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VOLUME 18 — NUMBER 26

Washington, Saturday, February 7, 1953

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State

[Departmental Reg. 108.179]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

Section 325.11 *Designation of differential posts* is amended as follows, effective on the dates indicated:

1. Effective as of the beginning of the first pay period following January 31, 1953, paragraph (a) is amended by the deletion of the following posts:

British Guiana, all posts except Georgetown.
Kuala Lumpur, Malaya.
Subic Bay, Philippines.

2. Effective as of the beginning of the first pay period following January 31, 1953, paragraph (b) is amended by the deletion of the following posts:

Georgetown, British Guiana.
Philippines, all posts except Angeles, Baguio City, Cavite (including Sangley Point), Davao, Laoag, Legaspi, Manila, Subic Bay, and Tuguegarao.
Turkey, all posts except Ankara, Bandirma, Diyarbakir, Elaziz, Erzurum, Iskenderun, Istanbul, Izmir, Kayseri and Konya.

3. Effective as of the beginning of the first pay period following January 31, 1953, paragraph (c) is amended by the deletion of the following post:

Mombasa, Kenya.

4. Effective as of the beginning of the first pay period following January 3, 1953, paragraph (a) is amended by the addition of the following post:

Songkhla, Thailand.

5. Effective as of the beginning of the first pay period following January 31, 1953, paragraph (a) is amended by the addition of the following posts:

Batman, Turkey.
Boela Koemba, Indonesia.
British Guiana, all posts.
Gutingsaga, Indonesia.
Kabandjahe, Indonesia.
Lho Sudon, Indonesia.

6. Effective as of the beginning of the first pay period following December 20, 1952, paragraph (b) is amended by the addition of the following post:

Comayagua, Honduras.

7. Effective as of the beginning of the first pay period following January 31, 1953, paragraph (b) is amended by the addition of the following posts:

Mombasa, Kenya.
Philippines, all posts except Angeles, Baguio City, Cavite (including Sangley Point), Davao, Laoag, Legaspi, Manila and Tuguegarao.
Turkey, all posts except Ankara, Bandirma, Batman, Diyarbakir, Elaziz, Erzurum, Iskenderun, Istanbul, Izmir, Kayseri and Konya.

8. Effective as of the beginning of the first pay period following January 31, 1953, paragraph (c) is amended by the addition of the following post:

Kuala Lumpur, Malaya.

(Sec. 102, Part I, E. O. 10000, Sept. 16, 1948, 13 F. R. 5453; 3 CFR, 1948 Supp.)

For the Secretary of State.

CARLISLE H. HUMELSINE,
Deputy Under Secretary.

JANUARY 21, 1953.

[F. R. Doc. 53-1296; Filed, Feb. 6, 1953; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Tangerine Reg. 133]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.612 *Tangerine Regulation 133*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the

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FEDERAL REGISTER

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State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, 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 thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than February 9, 1953. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 9, 1953; the recommendation and supporting information for continued regulation subsequent to February 8 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 3; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regu-

lation of the handling of tangerines; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., February 9, 1953, and ending at 12:01 a. m., e. s. t., February 16, 1953, no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 1 Russet; or

(ii) Any tangerines, grown in the State of Florida, which are of a size smaller than the size that will pack 246 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions 9½ x 9½ x 19⅛ inches; capacity 1,726 cubic inches).

(2) As used in this section, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1 Russet," and "standard pack" shall have the same meaning as when used in the revised United States Standards for Florida Tangerines (§ 51.417 of this title; 17 F. R. 8377).

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

Done at Washington, D. C., this 5th day of February 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-1342; Filed, Feb. 6, 1953; 8:51 a. m.]

[Orange Reg. 230]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.613 *Orange Regulation 230*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of 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 thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than February 9, 1953. Shipments of oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 9, 1953; the recommendation and supporting information for continued regulation subsequent to February 8 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 3; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges; and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., February 9, 1953, and ending at 12:01 a. m., e. s. t., February 23, 1953, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida, which do not grade at least U. S. No. 1 Russet; or

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than a size that will pack 288 oranges, packed in accordance with the requirements of a standard pack in a standard nailed box.

(2) As used in this section, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the term "U. S. No. 1 Russet," "standard pack," "container" and "standard nailed box" shall each have the same meaning as when used in the revised United States Standards for Florida Oranges (§ 51.302 of this title; 17 F. R. 7879).

(3) Shipments of Temple oranges, grown in the State of Florida, are subject to the provisions of Orange Regulation 225 (§ 933.596; 17 F. R. 10438).

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

Done at Washington, D. C., this 5th day of February 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-1344; Filed, Feb. 6, 1953; 8:52 a. m.]

[Grapefruit Reg. 175]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.614 *Grapefruit Regulation 175*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, 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 in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective not later than February 9, 1953. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until February 9, 1953; the recommendation and supporting information for continued regulation subsequent to February 8 was promptly submitted to the Department after an open meeting of the Growers Administrative Committee on February 3; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time of this section, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., February 9, 1953, and ending at 12:01 a. m., e. s. t., February 16, 1953, no handler shall ship:

(i) Any white seeded grapefruit grown in the State of Florida, which do not grade at least U. S. No. 1 Russet;

(ii) Any pink seeded grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2;

(iii) Any seedless grapefruit, grown in the State of Florida, which do not grade at least U. S. No. 2 Russet;

(iv) Any seeded grapefruit, other than pink grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(v) Any pink seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 80 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(vi) Any white seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box; or

(vii) Any pink seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 112 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(2) As used in this section, "handler," "variety," and "ship" shall have the same meaning as when used in said amended marketing agreement and order; and "U. S. No. 1 Russet," "U. S. No. 2," "U. S. No. 2 Russet," "standard pack," and "standard nailed box" shall have the same meaning as when used in the revised United States Standards for Florida Grapefruit (§ 51.193 of this title; 17 F. R. 7408).

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

Done at Washington, D. C., this 5th day of February 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-1343; Filed, Feb. 6, 1953; 8:51 a. m.]

[Lemon Reg. 471]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.578 *Lemon Regulation 471*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, 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 thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on February 4, 1953; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time of this section.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., February 8, 1953, and ending at 12:01 a. m., P. s. t., February 15, 1953, is hereby fixed as follows:

(i) District 1: 25 carloads;

(ii) District 2: 200 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

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

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

Done at Washington, D. C., this 5th day of February 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Storage date: Feb. 1, 1953]

DISTRICT NO. 1

[12:01 a. m. Feb. 8, 1953, to 12:01 a. m. Feb. 22, 1953]

Handler	*Prorate base (percent)*
Total	100.000
Klink Citrus Association	35.988
Lemon Cove Association	27.817
Tulare County Lemon & Grapefruit Association	33.293
California Citrus Groves, Inc., Ltd.	.000
Harding & Leggett	2.026
Zaninovich Bros., Inc	.876

DISTRICT NO. 2

Total	100.000
American Fruit Growers, Inc., Corona	.551
American Fruit Growers, Inc., Fullerton	.777
American Fruit Growers, Inc., Upland	.480
Consolidated Lemon Co	1.392
Hazeltine Packing Co	1.051
Ventura Coastal Lemon Co	3.707
Ventura Pacific Co	3.111
Glendora Lemon Growers Association	2.447
La Verne Lemon Association	.737
La Habra Citrus Association	.713
Yorba Linda Citrus Association	.226
Escondido Lemon Association	4.077
Cucamonga Mesa Growers	2.495
Etiwanda Citrus Fruit Association	.326
San Dimas Lemon Association	1.113
Upland Lemon Growers Association	6.277
Central Lemon Association	.348
Irvine Citrus Association	.319
Placentia Mutual Orange Association	.813
Corona Citrus Association	.519
Corona Foothill Lemon Co	1.946
Jameson Co	1.186
Arlington Heights Citrus Co	.861
College Heights Orange & Lemon Association	3.713
Chula Vista Citrus Association, The	.691
Escondido Cooperative Citrus Association	.290
Fallbrook Citrus Association	2.024
Lemon Grove Citrus Association	.434
Carpinteria Lemon Association	2.430
Carpinteria Mutual Citrus Association	2.758
Goleta Lemon Association	4.626
Johnston Fruit Co	6.129
North Whittier Heights Citrus Association	.660
San Fernando Heights Lemon Association	4.659
Sierra Madre-Lamanda Citrus Association	1.160
Briggs Lemon Association	1.143
Culbertson Lemon Association	.885
Fillmore Lemon Association	.877
Oxnard Citrus Association	4.640
Rancho Sespe	.407
Santa Clara Lemon Association	4.038
Santa Paula Citrus Fruit Association	1.692
Saticoy Lemon Association	3.340
Seaboard Lemon Association	4.244
Somis Lemon Association	3.212
Ventura Citrus Association	.836
Ventura County Citrus Association	.665
Limoneira Co	1.106
Teague-McKevett Association	.441
East Whittier Citrus Association	.317

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 2—continued

Handler	Prorate base (percent)
Murphy Ranch Co	0.674
Chula Vista Mutual Lemon Association	.699
Index Mutual Association	.295
La Verne Cooperative Citrus Association	2.195
Ventura County Orange & Lemon Association	2.426
Dunning Ranch	.114
Huarte, Joseph D	.018
Latimer, Harold	.060
Paramount Citrus Association, Inc	.544
Santa Rosa Lemon Co	.016
Torn Ranch	.000
Far West Produce Distributors	.020

[F. R. Doc. 53-1363; Filed, Feb. 6, 1953; 8:45 a. m.]

TITLE 25—INDIANS

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

Subchapter L—Irrigation Projects: Operation and Maintenance

PART 130—OPERATION AND MAINTENANCE CHARGES

UINTAH INDIAN IRRIGATION PROJECT, UTAH

On November 21, 1952 (Vol. 17, No. 228, FEDERAL REGISTER, page 10637), there was published a notice of intention to amend §§ 130.77 and 130.77b to increase the annual rate of assessments for the operation and maintenance of the irrigable lands of the Uintah Indian Irrigation Project, Utah, by increasing the basic water charges from $1.75 per acre to $2.10 per acre per annum. Interested persons desiring to participate in formulating the amendment could do so by filing written statements or data with the Area Director of the Bureau of Indian Affairs with headquarters at Phoenix, Arizona, not later than December 11, 1952. Within the time allowed, an objection was filed with the Director by the Uintah Basin Indian Water Users' Association. The Water Users' Association requested a hearing in regard to the raise and requested to know what the money would be used for and why a raise is necessary. A formal hearing was held at the office of the Superintendent of the Uintah and Ouray Agency, Fort Duchesne, Utah, on December 19, 1952. The President and other representatives of the Uintah Basin Indian Water Users' Association attended this hearing. The budget showing the expenditures proposed for the Uintah Indian Irrigation Project was presented to the Water Users' Association and explained in detail. It was not demonstrated at the hearing that appreciable reductions in the budget items could be made. After reviewing the transcript of the hearing and the budget and bearing in mind the substantial increase in cost in operating and maintaining the Uintah Indian Irrigation Project since 1949 when the last assessment rate was fixed, I have concluded that the assessment rate should now be $2.10 per acre annually effective for the calendar year 1953 and thereafter until further notice. Accordingly §§ 130.77 and 130.77b are amended to read as follows:

§ 130.77 *Basic water charges.* Pursuant to the provisions of the acts of June 21, 1906 (34 Stat. 375) and March 7, 1928 (45 Stat. 210, 25 U. S. C. 387), the reimbursable costs expended in the operation and maintenance of the Uintah Indian Irrigation Project, Utah, are apportioned on a per acre basis against the irrigable lands of all units of the project and for the calendar year 1953 and each succeeding year until further order, there shall be collected for each acre of irrigable land to which water can be delivered from the constructed works, a uniform basic charge of $2.10 per acre per annum, where not otherwise established by contract. No bill shall be rendered for less than $4.00.

