for the undertaking will not exceed \$250.00, and that no State regulatory body or agency and no Federal commission or agency, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than January 14, 1963, 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 raised by said application 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. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-12636; Filed, Dec. 21, 1962;
8:46 a.m.]

[File No. 70-4096]

NEW ORLEANS PUBLIC SERVICE INC.

Notice of Proposed Transfer of a Portion of Earned Surplus to Capital Surplus

DECEMBER 17, 1962.

Notice is hereby given that New Orleans Public Service Inc. ("New Orleans"), 317 Baronne Street, New Orleans 60, Louisiana, a public-utility

subsidiary company of Middle South Utilities, Inc., a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a)(2) and 7 of the Act as applicable to the proposed transaction. All interested persons are referred to the declaration, on file at the office of the Commission, for a statement of the transaction therein proposed which is summarized below.

New Orleans proposes to transfer from its earned surplus account to its capital surplus account as of December 31, 1962, an aggregate of \$710,264.89 which is equivalent to 50 cents per share on its outstanding no par value common stock. At September 30, 1962, New Orleans' earned surplus amounted to \$13,024,651.

The declaration states that no State regulatory body or agency and no Federal commission or agency, other than this Commission, has jurisdiction over the proposed transaction. It is also stated that no fees or commissions are to be paid and no special and separable expenses are anticipated in connection with the proposed transaction.

Notice is further given that any interested person may, not later than January 7, 1963, 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 raised by said 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. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed contemporaneously with the request. At any time after said date, the declaration, as filed or as amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-12637; Filed, Dec. 21, 1962;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster Area 404]

OREGON

Declaration of Disaster Area

Whereas, it has been reported that during the month of December 1962, because of the effects of certain disasters,

damage resulted to residences and business property located in Jackson and Josephine Counties in the State of Oregon;

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)(1) of the Small Business Act may be received and considered by the Offices below indicated from persons or firms whose property, situated in the aforesaid Counties and areas adjacent thereto, suffered damage or destruction resulting from flood and accompanying conditions occurring on or about December 2, 1962.

OFFICES

Small Business Administration Regional Office,
Smith Tower, Room 1206,
506 2nd Avenue
Seattle 4, Washington.

Small Business Administration Branch Office,
Room 309 Pittock Block,
921 SW. Washington,
Portland, Oregon.

2. A temporary office will be established at Medford, Oregon, address to be announced locally.

3. Applications for disaster loans under the authority of this Declaration will not be accepted subsequent to June 30, 1963.

Dated: December 13, 1962.

JOHN E. HORNE,
Administrator.

[F.R. Doc. 62-12638; Filed, Dec. 21, 1962;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 730]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 19, 1962.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 65515. By order of December 18, 1962, the Transfer Board approved the transfer to Intracoastal Truck Line, Inc., Harvey, La., of Certificate No. MC 54847 Sub 3, issued September 20, 1951, to Robert O. Byrnes, doing business as Byrnes Brothers, Harvey, La., authorizing the transportation

of: Commodities similar to those in the Mercer Description, between Harvey, La., and points in Louisiana within 100 miles thereof, on the one hand, and, on the other, points in Mississippi, between points in a specified part of Louisiana on the one hand, and, on the other, points in Alabama, Georgia, and Florida,

and between points in Louisiana, Harold R. Ainsworth, 2307 American Bank Building, New Orleans 12, La., attorney for applicants.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 62-12643; Filed, Dec. 21, 1962;
8:47 a.m.]

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