§ 130.77b *Charges for additional delivery points.* The charges provided in this part are on the basis of one delivery point for each tract of land in contiguous ownership. For each additional delivery point on any tract of land in contiguous ownership, now existing thereon or which may be installed in the future, a service charge of 10 cents per acre shall be assessed annually against each acre of such tract.

(Secs. 1, 3, 36 Stat. 270, 272, as amended; 25 U. S. C. 385)

L. L. NELSON,
Acting Area Director.

[F. R. Doc. 53-1280; Filed, Feb. 6, 1953; 8:45 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[T. D. 5979; Regs. 111]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CORPORATIONS TO SUBMIT EVIDENCE OF CHARITABLE CONTRIBUTION CLAIMED AS DEDUCTION IN TAXABLE YEAR PRECEDING YEAR OF CONTRIBUTION

On November 15, 1952, notice of proposed rule making, regarding amendments to Regulations 111 (26 CFR Part 29), was published in the FEDERAL REGISTER (17 F. R. 10464). No objection to the rules proposed having been received, the amendments set forth below are hereby adopted.

PARAGRAPH 1. Section 29.23 (q)-1 of Regulations 111 as amended by Treasury Decision 5924, approved August 4, 1952, is further amended as follows:

(A) By inserting in lieu of the second and third sentences of paragraph (c) thereof the following: "For taxable years beginning after December 31, 1948, such election shall be made only at the time of the filing of the return for the taxable year and shall be signified by reporting such contribution or gift on the return. There shall be attached to such return a written declaration that the resolution authorizing the contribution or gift was adopted by the board of directors during the taxable year, and such declaration shall be verified by a statement signed by the president or other principal officer of the corporation that it is made under the penalties of perjury. With respect to contributions or gifts authorized on or after January 1, 1953, there shall be attached to the return, in addition to the written declaration referred to in the preceding sentence, a copy of the resolution of the board of directors authorizing such contribution or gift."

(B) By inserting in lieu of the fifth and sixth sentences of paragraph (c) thereof the following: "For taxable years beginning after December 31, 1942, and before January 1, 1949, the election shall be signified by a written statement filed with the consent hereinbefore described in which the contribution or gift shall be specified together with a written declaration that the resolution authorizing the contribution or gift was adopted by the board of directors during the taxable year with respect to which the deduction is claimed, and such declaration shall be verified by a statement signed by the president or other principal officer of the corporation that it is made under the penalties of perjury."

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] JUSTIN F. WINKLE,
Acting Commissioner of Internal Revenue.

Approved: February 3, 1953.

ELBERT P. TUTTLE,
Acting Secretary of the Treasury.

[F. R. Doc. 53-1298; Filed, Feb. 6, 1953; 8:50 a. m.]

[T. D. 5980, Regs. 111]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

SALE OF LAND WITH UNHARVESTED CROP

On December 4, 1952, notice of proposed rule making, regarding amendments to the income tax regulations made necessary by section 323 of the Revenue Act of 1951, approved October 20, 1951, was published in the FEDERAL REGISTER (17 F. R. 10970). No objection to the rules proposed having been received, the amendments to Regulations 111 (26 CFR Part 29) set forth below are hereby adopted:

PARAGRAPH 1. There is inserted immediately preceding § 29.24-1 the following:

SEC. 323. SALE OF LAND WITH UNHARVESTED CROP (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

* * * * *

(b) *Treatment of deductions*—(1) *Amendment of section 24.* Section 24 (relating to items not deductible) is hereby amended by adding at the end thereof a new subsection to read as follows:

(f) *Sale of land with unharvested crop.* Where an unharvested crop sold by the taxpayer is considered under the provisions of section 117 (j) (3) as "property used in the trade or business", in computing net income no deduction (whether or not for the taxable year of the sale and whether for expenses, depreciation, or otherwise) attributable to the production of such crop shall be allowed.

* * * * *

(c) *Effective date.* * * * The amendments made by subsection (b) shall be applicable to any taxable year for which a deduction is disallowed by reason of sales, exchanges, or conversions to which subsection (a) is applicable.

PAR. 2. There is inserted immediately after § 29.24–9 the following:

§ 29.24–10 *Items attributable to an unharvested crop sold with the land.* In computing net income no deduction shall be allowed in respect of items attributable to the production of an unharvested crop which is sold, exchanged, or involuntarily converted in a taxable year beginning after December 31, 1950, with the land and which is considered as property used in the trade or business under section 117 (j) (3). See § 29.117–7. Such items shall be so treated whether or not the taxable year involved is that of the sale, exchange, or conversion of such crop and whether they are for expenses, depreciation, or otherwise. If the taxable year involved is not that of the sale, exchange, or conversion of such crop, a recomputation of the tax liability for such year shall be made; such recomputation should be in the form of an "amended return" if necessary. For the adjustments to basis as a result of such disallowance, see § 29.113 (b) (1)–1.

PAR. 3. There is inserted immediately preceding § 29.113 (b) (1)–1 the following:

SEC. 323. SALE OF LAND WITH UNHARVESTED CROP (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

* * * * *

(b) *Treatment of deductions.* * * *

(2) *Amendment of section 113 (b) (1).* Section 113 (b) (1) (relating to adjustments to basis) is hereby amended by adding at the end thereof a new subparagraph to read as follows:

(L) For deductions to the extent disallowed under section 24 (f), notwithstanding the provisions of any other subparagraph of this paragraph.

(c) *Effective date.* * * * The amendments made by subsection (b) shall be applicable to any taxable year for which a deduction is disallowed by reason of sales, exchanges, or conversions to which subsection (a) is applicable.

PAR. 4. Section 29.113 (b) (1)–1, as amended by Treasury Decision 5967, approved December 30, 1952, is hereby amended by adding at the end thereof the following paragraph (k):

(k) In the case of an unharvested crop which is sold, exchanged, or involuntarily converted in a taxable year beginning after December 31, 1950, with the land and which is considered as property used in the trade or business under section 117 (j) (3), the basis of such crop shall be increased by the amount of the items which are attributable to the production of such crop and which are disallowed, under section 24 (f) and § 29.24–10, as deductions in computing net income. See §§ 29.24–10 and 29.117–7. The basis of any other property shall be decreased by the amount of any such items which are attributable to such other property, notwithstanding any provision of section 113 (b) (1) or of this section to the contrary. For example, if the items attributable to the production of an unharvested crop consist only of fertilizer costing $100 and $50 depreciation on a tractor used only to cultivate such crop and such items are disallowed under section 24 (f) and § 29.24–10, the adjustments to the basis of such crop shall include an increase of $150 for such items and the adjustments to the basis of the tractor shall include a reduction of $50 for the depreciation on the tractor.

PAR. 5. There is inserted immediately preceding § 29.117–1 the following:

SEC. 323. SALE OF LAND WITH UNHARVESTED CROP (REVENUE ACT OF 1951, APPROVED OCTOBER 20, 1951).

(a) *Treatment of gain or loss.* Section 117 (j) (relating to sale or exchange of property used in the trade or business) is hereby amended—

(1) By inserting immediately before the period at the end of the second sentence of paragraph (1) thereof the following: "and unharvested crops to which paragraph (3) is applicable"; and

(2) By adding at the end thereof a new paragraph to read as follows:

(3) *Sale of land with unharvested crop.* In the case of an unharvested crop on land used in the trade or business and held for more than 6 months, if the crop and the land are sold or exchanged (or compulsorily or involuntarily converted as described in paragraph (2)) at the same time and to the same person, the crop shall be considered as "property used in the trade or business."

* * * * *

(c) *Effective date.* The amendment made by subsection (a) shall be applicable only with respect to sales, exchanges, and conversions, occurring in taxable years beginning after December 31, 1950. * * *

PAR. 6. Section 29.117–7, as amended by Treasury Decision 5970, approved January 6, 1953, is hereby amended as follows:

(A) By adding at the end of paragraph (a) (1) (iv) thereof the following:

(v) Gains and losses from the sale, exchange, or involuntary conversion in a taxable year beginning after December 31, 1950, of an unharvested crop under the conditions specified in paragraph (d) of this section.

(B) By adding at the end thereof the following:

(d) *Unharvested crops.* The conditions referred to in paragraph (a) (1) (v) of this section are: (1) The unharvested crop is on land which is "section 117 (j) property", as defined in paragraph (a) (3) of this section, and such land has been held for more than six months; (2) such crop and such land are sold, exchanged, or converted at the same time and to the same person; and (3) no right or option is retained by the taxpayer, at the time of the sale, exchange, or conversion, to reacquire, directly or indirectly, the land (other than one customarily incident to a mortgage or other security transaction). The length of time for which the crop, as distinguished from the land, has been held is immaterial. A leasehold or estate for years is not "land" for the purpose of this section.

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] JOHN S. GRAHAM,
Acting Commissioner of Internal Revenue.

Approved: February 3, 1953.

ELBERT P. TUTTLE,
Acting Secretary of the Treasury.

[F. R. Doc. 53–1299; Filed, Feb. 6, 1953; 8:50 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M–8—Revocation]

M–8—TIN

REVOCATION

NPA Order M–8 (18 F. R. 15) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M–8 as originally issued or as amended from time to time, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective February 6, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53–1371; Filed, Feb. 6, 1953; 11:21 a. m.]

[NPA Order M–24—Revocation]

M–24—TIN PLATE AND TERNEPLATE

REVOCATION

NPA Order M–24 (17 F. R. 8270) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M–24 as originally issued or as amended from time to time, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective February 6, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53–1372; Filed, Feb. 6, 1953; 11:21 a. m.]

[NPA Order M-25—Revocation]

M-25—CANS

REVOCATION

NPA Order M-25 (18 F. R. 21) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-25 as originally issued or as amended from time to time, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective February 6, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-1373; Filed, Feb. 6, 1953; 11:21 a. m.]

[NPA Order M-26—Revocation]

M-26—PACKAGING CLOSURES

REVOCATION

NPA Order M-26 (17 F. R. 9819) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-26 as originally issued or as amended from time to time, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective February 6, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-1374; Filed, Feb. 6, 1953; 11:22 a. m.]

[NPA Order M-27—Revocation]

M-27—COLLAPSIBLE TUBES

REVOCATION

NPA Order M-27 (17 F. R. 3406) is hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-27 as originally issued or as thereafter amended, nor deprive any person of any rights received or accrued under said order prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation is effective February 6, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-1375; Filed, Feb. 6, 1953; 11:22 a. m.]

[NPA Order M-45 and Schedule 10—Revocation]

M-45—ALLOCATION OF CHEMICALS AND ALLIED PRODUCTS

SCHEDULE 10—THIOKOL

REVOCATION

NPA Order M-45 (16 F. R. 2565) and Schedule 10 (17 F. R. 4537) are hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under NPA Order M-45 and/or Schedule 10, nor deprive any person of any rights received or accrued under that order or schedule prior to the effective date of this revocation.

(64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154)

This revocation shall take effect February 6, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-1376; Filed, Feb. 6, 1953; 11:22 a. m]

[NPA Order M-50, Direction 4]

M-50—ELECTRIC UTILITIES

DIR. 4—USE OF PROGRAM IDENTIFICATION E-5

This direction to NPA Order M-50 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been impracticable because of the need for immediate action.

REGULATORY PROVISIONS

Sec.
1. What this direction does.
2. Use of program identification E-5 by electric utilities.

AUTHORITY: Sections 1 and 2 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789, 3 CFR, 1951 Supp.

SECTION 1. *What this direction does.* NPA Order M-50 requires that electric utilities, in placing authorized controlled material orders and in placing rated orders for materials and products other than controlled materials, use the program identification H-3 for major plant additions. Certain electric power projects are of such importance to the atomic energy program, however, that they may properly be given a priority status equal to that accorded to projects of the Atomic Energy Commission. This direction accordingly provides that an electric utility shall use the program identification E-5, instead of H-3, for major plant additions when authorized to do so by the Defense Electric Power Administration. It also contains provisions with reference to the procedure to be followed by sub-suppliers. This direction has no application to the minor requirements of an electric utility as defined in NPA Order M-50.

SEC. 2. *Use of program identification E-5 by electric utilities.* In the event and to the extent that the Defense Electric Power Administration authorizes in writing any electric utility to use the program identification E-5 with respect to any designated major plant addition, such electric utility shall thereafter use that program identification instead of H-3 in placing authorized controlled material orders or rated orders for materials or products to be used in such major plant addition, and shall, by written notice to its suppliers, convert from H-3 to E-5 the program identification identifying all outstanding orders for such materials or products. In all other respects the provisions of NPA Order M-50 relating to the use of the program identification H-3 shall be applicable to the use of the program identification E-5, but Direction 3 to NPA Order M-50 (permitting automatic revalidation of allotments) shall not apply to orders bearing the program identification E-5. Suppliers holding converted orders, and their sub-suppliers in succession, shall likewise place orders or convert their previously placed orders by use of the E-5 allotment number, the DO-E-5 rating, or the E-5 suffix appended to another allotment number or rating, as may be appropriate, in accordance with the provisions of the applicable NPA regulations and orders (particularly CMP Regulations Nos. 1 and 3). Such conversion shall not, however, deprive a converted order of its status as an authorized controlled material order or a rated order, as the case may be, or constitute a ground for postponement of the scheduled delivery date. The converted order shall be given the priority status to which its new program identification entitles it under applicable NPA regulations and orders.

This direction shall take effect February 6, 1953.

NATIONAL PRODUCTION AUTHORITY,
By GEORGE W. AUXIER,
Executive Secretary.

[F. R. Doc. 53-1377; Filed, Feb. 6, 1953; 11:22 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 11—INDUSTRIAL RADIO SERVICES

PART 16—LAND TRANSPORTATION RADIO SERVICES

USE OF CERTAIN FREQUENCIES ALLOCATED TO GOVERNMENT RADIO STATIONS BY NON-GOVERNMENT STATIONS; APPLICATION PROCEDURE

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 28th day of January 1953;

The Commission having under consideration the amendment of Part 11—In-

dustrial Radio Services, and Part 16—Land Transportation Radio Services, to include in each of those parts the provision now contained in Part 2 with reference to the use of certain frequencies allocated to government radio stations by non-Government stations, and also to specify the procedures to be followed in submitting applications for certain of such facilities;

It appearing, that the use of frequencies allocated exclusively to Government stations may be authorized to non-Government stations in those instances where the Commission finds, after consultation with the appropriate Government agency or agencies, that such assignment is necessary for intercommunication with Government stations or where such use by non-Government stations is required for coordination with Government activities;

It further appearing, that certain specific hydrological and meteorological frequencies which may be assigned to non-Government stations are shown in Part 2 of the Commission's rules (footnote US25), and that these frequencies should for convenience of the public also be shown in certain sections of Parts 11 and 16 of the Commission's rules;

It further appearing, that the amendments ordered herein relate to the codification and clarification of existing policies and procedures and that therefore, a notice of proposed rule making pursuant to section 4 (a) of the Administrative Procedure Act is unnecessary and the rule should be made effective immediately;

It is ordered, That under authority of sections 301 and 303 (e), (f), and (r) of the Communications Act of 1934, as amended, that Parts 11 and 16 of the Commission's rules are amended effective immediately as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply secs. 301, 303, 48 Stat. 1081, 1082, as amended; 47 U. S. C. 301, 303)

Released: January 29, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Add a new paragraph (f) to § 11.8 and a new paragraph (c) to § 16.8 as follows:

Frequencies assigned to Federal Government radio stations under Executive order of the President may be authorized for use by stations licensed under this part upon appropriate showing by the applicant that such assignment is necessary for inter-communication with Federal Government stations or required for coordination with activities of the Federal Government, provided the Commission determines, after consultation with the appropriate government agency or agencies, that such assignment is necessary.

2. Add a new paragraph (c) to §§ 11.253, 11.303, 11.353 and 11.503 as follows:

(c) Pursuant to the provisions of § 11.8, and for the specific purpose of transmitting hydrological or meteorological data, the frequencies listed in this paragraph are available for assignment to Operational Fixed stations in this Service: *Provided, however*, That harmful interference shall not be caused to Federal Government stations: *And provided further*, That the hydrological or meteorological data is made available to interested government agencies. Notwithstanding the provisions of § 11.151, Operational Fixed stations authorized to operate on frequencies listed in this paragraph shall not communicate with or accept communications from any Mobile station or Base station unless written authorization to do so has been obtained from the Commission. Persons who desire to operate stations in accordance with the provisions of this paragraph should communicate with the Commission prior to filing formal application and request instructions concerning the procedure to be followed. The following frequencies are available for assignment:

Mc	*Mc*	*Mc*
169.425	171.025	[1] 406.050
169.475	171.075	[1] 406.150
169.525	171.125	[1] 406.250
169.575	171.175	[1] 406.350
170.225	171.825	[1] 412.450
170.275	171.875	[1] 412.550
170.325	171.925	[1] 412.650
170.375	171.975	[1] 412.750

[1] Primarily for use by Fixed Relay Stations.

3. Add a new paragraph (c) to § 16.353 as follows:

(c) Pursuant to the provisions of § 16.8, and for the specific purpose of transmitting hydrological or meteorological data, the frequencies listed in this paragraph are available for assignment to Operational Fixed stations in this Service: *Provided, however*, That harmful interference shall not be caused to Federal Government stations: *And provided further*, That the hydrological or meteorological data is made available to interested government agencies. Notwithstanding the provisions of § 16.151, Operational Fixed stations authorized to operate on frequencies listed in this paragraph shall not communicate with or accept communications from any Mobile station or Base station unless written authorization to do so has been obtained from the Commission. Persons who desire to operate stations in accordance with the provisions of this paragraph should communicate with the Commission prior to filing formal application and request instructions concerning the procedure to be followed. The following frequencies are available for assignment:

Mc	*Mc*	*Mc*
169.425	171.025	[1] 406.050
169.475	171.075	[1] 406.150
169.525	171.125	[1] 406.250
169.575	171.175	[1] 406.350
170.225	171.825	[1] 412.450
170.275	171.875	[1] 412.550
170.325	171.925	[1] 412.650
170.375	171.975	[1] 412.750

[1] Primarily for use by Fixed Relay Stations.

[F. R. Doc. 53-1294; Filed, Feb. 6, 1953; 8:47 a. m.]

[Docket No. 10188]

PART 12—AMATEUR RADIO SERVICE

EMISSIONS AND OTHER PARTICULARS OF OPERATION IN CERTAIN AMATEUR FREQUENCY BAND

In the matter of amendment of Part 12—Amateur Radio Service, to specify emissions and other particulars of operation in the amateur frequency band 21,000–21,450 kc, and for other purposes; Docket No. 10188.

Effective May 1, 1952, the Commission amended its rules governing Amateur Radio Service by adding a new frequency band, 21,000–21,450 kc, with A–1 emission. The Commission's order indicated that further amendments in the matter of specifying the various emissions and particulars of permissible operation in this band would be adopted at a later date. Thereafter the Commission adopted the notice of proposed rule making in this proceeding, and it was duly published in the FEDERAL REGISTER on May 10, 1952 (17 F. R. 4303). The notice proposed to amend § 12.23 (c) of Part 12 by substituting for the Novice amateur frequency band 26.96 to 27.23 Mc, a segment of the new frequency band (21.15 to 21.30 Mc). The notice also proposed deletion of subparagraph (11) of § 12.111 (a); amendment of § 12.111 (a) (5) to specify emissions for use within the frequency band 21.00 to 21.45 Mc; amendment of subparagraph (10) of § 12.111 (a) to remove certain conditions respecting use of frequencies in the band 220–225 Mc, and amendment of § 12.111 (a) by re-numbering its subparagraphs, numerically, to conform with the foregoing changes.

Following publication of the notice some 85 written comments were received from individual amateurs, amateur organizations, and groups. These comments, for the most part, were in favor of adoption of the proposed amendments, and suggested changes have been incorporated into the amended rules with certain exceptions which are hereinafter described in detail.

Some comment was to the effect that frequencies in the band under consideration may be unsuited for use by Novice operators because of possible interference to television reception and while they are presently suitable only for local contracts, future propagation conditions will be such that these frequencies can later be expected to become effective for long-distance communication purposes. The frequency band is expected to be so heavily occupied then that Novice operators would find it extremely difficult to use.

Relative to the possibility of interference to television reception from utilization of a segment of the frequency band 21,000–21,450 kc by Novice operators, the probability of television interference depends more upon the design of the television receiver and of the amateur transmitter, and the manner in which they are installed than upon a choice between operation in the 21 or 27 megacycle amateur bands. It is an accepted fact that television interference, attributable to operation of amateur transmitters, can be resolved satisfac-

torily by appropriate suppression measures. The allocation of frequencies in the 21 Mc band for Novice operation will afford the Novice opportunities to participate in long-distance communication. A slight shift of the Novice portion of the 21-megacycle band was, however, necessary because of the change made in the final rules respecting the position of the radiotelephone segment of the same band.

Some comments were to the effect that too much space was provided for radioteleprinter operation and that not more than 25 or 50 kilocycles should be set aside for that purpose in view of the comparatively small number of amateurs engaged in radio-teleprinter operation. While the total frequency space allocated to the radio-teleprinter operation remains the same as that proposed, provision for such operation is shifted to the band 21.00 to 21.25 Mc because of the change made in the final rules regarding the position of the radiotelephone segment of this band. It is expected that, actually, only a small part of this frequency space will be occupied by radioteleprinters as experience with other special types of operation in the amateur bands indicates that amateur teleprinter operators will tend to gravitate to a few spot frequencies rather than to utilize the entire band.

The original notice contemplated subdividing the frequency band 21,000–21,450 kc into two radiotelephone segments: 21,000–21,100 kc and 21,350–21,450 kc. Comment received overwhelmingly opposed the splitting of the radiotelephone band into two segments and, accordingly, the Commission is providing a single radiotelephone band, 21,250–21,450 kc, in the portion of the frequency band most generally recommended for that purpose.

The Maritime Mobile Amateur Radio Club requested that the Commission enlarge the proceeding by adopting an amendment of § 12.91 to make the frequency band 21.00 to 21.45 Mc available for portable-mobile operation outside the continental limits of the United States. The club was advised that its comment in this respect cannot be considered in this proceeding since the rule making here is addressed only to the proposition of amending § 12.111 of Part 12 to the extent that types of emission and operating procedures are specified and incidental amendment of § 12.23 (e) in respect to the use of a part of that band by Novice operators. Accordingly, the petition of the Maritime Mobile Amateur Radio Club is being separately considered by the Commission, and, if granted, will result in publication of a notice of proposed rule making in respect to amendment of § 12.91 of Part 12. The amendments here adopted are designed only to provide maximum usefulness of the newly activated amateur frequency band in the interest of the various types of operation conducted by radio amateurs in the confines of the United States, its territories and possessions.

These amendments are issued pursuant to authority contained in sections 4 (i), 303 (c), (f), (l) and (r) of the Communications Act of 1934, as amended. It is ordered that, effective 3:00 a. m., e. s. t., March 28, 1953, §§ 12.23 and 12.111 of Part 12—Amateur Radio Service—are are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Adopted: January 28, 1953.

Released: January 29, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

1. Amend § 12.23 (e) by substituting the frequencies 21.10 to 21.25 Mc for the frequencies 26.960 to 27.230 Mc.

2. Amend § 12.111 in the following particulars:

a. Delete present subparagraph (11) of § 12.111 (a).

b. Amend § 12.111 (a) (5) to provide as follows:

(5) 21.00 to 21.45 Mc, using type A–1 emission; 21.00 to 21.25 Mc, using type F–1 emission; 21.25 to 21.45 Mc, using type A–3 emission and narrow band frequency or phase modulation for telephony.

c. Amend § 12.111 (a) (10) to provide as follows:

(10) 220 to 225 Mc using types A0, A1, A2, A3 and A4 emission and special emission for frequency modulation (radio telephone transmissions and radiotelegraph transmissions employing carrier shift or other frequency modulated techniques).

d. Amend § 12.111 (a) by renumbering subparagraphs in numerical sequence in accordance with the foregoing addition and deletion.

[F. R. Doc. 53–1295; Filed, Feb. 6, 1953; 8:49 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[Docket No. 3666, Order 9]

PARTS 71–78 EXPLOSIVES AND OTHER DANGEROUS ARTICLES

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 28th day of January 1953.

It appearing, that pursuant to the Transportation of Explosives Act of March 4, 1921, (41 Stat. 1444), sections 831–835 of Title 18 of the United States Code approved June 25, 1948, and Part II of the Interstate Commerce Act, as amended, the Commission has heretofore formulated and published certain regulations for the transportation of explosives and other dangerous articles.

It further appearing, that in application received we are asked to amend the aforesaid regulations as set forth in provisions made a part thereof.

It is ordered, That the aforesaid regulations for the transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

PART 72—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO PARTS 71–78 OF THIS CHAPTER

Amend Commodity List (15 F. R. 8265, 8266, 8271, 8272, Dec. 2, 1950) (16 F. R. 11775, Nov. 21, 1951) (49 CFR 1950 Rev., 1951 Supp., 72.5) as follows:

§ 72.5 *List of explosives and other dangerous articles.* (a) * * *

Article	Classed as—	Exemptions and packing (see sec.)	Label required if not exempt	Maximum quantity in 1 outside container by rail express
(Change)				
Calcium hypochlorite compounds, dry, containing more than 39 percent available chlorine.	Oxy. M	73.217	Yellow	100 pounds.
Cyanide of calcium or cyanide of calcium mixtures, solid.	Pois. B	73.370 (c) and (d)	Poison	200 pounds.
Cyclopropane	F. G	73.302, 73.308	Red Gas	300 pounds.
Lithium hypochlorite compounds, dry, containing more than 39 percent available chlorine.	Oxy. M	73.217	Yellow	100 pounds.
*Sodium sulfide	F. S	73.153, 73.207	Yellow	300 pounds.
(Add)				
**Polymerizable materials*	See § 73.21 (b)			
Sulfuryl chloride	Cor. L	73.244, 73.247	White	1 quart.

PART 73—SHIPPERS

SUBPART A—PREPARATION OF ARTICLES FOR TRANSPORTATION BY CARRIERS BY RAIL FREIGHT, RAIL EXPRESS, HIGHWAY, OR WATER

1. Amend § 73.21 (15 F. R. 8276, Dec. 2, 1950) (49 CFR 73.21, 1950 Rev.) to read as follows:

§ 73.21 *Prohibited packing.* (a) The offering of packages of dangerous articles in outside packages containing in the same compartment interior packages the mixture of contents of which would be liable to cause a dangerous evolution of heat or gas or produce corrosive materials is prohibited for transportation by common carriers by rail freight, rail express, highway, or water, except as specified in §§ 73.152 (a), 73.242 (a), (b) and 73.301 (a).

(b) The offering for transportation of any package or container of any liquid, solid, or gaseous material which under

conditions incident to transportation may polymerize (combine or react with itself) so as to cause dangerous evolution of heat or gas is prohibited. Such materials may be offered for transportation when properly stabilized or inhibited. Refrigeration may be used as a means of stabilization only when approved by the Bureau of Explosives.

2. Amend § 73.31 paragraph (c) (15 F. R. 8278, Dec. 2, 1950) (49 CFR 73.31, 1950 Rev.) to read as follows:

§ 73.31 *Qualification, maintenance, and use of tank cars.* * * *

(c) For repairs to forge-welded tanks of ICC–105A (§§ 78.271 to 78.274 of this chapter) series, or fusion-welded tanks of ICC–W (§§ 78.280 to 78.289 of this chapter) series, or equipment therefor, requiring welding, the owner of the tank, or party authorized by the owner, must secure approval of such repairs from the Association of American Railroads' committee on tank cars. Fusion welds for repairs must be performed, inspected, and tested in the manner described by currently effective specification for the class of tank concerned, or the specification under which the tank was originally constructed, except that local stress-relieving is permitted when approved by the Association of American Railroads' committee on tank cars. X-raying and stress-relieving are required and must be done in an approved manner. Calking of welded joints is prohibited. Tanks must be retested, as prescribed in paragraph (g) of this section, before being returned to service. For repairs to forge-welded tanks of ICC–105A series, or fusion-welded tanks of ICC–W classes, involving hot or cold working of the shell to restore contours as near as practicable to original design and construction, the owner of the tank, or party authorized by the owner, must render a detailed report of such repairs to the Secretary, Mechanical Division, Association of American Railroads, 59 East Van Buren Street, Chicago 5, Illinois.

* * * * *

SUBPART B—EXPLOSIVES; DEFINITIONS AND PREPARATION

3. Amend § 73.56 paragraphs (c) and (d) (15 F. R. 8286, Dec. 2, 1950) (49 CFR 73.56, 1950 Rev.) to read as follows:

§ 73.56 *Ammunition, projectiles, grenades, bombs, mines and torpedoes.* * * *

(c) Explosive projectiles, explosive torpedoes, explosive mines, or explosive bombs, exceeding 90 pounds in weight, and explosive projectiles of not less than 4½ inches in diameter, may be shipped without being boxed only by, for, or to the Departments of the Army, Navy, and Air Force of the United States Government when securely blocked and braced in accordance with methods approved by the Bureau of Explosives.

(d) Gas projectiles, smoke projectiles, incendiary projectiles, illuminating projectiles, gas bombs, smoke bombs, incendiary bombs, gas grenades, smoke grenades, and incendiary grenades, containing a bursting charge must be packed and properly secured in strong wooden boxes. Detonating fuzes, bouchons or ignition elements must not be assembled in these articles unless shipped by, for, or to the Departments of the Army, Navy, and Air Force of the United States Government or unless of a type approved by the Bureau of Explosives. (See §§ 73.190, 73.330, 73.350, and 73.383 for nonexplosive chemical or poisonous ammunition.)

* * * * *

4. Amend § 73.61 paragraph (e) (15 F. R. 8288, Dec. 2, 1950) (49 CFR 73.61, 1950 Rev.) to read as follows:

§ 73.61 *High explosives.* * * *

(e) Bags shall be made of strong paper or equally efficient material so treated or of such nature that it will not absorb the liquid ingredient of the explosive.

* * * * *

5. Amend § 73.62 paragraph (a) (15 F. R. 8288, Dec. 2, 1950) (49 CFR 73.62, 1950 Rev.) to read as follows:

§ 73.62 *High explosives, liquid.* (a) Liquid explosives as defined in § 73.53 (e) must be packed in specification containers as follows:

(1) Spec. 15L (§ 78.176 of this chapter). Wooden boxes which must be plainly marked on top and on one side or end "High Explosives—Dangerous" in letters not less than 7/16 inch in height. The tops of boxes must be marked "This Side Up".

(2) Spec. MC–200 (§ 78.315 of this chapter). Motor vehicle container.

* * * * *

6. Amend § 73.63 paragraphs (d) (2) and (f) (17 F. R. 1559, Feb. 20, 1952) (15 F. R. 8288, Dec. 2, 1950) (49 CFR 1950 Rev., 1952 Supp., 73.63) to read as follows:

§ 73.63 *High explosive with liquid explosive ingredient.* * * *

(d) * * *

(2) Spec. 14, 15A, or 16A (§§ 78.165, 78.168, or 78.185 of this chapter). Wooden boxes, or spec. 23F or 23H (§§ 78.214 or 78.219 of this chapter) fiberboard boxes, with inside containers which must be cartridges not exceeding 12 inches in diameter or 50 pounds in weight with length not to exceed 36 inches, or bags not exceeding 12½ pounds each. Bags if not completely sealed against leakage by method of closure must be packed with filling holes up. Gross weight of fiberboard boxes not to exceed 65 pounds.

* * * * *

(f) Boxes containing high explosives must be plainly marked on top and on one side or end, except those made in compliance with spec. 23G which must be marked on the side or end, and kegs, drums, or barrels containing high explosives must be marked on both ends, "High Explosives—Dangerous" in letters not less than 7/16 inch in height. The tops of boxes except those made in compliance with spec. 23G, must be marked "This Side Up".

* * * * *

7. Amend § 73.64 paragraph (b) (15 F. R. 8289, Dec. 2, 1950) (49 CFR 73.64, 1950 Rev.) to read as follows:

§ 73.64 *High explosives with no liquid explosive ingredient.* * * *

(b) Boxes containing high explosives must be plainly marked on top and on one side or end, except those made in compliance with spec. 23G which must be marked on the side or end, and kegs, drums, or barrels containing high explosives must be marked on both ends, "High Explosives—Dangerous" in letters not less than 7/16 inch in height.

* * * * *

8. Amend § 73.65 paragraph (i) (15 F. R. 8290, Dec. 2, 1950) (49 CFR 73.65, 1950 Rev.) to read as follows:

§ 73.65 *High explosives with no liquid explosive ingredient nor any chlorate.* * * *

(i) Boxes containing high explosives must be plainly marked on top and on one side or end, except those made in compliance with spec. 23G which must be marked on the side or end, and kegs, drums, or barrels containing high explosives must be marked on both ends, "High Explosives—Dangerous" in letters not less than 7/16 inch in height. The tops of boxes, except those referred to in paragraph (a) (1) to (7) of this section, must be marked "This Side Up".

* * * * *

SUBPART C—FLAMMABLE LIQUIDS; DEFINITION AND PREPARATION

9. Amend § 73.119, introductory text of paragraph (a), introductory text of paragraph (b) and (b) (1) (15 F. R. 8298, 8299, Dec. 2, 1950) (49 CFR 73.119, 1950 Rev.) to read as follows:

§ 73.119 *Flammable liquids not specifically provided for*—(a) *Flammable liquids with flash point 20° F. or below.* Flammable liquids with flash point 20° F. or below and having vapor pressure (Reid [1] test) not over 16 pounds per square inch, absolute, at 100° F., other than those for which special requirements are prescribed in this part, must be prepared for shipment in specification containers of a design and constructed of materials that will not react dangerously with or be decomposed by the chemical packed therein, as follows (see paragraphs (c) to (i) of this section for high pressure liquids, paragraphs (j) to (l) of this section for viscous liquids, and paragraph (m) of this section for flammable liquids which are also oxidizing materials or corrosive liquids):

* * * * *

(b) *Flammable liquids with flash point above 20° F. to 80° F.* Flammable liquids with flash point above 20° F. to 80° F. and having vapor pressure (Reid [1] test) not over 16 pounds per square inch, absolute, at 100° F., other than those for which special requirements are prescribed in this part, must be prepared for shipment in specification containers of a design and constructed of materials that will not react dangerously with or be decomposed by the chemical packed therein, as follows (see paragraphs (c) to (i) of this section for high pressure liquids and paragraph (m) of this section for flammable liquids which are also oxidizing materials or corrosive liquids):

(1) Containers as specified in paragraph (a) of this section, except that openings greater than 2.3 inches in diameter in barrels and drums are authorized when permitted by the specification, and also the following.

* * * * *

SUBPART D—FLAMMABLE SOLIDS AND OXIDIZING MATERIALS; DEFINITION AND PREPARATION

10. Amend § 73.154, introductory text of paragraph (a) (15 F. R. 8303, Dec. 2, 1950) (49 CFR 73.154, 1950 Rev.) to read as follows:

§ 73.154 *Flammable solids and oxidizing materials not specifically provided for.* (a) Flammable solids and oxidizing materials, as defined in §§ 73.150 and 73.151, other than those for which special packing requirements are prescribed, must be packed in specification containers of a design and constructed of materials that will not react dangerously with or be decomposed by the chemical packed therein, as follows:

* * * * *

11. Amend § 73.158 paragraph (a) (4) (17 F. R. 9837, Nov. 1, 1952) (49 CFR 1950 Rev., 1952 Supp., 73.158) to read as follows:

§ 73.158 *Benzoyl peroxide, dry, lauroyl peroxide, dry, chlorobenzoyl peroxide (para), dry, or succinic acid peroxide, dry.* (a) * * *

(4) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with inside fiber containers securely closed by taping or gluing, not over 1 pound capacity each. Each inside container must be surrounded by asbestos or fire-resistant cushioning material which will protect the contents with equal efficiency. Gross weight in spec. 12B65 boxes may be more than 65 but not more than 70 pounds provided net weight of contents does not exceed 50 pounds.

* * * * *

12. Amend § 73.217 introductory text of paragraph (a) (16 F. R. 11778, Nov. 21, 1951) (49 CFR 1950 Rev., 1952 Supp., 73.217) to read as follows:

§ 73.217 *Calcium hypochlorite compounds, dry, and lithium hypochlorite compounds, dry.* (a) Calcium hypochlorite compounds, dry, containing more than 39 percent available chlorine, and lithium hypochlorite compounds, dry, containing more than 39 percent available chlorine must be packed in specification containers as follows:

* * * * *

13. Amend § 73.233 paragraphs (a) (1) and (a) (2) (17 F. R. 9837, Nov. 1, 1952) (49 CFR 1950 Rev., 1952 Supp., 73.233) to read as follows:

§ 73.233 *Nickel catalyst, finely divided, activated or spent.* (a) * * *

(1) Spec. 15A or 15B (§§ 78.168 or 78.169 of this chapter). Wooden boxes with airtight metal inside containers which must have closing device fastened by positive means (not friction); or airtight glass inside containers of not over 1 quart capacity each, securely cushioned in asbestos wool, vermiculite, or equally efficient incombustible cushioning material.

(2) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with airtight metal inside containers which must have closing device fastened by positive means (not friction); or airtight glass inside containers of not over 1 quart capacity each, securely cushioned in asbestos wool, vermiculite, or equally efficient incombustible cushioning material.

* * * * *

SUBPART E—ACIDS AND OTHER CORROSIVE LIQUIDS; DEFINITION AND PREPARATION

14. Amend § 73.245 introductory text of paragraph (a) (15 F. R. 8313, Dec. 2, 1950) (49 CFR 73.245, 1950 Rev.) to read as follows:

§ 73.245 *Acids or other corrosive liquids not specifically provided for.* (a) Acids or other corrosive liquids, as defined in § 73.240, other than those for which special requirements are prescribed, must be packed in specification containers of a design and constructed of materials that will not react dangerously with or be decomposed by the chemical packed therein, as follows:

* * * * *

15. Amend § 73.247 introductory text of paragraph (a), (a) (10) and add paragraph (a) (13) (15 F. R. 8313, 8314, Dec. 2, 1950) (49 CFR 73.247, 1950 Rev.) to read as follows:

§ 73.247 *Acetyl chloride, antimony pentachloride, benzoyl chloride, benzyl chloride, pyro sulfuryl chloride, silicon chloride, sulfur chloride (mono and di), sulfuryl chloride, thionyl chloride, tin tetrachloride (anhydrous), and titanium tetrachloride.* (a) Acetyl chloride, antimony pentachloride, benzoyl chloride, benzyl chloride, pyro sulfuryl chloride, silicon chloride, sulfur chloride (mono and di), sulfuryl chloride, thionyl chloride, tin tetrachloride (anhydrous), and titanium tetrachloride, must, except as indicated, be packed in specification containers as follows:

* * * * *

(10) Spec. 5K (§ 78.88 of this chapter). Nickel drums, authorized for acetyl chloride, benzyl chloride, benzoyl chloride, pyro sulfuryl chloride, sulfuryl chloride, and thionyl chloride only. When shipped in unstabilized condition, the lading must be anhydrous and must be free from impurities such as iron.

* * * * *

(13) Spec. 103A or 103A–W (§ 78.266 or § 78.281 of this chapter). Tank cars, nickel clad at least 10 percent, authorized for acetyl chloride, benzyl chloride, benzoyl chloride, pyro sulfuryl chloride, sulfuryl chloride, and thionyl chloride only. When shipped in unstabilized condition, the lading must be anhydrous and must be free from impurities such as iron.

16. Add paragraphs (a) (8) and (a) (9) to § 73.249 and amend paragraph (b) (15 F. R. 8314, Dec. 2, 1950) (49 CFR 73.249, 1950 Rev.) to read as follows:

§ 73.249 *Alkaline corrosive liquids, n. o. s., alkaline caustic liquids, n. o. s., and alkaline battery fluids.* (a) * * *

(8) Spec. 12B (§ 78.205 of this chapter). Fiberboard boxes with inside containers of glass, polyethylene, or other material resistant to lading, having capacity not over 16 ounces each.

(9) Spec. 15A, 15B, 15C, 16A, or 19A (§§ 78.168, 78.169, 78.170, 78.185, or 78.190 of this chapter). Wooden boxes with inside containers of polyethylene having capacity not over 1 gallon each.

(b) Alkaline corrosive liquids, n. o. s., alkaline caustic liquids, n. o. s., and alkaline battery fluids when offered for transportation by rail express must be packed in specification containers as follows:

(1) In containers as prescribed in paragraph (a) (8) and (9) of this section.

(2) Spec. 5 or 5A (§§ 78.80 or 78.81 of this chapter). Metal barrels or drums, capacity not exceeding 10 gallons, with openings not exceeding 2.3 inches in diameter.

(3) Spec. 15A, 15B, 15C, 16A, or 19A (§§ 78.168, 78.169, 78.170, 78.185, 78.190 of this chapter). Wooden boxes with metal cans not over 2 gallons each.

* * * * *

17. Amend § 73.250 Introductory text of paragraph (a) (15 F. R. 8314, Dec. 2, 1950) (49 CFR 73.250, 1950 Rev.) to read as follows:

§ 73.250 *Automobiles or other self-propelled vehicles.* (a) Automobiles or other self-propelled vehicles equipped with charged electric storage batteries, or with charged electric storage batteries removed from vehicles; and charged electric storage batteries when included in carload or truckload shipments of automobile parts or assembled material are exempt from specification packaging, marking, and labeling requirements as follows: (See also § 73.257 (b).)

* * * * *

18. Add paragraphs (a) (8), (b) and (b) (1) to § 73.257 (15 F. R. 8315, Dec. 2, 1950) (49 CFR 73.257, 1950 Rev.) to read as follows:

§ 73.257 *Electrolyte (acid) or corrosive battery fluid.* (a) * * *

(8) Spec. 1EX (§ 78.6 of this chapter). Carboys in plywood drums (single-trip).

(b) Shipments of electrolyte (acid) or corrosive battery fluid with self-propelled motor vehicles offered for transportation by, for, or to the Departments of the Army, Navy, or Air Force of the United States Government are exempt from Parts 71–78 of this chapter when packed as follows:

(1) In one inside glass bottle of not over 1 gallon capacity, tightly and securely closed, packed in a strong outside container and cushioned therein on all sides with incombustible absorbent material in sufficient quantity to completely absorb liquid contents in event of breakage. Outside container must be so blocked, braced or stayed within the self-propelled vehicle that it cannot change position during transit.

19. Amend § 73.263 paragraph (a) (7) and add paragraph (a) (13) (16 F. R. 11778 Nov. 21, 1951) (15 F. R. 8317, Dec. 2, 1950) (49 CFR 1950 Rev., 1952 Supp., 73.263) to read as follows:

§ 73.263 *Hydrochloric (muriatic) acid, hydrochloric acid mixtures, and sodium chlorite solution.* (a) * * *

(7) Spec. 1D, 1E, or 1EX (single-trip) (§§ 78.4, 78.7, or 78.6 of this chapter). Glass carboys in boxes or plywood drums, of not over 6.5 gallons nominal capacity. Means shall be provided so that accumulated total pressure in bottle shall not exceed 10 p. s. i. gauge at 130° F. or shall vent at a pressure not to exceed 10 p. s. i. gauge.

* * * * *

(13) Spec. 1G (§ 78.11 of this chapter). Polyethylene carboys in plywood or wooden boxes.

* * * * *

20. Amend § 73.264 paragraph (a) (16) (17 F. R. 7281, Aug. 9, 1952) (49 CFR 1950 Rev., 1952 Supp., 73.264) to read as follows:

§ 73.264 *Hydrofluoric acid.* (a) * * *

(16) Spec. 1F or 1G (§§ 78.10 or 78.11 of this chapter). Polyethylene carboys in plywood boxes or drums, or wooden boxes. Authorized for acid not over 60 percent strength.

* * * * *

21. Amend § 73.271 paragraph (a) (9) (17 F. R. 7282, Aug. 9, 1952) (49 CFR 1950 Rev., 1952 Supp., 73.271) to read as follows:

§ 73.271 *Phosphorus oxychloride, phosphorus trichloride, and thiophosphoryl chloride.* (a) * * *

(9) Spec. 103A or 103A–W (§§ 78.266 or 78.281 of this chapter). Tank cars. Spec. 103A tanks must be of steel at least 10 percent nickel clad and Spec. 103A–W tanks must be of steel at least 20 percent nickel clad.

* * * * *

22. Amend § 73.289 paragraph (a) (4) (16 F. R. 11779, Nov. 21, 1951) (49 CFR 1950 Rev., 1952 Supp., 73.289) to read as follows:

§ 73.289 *Formic acid and formic acid solutions.* (a) * * *

(4) Spec. MC 310 (§ 78.330 of this chapter). Tank motor vehicles.

* * * * *

SUBPART F—COMPRESSED GASES; DEFINITION AND PREPARATION

23. Amend § 73.312 paragraph (a) (1) (17 F. R. 9943, Nov. 4, 1952) (49 CFR 1950 Rev., 1952 Supp., 73.312) to read as follows:

§ 73.312 *Liquefied petroleum gas.* (a) * * *

(1) Spec. 3,[1] 3A, 3AA, 3B, 3E, 4, 4A, 4B, 4BA (§§ 78.36, 78.37, 78.38, 78.42, 78.48, 78.49, 78.50, 78.51 of this chapter), 4B240X[1] (see appendix A to subpart C of Part 78 of this chapter), 4B240FLW or 9 (§§ 78.54 or 78.63 of this chapter), 25,[1] 26,[1] or 38.[1] Cylinders authorized under § 73.34 (a) to (e) may be used.

* * * * *

SUBPART G—POISONOUS ARTICLES; DEFINITION AND PREPARATION

24. Amend § 73.346 introductory text of paragraph (a) (15 F. R. 8334, Dec. 2, 1950) (49 CFR 73.346, 1950 Rev.) to read as follows:

§ 73.346 *Poisonous liquids not specifically provided for.* (a) Poisonous liquids as defined in § 73.343, other than those for which special requirements are prescribed, must be packed in specification containers of a design and constructed of materials that will not react dangerously with or be decomposed by the chemical packed therein, as follows:

* * * * *

25. Amend § 73.364 introductory text of paragraph (a) (16 F. R. 11780, Nov. 21, 1951) (49 CFR 1950 Rev., 1952 Supp., 73.364) to read as follows:

§ 73.364 *Exemptions for poisonous solids, class B.* (a) Poisonous solids, class B, except cyanides, other than as specified in § 73.370 (b) and § 73.370 (d), and beryllium metal powder, in tightly closed inside containers, securely cushioned when necessary to prevent breakage and packed as follows, are exempt from specification packaging, marking, and labeling requirements for transportation by rail freight, rail express, or highway, but when for transportation by carrier by water they are exempt from specification packaging, marking other than name of contents, and labeling requirements.

* * * * *

26. Amend § 73.365 introductory text of paragraph (a) (15 F. R. 8336, Dec. 2, 1950) (49 CFR 73.365, 1950 Rev.) to read as follows:

§ 73.365 *Poisonous solids not specifically provided for.* (a) Poisonous solids, as defined in § 73.343, other than those for which special requirements are prescribed, must be packed in specification containers of a design and constructed of materials that will not react dangerously with or be decomposed by the chemical packed therein, as follows:

* * * * *

27. Amend § 73.370 introductory text of paragraph (a), (a) (1), introductory text of paragraph (b), (b) (1) and (b) (2) and add paragraphs (c) and (d) (16 F. R. 9379, Sept. 15, 1951) (15 F. R. 8337, Dec. 2, 1950) (49 CFR 1950 Rev., 1952 Supp., 73.370) to read as follows:

§ 73.370 *Cyanides, or cyanide mixtures, except cyanide of calcium and mixtures thereof.* (a) Cyanides, or cyanide mixtures (see paragraph (b) of this section for exemptions), except cyanide of calcium and mixtures thereof (see paragraph (c) of this section for packing requirements and paragraph (d) of this section for exemptions), if containing the cyanogen equivalent of 10 percent or more of potassium cyanide, must be packed in specification containers as follows:

(1) Spec. 15A, 15B, or 15C (§§ 78.168, 78.169, or 78.170 of this chapter). Wooden boxes with metal inside containers, spec. 2F (§ 78.25 of this chapter), not over 25 pounds capacity each; or hermetically sealed (soldered) metal lining, spec. 2F, or in glass bottles not over 5 pounds capacity each.

* * * * *

(b) *Cyanides, except cyanide of calcium and mixtures thereof; exemptions.* Cyanides, except cyanide of calcium and mixtures thereof (see paragraph (d) of this section), when packed and described as follows are exempt from specification packaging and labeling requirements:

(1) Cyanides, or cyanide mixtures, in tightly closed glass, earthenware, or metal inside containers, not over 1 pound each, securely cushioned and packed in outside wooden or fiberboard boxes, or in wooden barrels. Net weight of cyanides or cyanide mixtures in any outside container, not over 25 pounds.

(2) Cyanide mixtures in tightly closed glass, earthenware, or metal inside containers, securely cushioned and packed in outside wooden or fiberboard boxes, or in wooden barrels. Net weight of cyanide mixtures in any outside container, not over 5 pounds.

* * * * *

(c) *Cyanide of calcium and mixtures thereof.* Cyanide of calcium and mixtures thereof must be packed in specification containers as follows:

(1) As prescribed in paragraph (a) (2), (3), (4), (5), (6), (7), (8), (9), (10), or (11) of this section.

(2) Spec. 15A, 15B, or 15C (§§ 78.168, 78.169, or 78.170 of this chapter). Wooden boxes with metal inside containers, spec. 2F, not over 25 pounds capacity each; or hermetically sealed (soldered) metal lining, spec. 2F (§ 78.25 of this chapter).

(d) *Cyanide of calcium and mixtures thereof; exemptions.* Cyanide of calcium and mixtures thereof when packed and described as follows are exempt from specification packaging and labeling requirements:

(1) Cyanide of calcium and mixtures thereof in tightly closed metal inside containers, not over 1 pound each, securely cushioned and packed in outside wooden or fiberboard boxes, or in wooden barrels. Net weight of cyanide of calcium or mixtures thereof in any outside container, not over 25 pounds.

(2) Cyanide of calcium or mixtures thereof in tightly closed metal inside containers, securely cushioned and packed in outside wooden or fiberboard boxes, or in wooden barrels. Net weight of cyanide of calcium or mixtures thereof in any outside container, not over 5 pounds.

PART 74—CARRIERS BY RAIL FREIGHT

1. Amend the headnote and introductory text of paragraph (a) and (a) (2) of § 74.506 (15 F. R. 8345, Dec. 2, 1950) (49 CFR 74.506, 1950 Rev.) to read as follows:

§ 74.506 *Improperly packed or damaged shipments in transportation.* (a) For the protection of the public against fire, explosion, or other, or further hazard with respect to shipments of explosives or other dangerous articles offered for transportation or in transit by any carrier by railroad, such carrier shall make immediate report to the Bureau of Explosives, 30 Vesey Street, New York, N. Y., for handling, any of the following emergency matters coming to their attention:

* * * * *

(2) Railroad wrecks or accidents involving damage to containers of explosives or other dangerous articles to such a degree as to necessitate repacking of the articles. (See § 74.588.)

* * * * *

SUBPART A—LOADING, UNLOADING, PLACARDING AND HANDLING CARS; LOADING PACKAGES INTO CARS

2. Amend § 74.525 paragraph (b) (9) (15 F. R. 8346, Dec. 2, 1950) (49 CFR 74.525, 1950 Rev.) to read as follows:

§ 74.525 *Loading packages of explosives in cars, selection, preparation, inspection of car and certificate.* * * *

(b) * * *

(9) When packages of explosives are to be loaded over exposed draft bolts or king bolts, these bolts must have pieces of sound wood with beveled ends spiked to the floor over them (or empty wooden boxes of the same character as those used for the explosive may be used for this purpose) to prevent possibility of the bolts causing damage to the packages of explosives. Metal floor plates must be completely covered with wood, plywood, or fiber or composition sheets of adequate thickness and strength to prevent contact of the floor plates with the packages of explosives under conditions incident to transportation, except that the covering of metal floor plates is not necessary for carload shipments loaded by the Departments of the Army, Navy, or Air Force of the United States Government provided the explosives are of such nature that they are not liable to leakage of dust, powder, or vapor which might become the cause of an explosion.

* * * * *

PART 75—CARRIERS BY RAIL EXPRESS

Amend § 75.660 paragraph (a) (3) (15 F. R. 8360, Dec. 2, 1950) (49 CFR 75.660, 1950 Rev.) to read as follows:

§ 75.660 *Violations and accidents or fires must be reported.* (a) * * *

(3) Accidents or fires in connection with the transportation or storage on express or railway property of explosives or other dangerous articles. (See § 74.588 of this chapter.)

PART 76—RAIL CARRIERS IN BAGGAGE SERVICE

1. Amend § 76.701 paragraph (a) (15 F. R. 8360, Dec. 2, 1950) (49 CFR 76.701, 1950 Rev.) to read as follows:

§ 76.701 *Application.* (a) Parts 71–78 of this chapter apply to all shipments in rail baggage service of dangerous articles as prescribed in this part. Shipments of explosives, other than small arms ammunition, or any dangerous articles, except as provided in this part, must not be accepted for transportation in rail baggage service. The Commission will make provision as occasion and safety may require for dangerous articles other than those described in this part. Carriers engaged in interstate or foreign commerce must make the regulations in this part effective and must provide for the thorough instruction of their employees.

2. Amend § 76.707 paragraph (a) (15 F. R. 8361, Dec. 2, 1950) (49 CFR 76.707, 1950 Rev.) to read as follows:

§ 76.707 *Reporting violations and accidents or fires.* (a) Serious violations of the regulations in Parts 71–78 of this chapter, facts relating to leaking or broken containers, and accidents or fires in connection with the transportation or storage on railway property of explosives or other dangerous articles, must be reported promptly by the rail carrier in baggage service to the Bureau of Explosives, 30 Vesey Street, New York, N. Y. (See § 74.588 of this chapter.)

PART 77—SHIPMENTS MADE BY WAY OF COMMON, CONTRACT, OR PRIVATE CARRIER BY PUBLIC HIGHWAY

SUBPART A—GENERAL INFORMATION AND REGULATIONS

Amend the headnote and introductory text of paragraph (a) and (a) (2) of § 77.807 (15 F. R. 8362, Dec. 2, 1950) (49 CFR 77.807, 1950 Rev.) to read as follows:

§ 77.807 *Improperly packed or damaged shipments in transportation* (a) For the protection of the public against fire, explosion, or other, or further hazard, with respect to shipments of explosives or other dangerous articles offered for transportation or in transit by any common or contract carrier by motor vehicle, such carrier shall make immediate report to the Bureau of Explosives, 30 Vesey Street, New York, N. Y., for handling, any of the following emergency matters coming to their attention (see also §§ 77.853 to 77.870 for handling shipments in transit):

* * * * *

(2) Motor carrier accidents involving damage to container of explosives or other dangerous articles to such a degree as to necessitate repacking of the articles. (See § 74.588 of this chapter.)

* * * * *

PART 78—SHIPPING CONTAINER SPECIFICATIONS

SUBPART A—SPECIFICATIONS FOR CARBOYS, JUGS IN TUBS, AND RUBBER DRUMS

1. Amend headnote of § 78.6, § 78.6–9 paragraph (a) and § 78.6–10 entire paragraph (d) (15 F. R. 8377, 8378, Dec. 2, 1950) (49 CFR 78.6, 78.6–9, 78.6–10, 1950 Rev.) to read as follows:

§ 78.6 *Specification 1EX; glass carboys in plywood drums.* Single trip container.

* * * * *

§ 78.6–9 *Marking of outside container for use.* (a) Each outside container must also be plainly marked "Single-Trip Container" just above or below the mark specified in § 78.6–8 (a) (1) of this section.

§ 78.6–10 *Tests.* * * *

(d) *When required.* By each manufacturing and each filling plant; during each 6 months of each year, one series each year to be witnessed by representative of Bureau of Explosives; separate tests required for:

(1) New packages (those with new outside containers).

(2) Packages differing in kind of cushioning.

* * * * *

2. Add §§ 78.11 to 78.11–7 (15 F. R. 8379, Dec. 2, 1950) (49 CFR 78.11, 1950 Rev.) to read as follows:

§ 78.11 *Specification 1G; polyethylene carboys in wooden or glued plywood boxes.*

§ 78.11–1 *Compliance.* (a) Required in all details.

§ 78.11–2 *Capacity and marking of carboy.* (a) Containers 5 to 16½ gallons capacity are classed as carboys. Actual capacity must be the marked capacity plus 5 percent minimum. Must be permanently marked to indicate capacity, maker, and month and year of manufacture; mark of maker to be registered with the Bureau of Explosives.

§ 78.11–3 *Polyethylene carboys.* (a) Carboys shall be fabricated from polyethylene of virgin quality and having no plasticisers or additives. Carboys must have a minimum weight and wall thickness after forming in accordance with the following table:

Marked capacity (not over)	Minimum wall thickness	Minimum weight of polyethylene carboy
Gallons	*Inch*	*Pounds*
8	0.125	8
15	.125	11½

(b) Closing device shall be of material resistant to the lading and adequate to prevent leakage.

(c) Each polyethylene carboy as manufactured shall be subjected to at least 7 pounds per square inch air pressure during which time all seams must be examined for leakage by application of soap suds or heavy oil, or submerged under water. Containers which show leakage in this test must be repaired in a workmanshiplike manner, after which they must be retested and show no leakage.

§ 78.11–4 *Outside containers.* (a) Wooden boxes, or glued-plywood boxes of not less than three plies, completely enclosing body and neck of carboy or completely enclosing the body of the carboy, shall be constructed in such manner and so formed that inside container cannot permanently change position and be of sufficiently strong wood or plywood to withstand prescribed tests without serious rupture of box or damage to inside container.

(b) Lumber to be well seasoned, commercially dry, and free from decay, loose knots, knots that would interfere with nailing, and other defects that would materially lessen the strength.

(c) Plywood sections used in construction of this container shall be firmly glued together with waterproof glue. A section of plywood from any part when immersed in water at room temperature for 48 hours shall show no delamination or separation of plies to qualify glue as waterproof.

§ 78.11–5 *Approval.* (a) Specifications for the outside container and inner carboy must be filed with and approved by the Bureau of Explosives.

§ 78.11–6 *Marking of outside container.* (a) Each outside container must be plainly marked with letters and figures at least ¾ inch high applied by hot branding iron or dark colored printing ink with pressure dies as follows:

(1) ICC–1G. This mark shall be understood to certify that the complete package complies with all specification requirements.

(2) Name or symbol (letters) of company setting up the package, or other party assuming responsibility for its

compliance with the specification requirements; this must be registered with the Bureau of Explosives and located just above or below the mark specified in paragraph (a) (1) of this section.

§ 78.11–7 *Tests.* (a) One sample, taken at random and with inner container filled to marked capacity with water and closed as for use, shall be capable of withstanding prescribed tests without leakage. Tests shall be made of each size by each company starting production. The type tests are as follows:

(1) Complete package must be capable of withstanding 2 drops from a height of 4 feet onto solid concrete, the first drop to be made diagonally so top corner will strike the concrete; the second drop onto a 2-inch by 6-inch timber resting on the concrete with the 6-inch leg vertical, the drop being made with the box in a horizontal position and at right angles to the timber so that impact is near the center of the box side-wall.

SUBPART D—SPECIFICATIONS FOR METAL BARRELS, DRUMS, KEGS, CASES, TRUNKS, AND BOXES

3. Amend § 78.90–10 introductory text of paragraph (a) (15 F. R. 8440, Dec. 2, 1950) (49 CFR 78.90–10, 1950 Rev.) to read as follows:

§ 78.90 *Specification 5M; monel drums.*

* * * * *

§ 78.90–10 *Marking.* (a) Marking on each container by embossing on head with raised marks, or by embossing or die stamping on footring on drums equipped with footrings, or on metal plates securely attached to drum by welding not less than 20 percent of the perimeter, as follows:

* * * * *

4. Amend § 78.117–8 paragraph (a) (15 F. R. 8449, Dec. 2, 1950) (49 CFR 78.117–8, 1950 Rev.) to read as follows:

§ 78.117 *Specification 17F; steel drums.*

* * * * *

§ 78.117–8 *Rolling hoops and convex heads.* (a) Rolling hoops to be expanded. Alternate use of I-bar hoops authorized.

* * * * *

5. Amend § 78.125–4 paragraph (a) Table (15 F. R. 8451, Dec. 2, 1950) (49 CFR 78.125–4, 1950 Rev.) to read as follows:

§ 78.125 *Specification 37D; steel drums.*

* * * * *

§ 78.125–4 *Weight of sheets.* (a) * * *

Gage, United States Standard (No.)	Standard weight per square foot	Authorized tolerances
	Pounds	*Percent*
12	4.375	5
13	3.750	5
14	3.125	5
15	2.8125	5
16	2.500	5
18	2.000	3½
19	1.750	3½
20	1.500	3½
22	1.250	3½
24	1.000	2½
26	.750	2½

6. Amend § 78.127–5 (17 F. R. 4297, May 10, 1952) (15 F. R. 8452, Dec. 2, 1950) (49 CFR 1950 Rev., 1952 Supp., 78.127–5) to read as follows:

§ 78.127 *Specification 37F; steel drums.*

* * * * *

§ 78.127–5 *Parts and dimensions.* (a) Parts and dimensions as follows:

Marked capacity not over (gallons)	Authorized gross weight not over (pounds)	Type of container	Welded side seam required	Minimum thickness in the black (gage, United States Standard)	
				Body sheet	Head sheet
55	80	Straight side	No	26	26
	160	do	No	26	26
	425	do	No	24	24
	480	do	Yes	24	24
	880	do	Yes	22	22

SUBPART F—SPECIFICATIONS FOR FIBERBOARD BOXES, DRUMS, AND MAILING TUBES

7. Amend § 78.218–10 introductory text of paragraph (a) (15 F. R. 8480, Dec. 2, 1950) (49 CFR 78.218–10, 1950 Rev.) to read as follows:

§ 78.218 *Specification 23G; special cylindrical fiberboard box for high explosives.*

* * * * *

§ 78.218–10 *Marking.* (a) On each container by symbol as follows:

ICC–23G * * *

* * * * *

SUBPART I—SPECIFICATIONS FOR TANK CARS

8. Amend § 78.277 entire paragraph ICC–3 (c) (15 F. R. 8501, Dec. 2, 1950) (49 CFR 78.277, 1950 Rev.) to read as follows:

§ 78.277 *Specification for tank cars having seamless steel tanks Class ICC–107A.* * * *

ICC–3. *Thickness of wall.* * * *

ICC–3. (c) Measure at one end, in a plane perpendicular to the longitudinal axis of the tank and at least 18 inches from that end before necking down—

d = Maximum inside diameter (inches) for the location under consideration; to be determined by direct measurement to an accuracy of 0.05 inch.

t = Minimum thickness of wall for the location under consideration; to be determined by direct measurement to an accuracy of 0.001 inch.

Take $D = d + 2t$.

Calculate the value of $\frac{D^2 - d^2}{D^2 + d^2}$

Make similar measurements and calculation for a corresponding location at the other end of the tank.

Use the smaller result obtained, from the foregoing, in making calculation prescribed in paragraph ICC–3 (b).

9. Amend § 78.280 paragraph AAR–6 (j–13) (15 F. R. 8507, Dec. 2, 1950) (49 CFR 78.280, 1950 Rev.) to read as follows:

§ 78.280 *Specification for tank cars having fusion-welded steel tanks Class ICC–103–W.* * * *

AAR–6. *Nondestructive tests.* (j–1) * * *

AAR–6. (j–13). A complete set of radiographs for each tank shall be retained for not less than 10 years by the tank builder or by the car owner if he so requests.

* * * * *

10. Amend § 78.291 paragraph AAR–6 (j–13) (16 F. R. 5332, June 6, 1951) (49 CFR 1950 Rev., 1952 Supp., 78.291) to read as follows:

§ 78.291 *Specification for tank cars having fusion-welded aluminum tanks Class ICC–103–AL–W.* * * *

AAR–6. *Nondestructive tests.* (j–1) * * *

AAR–6. (j–13) A complete set of radiographs for each tank shall be retained for not less than 10 years by the tank builder or by the car owner if he so requests.

* * * * *

11. Amend § 78.293 paragraph AAR–5 (j–13) (16 F. R. 5768, June 16, 1951) (16 F. R. 5337, June 6, 1951) (49 CFR 1950 Rev., 1952 Supp., 78.293) to read as follows:

§ 78.293 *Specification for tank cars having metallic arc fusion-welded steel tanks Class ICC–110A–500–W.* * * *

AAR–5. *Nondestructing tests.* (j–1) * * *

AAR–5. (j–13) A complete set of radiographs for each tank shall be retained for not less than 10 years by the tank builder or by the car owner if he so requests.

* * * * *

It is further ordered, That the foregoing amendments to the aforesaid regulations shall have full force and effect on April 27, 1953 and that such regulations as herein amended shall thereafter be observed until further order of the Commission.

It is further ordered, That compliance with the aforesaid regulations as herein amended is hereby authorized on and after the date of service of this order.

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of Federal Register.

(Sec. 204, 49 Stat. 546, as amended, sec. 835, 62 Stat. 739; 49 U. S. C. 304, 18 U. S. C. Sup. 835)

By the Commission, Division 3.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53–1285; Filed, Feb. 6, 1953; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR Part 202]

MINIMUM WAGE DETERMINATIONS

NOTICE OF EXTENSION OF TIME FOR FILING EXCEPTIONS AND OBJECTIONS TO PROPOSED PREVAILING MINIMUM WAGE FOR WOOLEN AND WORSTED INDUSTRY

On January 27, 1953, notice was published in the FEDERAL REGISTER (18 F. R. 575) of the proposed prevailing minimum wage determination of the Secretary of Labor for the Woolen and Worsted Industry. The notice provided a period of 30 days for filing of exceptions and objections to such proposed determination.

Upon request of interested parties and for good cause shown the time for filing exceptions and objections is hereby extended to March 13, 1953.

Signed at Washington, D. C., this 4th day of February 1953.

MARTIN P. DURKIN,
Secretary of Labor.

[F. R. Doc. 53-1315; Filed, Feb. 6, 1953; 8:51 a. m.]

NOTICES

FEDERAL POWER COMMISSION

[Docket No. E-6446]

GLACIER COUNTY ELECTRIC COOPERATIVE, INC., AND MARIAS RIVER ELECTRIC COOPERATIVE, INC.

NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO CANADA, AND RELEASING PERMIT

FEBRUARY 3, 1953.

Notice is hereby given that on January 29, 1953, the Federal Power Commission issued its order entered January 27, 1953, in the above-entitled matter, authorizing transmission of electric energy to Canada, and releasing Presidential Permit in Docket No. E-6447.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1287; Filed, Feb. 6, 1953; 8:46 a. m.]

[Docket No. E-6470]

CENTRAL ILLINOIS PUBLIC SERVICE CO.

NOTICE OF ORDER AUTHORIZING ACQUISITION OF SECURITIES

FEBRUARY 3, 1953.

Notice is hereby given that on January 28, 1953, the Federal Power Commission issued its order entered Janary 27, 1953, authorizing acquisition of securities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1288; Filed, Feb. 6, 1953; 8:46 a. m.]

[Docket No. G-1308]

SOUTHERN NATURAL GAS CO.

NOTICE OF ORDER MODIFYING ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

FEBRUARY 3, 1953.

Notice is hereby given that on January 30, 1953, the Federal Power Commission issued its order entered January 29, 1953, modifying order (15 F. R. 3296) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1289; Filed, Feb. 6, 1953; 8:46 a. m.]

[Docket Nos. G-1940, G-2046]

OHIO VALLEY GAS CORP. AND TENNESSEE GAS PIPE LINE CO.

NOTICE OF FINDINGS AND ORDERS

FEBRUARY 3, 1953.

In the matters of Ohio Valley Gas Corporation, Docket No. G-1940; and Tennessee Gas Pipe Line Company, Docket No. G-2046.

Notice is hereby given that on January 28, 1953, the Federal Power Commission issued its orders entered January 27, 1953, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1290; Filed, Feb. 6, 1953; 8:46 a. m.]

[Docket No. G-2103]

TENNESSEE GAS TRANSMISSION CO.

NOTICE OF ORDER DENYING APPEAL FROM SECRETARY'S REJECTION OF APPLICATION

FEBRUARY 3, 1953.

Notice is hereby given that on January 16, 1953, the Federal Power Commission issued its order entered January 15, 1953, denying appeal from Secretary's rejection of application in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1291; Filed, Feb. 6, 1953; 8:46 a. m.]

[Docket No. G-2112]

CITIES SERVICE GAS CO.

NOTICE OF APPLICATION

FEBRUARY 3, 1953.

Take notice that Cities Service Gas Company (Applicant), a Delaware corporation, with its principal place of business in Oklahoma City, Oklahoma, filed on January 22, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of the following described natural-gas facilities:

(1) Construct 8.75 miles of 16-inch gas pipeline to replace an existing 10-inch gas pipeline beginning at a point on the discharge of Applicant's Saginaw compressor station in the Southeast Quarter (SE¼) of section 36, Township 27 North, Range 33 West, thence easterly to a point in the Northwest Quarter (NW¼) of section 4, Township 26 North, Range 31 West, all in Newton County, Missouri.

(2) Construct 9.25 miles of 16-inch gas pipeline to replace an existing 10-inch gas pipeline beginning at a point on the discharge of Applicant's Pierce City compressor station in the Northeast Quarter (NE¼) of section 4, Township 26 North, Range 28 West, thence easterly to a point in the Northeast Quarter (NE¼) of section 1, Township 26 North, Range 27 West, all in Lawrence County, Missouri.

Applicant proposes to utilize said facilities to provide sufficient gas at sufficient pressures to meet peak day demands on its system serving Springfield, Missouri.

The estimated total over-all capital cost of the proposed facilities is $631,000 which Applicant proposes to pay for out of available bank credit under the terms and conditions set forth in Exh. 4, Docket No. G-1968.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 23d day of February 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1286; Filed, Feb. 6, 1953; 8:45 a. m.]

[Docket No. IT-5331]

ARIZONA PUBLIC SERVICE CO.

NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY TO MEXICO

FEBRUARY 3, 1953.

Notice is hereby given that on January 28, 1953, the Federal Power Commission issued its order entered January 27, 1953, authorizing transmission of electric energy to Mexico in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1292; Filed, Feb. 6, 1953; 8:47 a. m.]

[Project No. 479]

MONTANA POWER CO.

NOTICE OF ORDER FURTHER AMENDING LICENSE (TRANSMISSION LINE)

FEBRUARY 3, 1953.

Notice is hereby given that on November 13, 1952, the Federal Power Commission issued its order entered November 4, 1952, further amending license (Transmission Line) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-1293; Filed, Feb. 6, 1953; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[No. 31104; No. MC-C-1431 and First Supplemental Order]

CANNED GOODS IN OFFICIAL TERRITORY

REASSIGNING TIME FOR HEARINGS AND PRESCRIBING NEW DUE DATES FOR PERFORMANCE OF CERTAIN ACTS

In the matters of (1) reassigning the time for hearings, and (2) prescribing new due dates for performance of certain acts required under previously prescribed special rules.

It appearing, that by order of December 15, 1952 (18 F. R. 90), (1) hearings were assigned in the above proceedings on March 23, 1953, at Washington, D. C., and (2) special rules were prescribed, directing, among other things, the prehearing interchange of prepared material;

It further appearing, that certain respondents have requested postponement of the date of hearings and corresponding postponement of the due dates for the performance of certain acts required under said special rules, and that certain shippers have requested said rules be amended so as to provide for a separate date for the submission of their initial testimony and exhibits, later than the submission date prescribed for the respondents;

And it further appearing, that upon consideration of the record, and good cause appearing therefor:

It is ordered, That the said hearings on March 23, 1953, be, and they are hereby, cancelled, and that the proceedings be, and they are hereby reassigned for hearing at the offices of the Interstate Commerce Commission, Washington, D. C., at 8:30 o'clock a. m., United States Standard Time (9:30 o'clock a. m., D. C. Daylight Saving Time), on April 28, 1953, before Examiner Oren G. Barber;

It is further ordered, That Rule 1 of the special rules entered herein by order of December 15, 1952 (18 F. R. 90), be, and it is hereby, superseded by the following Rule 1 which shall be applicable in lieu thereof:

1. *Prepared statement interchange before hearing.* The parties shall prepare in writing all evidence in chief of their witnesses and serve upon all the other parties, shown in the list issued pursuant to Rule 3 hereof, copies thereof together with any exhibits they intend to offer in evidence. Such testimony and exhibits shall be served by all respondents on or before March 23, 1953, and by all intervening shippers and other interveners on or before April 3, 1953. The filing and serving of all testimony and exhibits in rebuttal of such direct evidence shall be made by all parties on or before April 17, 1953. A copy of all testimony and exhibits shall also be mailed to the examiner. No other copies thereof need be filed with the Commission prior to hearing.

It is further ordered, That new due dates as set out below be, and they are hereby, prescribed for the performance of certain acts in lieu of indicated old due dates as follows:

Rule No.	Due dates (1953) Old	Due dates (1953) New	Performance subject matter
2	Feb. 17 or Mar. 6.	Apr. 3 or Apr. 17.	Determinative dates for the filing of petitions of intervention 7 days prior thereto.
5	Mar. 16....	Apr. 22....	Request for cross examination.

It is further ordered, That except as herein modified the said order of December 15, 1952, shall remain in full force and effect;

And it is further ordered, That in addition to service hereof upon all parties of record, a copy hereof also shall be filed with the Director, Division of the Federal Register, Washington, D. C.

Dated at Washington, D. C., this 29th day of January A. D. 1953.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1284; Filed, Feb. 6, 1953; 8:45 a. m.]

[4th Sec. Application 27770]

PIPE FROM GALVESTON, HOUSTON AND ORANGE, TEX., TO MICHIGAN AND WISCONSIN

APPLICATION FOR RELIEF

FEBRUARY 4, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3967.

Commodities involved: Steel or wrought iron pipe, carloads.

From: Galveston, Houston, and Orange, Tex.

To: Points in Michigan and Wisconsin.

Grounds for relief: Rail competition and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3967, Supp. 198.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Acting Secretary.

[F. R. Doc. 53-1283; Filed, Feb. 6, 1953; 8:45 a. m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[467.2]

MUSTARD SEEDS

TARIFF CLASSIFICATION

FEBRUARY 3, 1953.

In the matter of notice of prospective classification of mustard seeds not used for spice purposes.

It appears probable that certain types of mustard seed are properly classifiable under paragraph 764, Tariff Act of 1930, as garden or field seeds, not specially provided for, at a rate of duty higher than that heretofore assessed under an established and uniform practice. The types of mustard seed referred to are as follows: Chinese broadleaf mustard, Chinese smoothleaf mustard, Florida broadleaf mustard, fordhook mustard, fordhook fancy mustard, southern giant curled mustard (both ordinary and longstanding varieties), old fashion mustard, and tendergreen mustard.

Pursuant to § 16.10a (d), Customs Regulations of 1943 (19 CFR 16.10a (d)) notice is hereby given that the existing uniform practice of classifying such merchandise as a spice under paragraph 781, Tariff Act of 1930, is under review in the Bureau of Customs.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct classification of this merchandise which are submitted in writing to the Bureau of Customs, Washington 25, D. C. To assure consideration, such communications must be received in the Bureau not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearings will be held.

[SEAL] D. B. STRUBINGER,
Acting Commissioner of Customs.

[F. R. Doc. 53-1297; Filed, Feb. 6, 1953; 8:50 a. m.]